113th Congress 1st Session

H. R. 1960

To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2013

Mr. McKeon (for himself and Mr. Smith of Washington) (both by request): introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “National Defense Au-
5 thorization Act for Fiscal Year 2014”.


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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

1. Short title.
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. Defense Production Act purchases.

Subtitle B—Specific Programs

Sec. 111. Multiyear procurement authority for E–2D aircraft program.
Sec. 112. Modification to cost cap for CVN–78 aircraft carrier.
Sec. 113. Clarification of limitations on retirement of B–52 bomber aircraft.
Sec. 114. Repeal of limitation on retirement of KC–135E aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Program Matters

Sec. 311. Five-year reauthorization of vessel war risk insurance program.
Sec. 312. Revision to requirement for annual submission of information regarding information technology capital assets.

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Sec. 313. Authorized expenses in connection with humanitarian and civic assistance activities provided in conjunction with military operations.

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 2014 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. Information to be provided to boards considering officers for selective early removal from the reserve active-status list.

Subtitle B—Reserve Component Management

Sec. 511. Removal of restrictions on the transfer of officers to the inactive National Guard.
Sec. 512. Pilot program to allow establishment of active status and inactive status lists of members in the inactive National Guard.
Sec. 513. Forum for processing of complaints of wrongful discrimination by National Guard military technicians (dual status).

Subtitle C—Education and Training

Sec. 521. Extension of educational assistance for members of the Selective Reserve who are involuntarily separated.
Sec. 522. Authority for joint professional military education phase II instruction and credit to be offered and awarded through the senior level course of the school of advanced military studies of the United States Army Command and General Staff College.

Subtitle D—Administrative Procedure

Sec. 531. Procedures for judicial review of military personnel decisions relating to correction of military records.

Subtitle E—Decorations and Awards

Sec. 541. Repeal of limitation on number of medals of honor that may be awarded to a member of the Armed Forces.
Sec. 542. Standardization of time-limits for recommending and awarding a medal of honor, service cross, or distinguished-service medal across the Armed Forces.
Sec. 543. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.

Subtitle F—Other Matters

Sec. 551. Authority to provide certain expenses for care and disposition of human remains that were retained by the Department of Defense for forensic pathology investigation.

Sec. 552. Expansion of privileged information provision to debriefing reports of certain recovered persons who were never placed in a missing status.

Sec. 553. Additional requirements for accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing.

Sec. 554. Family support programs for immediate family members of special operations forces members.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in military basic pay for fiscal year 2014.

Sec. 602. Extension of temporary army authority to provide additional recruitment incentives.

Subtitle B—Disability, Retired Pay, and Survivor Benefits

Sec. 621. Overpayments of division of pay as a result of retroactive change in disposable retired pay.

TITLE VII—HEALTH CARE PROVISIONS

Sec. 701. Revisions to TRICARE cost sharing requirements.

Sec. 702. Requirement for medicare participating physician or supplier to accept TRICARE and veterans affairs participating rates.

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

Sec. 801. Clarification of scope of supplies covered by statutory rapid acquisition authority.

Sec. 802. Reduction in costs to report critical changes to major automated information system programs.

Sec. 803. Modification of reporting requirement for Department of Defense business system acquisition programs when initial operating capability is not achieved within five years of Milestone A approval.

Sec. 804. Enhanced transfer of technology developed at Department of Defense laboratories.

Sec. 805. Extension of authority for program to award prizes for advanced technology achievements.

Sec. 806. Revisions to eligibility for, and amount of, financial assistance under Department of Defense Science, Mathematics, and Research for Transformation program.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT
Sec. 901. Clarification of the order of precedence for the Principal Deputy Under Secretaries of Defense.

Sec. 902. Update of statutory specification of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education.

Sec. 903. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.

Sec. 904. Change to reference to the major Department of Defense headquarters activities issuance.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Subtitle B—Naval Vessels

Sec. 1011. Repeal of policy relating to propulsion systems of any new class of major combatant vessels of the strike forces of the United States Navy.

Sec. 1012. Repeal of requirements relating to procurement of future surface combatants.

Subtitle C—Other Matters

Sec. 1031. Management of Department of Defense installations.

Sec. 1033. Repeal and modification of reporting requirements.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Sec. 1201. Five-year extension of authorization for non-conventional assisted recovery capabilities.

Sec. 1202. Increase in annual limitation on transfer of excess defense articles.

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—National Defense Stockpile

Sec. 1311. Authority to acquire additional materials for the national defense stockpile.

Subtitle C—Other Matters
Sec. 1321. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

Sec. 1322. Authorization of appropriations for Armed Forces Retirement Home.

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. Authorization of appropriations, Army.
Sec. 2104. Modification of authority to carry out certain fiscal year 2004 project.
Sec. 2105. Modification of authority to carry out certain fiscal year 2011 project.
Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.
Sec. 2107. Extension of authorizations of certain fiscal year 2010 projects.
Sec. 2108. Extension of authorizations of certain fiscal year 2011 projects.

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. Modification of authority to carry out certain fiscal year 2011 project.
Sec. 2206. Modification of authority to carry out certain fiscal year 2012 project.
Sec. 2207. Extension of authorizations of certain fiscal year 2011 projects.
Sec. 2208. Extension of authorizations of certain fiscal year 2011 project.

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. Extension of authorizations of certain fiscal year 2011 project.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized defense agencies construction and land acquisition projects.
Sec. 2402. Authorized 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

Subtitle A—Project Authorizations and Authorization of Appropriations

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.

Subtitle B—Other Matters

Sec. 2611. Modification of authority to carry out certain fiscal year 2013 project.
Sec. 2612. Extension of authorization of certain fiscal year 2011 project.
Sec. 2613. Extension of authorization of certain fiscal year 2011 project.

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.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

Sec. 2801. Revisions to minor military construction authorities.
Sec. 2802. Change in authorities relating to unspecified minor construction.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements.
Sec. 2812. Application of cash payments received for utilities and services.
Sec. 2813. Acquisition of real property at Naval Base Ventura County, California.

Subtitle C—Land Withdrawals

Sec. 2821. Military land withdrawals and codification of statutory provisions relating to China Lake, Limestone Hills, Chocolate Mountain, and Twentynine Palms.
Sec. 2822. Fort Bliss military land withdrawal.
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 2014 for procurement for the Army as follows:

(1) For aircraft, $5,024,387,000.
(2) For missiles, $1,334,083,000.
(3) For weapons and tracked combat vehicles, $1,597,267,000.
(4) For ammunition, $1,540,437,000.
(5) For other procurement, $6,465,218,000.

SEC. 102. NAVY AND MARINE CORPS.
(a) Fiscal Year 2014.—Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Navy and Marine Corps as follows:

(1) For aircraft, $17,927,651,000.
(2) For weapons, including missiles and torpedoes, $3,122,193,000.
(3) For shipbuilding and conversion, $14,077,804,000.
(4) For other procurement, $6,310,257,000.
For procurement, Marine Corps, $1,343,511,000.

(6) For ammunition procurement, Navy and Marine Corps, $589,267,000.

(b) Authorization of Advance Appropriations.—Funds are hereby authorized to be appropriated for fiscal year 2015 in the amount of $952,739,000 for Shipbuilding and Conversion, Navy, for procurement of a Virginia class submarine.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Air Force as follows:

(1) For aircraft, $11,398,901,000.
(2) For ammunition, $759,442,000.
(3) For missiles, $5,343,286,000.
(4) For other procurement, $16,760,581,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2014 for Defense-wide procurement in the amount of $4,534,083,000.

SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.

Funds are hereby authorized to be appropriated for fiscal year 2014 for purchases under the Defense Produc-
Subtitle B—Specific Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR E–2D AIRCRAFT PROGRAM.

(a) Authority for Multiyear Procurement.—

Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract or contracts, beginning with the fiscal year 2014 program year, for the procurement of E–2D aircraft for the Department of the Navy.

(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 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 112. MODIFICATION TO COST CAP FOR CVN–78 AIRCRAFT CARRIER.

(a) Cost Cap Baseline.—Subsection (a)(1) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) is amended by striking “$10,500,000,000” and inserting “$12,887,000,000”.

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(b) ADDITIONAL FACTOR FOR ADJUSTMENT OF LIMITATION AMOUNT.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

“(7) The amounts of increases or decreases in costs of that ship that are attributable to the shipboard test program.”.

(c) HULL NUMBER.—Such section is further amended by striking “CVN–21” in subsections (a)(1), (a)(2), and (b) and in the section heading and inserting “CVN–78”.

SEC. 113. CLARIFICATION OF LIMITATIONS ON RETIREMENT OF B–52 BOMBER AIRCRAFT.


SEC. 114. REPEAL OF LIMITATION ON RETIREMENT OF KC–135E AIRCRAFT.

Section 135(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2114), as amended by section 131 of the

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

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

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation as follows:

1. For the Army, $7,989,102,000.
2. For the Navy, $15,974,780,000.
3. For the Air Force, $25,702,946,000.
5. For the Director of Operational Test and Evaluation, $186,300,000.

**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 2014 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, $35,073,077,000.
(2) For the Navy, $39,945,237,000.
(3) For the Marine Corps, $6,254,650,000.
(4) For the Air Force, $37,270,842,000.
(5) For Defense-wide activities, $32,997,693,000.
(6) For the Army Reserve, $3,095,036,000.
(7) For the Navy Reserve, $1,197,752,000.
(8) For the Marine Corps Reserve, $263,317,000.
(9) For the Air Force Reserve, $3,164,607,000.
(10) For the Army National Guard, $7,054,196,000.
(11) For the Air National Guard, $6,566,004,000.
(12) For the United States Court of Appeals for the Armed Forces, $13,606,000.
(13) For the Department of Defense Acquisition Workforce Development Fund, $256,031,000.
(14) For Environmental Restoration, Army, $298,815,000.
(15) For Environmental Restoration, Navy, $316,103,000.
(16) For Environmental Restoration, Air Force, $439,820,000.
(17) For Environmental Restoration, Defense-wide, $10,757,000.
(18) For Environmental Restoration, Formerly Used Defense Sites, $237,443,000.
(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $109,500,000.
(20) For Cooperative Threat Reduction programs, $528,455,000.
(21) For Overseas Contingency Operations Transfer Fund, $5,000,000.

Subtitle B—Program Matters

SEC. 311. FIVE-YEAR REAUTHORIZATION OF VESSEL WAR RISK INSURANCE PROGRAM.
Section 53912 of title 46, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

SEC. 312. REVISION TO REQUIREMENT FOR ANNUAL SUBMISSION OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.
Section 351(a)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 221 note) is amended by striking “in excess of $30,000,000” and all that follows and inserting
“(as computed in fiscal year 2000 constant dollars) in excess of $32,000,000 or an estimated total cost for the future-years defense program for which the budget is submitted (as computed in fiscal year 2000 constant dollars) in excess of $378,000,000, for all expenditures, for all increments, regardless of the appropriation and fund source, directly related to the assets definition, design, development, deployment, sustainment, and disposal.”

SEC. 313. AUTHORIZED EXPENSES IN CONNECTION WITH HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES PROVIDED IN CONJUNCTION WITH MILITARY OPERATIONS.

(a) COVERAGE OF CERTAIN TRAVEL, TRANSPORTATION, AND SUBSISTENCE EXPENSES.—Section 401(c) of title 10, United States Code, is amended by inserting after paragraph (1) the following new paragraph (2):

“(2) Expenses covered by paragraph (1) include travel, transportation, and subsistence expenses of Department of Defense personnel for purposes of evaluating the scope of a humanitarian or civic assistance activity under this section or conducting assessments of such activities, except that the total value of such expenses incurred with respect to any activity may not exceed 10 percent of the activity value.”.
(b) **CLERICAL AMENDMENT.**—Such section is further amended by redesignating paragraph (4) as paragraph (3).

**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, 2014, as follows:

1. The Army, 520,000.
2. The Navy, 323,600.
3. The Marine Corps, 190,200.

**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, 2014, as follows:

2. The Army Reserve, 205,000.
3. The Navy Reserve, 59,100.
4. The Marine Corps Reserve, 39,600.
5. The Air National Guard of the United States, 105,400.
(6) The Air Force Reserve, 70,400.

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

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

(1) the total authorized strength of units orga-
nized 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 partici-
pation 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, 2014, 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, 10,159.

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

(5) The Air National Guard of the United States, 14,734.

(6) The Air Force Reserve, 2,911.

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 2014 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 27,210.
SEC. 414. FISCAL YEAR 2014 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(e)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2014, 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, 2014, 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, 2014, 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 2014, 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 2014 a total of $130,399,881,000.
(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 2014.

TITLE V—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Officer Personnel

Policy

SEC. 501. INFORMATION TO BE PROVIDED TO BOARDS CONSIDERING OFFICERS FOR SELECTIVE EARLY REMOVAL FROM THE RESERVE ACTIVE-STATUS LIST.

Section 14704(a) of title 10, United States Code, is amended—

(1) by inserting ``(1)'' after ``ACTIVE-STATUS LIST.—'';

(2) by striking ``all'';

(3) by striking ``, in the number specified by the Secretary by each grade and competitive category''; and

(4) by adding at the end the following new paragraphs:

``(2) The Secretary of the military department concerned shall specify the number of officers described in paragraph (1) that a selection board convened under sec-
tion 14101(b) of this title may recommend for removal from the reserve active-status list.

“(3) When the Secretary of the military department concerned submits a list of officers to a selection board convened under section 14101(b) of this title to consider officers for selection for removal from the reserve active-status list under this section, such list (except as provided in paragraph (4)) shall include each officer on the reserve active-status list in the same grade and competitive category whose position on the reserve active-status list is between that of the most junior officer in that grade and competitive category whose name is submitted to the board and that of the most senior officer in that grade and competitive category whose name is submitted to the board.

“(4) A list under paragraph (3) may not include an officer in that grade and competitive category who has been approved for voluntary retirement or who is to be involuntary retired under any provision of law during the fiscal year in which the selection board is convened or during the following fiscal year.”.
Subtitle B—Reserve Component Management

SEC. 511. REMOVAL OF RESTRICTIONS ON THE TRANSFER OF OFFICERS TO THE INACTIVE NATIONAL GUARD.

(a) REMOVAL OF RESTRICTIONS.—Chapter 3 of title 32, United States Code, is amended by adding at the end the following new section:

“§ 311. Active and inactive National Guard; transfer of officers

“During the period ending on December 31, 2016, nothing in this chapter shall prevent any of the following:

“(1) An officer of the Army National Guard who fills a vacancy in a federally recognized unit of the Army National Guard from being transferred from the active Army National Guard to the inactive Army National Guard.

“(2) An officer of the Air National Guard who fills a vacancy in a federally recognized unit of the Air National Guard from being transferred from the active Air National Guard to the inactive Air National Guard.

“(3) An officer of the Army National Guard transferred to the inactive Army National Guard from being transferred from the inactive Army Na-
tional Guard to the active Army National Guard to
c fill a vacancy in a federally recognized unit.

“(4) An officer of the Air National Guard
 transferred to the inactive Air National Guard from
 being transferred from the inactive Air National
 Guard to the active Air National Guard to fill a va-
cancy in a federally recognized unit.”.

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

“311. Active and inactive National Guard; transfer of officers.”.

SEC. 512. PILOT PROGRAM TO ALLOW ESTABLISHMENT OF
ACTIVE STATUS AND INACTIVE STATUS LISTS
OF MEMBERS IN THE INACTIVE NATIONAL
GUARD.

(a) AUTHORITY TO MAINTAIN ACTIVE AND INACTIVE
STATUS LISTS IN THE INACTIVE NATIONAL GUARD.—
Section 303 of title 32, United States Code, is amended
by adding at the end the following new subsection:

“(d)(1) The Secretary of the Army and the Secretary
of the Air Force may maintain an active status list and
an inactive status list of members in the inactive Army
National Guard and the inactive Air National Guard, re-
spectively.

“(2) The total number of Army National Guard and
Air National Guard members, combined, on the active sta-
tus lists and the inactive status lists assigned to the inac-
tive National Guard may not exceed 10,000 during any
period.

“(3) The total number of Army National Guard and
Air National Guard members, combined, on the active sta-
tus lists of the inactive National Guard may not exceed
4,000 during any period.

“(4) The authority under this subsection expires at
the close of December 31, 2016.”.

(b) TWO-WAY TRANSFERS OF MEMBERS FORMERLY
ENLISTED IN INACTIVE NATIONAL GUARD.—Subsection
(b) of such section is amended—

(1) by striking “Under such” at the beginning
of the first sentence and inserting “(1) Except as
provided in paragraph (2) and under such”;

(2) by striking “Under such” at the beginning
of the second sentence and inserting “Except as pro-
vided in paragraph (2) and under such”; and

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

“(2) During the period beginning on the date of the
enactment of this paragraph and ending on December 31,
2016, an enlisted member of the active Army National
Guard may be transferred to the inactive Army National
Guard without regard to whether the member was for-
merly enlisted in the inactive Army National Guard and
an enlisted member of the active Air National Guard may
be transferred to the inactive Air National Guard without
regard to whether the member was formerly enlisted in
the inactive Air National Guard.”.

(e) Definition of “Active Status”.—Section
101(d)(4) of title 10, United States Code, is amended by
adding at the end the following new sentence: “However,
in the case of members of the Army National Guard of
the United States during any period during which there
is an inactive status list for the inactive Army National
Guard under section 303(d) of title 32, such term means
the status of such a member who is not assigned to the
inactive status list of the inactive Army National Guard,
on another inactive status list, or in the Retired Reserve,
and in the case of members of the Air National Guard
of the United States during any period during which there
is an inactive status list for the inactive Air National
Guard under section 303(d) of title 32, such term means
the status of such a member who is not assigned to the
inactive status list of the inactive Air National Guard, on
another inactive status list, or in the Retired Reserve.”.

(d) Members in Inactive Status; Training Cat-
egories.—Section 10141 of such title is amended by add-
ing at the end the following new subsection:
“(d)(1) During any period during which there is an inactive status list for the inactive Army National Guard under section 303(d) of title 32—

“(A) the first sentence of subsection (b) shall apply only with respect to Reserves assigned to the inactive Army National Guard who are assigned to the inactive status list; and

“(B) the exclusion of the Army National Guard of the United States under the first sentence of subsection (c) shall be inapplicable.

“(2) During any period during which there is an inactive status list for the inactive Air National Guard under section 303(d) of title 32—

“(A) the first sentence of subsection (b) shall apply only with respect to Reserves assigned to the inactive Air National Guard who are assigned to the inactive status list; and

“(B) the exclusion of the Air National Guard of the United States under the first sentence of subsection (c) shall be inapplicable.”.

(e) COMPUTATION OF YEARS OF SERVICE FOR ENTITLEMENT TO RETIRED PAY.—Paragraph (3) of section 12732(b) of such title is amended to read as follows:

“(3) Service in the inactive National Guard (for any period other than a period during which there
is an inactive status list for the inactive National Guard under section 303(d) of title 32) and service while assigned to the inactive status list of the inactive National Guard (for any period during which there is an inactive status list for the inactive National Guard under section 303(d) of title 32).”.

(f) Eligibility for Inactive-Duty Training Pay.—Section 206(c) of title 37, United States Code, is amended by adding at the end the following new sentence: “However, with respect to any period during which there is an inactive status list for the inactive National Guard under section 303(d) of title 32, the limitation in the preceding sentence shall be applicable to persons assigned to the inactive status list of the inactive National Guard, rather than to persons enlisted in the inactive National Guard.”.

(g) Evaluation of the Pilot Program.—By the end of the pilot period, the Department of Defense shall commission an independent study evaluating the effectiveness of using the active status Inactive National Guard to improve the readiness of the Army National Guard. The study should include, for each year of the pilot, information on—

(1) how many personnel were transferred to the active status Inactive National Guard;
(2) how many of these vacancies were filled with personnel new to the Army National Guard;
(3) the additional cost of filling these positions;
and
(4) impact on drill and annual training participation rates.
The study also should assess the impact on medical readiness category 3B personnel transferred to the active status Inactive National Guard, including how long it took them to complete the Integrated Disability Evaluation System (IDES) process, and how satisfied they were with their unit’s management and collaboration during the IDES process.

SEC. 513. FORUM FOR PROCESSING OF COMPLAINTS OF WRONGFUL DISCRIMINATION BY NATIONAL GUARD MILITARY TECHNICIANS (DUAL STATUS).

(a) In General.—Section 709 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(j) A complaint of wrongful discrimination by a person employed under subsection (a) who is a military technician (dual status) and otherwise subject to the requirements of subsection (b) shall be considered a complaint
of wrongful discrimination by a member of the armed
forces.”.

(b) Effective Date.—The amendment made by
subsection (a) shall apply with respect to a complaint of
wrongful discrimination initiated on or after the date of
the enactment of this Act.

Subtitle C—Education and
Training

SEC. 521. EXTENSION OF EDUCATIONAL ASSISTANCE FOR
MEMBERS OF THE SELECTIVE RESERVE WHO
ARE INVOLUNTARILY SEPARATED.

(a) Preservation of Educational Assistance
Entitlement for Certain Former Members of the
Selected Reserve.—

(1) Extension.—Paragraph (1)(B) of section
16133(b) of title 10, United States Code, is amend-
ed by striking “September 30, 2014” and inserting
“December 31, 2018”.

(2) Cross-reference amendments to re-
flect prior amendment.—Such section is further
amended by striking “clause (2) of” in paragraphs
(1) and (4)(B).

(b) Basic Educational Assistance Entitlement
for Service in the Selective Reserve.—Subpara-
graph (B)(iii) of section 3012(b)(1) of title 38, United
States Code, is amended by inserting “or the period begin-
ning on October 1, 2013, and ending on December 31,
2018,” after “September 30, 1999.”

SEC. 522. AUTHORITY FOR JOINT PROFESSIONAL MILITARY

EDUCATION PHASE II INSTRUCTION AND

CREDIT TO BE OFFERED AND AWARDED

THROUGH THE SENIOR LEVEL COURSE OF

THE SCHOOL OF ADVANCED MILITARY STUD-

IES OF THE UNITED STATES ARMY COMMAND

AND GENERAL STAFF COLLEGE.

Section 2151(b) of title 10, United States Code, is
amended—

(1) by adding at the end of paragraph (1) the
following new subparagraph:

“(E) The senior-level course of the School
of Advanced Military Studies of the United
States Army Command and General Staff Col-
lege.”.

(2) in paragraph (2)(A), by inserting before the
period at the end the following: “(other than with
respect to the course specified in paragraph
(1)(E))”.

•HR 1960 IH
Subtitle D—Administrative Procedure

SEC. 531. PROCEDURES FOR JUDICIAL REVIEW OF MILITARY PERSONNEL DECISIONS RELATING TO CORRECTION OF MILITARY RECORDS.

(a) Judicial Review.—

(1) In general.—Chapter 79 of title 10, United States Code, is amended by adding at the end the following new section:

“§1560. Judicial review of decisions relating to correction of military records

“(a) Availability of Judicial Review.—

“(1) In general.—Any person adversely affected by a records correction final decision may obtain judicial review of the decision in a court with jurisdiction to hear the matter.

“(2) Records correction final decision defined.—In this section, the term ‘records correction final decision’ means any of the following:

“(A) A final decision issued by the Secretary concerned pursuant to section 1552 of this title.

“(B) A final decision issued by the Secretary of a military department or the Sec-
retary of Homeland Security pursuant to section 1034(f) of this title.

“(C) A final decision issued by the Secretary of Defense pursuant to section 1034(g) of this title.

“(b) Matters Must Be Justiciable.—Notwithstanding subsection (a), a court in which judicial review of a records correction final decision is sought does not have jurisdiction to review any matter or issue raised in a petition of review that is not justiciable.

“(c) Exhaustion of Administrative Remedies.—

“(1) General Rule.—Except as provided in paragraph (3), judicial review of a matter that could be subject to correction under a provision of law specified in subsection (a)(2) in a case arising after the date of the enactment of this section may not be obtained under this section or any other provision of law unless—

“(A) the petitioner has requested a correction under section 1552 of this title (including such a request in a matter arising under section 1034 of this title); and
“(B) the Secretary concerned has rendered a final decision denying that correction in whole or in part.

“(2) WHISTLEBLOWER CASES.—In a case arising after the date of the enactment of this section 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 before obtaining judicial review, but if the petitioner seeks such review, judicial review may not be sought until the Secretary of Defense has made a decision in the matter or the end of the period specified in that section for the Secretary to make such a decision, whichever occurs first.

“(3) CLASS ACTIONS.—In the case of a matter subject to correction under a provision of law specified in subsection (a)(2) in a case arising after the date of the enactment of this section in which judicial review is not precluded by reason of paragraph (1) or (2), if judicial review of a records correction final decision of the matter is sought and if the petitioner for judicial review also seeks to bring a class action with respect to a matter for which the petitioner requested a correction under section 1552 of
this title (including such a request in a matter arising under section 1034 of this title) and if the court issues an order certifying a class in the case, the limitations of paragraphs (1) and (2) shall be inapplicable to any member of the class (other than the petitioner) with respect to any matter covered by a claim for which the class is certified.

“(d) Statutes of Limitation.—

“(1) Two years from final decision.—In the case of a records correction final decision that is issued on or after the date of the enactment of this section, such decision is not subject to judicial review under this section or otherwise subject to review in any court unless petition for such review is filed in a court not later than two years after the date of the final decision other than in a matter to which paragraph (2) applies.

“(2) Six years for certain claims that may result in payment of money.—(A) In the case of a records correction final decision that is issued on or after the date of the enactment of this section and which is described in subparagraph (B), such decision (or the portion of such decision described in such subparagraph) is not subject to judicial review under this section or otherwise subject to

VerDate Mar 15 2010 23:32 May 15, 2013 Jkt 029200 PO 00000 Frm 00035 Fmt 6652 Sfmt 6201 E:\BILLS\H1960.IH H1960sroberts on DSK5SPTVN1PROD with BILLS
review in any court unless petition for such review is filed in a court not later 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. There shall be excluded from the computation of such six-year period the period (i) beginning on the date of the filing with the Secretary of a request for correction of military records leading to the records correction final decision, and (ii) ending on the date of such decision.

“(B) A records correction final decision is described in this subparagraph to the extent that the decision, or portion of the decision, is a denial of a claim that, if relief were to be granted by the court, would support, or result in, the payment of money, other than payments made under chapter 73 of this title, either under a court order or under a subsequent administrative determination.

“(e) SOLE BASIS FOR JUDICIAL REVIEW.—In the case of a cause of action arising after the date of the enactment of this section, no court shall have jurisdiction to review any matter subject to correction under a provision of law specified in subsection (a)(2) except as provided in this section.
“(f) HABEAS CORPUS.—This section does not affect any cause of action arising under chapter 153 of title 28.”.

(2) CLERICAL AMENDMENT.—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.”.

(b) EFFECT OF DENIAL OF REQUEST FOR CORRECTION OF RECORDS WHEN PROHIBITED PERSONNEL ACTION ALLEGED.—

(1) NOTICE OF DENIAL; PROCEDURES FOR JUDICIAL REVIEW.—Subsection (f) of section 1034 of such title is amended by adding at the end 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 record of the member or former member, the Secretary concerned shall provide the member or former member a concise written statement of the basis for the decision and a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time for obtaining such review.”.

(2) SECRETARY OF DEFENSE REVIEW; NOTICE OF DENIAL.—Subsection (g) of such section is amended—

(A) by inserting “(1)” before “Upon the completion of all”; and
(B) by adding at the end the following new paragraph:

“(2) The submittal of a matter to the Secretary of Defense by the member or former member under paragraph (1) must be made within 90 days of the receipt by the member or former member 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 record of the member or former member, the Secretary of Defense shall provide the member or former member a concise written statement of the basis for the decision and a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time for obtaining such review.”.

(3) SOLE BASIS FOR JUDICIAL REVIEW.—Such section is further amended—

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

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

“(h) JUDICIAL REVIEW.—

“(1) A decision of the Secretary of Defense under subsection (g) shall be subject to judicial review only as provided in section 1560 of this title.
“(2) In a case in which review by the Secretary of Defense under subsection (g) was not sought, a decision of the Secretary of a military department under subsection (f) shall be subject to judicial review only as provided in section 1560 of this title.

“(3) A decision by the Secretary of Homeland Security under subsection (f) shall be subject to judicial review only as provided in section 1560 of this title.”.

(c) Effect of Denial of Other Requests for 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 Secretary concerned shall provide the claimant a concise written statement of the basis for the decision and a notification of the availability of judicial review of the decision pursuant to section 1560 of this title and the time for obtaining such review.

“(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.”.

(d) Effective Date and Retroactive Application.—
(1) **Effective date.**—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

(2) **Retroactive application.**—The amendments made by this section shall 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 and the Secretary of Homeland Security under sections 1034(f) or 1552 of such title, whether rendered before, on, or after the date of the enactment of this Act.

(3) **Transition.**—During the period between the date of the enactment of this Act and the effective date specified in paragraph (1), in any case in which the final decision of the Secretary of Defense under section 1034(g) of title 10, United States Code, or the Secretary concerned under sections 1034(f) or 1552 of title 10, United States Code, results in denial, in whole or in part, of any requested correction of the record of a member or former member of the Armed Forces or the record of a claimant under such section 1552, the individual shall be informed in writing of the time for obtaining review of the decision pursuant to section 1560 of such title, as added by subsection (a).
(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 implement 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 Defense.

(f) CONSTRUCTION.—This section and the amendments made by this section do not affect the authority of any court to exercise jurisdiction over any case that was properly before the court before the effective date specified in subsection (d)(1).

Subtitle E—Decorations and Awards

SEC. 541. REPEAL OF LIMITATION ON NUMBER OF MEDALS OF HONOR THAT MAY BE AWARDED TO A MEMBER OF THE ARMED FORCES.

(a) ARMY.—Section 3744 (a) of title 10, United States Code, is amended by striking “medal of honor,”.

(b) NAVY AND MARINE CORPS.—Section 6247 of title 10, United States Code, is amended by striking “medal of honor,”.

(c) AIR FORCE.—Section 8744(a) of title 10, United States Code, is amended by striking “medal of honor,”.
(d) **COAST GUARD.**—Section 494 of title 14, United States Code, is amended by striking “medal of honor,” both places it appears.

**SEC. 542. STANDARDIZATION OF TIME-LIMITS FOR RECOM-MENDING AND AWARDING A MEDAL OF HONOR, SERVICE CROSS, OR DISTINGUISHED-SERVICE MEDAL ACROSS THE ARMED FORCES.**

(a) **ARMY.**—Section 3744(b) of title 10, United States Code, is amended—

1. (1) in paragraph (1), by striking “three years” and inserting “five years”; and
2. (2) in paragraph (2), by striking “two years” and inserting “three years”.

(b) **AIR FORCE.**—Section 8744(b) of such title is amended—

1. (1) in paragraph (1), by striking “three years” and inserting “five years”; and
2. (2) in paragraph (2), by striking “two years” and inserting “three years”.

**SEC. 543. RECODIFICATION AND REVISION OF ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL.**

(a) **AUTOMATIC ENROLLMENT AND FURNISHING OF CERTIFICATE.**—
(1) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1136. Army, Navy, Air Force, and Coast Guard Medal of Honor Roll

“(a) Establishment.—There shall be in the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Department of Homeland Security, respectively, a roll designated as the ‘Army, Navy, Air Force, and Coast Guard Medal of Honor Roll’.

“(b) Enrollment.—The Secretary concerned shall enter and record on such roll the name of each person who has served on active duty in the armed forces and who has been awarded a medal of honor pursuant to section 3741, 6241, or 8741 of this title or section 491 of title 14.

“(c) Certificate.—

“(1) IN GENERAL.—Each living person whose name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll shall be furnished a certificate of enrollment on such roll.

“(2) Entitlement to special pension.—The Secretary concerned shall deliver to the Secretary of Veterans Affairs a certified copy of each
certificate of enrollment issued under paragraph (1).

Such copy shall authorize the Secretary of Veterans Affairs to pay the special pension provided by section 1562 of title 38 to the person named in the certificate.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter of title 10 is amended by adding at the end the following new item:

“1136. Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.”.

(b) SPECIAL PENSION.—

(1) AUTOMATIC ENTITLEMENT.—Section 1562(a) of title 38, United States Code, is amended—

(A) by inserting “living” after “each”;

(B) by striking “subsection (c) of section 1561 of this title” and inserting “subsection (c)(2) of section 1136 of title 10”; and

(C) by striking “application therefor under section 1560 of this title” and inserting “such person’s name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll under section 1136(b) of title 10”.

(2) ELECTION TO DECLINE SPECIAL PENSION.—Section 1562 of such title is further amend-
ed by adding at the end the following new sub-

section:

“(g)(1) A person who is entitled to a special pension
under subsection (a) may elect not to receive such special
pension by notifying the Secretary of such election in writ-
ing.

“(2) The Secretary, upon receipt of such election,
shall cease payments of the special pension to such per-
son.”.

(3) TECHNICAL AMENDMENT.—Section 1562(a)
of such title is further amended by striking “roll”
and inserting “Roll”.

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF RECODIFIED PROVISIONS.—Sec-
tions 1560 and 1561 of title 38, United States Code,
are repealed.

(2) CLERICAL AMENDMENTS.—The table of sec-
tions at the beginning of chapter 15 of such title is
amended, by striking the items relating to sections
1560 and 1561.

(d) EFFECTIVE DATE.—The amendments made by
this section shall be effective with respect to medals of
honor awarded on or after the date of the enactment of
this Act.
Subtitle F—Other Matters

SEC. 551. AUTHORITY TO PROVIDE CERTAIN EXPENSES FOR CARE AND DISPOSITION OF HUMAN REMAINS THAT WERE RETAINED BY THE DEPARTMENT OF DEFENSE FOR FORENSIC PATHOLOGY INVESTIGATION.

(a) DISPOSITION OF REMAINS OF PERSONS WHOSE DEATH IS INVESTIGATED BY THE ARMED FORCES MEDICAL EXAMINER.—

(1) COVERED DECEDENTS.—Section 1481(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(10) To the extent authorized under section 1482(g) of this title, any person not otherwise covered by the preceding paragraphs whose remains (or partial remains) have been retained by the Secretary concerned for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title.”.

(2) AUTHORIZED EXPENSES RELATING TO CARE AND DISPOSITION OF REMAINS.—Section 1482 of such title is amended by adding at the end the following new subsection:

“(g)(1) The payment of expenses incident to the recovery, care, and disposition of the remains of a decedent
covered by section 1481(a)(10) of this title is limited to those expenses that, as determined under regulations prescribed by the Secretary of Defense, would not have been incurred but for the retention of those remains for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title. The Secretary concerned shall pay all other expenses authorized to be paid under this section only on a reimbursable basis. Amounts reimbursed to the Secretary concerned under this subsection shall be credited to appropriations available at the time of reimbursement for the payment of such expenses.

“(2) In a case covered by paragraph (1), if the person designated under subsection (c) to direct disposition of the remains of a decedent does not direct disposition of the remains that were retained for the forensic pathology investigation, the Secretary may pay for the transportation of those remains to, and interment or inurnment of those remains in, an appropriate place selected by the Secretary, in lieu of the transportation authorized to be paid under paragraph (8) of subsection (a).

“(3) In a case covered by paragraph (1), expenses that may be paid do not include expenses with respect to an escort under paragraph (8) of subsection (a), whether or not on a reimbursable basis.”.
(b) Clarification of Coverage of Inurnment.—
Section 1482(a)(9) of such title is amended by inserting “or inurnment” after “interment”.

(c) Technical Amendment.—Section 1482(f) of such title is amended in the third sentence by striking “subsection” and inserting “section”.


(a) Personnel Files.—Section 1506 of title 10, United States Code is amended—

(1) in subsection (d)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Secretary concerned shall withhold from personnel files under this section, as privileged information, any survival, evasion, resistance and escape debriefing report provided by a person described in section 1501(c) of this title who is returned to United States control which is obtained under a promise of confidentiality made for the purpose of ensuring the fullest possible disclosure of information.”.
(2) in subsection (f), by striking “paragraphs (2) and (3)” and inserting “paragraphs (3) and (4)”.

(b) **DEFINITION.**—Section 1513 of such title is amended by adding at the end the following new paragraph:

“(9) The term ‘survival, evasion, resistance, and escape debrief’ means an interview conducted with a person described in section 1501(c) of this title who is returned to United States control in order to record the person’s experiences while surviving, evading, resisting interrogation or exploitation, or escaping.”.

**SEC. 553. ADDITIONAL REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.**

Section 1501(a)(1) of title 10, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:
“(D) coordination of periodic briefing of families of missing persons about the efforts of the Department of Defense to account for those persons.”

SEC. 554. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF SPECIAL OPERATIONS FORCES MEMBERS.

(a) CHAPLAIN-LED PROGRAMS.—The Commander of the United States Special Operations Command may provide support services described in section 1789(b) of title 10, United States Code, to support the immediate family members (as defined in section 1789(c) of such title) of members of the Armed Forces assigned to special operations forces (as defined in section 167(i) of such title) if the Commander determines—

(1) that there is a direct and concrete relationship between—

(A) chaplain-led programs authorized in section 1789 of such title, and

(B) the readiness of special operations forces; and

(2) that such support is not being provided to those family members by the Secretary of a military department.

(b) ADDITIONAL AUTHORITY.—The Commander of the United States Special Operations Command may ex-
pend up to $10,000,000 during any fiscal year during which this subsection is in effect to provide support services described in section 1789(b) of title 10, United States Code, to support family programs directed by medical personnel, behavior health professionals, and family readiness professionals of the Department of Defense to build and maintain the resiliency of members of the Armed Forces assigned to special operations forces (as defined in section 167(i) of such title) and their immediate family members (as defined in section 1789(c) of such title).

(c) Period of Authority.—The authority under this section is in effect during each of fiscal years 2014 through 2016.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS
Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN MILITARY BASIC PAY FOR FISCAL YEAR 2014.

(a) Waiver of Section 1009 Adjustment.—The adjustment to become effective during fiscal year 2014 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.
(b) **INCREASE IN BASIC PAY.**—Effective on January 1, 2014, the rates of monthly basic pay for members of the uniformed services are increased by 1.0 percent.

**SEC. 602.** EXTENSION OF TEMPORARY ARMY AUTHORITY TO PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.


**Subtitle B—Disability, Retired Pay, and Survivor Benefits**

**SEC. 621.** OVERPAYMENTS OF DIVISION OF PAY AS A RESULT OF RETROACTIVE CHANGE IN DISPOSABLE RETIRED PAY.

(a) **AMENDMENT.**—Section 1414(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) An election by a member to change from receipt of retired pay in accordance with this section to receipt of special compensation in accordance with section 1413a of this title pursuant to paragraph (2), shall not affect payments made before the date of such election to the member’s
spouse or former spouse pursuant to section 1408 of this title, of disposable retired pay that a court treated as property for the purpose of issuing a final decree of divorce, dissolution, annulment, or legal separation, including a court ordered, ratified, or approved property settlement incident to such decree.

“(B) In this paragraph:

“(i) The term ‘court’ has the meaning given such term in section 1408(a)(1) of this title.

“(ii) The term ‘disposable retired pay’ has the meaning given such term in section 1408(a)(4) of this title.

“(iii) The term ‘final decree’ has the meaning given such term in section 1408(a)(3) of this title.

“(iv) The term ‘member’ has the meaning given such term in section 1408(a)(5) of this title.

“(v) The term ‘spouse or former spouse’ has the meaning given such term in section 1408(a)(6) of this title.”.

(b) APPLICABILITY.—Paragraph (3) of section 1414(d) of title 10, United States Code, as added by subsection (a), shall apply with respect to payments made
under section 1408 of title 10, United States Code, on
or after the date of the enactment of this Act.

TITLE VII—HEALTH CARE
PROVISIONS

SEC. 701. REVISIONS TO TRICARE COST SHARING REQUIRE-
MENTS.

(a) TRICARE PRIME ENROLLMENT FEES.—Section
1097 of title 10, United States Code, is amended—
(1) in subsection (e)—
(A) by striking “(1)” before “The Sec-
retary”; and
(B) by striking paragraph (2); and
(2) by adding at the end the following new sub-
section:
“(f) ENROLLMENT FEES.—
“(1) AMOUNT.—Beginning January 1, 2014,
the enrollment fee described in subsection (e) for a
derived beneficiary shall be an amount (rounded to
the nearest dollar) equal to the applicable percentage
(specified in paragraph (2)) of the retired pay of the
member or former member upon whom the covered
beneficiary’s eligibility is based, except that the
amount of such enrollment fee shall not be in excess
of the applicable maximum enrollment fee nor less
than the applicable minimum enrollment fee specified in paragraph (3).

“(2) PERCENTAGE OF RETIRED PAY.—The applicable percentage of retired pay shall be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage for a family group of two or more persons</th>
<th>Percentage for an individual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>2.95%</td>
<td>1.475%</td>
</tr>
<tr>
<td>2015</td>
<td>3.30%</td>
<td>1.650%</td>
</tr>
<tr>
<td>2016</td>
<td>3.65%</td>
<td>1.825%</td>
</tr>
<tr>
<td>2017 and after</td>
<td>4.00%</td>
<td>2.000%</td>
</tr>
</tbody>
</table>

“(3) MAXIMUM AND MINIMUM ENROLLMENT FEES.—

“(A) BEFORE 2018.—

“(i) FAMILY GROUPS.—For the years 2014 through 2017, the applicable maximum and minimum enrollment fees for a family group of two or more persons shall be determined in accordance with the following table:
“For:

<table>
<thead>
<tr>
<th>Year</th>
<th>Maximum Enrollment Fee</th>
<th>Minimum Enrollment Fee</th>
<th>Merit Pay Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$548</td>
<td>$900</td>
<td>$750</td>
</tr>
<tr>
<td>2015</td>
<td>$558</td>
<td>$1,200</td>
<td>$900</td>
</tr>
<tr>
<td>2016</td>
<td>$569</td>
<td>$1,500</td>
<td>$1,050</td>
</tr>
<tr>
<td>2017</td>
<td>$581</td>
<td>$1,800</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

“(ii) **INDIVIDUALS.**—The applicable maximum and minimum enrollment fees for an individual shall be one-half the corresponding maximum and minimum enrollment fees for a family group of two or more persons (as specified in clause (i)).

“(B) **AFTER 2017.**—For any year after 2017, the applicable maximum and minimum enrollment fees shall be equal to the maximum and minimum enrollment fees for the previous year increased by the percentage by which retired pay is increased under section 1401a of this title for such calendar year.

“(4) **EXCLUSION.**—Notwithstanding paragraph (1), the enrollment fee described in subsection (e)
for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or for a dependent of such a member shall not exceed the amount of any such enrollment fee for 2013.”.

(b) TRICARE STANDARD ENROLLMENT FEES AND COST SHARING.—Section 1086(b) of such title is amended to read as follows:

“(b) For a person covered by this section, any plan contracted for under section 1079(a) of this title shall contain the following provisions for payment by the patient:

“(1) An annual enrollment fee. The amount of such annual enrollment fee for a year is—

“(A) for 2014, $70 for an individual or $140 for a family group of two or more persons;

“(B) for 2015, $85 for an individual or $170 for a family group of two or more persons;

“(C) for 2016, $100 for an individual or $200 for a family group of two or more persons;

“(D) for 2017, $115 for an individual or $230 for a family group of two or more persons;
“(E) for 2018, $125 for an individual or $250 for a family group of two or more persons; and

“(F) for any year after 2018, the amount of the applicable enrollment fee for the previous year increased by the percentage by which retired pay is increased under section 1401a of this title for such year.

“(2) An annual deductible of the charges in a year for all types of care authorized by this section and received while in an outpatient status and 25 percent of all subsequent charges for such care during a year. The amount of such annual deductible for a year is—

“(A) for 2014, $160 for an individual or $320 for a family group of two or more persons;

“(B) for 2015, $200 for an individual or $400 for a family group of two or more persons;

“(C) for 2016, $230 for an individual or $460 for a family group of two or more persons;
“(D) for 2017, $260 for an individual or
$520 for a family group for a family group of
two or more persons;
“(E) for 2018, $290 for an individual or
$580 for a family group of two or more per-
sons; and
“(F) for any year after 2018, the amount
of the applicable deductible for the previous
year increased by the percentage by which re-
tired pay is increased under section 1401a of
this title for such year.
“(3) 25 percent of the charges for inpatient
care. The Secretary of Defense may exempt a pa-
tient from paying such charges if the hospital to
which the patient is admitted does not impose a
legal obligation on any of its patients to pay for in-
patient care.
“(4) A person covered by this section may not
be required to pay a total in excess of a catastrophic
cap, excluding the amount of any annual enrollment
fee under paragraph (1), for health care received
during any year under a plan contracted for under
section 1079(a) of this title. The amount of such
catastrophic cap for a year is—
“(A) for 2013, $3,000; and
“(B) for any year after 2013, the amount of the catastrophic cap for the previous year increased by the percentage by which retired pay is increased under section 1401a of this title for such year.

“(5) Notwithstanding paragraphs (1), (2), and (4), for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member—

“(A) there is no annual enrollment fee;

“(B) the annual deductible referred to in paragraph (2) for a year is $150 for an individual or $300 for a family group of two or more persons; and

“(C) the catastrophic cap for a year is $3,000.”.

(c) TRICARE FOR LIFE ENROLLMENT FEES.—Section 1086(d)(3) of such title is amended by adding at the end the following new subparagraph:

“(D)(i) Beginning January 1, 2014, a person described in paragraph (2) (except as provided in clauses (vi) and (vii)), shall pay an annual enrollment fee as a condition of eligibility for health care benefits under this section. Such enrollment fee shall be an amount (rounded
to the nearest dollar) equal to the applicable percentage (specified in clause (ii)) of the retired pay of the member or former member upon whom the covered beneficiary’s eligibility is based, except that the amount of such enrollment fee shall not be in excess of the applicable maximum enrollment fee (specified in clause (iii)).

“(ii) The applicable percentage of retired pay shall be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>“For:”</th>
<th>The applicable percentage for a family group of two or more persons is:</th>
<th>The applicable percentage for an individual is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>0.50%</td>
<td>0.25%</td>
</tr>
<tr>
<td>2015</td>
<td>1.00%</td>
<td>0.50%</td>
</tr>
<tr>
<td>2016</td>
<td>1.50%</td>
<td>0.75%</td>
</tr>
<tr>
<td>2017 and after</td>
<td>2.00%</td>
<td>1.00%.</td>
</tr>
</tbody>
</table>

“(iii) For any year 2014 through 2017, the applicable maximum enrollment fees for a family group of two or more persons shall be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>“For:”</th>
<th>The applicable maximum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O–7 or above is:</th>
<th>The applicable maximum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O–6 or below is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$200</td>
<td>$150</td>
</tr>
<tr>
<td>2015</td>
<td>$400</td>
<td>$300</td>
</tr>
<tr>
<td>2016</td>
<td>$600</td>
<td>$450</td>
</tr>
<tr>
<td>2017</td>
<td>$800</td>
<td>$600.</td>
</tr>
</tbody>
</table>
“(iv) For any year after 2017, the applicable maximum enrollment fee shall be equal to the maximum enrollment fee for the previous year increased by the percentage by which retired pay is increased under section 1401a of this title for such year.

“(v) The applicable maximum enrollment fee for an individual shall be one-half the corresponding maximum fee for a family group of two or more persons (as determined under clauses (iii) and (iv)).

“(vi) Clause (i) shall not apply to a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member.

“(vii) Clause (i) also shall not apply to a person who, prior to the date of the enactment of this subparagraph, met the conditions described in paragraph (2)(A) and (B).”.

(d) TRICARE PHARMACY PROGRAM REQUIREMENTS.—

(1) AVAILABILITY OF PHARMACEUTICAL AGENTS THROUGH NATIONAL MAIL-ORDER PHARMACY PROGRAM.—Section 1074g(a)(5) of such title is amended—

(A) by striking “at least one of the means described in paragraph (2)(E)” and inserting
“the national mail-order pharmacy program”;

and

(B) by striking “may include” and all that follows through the end of the paragraph and inserting “shall include cost sharing by the eligible covered beneficiary as specified in paragraph (6).”.

(2) COST SHARING AMOUNTS.—Section 1074g(a)(6) of such title is amended to read as follows:

“(6)(A) In the case of any of the years 2014 through 2023, the cost sharing amounts referred to in paragraph (5) shall be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>30-day supply Retail Generic</th>
<th>30-day supply Retail Formulary</th>
<th>90-day Supply Mail Order Generic</th>
<th>90-day Supply Mail Order Formulary</th>
<th>90-day Supply Mail Order Non-Formulary</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$5</td>
<td>$26</td>
<td>$0</td>
<td>$26</td>
<td>$51</td>
</tr>
<tr>
<td>2015</td>
<td>$6</td>
<td>$28</td>
<td>$0</td>
<td>$28</td>
<td>$54</td>
</tr>
<tr>
<td>2016</td>
<td>$7</td>
<td>$30</td>
<td>$0</td>
<td>$30</td>
<td>$58</td>
</tr>
<tr>
<td>2017</td>
<td>$8</td>
<td>$32</td>
<td>$0</td>
<td>$32</td>
<td>$62</td>
</tr>
<tr>
<td>2018</td>
<td>$9</td>
<td>$34</td>
<td>$9</td>
<td>$34</td>
<td>$66</td>
</tr>
<tr>
<td>2019</td>
<td>$10</td>
<td>$36</td>
<td>$10</td>
<td>$36</td>
<td>$70</td>
</tr>
<tr>
<td>2020</td>
<td>$11</td>
<td>$38</td>
<td>$11</td>
<td>$38</td>
<td>$75</td>
</tr>
<tr>
<td>2021</td>
<td>$12</td>
<td>$40</td>
<td>$12</td>
<td>$40</td>
<td>$80</td>
</tr>
</tbody>
</table>
"For:

<table>
<thead>
<tr>
<th></th>
<th>The cost sharing amount for a 30-day supply of a retail generic is:</th>
<th>The cost sharing amount for a 30-day supply of a retail formulary is:</th>
<th>The cost sharing amount for a 90-day supply of a mail order generic is:</th>
<th>The cost sharing amount for a 90-day supply of a mail order formulary is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$13</td>
<td>$43</td>
<td>$13</td>
<td>$43</td>
</tr>
<tr>
<td>2023</td>
<td>$14</td>
<td>$45</td>
<td>$14</td>
<td>$45</td>
</tr>
</tbody>
</table>

"(B) For any year after 2023, the cost sharing amounts referred to in paragraph (5) shall be equal to the cost sharing amounts for the previous year, adjusted by an amount, if any, as determined by the Secretary to reflect changes in the costs of pharmaceutical agents and prescription dispensing, rounded to the nearest dollar.

"(C) Notwithstanding subparagraphs (A) and (B), the cost-sharing amounts referred to in paragraph (5) for any year for a dependent of a member of the uniformed services who dies while on active duty, a member retired under chapter 61 of this title, or a dependent of such a member shall be equal to the cost sharing amounts, if any, for fiscal year 2013."

(3) Refills of prescription maintenance medications through the national mail order pharmacy program.—

(A) In general.—Such section 1074g is further amended by adding at the end the following new subsection:
“(i) Refills of Prescription Maintenance Medications Through the National Mail Order Pharmacy Program.—

“(1) In General.—The pharmacy benefits program shall require eligible covered beneficiaries to refill non-generic prescription maintenance medications through military treatment facility pharmacies or the national mail-order pharmacy program.

“(2) Medications Covered.—

“(A) Determination.—The Secretary shall determine the maintenance medications subject to the requirement under paragraph (1).

“(B) Supply.—In carrying out the requirement under paragraph (1), the Secretary shall ensure that the medications subject to the requirement under paragraph (1) are—

“(i) generally available to eligible covered beneficiaries through retail pharmacies only for an initial filing of a 30-day or less supply; and

“(ii) any refills of such medications are obtained through a military treatment facility pharmacy or the national mail-order pharmacy program.
“(C) EXEMPTION.—The Secretary may exempt the following prescription maintenance medications from the requirements in subparagraph (B):

“(i) Medications that are for acute care needs.

“(ii) Such other medications as the Secretary determines appropriate.”.

(B) CONFORMING AMENDMENT.—Section 716 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 125 Stat. 1804) is repealed.

(e) ADDITIONAL REALIGNMENT OF TRICARE HEALTH BENEFIT YEARS FROM FISCAL YEAR TO CALENDAR YEAR BASIS.—

(1) TRICARE STANDARD.—Section 1079(b) of such title 10 is amended by striking “fiscal” each place it appears.

(2) TRANSITION PERIOD.—The Secretary of Defense shall prescribe regulations to transition TRICARE health plan benefit years from a fiscal-year basis to a calendar-year basis pursuant to the amendments made by this subsection.

(3) CONFORMING AND TECHNICAL AMENDMENTS.—Section 724 of the National Defense Au-
thorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended—

(A) in subsection (b)—

(i) by striking “For each fiscal year beginning after September 30, 1997, the” and inserting “The”; 

(ii) by inserting “during any year” after “by designated providers”; and 

(iii) by striking “fiscal year.” and inserting “year.”; and 

(B) in subsection (d)(2)(B)—

(i) by striking “For each fiscal year beginning after September 30, 2003, the” and inserting “The”; 

(ii) by striking “during such fiscal year” the first place it appears and inserting “during any year”; and 

(iii) by striking “fiscal year.” and inserting “year.”;

(f) AUTHORITY TO ADJUST PAYMENTS INTO THE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND.—

Section 1116 of such title is amended by adding at the end the following new subsection:

“(e)(1) During any fiscal year, if the Secretary of De-

fense determines that the amount certified under sub-
section (c) is no longer accurate because of a significant change in circumstances or law, the Secretary of Defense may, if appropriate, certify a revised amount determined in accordance with subsection (b)(2) to the Secretary of the Treasury.

“(2) If the Secretary of Defense makes a certification under paragraph (1), each other administering Secretary shall make and advise the Secretary of the Treasury of a revised determination, consistent with section 1111(c) of this title.

“(3) If a certification and determination are made under paragraphs (1) and (2), the Secretary of the Treasury shall promptly pay into or recoup from the Fund the difference between the amount paid into the Fund under subsection (a) and the amount certified or determined by the administering Secretary under paragraph (1) or (2).”.

SEC. 702. REQUIREMENT FOR MEDICARE PARTICIPATING PHYSICIAN OR SUPPLIER TO ACCEPT TRICARE AND VETERANS AFFAIRS PARTICIPATING RATES.

Section 1842(h)(1) of the Social Security Act (42 U.S.C. 1395u(h)(1)) is amended by adding at the end the following new sentence: “Any physician or supplier who voluntarily enters into an agreement with the Secretary to become a participating physician or supplier shall be...
deemed to have agreed to be a participating provider of medical care or services under any health plan contracted for under section 1079 or 1086 of title 10, United States Code, or under section 1781 of title 38, United States Code, in accordance with the payment methodology and amounts prescribed under joint regulations prescribed by the Secretary, the Secretary of Defense, and the Secretary of Homeland Security pursuant to sections 1079 and 1086 of title 10, United States Code.”.

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

SEC. 801. CLARIFICATION OF SCOPE OF SUPPLIES COVERED BY STATUTORY RAPID ACQUISITION AUTHORITY.

Section 806(g) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended—

(1) by striking “ASSOCIATED SUPPORT SERVICES DEFINED.—In the section, the term” and inserting “DEFINITIONS.—In this section:”; and

(2) by adding at the end the following new paragraph:
“(2) Supplies.—The term ‘supplies’ means all property except land or interest in land.”.

SEC. 802. REDUCTION IN COSTS TO REPORT CRITICAL CHANGES TO MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.

(a) Extension of a Program Defined.—Section 2445a of title 10, United States Code, is amended adding at the end the following new subsection:

“(g) Extension of a Program.—In this chapter, the term ‘extension of a program’ means, with respect to a major automated information system program or other major information technology investment program, the further deployment or planned deployment to additional users of the system which has already been found operationally effective and suitable by an independent test agency or the Director of Operational Test and Evaluation, beyond the scope planned in the original estimate or information originally submitted on the program.”.

(b) Reports on Critical Changes in MAIS Programs.—Subsection (d) of section 2445c of such title is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(2) by redesignating paragraph (2) as paragraph (3); and
(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) Notification when variance due to congressional action or extension of program.—If a senior Department of Defense official who, following receipt of a quarterly report described in paragraph (1) and making a determination described in paragraph (3), also determines that the circumstances resulting in the determination described in paragraph (3) either (A) are primarily the result of congressional action, or (B) are primarily due to an extension of a program, the official may, in lieu of carrying out an evaluation and submitting a report in accordance with paragraph (1), submit to the congressional defense committees, within 45 days after receiving the quarterly report, a notification that the official has made those determinations. If such a notification is submitted, the limitation in subsection (g)(1) does not apply with respect to that determination under paragraph (3).”.

(c) Conforming Cross-Reference Amendment.—Subsection (g)(1) of such section is amended by striking “subsection (d)(2)” and inserting “subsection (d)(3)”.

(d) Total Acquisition Cost Information.—
(1) Section 2445b(b)(3) of title 10, United States Code, is amended by striking “development costs” and inserting “total acquisition costs”.

(2) Section 2445c of such title is amended—

(A) in subparagraph (B) of subsection (e)(2), by striking “program development cost” and inserting “total acquisition cost”; and

(B) in subparagraph (C) of subsection (d)(3) (as redesignated by subsection (b)(2)), by striking “program development cost” and inserting “total acquisition cost”.

(e) CLARIFICATION OF CROSS-REFERENCE.—Section 2445c(g)(2) of such title is amended by striking “in compliance with the requirements of subsection (d)(2)” and inserting “under subsection (d)(1)(B)”.

SEC. 803. MODIFICATION OF REPORTING REQUIREMENT FOR DEPARTMENT OF DEFENSE BUSINESS SYSTEM ACQUISITION PROGRAMS WHEN INITIAL OPERATING CAPABILITY IS NOT ACHIEVED WITHIN FIVE YEARS OF MILESTONE A APPROVAL.

(a) Submission to Pre-Certification Authority.—Subsection (b) of section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2316) is amended by
striking “the system shall be deemed to have undergone” and all that follows through the period and inserting “the appropriate official shall report such failure, along with the facts and circumstances surrounding the failure, to the appropriate pre-certification authority for that system under section 2222 of title 10, United States Code, and the information so reported shall be considered by the pre-certification authority in the decision whether to recommend certification of obligations under that section.”.

(b) COVERED SYSTEMS.—Subsection (c) of such section is amended—

(1) by striking “3542(b)(2) of title 44” and inserting “section 2222(j)(2) of title 10”; and

(2) by inserting “, and that is not designated in section 2445a of title 10, United States Code, as a ‘major automated information system program’ or an ‘other major information technology investment program’” before the period at the end.

(c) UPDATED REFERENCES TO DoD ISSUANCES.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking “Department of Defense Instruction 5000.2” and inserting “Department of Defense Directive 5000.01”; and

(2) in paragraph (2), by striking “Department of Defense Instruction 5000.2, dated May 12, 2003”
and inserting “Department of Defense Instruction 5000.02, dated December 3, 2008”.

SEC. 804. ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.

(a) DEFINITIONS.—As used in this section:

(1) The terms “department” and “military department” have the meaning given those terms in section 101 of title 10, United States Code.

(2) The term “DoD laboratory” or “laboratory” means any facility or group of facilities that—

(A) is owned, leased, operated, or otherwise used by the Department of Defense; and

(B) meets the definition of “laboratory” as provided in subsection (d)(2) of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(b) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretaries of the military departments each may authorize the heads of DoD laboratories to grant nonexclusive, exclusive, or partially exclusive licenses, royalty free or for royalties or for rights to other intellectual property, for computer software
and its related documentation developed at a DoD laboratory, but only if—

(A) the computer software and related documentation would be a trade secret under the meaning of section 552(b)(4) of title 5, United States Code, if the information had been obtained from a non-Federal party;

(B) the public is notified of the availability of the software and related documentation for licensing and interested parties have a fair opportunity to submit applications for licensing;

(C) such licensing activities and licenses shall comply with the requirements under section 209 of title 35, United States Code; and

(D) the software originally was developed to meet the military needs of the Department of Defense.

(2) PROTECTIONS AGAINST UNAUTHORIZED DISCLOSURE.—The Secretary of Defense and the Secretaries of the military departments each shall provide appropriate precautions against the unauthorized disclosure of any computer software or documentation covered by paragraph (1)(A), including exemption from section 552 of title 5, United States Code, for a period of up to 5 years after the develop—
ment of the computer software by the DoD labora-
tory.

(c) Royalties.—

(1) Use of royalties.—Except as provided in paragraph (2), any royalties or other payments re-
ceived by the department from licensing computer software or documentation under paragraph (b)(1) shall be retained by the department and shall be dis-
posed of as follows:

(A)(i) The department shall pay each year the first $2,000, and thereafter at least 15 per-
cent, of the royalties or other payments to be divided among the employees who developed the computer software.

(ii) The department may provide appro-
priate lesser incentives, from royalties or other payments, to laboratory employees who are not developers of such computer software but who substantially increased the technical value of the software.

(iii) The department shall retain the royal-
ties and other payments received until it makes payments to employees of a DoD laboratory under clause (i) or (ii).
(iv) The department may retain an amount reasonably necessary to pay expenses incidental to the administration and distribution of royalties or other payments under this section by an organizational unit of the department other than its laboratories.

(B) The balance of the royalties or other payments shall be transferred by the department to its laboratories, with the majority share of the royalties or other payments going to the laboratory where the development occurred. The royalties or other payments so transferred to any DoD laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(i) to reward scientific, engineering, and technical employees of the DoD laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(ii) to further scientific exchange among the laboratories of the agency;

(iii) for education and training of employees consistent with the research and development missions and objectives of the department
or DoD laboratory, and for other activities that
close the potential for transfer of the tech-
nology of the laboratories;

(iv) for payment of expenses incidental to
the administration and licensing of computer
software or other intellectual property made at
that DoD laboratory, including the fees or other
costs for the services of other agencies, persons,
or organizations for intellectual property man-
agement and licensing services; or

(v) for scientific research and development
consistent with the research and development
missions and objectives of the DoD laboratory.

(C) All royalties or other payments retained by
the department or DoD laboratory after payments
have been made pursuant to subparagraphs (A) and
(B) that are unobligated and unexpended at the end
of the second fiscal year succeeding the fiscal year
in which the royalties and other payments were re-
ceived shall be paid into the Treasury.

(2) EXCEPTION.—If, after payments under
paragraph (1)(A), the balance of the royalties or
other payments received by the department in any
fiscal year exceed 5 percent of the funds received for
use by the DoD laboratory for research, develop-
ment, engineering, testing and evaluation or other
related administrative, processing or value-added ac-
tivities for that year, 75 percent of such excess shall
be paid to the Treasury of the United States and the
remaining 25 percent may be used or obligated
under paragraph (1)(B). Any funds not so used or
obligated shall be paid into the Treasury of the
United States.

(3) STATUS OF PAYMENTS TO EMPLOYEES.—
Any payment made to an employee under this sec-
tion shall be in addition to the regular pay of the
employee and to any other awards made to the em-
ployee, and shall not affect the entitlement of the
employee to any regular pay, annuity, or award to
which the employee is otherwise entitled or for which
the employee is otherwise eligible or limit the
amount thereof except that the monetary value of an
award for the same project or effort shall be de-
ducted from the amount otherwise available under
this paragraph. Payments, determined under the
terms of this paragraph and made to an employee
developer as such, may continue after the developer
leaves the DoD laboratory or department. Payments
made under this section shall not exceed $75,000
per year to any one person, unless the President ap-
proves a larger award (with the excess over $75,000 being treated as a Presidential award under section 4504 of title 5).

(d) INFORMATION IN REPORT.—The report required by section 2515(d) of title 10, United States Code, shall include information regarding the implementation and effectiveness of this section.

(e) EXPIRATION.—The authority provided in this section shall expire on December 31, 2018.

SEC. 805. EXTENSION OF AUTHORITY FOR PROGRAM TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a of title 10, United States Code, is amended by striking “September 30, 2013” in subsection (f) and inserting “September 30, 2017”.

SEC. 806. REVISIONS TO ELIGIBILITY FOR, AND AMOUNT OF, FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION PROGRAM.

(a) ELIGIBILITY FOR EDUCATIONAL ASSISTANCE.—

Paragraph (1) of section 2192a(b) of title 10, United States Code, is amended—

(1) by striking subparagraph (A); and
(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) AMOUNT OF EDUCATIONAL ASSISTANCE.—Paragraph (2) of such section is amended by striking “the amount determined” and all that follows through “room and board” and inserting “an amount determined by the Secretary of Defense”.

(c) CONCURRENCE OF SECRETARY OF STATE FOR AWARDS TO NON-CITIZENS.—Such section is further amended by adding at the end the following new paragraph:

“(4) For the purposes of paragraph (1), a scholarship or fellowship awarded to a person who is not a citizen of the United States may only be awarded with the concurrence of the Secretary of State.”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. CLARIFICATION OF THE ORDER OF PRECEDENCE FOR THE PRINCIPAL DEPUTY UNDER SECRETARIES OF DEFENSE.

Subsection (d) of section 137a of title 10, United States Code, is amended by striking “and the Deputy Chief Management Officer of the Department of Defense.” and inserting “the Deputy Chief Management Of-
Section 902. Update of Statutory Specification of Functions of the Chairman of the Joint Chiefs of Staff Relating to Doctrine, Training, and Education.

Paragraph (5) of section 153(a) of title 10, United States Code, is amended—

1. In the paragraph heading, by striking “Doctrine, training, and education” and inserting “Joint Force Development Activities”;
2. In subparagraph (B), by inserting “and technical standards, and executing actions” after “policies”;
3. In subparagraph (C), by striking “and training”; and
4. By adding at the end the following new subparagraphs:

   “(D) Formulating policies for concept development and experimentation for the joint employment of the armed forces.

   “(E) Formulating policies for gathering, developing, and disseminating joint lessons learned for the armed forces.”.
SEC. 903. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) Period for Required Audits.—Section 432(b)(2) of such title is amended by striking “annually” in the first sentence and inserting “biennially”.

(b) Repeal of Designation of Defense Intelligence Agency as Required Oversight Authority Within Department of Defense.—Section 436(4) of such title is amended—

(1) by striking “within the Defense Intelligence Agency” and inserting “within the Department of Defense”; and

(2) by striking “management and supervision” and inserting “oversight”.

(c) Technical Amendments.—

(1) Definition of Congressional Intelligence Committees.—Section 437 of such title is amended—

(A) in subsections (a) and (b), by inserting “congressional” before “intelligence committees”; and

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

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“(c) Congressional Intelligence Committees Defined.—In this section, the term ‘congressional intelligence committees’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).”.

(2) Conforming Amendments.—The second sentence of section 432(b)(2) of such title is amended—

(A) by inserting “congressional” before “intelligence committees”; and

(B) by striking “section 437(d)” and inserting “section 437(c)”.

SEC. 904. CHANGE TO REFERENCE TO THE MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES ISSUANCE.

Section 194(f) of title 10, United States Code, is amended by striking “Directive 5100.73” and all that follows and inserting “Instruction 5100.73, entitled ‘Major DoD Headquarters Activities’.”
TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters
Subtitle B—Naval Vessels

SEC. 1011. REPEAL OF POLICY RELATING TO PROPULSION SYSTEMS OF ANY NEW CLASS OF MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.


SEC. 1012. REPEAL OF REQUIREMENTS RELATING TO PROCUREMENT OF FUTURE SURFACE COMBATANTS.

Section 125 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2214) is repealed.

Subtitle C—Other Matters

SEC. 1031. 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.—(A) The Secretary may designate military or civilian personnel of the Department 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.

(B) A designation under subparagraph (A) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

(C) In making a designation under subparagraph (A) with respect to any category of personnel, the Secretary shall specify each of the following:

(i) The personnel or positions to be included in the category.

(ii) Which authorities provided for in paragraph (2) may be exercised by personnel in that category.
“(iii) In the case of civilian personnel in that category—

“(I) which authorities provided for in paragraph (2), if any, are authorized to be exercised outside the property specified in subsection (a); and

“(II) with respect to the exercise of any such authorities outside the property specified in subsection (a), the circumstances under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

“(D) The Secretary may make a designation under subparagraph (A) only if the Secretary determines, with respect to the category of personnel to be covered by that designation, that—

“(i) the exercise of each specific authority provided for in paragraph (2) to be delegated to that category of personnel is necessary for the performance of the duties of the personnel in that category and such duties cannot be performed as effectively without such authorities; and
“(ii) the necessary and proper training for
the authorities to be exercised is available to
the personnel in that category.

“(2) POWERS.—Subject to subsection (h) and
to the extent specifically authorized by the Secre-
try, 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 com-
mitted 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 ju-
risdiction, 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) Limitation on Delegation of Authority.—The authority of the Secretary of Defense under subsections (b) and (c) may be exercised only by the Secretary or Deputy Secretary of Defense.

“(e) Disposition of Persons Arrested.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject
to chapter 47 of this title (the Uniform Code of Military Justice).

“(f) 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.

“(g) Authority Outside Federal Property.—For the protection of property under the jurisdiction, custody, 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.

“(h) Attorney General Approval.—The powers granted pursuant to subsection (b)(2) to officers and agents designated under subsection (b)(1) shall be exercised in accordance with guidelines approved by the Attorney General.
“(i) Limitation on Statutory Construction.—Nothing in this section shall be construed—

“(1) to preclude or limit the authority of any Federal law enforcement agency;

“(2) to restrict the authority of the Secretary of Homeland Security or of the Administrator of General Services to promulgate regulations affecting property under the custody and control of that Secretary or the Administrator, respectively;

“(3) to expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

“(4) to affect chapter 47 of this title; or

“(5) to 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. 1033. REPEAL AND MODIFICATION OF REPORTING REQUIREMENTS.

(a) Title 10, United States Code.—Title 10, United States Code, is amended as follows:

(1) Section 113 is amended by striking subsection (m).
(2) Section 117 is amended by striking subsection (e).

(3) Section 127 is amended by striking subsection (d).

(4) Section 129 is amended by striking subsection (f).

(5) Section 153 is amended by striking subsection (e).

(6)(A) Section 229 is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 229.

(7)(A) Section 483 is repealed.

(B) The table of sections at the beginning of chapter 23 is amended by striking the item relating to section 483.

(8)(A) Section 489 is repealed.

(B) The table of sections at the beginning of chapter 23 is amended by striking the item relating to section 489.

(9) Section 1130 by striking subsection (b).

(10) Section 1557 is amended by striking subsection (e).

(11)(A) Section 1563 is repealed.
(B) The table of sections at the beginning of chapter 80 is amended by striking the item relating to section 1563.

(12) Section 1781b is amended by striking subsection (d).

(13) Section 2216 is amended by striking subsection (i).

(14) Section 2244a(c) is amended by striking the second sentence.

(15) Section 2350b is amended by striking subsection (d).

(16) Section 2350j is amended by striking subsection (e).

(17) Section 2350m is amended by striking subsection (e).

(18)(A) Section 2352 is repealed.

(B) The table of sections at the beginning of chapter 139 is amended by striking the item relating to section 2352.

(19) Section 2410i(c) is amended by striking the last sentence.

(20)(A) Section 2475 is repealed.

(B) The table of sections at the beginning of chapter 146 is amended by striking the item relating to section 2475.
(21)(A) Section 2504 is repealed.

(B) The table of sections at the beginning of subchapter II of chapter 148 is amended by striking the item relating to section 2504.

(22)(A) Section 2536(b) is amended by striking paragraph (2).

(B) Such section is further amended—

(i) by striking “(1)” after “AUTHORITY.—”;

(ii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively.

(23) Section 2804(b) is amended by striking the last sentence.

(24) Section 2827 is amended—

(A) by striking“(a) Subject to subsection (b), the Secretary” and inserting “The Secretary”; and

(B) by striking subsection (b).

(25) Section 2828 is amended by striking subsection (f).

(26) 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).

(27) 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).

(28) Section 2854a is amended by striking subsection (c).

(29) Section 2861 is amended by striking subsections (c) and (d).

(30) Section 2866(c) is amended—

(A) by striking “(1)” before “The Secretary”; and

(B) by striking paragraph (2).

(31) Section 2875 is amended by striking subsection (e).

(32)(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), re-
spectively; 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 des-
ignated by subparagraph (A)(ii)(III)) as para-
graphs (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 de-
scribed 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 fol-
lows:

“2884. Project reports.”.
(33) 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”.

(34) Section 2916 is amended by striking subsection (c).

(b) ANNUAL NATIONAL DEFENSE AUTHORIZATION ACTS.—


(2) FISCAL YEAR 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is amended as follows:

(A) Section 354 (10 U.S.C. 221 note) is repealed.

(B) Section 903(b)(5) (10 U.S.C. 2228 note) is amended to read as follows:

“(5) Not later than December 31 each year, the corrosion control and prevention executive of a military department shall submit to the Secretary of Defense a report containing recommendations pertaining to the corrosion control and prevention program of the military department. The report each year shall include recommendations
for the funding levels necessary for the executive to carry out the duties of the executive under this section.”.

(C) Section 1047(d) (10 U.S.C. 2366b note) is amended—

(i) by striking “REQUIREMENTS.—” and all that follows through “The Secretary” and inserting “REQUIREMENTS.— The Secretary”;

(ii) by striking paragraph (2); and

(iii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

(3) FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(A) Section 911 (10 U.S.C. 2271 note) is amended by striking paragraph (2) of subsection (f).

(B) Section 1074(b)(6) (10 U.S.C. 113 note) is amended—

(i) in subparagraph (A), by striking “The Secretary” and inserting “Except as provided in subparagraph (D), the Secretary”; and
(ii) 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).”.

(C) Section 2864 (10 U.S.C. 2911 note) is repealed.

2007 (Public Law 109–364) is amended as follows:

(A) Section 226 (120 Stat. 2131) is repealed.

(B) Section 323 (10 U.S.C. 229 note) is amended by striking subsection (c).

Year 2003 (Public Law 107–314; 10 U.S.C.
2306a note) is amended by striking subsections (d) and (e)(2).


(8) **FISCAL YEAR 1991.**—Section 4004(d) of the National Defense Authorization Act for Fiscal Year 1991 10 U.S.C. 2391) 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).

(e) **DEFENSE ACQUISITION IMPROVEMENT ACT OF 1986.**—Section 908 of the Defense Acquisition Improvement Act of 1986 (as contained in section 101(c) of Public Law 99–500 and identically enacted in section 101(c) of Public Law 99–591 and title IX of Public Law 99–661)
(10 U.S.C. 2326 note) is amended by striking subsection (b).

(d) FOREIGN ASSISTANCE ACT OF 1961.—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.

(e) 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”.
Security Reports.—


2. Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is repealed.


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).

Uniformed and Overseas Citizens Absentee Voting Act.—Section 105A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-4a(b)) is amended—

1. in the subsection heading, by striking “Annual Report” and inserting “Biennial Report”;

2. in the matter preceding paragraph (1)—

(A) by striking “March 31 of each year” and inserting “September 30 of each odd-numbered year”; and
(B) by striking “the following information” and inserting “the following information with respect to the Federal election held during the preceding calendar year”; and

(3) in paragraph (3), by striking “In the case of” and all that follows through “a description” and inserting “A description”.


TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. EXPANSION OF PROTECTION OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES FROM REPRISALS.

Section 1587(b) of title 10, United States Code, is amended by inserting “, threaten to take,” after “take” the third place it appears.
TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.


SEC. 1202. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking “$425,000,000” and inserting “$500,000,000”.

TITLE XIII—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1301. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for
providing capital for Defense Working Capital Funds in the amount of $1,545,827,000.

SEC. 1302. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the National Defense Sealift Fund in the amount of $730,700,000.

SEC. 1303. JOINT URGENT OPERATIONAL NEEDS FUND.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the Joint Urgent Operational Needs Fund in the amount of $98,800,000.

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 2014 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of $1,057,123,000, of which—

(1) $451,572,000 is for Operation and Maintenance;

(2) $604,183,000 is for Research, Development, Test, and Evaluation; and

(3) $1,368,000 is for Procurement.

(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 AC-
TIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for
the Department of Defense for fiscal year 2014 for ex-
penses, not otherwise provided for, for Drug Interdiction
and Counter-Drug Activities, Defense-wide, in the amount
of $938,545,000.

SEC. 1306. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for
the Department of Defense for fiscal year 2014 for ex-
penses, not otherwise provided for, for the Office of the
Inspector General of the Department of Defense, in the
amount of $312,131,000, of which—

(1) $311,131,000 is for Operation and Mainte-
inance; and
(2) $1,000,000 is for Procurement.
SEC. 1307. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $33,351,528,000, of which—

(1) $31,950,734,000 is for Operation and Maintenance;

(2) $729,613,000 is for Research, Development, Test, and Evaluation; and

(3) $671,181,000 is for Procurement.

Subtitle B—National Defense Stockpile

SEC. 1311. AUTHORITY TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

Section 1411 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1654), is amended—

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

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

“(c) ACQUISITION AUTHORITY.—(1) Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic...
and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

“(A) Ferroniobium.

“(B) Dysprosium Metal.

“(C) Yttrium Oxide.

“(2) The National Defense Stockpile Manager may use up to $22,000,000 of the National Stockpile Transaction Fund for acquisition of the materials specified in paragraph (1).

“(3) The authority under this subsection is available for purchases during fiscal year 2014 through fiscal year 2019.”

Subtitle C—Other Matters

SEC. 1321. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 507 and available for the Defense Health Program for operation and maintenance, $143,087,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of sec-

For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) Use of Transferred Funds.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) 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 combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1322. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2014 from the Armed Forces Retirement Home Trust Fund the sum of $67,800,000 for the operation of the Armed Forces Retirement Home.
DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2014”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) Expiration of Authorizations After Three Years.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2016; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017.

(b) Exception.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Se-
curity Investment Program (and authorizations of appro-
propriations therefor), for which appropriated funds have
been obligated before the later of—

(1) October 1, 2016; or

(2) the date of the enactment of an Act author-
izing funds for fiscal year 2017 for military con-
struction projects, land acquisition, family housing
projects and facilities, or contributions to the North
Atlantic Treaty Organization Security Investment
Program.

TITLE XXI—ARMY MILITARY
CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND
ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts
appropriated pursuant to the authorization of appropri-
tions in section 2103(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</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>$103,000,000</td>
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<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$242,200,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin AFB</td>
<td>$4,700,000</td>
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<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$61,000,000</td>
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<td>Hawaii</td>
<td>Fort Shafter</td>
<td>$75,000,000</td>
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<tr>
<td>Kansas</td>
<td>Fort Leavenworth</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$4,800,000</td>
</tr>
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<td>Maryland</td>
<td>Aberdeen Proving Ground</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>

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Army: Inside the United States—Continued

<table>
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<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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<td>Fort Leonard Wood</td>
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<td>North Carolina</td>
<td>Fort Bragg</td>
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<tr>
<td>Texas</td>
<td>Fort Bliss</td>
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<td>Virginia</td>
<td>Joint Base Langley-Eustis</td>
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<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
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<tr>
<td>Missouri</td>
<td>Yakima</td>
<td>$9,100,000</td>
</tr>
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</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kwajalein</td>
<td>Kwajalein Atoll</td>
<td>$63,000,000</td>
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<tr>
<td>Worldwide Classified</td>
<td>Classified Location</td>
<td>$33,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>South Camp Vilseck</td>
<td>29</td>
<td>$16,600,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>56</td>
<td>$23,000,000</td>
</tr>
</tbody>
</table>

•HR 1960 IH
(b) Planning and Design.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(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 $4,408,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $1,676,754,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $882,300,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $96,000,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $25,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $74,575,000.
(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $44,008,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $512,871,000.

(6) For the construction of increment 2 of the Cadet Barracks at the United States Military Academy, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119), $42,000,000.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1697) for Picatinny Arsenal, New Jersey, for construction of an Explosives Research and Development Loading Facility at the installation, the Secretary of the Army may use available unobligated balances of amounts appropriated for military construction for the Army to complete work on the project within the scope
specified for the project in the justification data provided to Congress as part of the request for authorization of the project.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

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 Lewis, Washington, for construction of a Regional Logistic Support Complex at the installation, the Secretary of the Army may construct up to 98,381 square yards of Organizational Vehicle Parking.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2629) for Camp Arifjan, Kuwait, for construction of APS Warehouses at the camp, the Secretary of the Army may construct up to 74,976 square meters of hardstand parking, 22,741 square meters of access roads, a 6 megawatt power plant, and 50,724 square meters of humidity-controlled warehouses.
SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) Extensions.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Road and Access Control Point</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fort Lewis</td>
<td>Fort Lewis-McChord AFB Joint Access, APS Warehouses</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Camp Arifjian</td>
<td>APS Warehouses</td>
<td>$82,000,000</td>
</tr>
</tbody>
</table>

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) Extensions.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (124 Stat. 4437), shall remain in effect until October 1, 2014,
or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2011 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Presidio of Monterey</td>
<td>Advanced Individual Training Barracks.</td>
<td>$63,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$12,200,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>White Sands Missile Range.</td>
<td></td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Wiesbaden AB</td>
<td>Access Control Point</td>
<td>$5,100,000</td>
</tr>
</tbody>
</table>

**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</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$13,124,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$8,910,000</td>
</tr>
<tr>
<td>San Diego</td>
<td></td>
<td>$34,331,000</td>
</tr>
<tr>
<td>Twenty-nine Palms</td>
<td></td>
<td>$33,437,000</td>
</tr>
<tr>
<td>Barstow</td>
<td></td>
<td>$14,998,000</td>
</tr>
<tr>
<td>Point Mugu</td>
<td></td>
<td>$24,667,000</td>
</tr>
<tr>
<td>Port Hueneme</td>
<td></td>
<td>$33,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville</td>
<td>$20,752,000</td>
</tr>
</tbody>
</table>
Navy: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Key West</td>
<td>$14,001,000</td>
</tr>
<tr>
<td></td>
<td>Mayport</td>
<td>$16,093,000</td>
</tr>
<tr>
<td></td>
<td>Albany</td>
<td>$16,610,000</td>
</tr>
<tr>
<td></td>
<td>Savannah</td>
<td>$61,717,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$236,982,000</td>
</tr>
<tr>
<td></td>
<td>Pearl City</td>
<td>$30,100,000</td>
</tr>
<tr>
<td></td>
<td>Pearl Harbor</td>
<td>$57,998,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Great Lakes</td>
<td>$35,851,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Bangor</td>
<td>$13,800,000</td>
</tr>
<tr>
<td></td>
<td>Kittery</td>
<td>$11,522,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$83,988,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>$11,334,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$77,999,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td>$45,863,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker AFB</td>
<td>$14,144,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Newport</td>
<td>$12,422,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Charleston</td>
<td>$73,832,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Norfolk</td>
<td>$3,380,000</td>
</tr>
<tr>
<td></td>
<td>Quantico</td>
<td>$38,374,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown</td>
<td>$18,700,000</td>
</tr>
<tr>
<td></td>
<td>Dam Neck</td>
<td>$10,587,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Whidbey Island</td>
<td>$117,649,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td>$18,189,000</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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonier</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$318,377,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokosuka</td>
<td>$7,568,000</td>
</tr>
<tr>
<td></td>
<td>Camp Butler</td>
<td>$5,820,000</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 engi-
neering services and construction design activities with re-
spect to the construction or improvement of family hous-
ing units in an amount not to exceed $4,438,000.

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 fam-
ily housing units in an amount not to exceed $68,969,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for
fiscal years beginning after September 30, 2013, for mili-
tary construction, land acquisition, and military family
housing functions of the Department of the Navy in the
total amount of $2,163,520,000, as follows:

(1) For military construction projects inside the
United States authorized by section 2201(a),
$1,205,054,000.

(2) For military construction projects outside
the United States authorized by section 2201(b),
$360,765,000.

(3) For unspecified minor military construction
projects authorized by section 2805 of title 10,
United States Code, $19,740,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $89,830,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $73,407,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $389,844,000.


SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

In the case of the authorization contained in the table in section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4441), for Southwest Asia Bahrain,
for construction of Navy Central Command Ammunition Magazines at that location, the Secretary of the Navy may construct additional Type C earth covered magazines (to provide a project total of eighteen), ten new modular storage magazines, an inert storage facility, a maintenance and ground support equipment facility, concrete pads for portable ready service lockers, and associated supporting facilities using appropriations available for the project.

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT. In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Kitsap Washington, for construction of Explosives Handling Wharf No. 2 at that location, the Secretary of the Navy may construct new hardened facilities in lieu of hardening existing structures and may construct a new facility to replace the existing Coast Guard Maritime Force Protection Unit and the Naval Undersea Warfare Command unhardened facilities using appropriations available for the project.

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal
Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (124 Stat. 4441), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>SW Asia</td>
<td>Navy Central Command Ammunition Magazines</td>
<td>$89,280,000</td>
</tr>
</tbody>
</table>

SEC. 2208. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (124 Stat. 4441), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:
Navy: Extension of 2011 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>Guam</td>
<td>Guam</td>
<td>Defense Access Roads Improve-ments.</td>
<td>$66,730,000.</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</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Luke AFB</td>
<td>$26,900,000</td>
</tr>
<tr>
<td>California</td>
<td>Beale AFB</td>
<td>$62,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Tyndall AFB</td>
<td>$9,100,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$358,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Joint Base Andrews</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Whiteman AFB</td>
<td>$5,900,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Nellis AFB</td>
<td>$78,500,000</td>
</tr>
<tr>
<td></td>
<td>Cannon AFB</td>
<td>$34,100,000</td>
</tr>
<tr>
<td></td>
<td>Holloman AFB</td>
<td>$8,250,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland AFB</td>
<td>$30,500,000</td>
</tr>
<tr>
<td></td>
<td>Minot AFB</td>
<td>$23,830,000</td>
</tr>
<tr>
<td></td>
<td>Tinker AFB</td>
<td>$8,600,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bliss</td>
<td>$3,350,000</td>
</tr>
<tr>
<td></td>
<td>Hill AFB</td>
<td>$32,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley-Eastis</td>
<td>$4,800,000</td>
</tr>
<tr>
<td></td>
<td>Unspecified Locations</td>
<td>$255,700,000</td>
</tr>
</tbody>
</table>

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropria-
tions 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>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenland</td>
<td>Thule AB</td>
<td>$43,904,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$176,230,000</td>
</tr>
<tr>
<td>Mariana Islands</td>
<td>Saipan</td>
<td>$29,300,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>RAF Lakenheath</td>
<td>$22,047,000</td>
</tr>
<tr>
<td></td>
<td>RAF Croughton</td>
<td>$12,000,000</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 $4,267,000.

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 $72,093,000.
SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,621,531,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $705,330,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $283,481,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $20,448,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $11,314,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $76,360,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $388,598,000.
(6) For the construction of increment 3 of the United States Strategic Command Replacement Facility at Offutt Air Force Base, Nebraska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of the Public Law 112–81; 125 Stat. 1670), $136,000,000.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (124 Stat. 4444), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, 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>Bahrain, SW Asia .....</td>
<td>Shaikh Isa AB ...........</td>
<td>North Apron Expansion</td>
<td>$45,000,000</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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Clear AFS</td>
<td>$17,204,000</td>
</tr>
<tr>
<td></td>
<td>Fort Greely</td>
<td>$82,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Miramar</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Depot-Tracy</td>
<td>$37,554,000</td>
</tr>
<tr>
<td></td>
<td>Brawley</td>
<td>$23,095,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$22,282,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Hurlburt Field</td>
<td>$7,900,000</td>
</tr>
<tr>
<td></td>
<td>Jacksonville</td>
<td>$7,500,000</td>
</tr>
<tr>
<td></td>
<td>Tyndall AFB</td>
<td>$9,500,000</td>
</tr>
<tr>
<td></td>
<td>Key West</td>
<td>$3,600,000</td>
</tr>
<tr>
<td></td>
<td>Panama City</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$43,335,000</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart</td>
<td>$44,504,000</td>
</tr>
<tr>
<td></td>
<td>Moody AFB</td>
<td>$83,800,000</td>
</tr>
<tr>
<td></td>
<td>Hunter Army Airfield</td>
<td>$13,500,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$2,800,000</td>
</tr>
<tr>
<td></td>
<td>Ford Island</td>
<td>$2,615,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$124,211,000</td>
</tr>
<tr>
<td></td>
<td>Fort Knox</td>
<td>$303,023,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Aberdeen Proving Ground</td>
<td>$210,000,000</td>
</tr>
<tr>
<td></td>
<td>Bethesda Naval Hospital</td>
<td>$66,800,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom AFB</td>
<td>$36,213,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Joint Base McGuire-Dix-Lakelhurst</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Holloman AFB</td>
<td>$81,400,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$43,377,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$172,065,000</td>
</tr>
</tbody>
</table>
Defense Agencies: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Dakota</td>
<td>Minot AFB</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker AFB</td>
<td>$36,000,000</td>
</tr>
<tr>
<td></td>
<td>Altus AFB</td>
<td>$2,100,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Defense Distribution Depot New Cumberland</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Beaufort</td>
<td>$41,324,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$2,200,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base Little Creek-Story:</td>
<td>$30,404,000</td>
</tr>
<tr>
<td></td>
<td>Quantico</td>
<td>$40,586,000</td>
</tr>
<tr>
<td></td>
<td>Dam Neck</td>
<td>$11,147,000</td>
</tr>
<tr>
<td></td>
<td>DLA Aviation Richmond</td>
<td>$87,000,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>$59,450,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Whidbey Island</td>
<td>$10,000,000</td>
</tr>
</tbody>
</table>

(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</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>SW Asia</td>
<td>$45,400,000</td>
</tr>
<tr>
<td>Belgium</td>
<td>Brussels</td>
<td>$67,613,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Wiesbaden</td>
<td>$109,655,000</td>
</tr>
<tr>
<td></td>
<td>Kaiserlautern AB</td>
<td>$49,907,000</td>
</tr>
<tr>
<td></td>
<td>Ramstein AB</td>
<td>$98,762,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$34,000,000</td>
</tr>
<tr>
<td></td>
<td>Kadena AB</td>
<td>$38,792,000</td>
</tr>
<tr>
<td></td>
<td>Yokosuka</td>
<td>$10,600,000</td>
</tr>
<tr>
<td></td>
<td>Atsugi</td>
<td>$4,100,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Walker</td>
<td>$52,164,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>RAF Mildenhall</td>
<td>$84,629,000</td>
</tr>
<tr>
<td></td>
<td>Royal Air Force Lakenheath</td>
<td>$69,638,000</td>
</tr>
<tr>
<td>Worldwide Classified</td>
<td>Classified Location</td>
<td>$15,000,000</td>
</tr>
</tbody>
</table>
SEC. 2402. AUTHORIZED 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 $150,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, 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 $4,042,925,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $1,725,089,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $751,711,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $43,817,000.
(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, $237,838,000.

(6) For energy conservation projects under chapter 173 of title 10, United States Code, $150,000,000.

(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), $55,845,000.

   (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), $1,780,000.

(8) For the construction of increment 8 of the Army Medical Research Institute of Infectious Diseases Stage I at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Au-
(9) For the construction of increment 5 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), $252,100,000.


(11) For the construction of increment 3 of the Medical Center Replacement at Rhine Ordnance Barracks, Germany, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), as amended by section 2404(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), $151,545,000.
(12) For the construction of increment 2 of the Ambulatory Care Center at Joint Base Andrews, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), $76,200,000.

(13) For the construction of increment 2 of the NSAW Recapitalize Building #1 at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2127), $58,000,000.

(14) For the construction of increment 2 of the Aegis Ashore Missile Defense System Complex at Deveselu, Romania, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2128), $85,000,000.

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, 2013, for the
construction of phase XIV of a munitions demilitarization
facility at Blue Grass Army Depot, Kentucky, authorized
by section 2401(a) of the Military Construction Authorization
Act for Fiscal Year 2000 (division B of Public Law
106–65; 113 Stat. 835), as amended by section 2405 of
the Military Construction Authorization Act for Fiscal
1298), section 2405 of the Military Construction Author-
ization Act for Fiscal Year 2003 (division B of Public Law
107–314; 116 Stat. 2698), section 2414 of the Military
Construction Authorization Act for Fiscal Year 2009 (di-
vision B of Public Law 110–417; 122 Stat. 4697), and
section 2412 of the Military Construction Authorization
Act for Fiscal Year 2011 (division B of Public Law 111–
383; 124 Stat. 4450), $122,536,000.

TITLE XXV—NORTH ATLANTIC
TREATY ORGANIZATION SE-
CURITY INVESTMENT PRO-
GRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND
ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for
the North Atlantic Treaty Organization Security Invest-
ment Program as provided in section 2806 of title 10,
United States Code, in an amount not to exceed the sum
of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of $239,700,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Decatur</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Chaffee</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Pinellas Park</td>
<td>$5,700,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Kankakee</td>
<td>$42,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Camp Edwards</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Camp Grayling</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Stillwater</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Camp Shelby</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Passengoula</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman AFB</td>
<td>$5,000,000</td>
</tr>
<tr>
<td></td>
<td>Macon</td>
<td>$9,100,000</td>
</tr>
<tr>
<td>New York</td>
<td>New York</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Ravenna Army Ammunition Plant</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Fort Indiantown Gap</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Greenville</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Worth</td>
<td>$14,270,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Afton</td>
<td>$10,200,000</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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puerto Rico</td>
<td>Camp Santiago</td>
<td>$5,600,000</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 mili-
tary 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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Fort Hunter Liggett</td>
<td>$16,500,000</td>
</tr>
<tr>
<td></td>
<td>Camp Parks</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Bowie</td>
<td>$25,500,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Joint Base McGuire-Dix-Lakelhurst</td>
<td>$36,200,000</td>
</tr>
<tr>
<td>New York</td>
<td>Bullville</td>
<td>$14,500,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$24,500,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$23,400,000</td>
</tr>
</tbody>
</table>

### 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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March AFB</td>
<td>$11,086,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Kansas City</td>
<td>$15,029,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Memphis</td>
<td>$4,330,000</td>
</tr>
</tbody>
</table>

### 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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Birmingham IAP</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Hulman Regional Airport</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Great Falls IAP</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Martin State Airport</td>
<td></td>
<td>$12,900,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$4,700,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Springfield Beekley-Map</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Fort Indiantown Gap</td>
<td>$7,700,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Quonset State Airport</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>McGhee-Tyson Airport</td>
<td>$18,000,000</td>
</tr>
</tbody>
</table>

### Air Force Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March AFB</td>
<td>$19,900,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Homestead AFS</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker AFB</td>
<td>$12,200,000</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>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March AFB</td>
<td>$19,900,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Homestead AFS</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker AFB</td>
<td>$12,200,000</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, 2013, 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, $320,815,000.

(2) For the Department of the Army, for the Army Reserve, $174,060,000.

(3) For the Department of the Navy, for the Navy and Marine Corps Reserve, $32,976,000.

(4) For the Department of the Air Force, for the Air National Guard of the United States, $119,800,000.

(5) For the Department of the Air Force, for the Air Force Reserve, $45,659,000.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135), for Fort Des Moines, Iowa, for construction of a Joint Reserve Center at that location, the
Secretary of the Navy may, instead of constructing a new facility at Camp Dodge, acquire up to approximately 20 acres to construct a Joint Reserve Center and associated supporting facilities in the greater Des Moines, Iowa area using appropriations available for the project.

SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.


(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>Tennessee</td>
<td>Nashville International Airport.</td>
<td>Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group.</td>
<td>$5,500,000.</td>
</tr>
</tbody>
</table>
SEC. 2613. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act (124 Stat. 4452), for Camp Santiago, Puerto Rico, shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, 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>Puerto Rico</td>
<td>Camp Santiago</td>
<td>Multi Purpose Machine Gun Range.</td>
<td>$9,200,000.</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.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for base
realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, in the total amount of $451,357,000, as follows:

(1) For the Department of the Army, $180,401,000.

(2) For the Department of the Navy, $144,580,000.

(3) For the Department of the Air Force, $126,376,000.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS
Subtitle A—Military Construction Program Changes

SEC. 2801. REVISIONS TO MINOR MILITARY CONSTRUCTION AUTHORITIES.

(a) Establishment of Minor Military Construction Exception Threshold.—Subsection (a) of section 2805 of title 10, United States Code, is amended by adding at the end the following new paragraph:
“(3) For purposes of this section, the minor military construction exception threshold is $4,000,000.”.

(b) INCREASE IN DOLLAR THRESHOLDS FOR CERTAIN AUTHORITIES RELATING TO UNSPECIFIED MINOR MILITARY CONSTRUCTION.—

(1) Maximum amount for projects to correct deficiencies that are life-, health-, or safety-threatening.—Subsection (a)(2) of such section is amended by striking “$3,000,000” in the second sentence and inserting “the minor military construction exception threshold”.

(2) Maximum amount for general rule for projects for which O&M funds may be used.—Subsection (e) of such section is amended by striking “$750,000” and inserting “$1,000,000”.

(e) Minimum amount for projects subject to secretarial approval and congressional notice-and-wait.—Subsection (b)(1) of such section is amended by striking “$750,000” and inserting “the amount specified in subsection (c)”.

(d) Modification and extension of authority for laboratory revitalization projects.—

(1) Modification.—Subsection (d) of such section is amended—
(A) in paragraph (1)(A), by striking “not more than $2,000,000” and inserting “not more than $4,000,000, notwithstanding subsection (c)”;
and

(B) in paragraph (2), by striking “(2)” and inserting “(2) For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than $4,000,000.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) do not apply to any laboratory revitalization project for which the design phase has been completed as of the date of the enactment of this Act.

SEC. 2802. CHANGE IN AUTHORITIES RELATING TO UNSPECIFIED MINOR CONSTRUCTION.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) ADJUSTMENTS FOR LOCATION.—The dollar limitations specified in subsections (a) through (d) shall be adjusted to reflect the appropriate area construction cost index for military construction projects published by the
Department of Defense. The appropriate cost index shall be the factor published during the prior fiscal year that applies to the location of the project.”.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. AUTHORITY FOR ACCEPTANCE OF FUNDS TO COVER ADMINISTRATIVE EXPENSES ASSOCIATED WITH REAL PROPERTY LEASES AND EASEMENTS.

(a) AUTHORITY.—Subsection (e)(1)(C) of section 2667 of title 10, United States Code, is amended by adding at the end the following new clause:

“(vi) Amounts as the Secretary considers necessary to cover program expenses incurred by the Secretary under this section and for easements under section 2668 of this title.”.

(b) PROGRAM EXPENSES DEFINED.—Subsection (i) of such section is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

“(4) The term ‘program expenses’ includes expenses related to developing, assessing, negotiating, executing, and managing lease and easement trans-
actions, but does not include Government personnel costs.”.

SECTION 2812. APPLICATION OF CASH PAYMENTS RECEIVED FOR UTILITIES AND SERVICES.

Section 2872a(c)(2) of title 10, United States Code, is amended by striking “from which the cost of furnishing the utilities or services concerned was paid” and inserting “currently available for the purpose of furnishing utilities or services under subsection (a)”.

SECTION 2813. ACQUISITION OF REAL PROPERTY AT NAVAL BASE VENTURA COUNTY, CALIFORNIA.

(a) AUTHORITY.—The Secretary of the Navy may acquire all right, title, and interest to property and improvements at Naval Base Ventura County, California, constructed pursuant to section 801 of Public Law 98–115.

(b) USE.—Upon acquiring the real property under subsection (a), the Secretary may use the improvements as provided in sections 2835 and 2835a of title 10, United States Code.
Subtitle C—Land Withdrawals

SEC. 2821. MILITARY LAND WITHDRAWALS AND CODIFICATION OF STATUTORY PROVISIONS RELATING TO CHINA LAKE, LIMESTONE HILLS, CHOCOLATE MOUNTAIN, AND TWENTYNINE PALMS.

(a) Military Land Withdrawals and Creation of New Chapter.—Subtitle A of title 10, United States Code, is amended by inserting after chapter 173 the following new chapter:

"CHAPTER 174—LAND WITHDRAWALS

"Subchapter
"I. General Provisions ................................................................. 2931
"II. China Lake, California .......................................................... 2955
"III. Limestone Hills, Montana .................................................... 2957
"IV. Chocolate Mountain, California ........................................... 2959
"V. Twentynine Palms, California ................................................. 2961

"SUBCHAPTER I—GENERAL PROVISIONS

"Sec.
"2931. General applicability; definition.
"2932. Maps and legal descriptions.
"2933. Access restrictions.
"2934. Changes in use.
"2935. Authorizations for nondefense-related uses.
"2936. Brush and range fire prevention and suppression.
"2937. On-going decontamination.
"2938. Water rights.
"2939. Hunting, fishing, and trapping.
"2940. Limitation on extensions and renewals.
"2941. Application for renewal of a withdrawal and reservation.
"2942. Limitation on subsequent availability of lands for appropriation.
"2943. Relinquishment.
"2944. Interchanges and transfers of Federal lands.
"2945. Delegability by the Secretary of the Interior.
"2946. Land withdrawals; immunity of the United States.
§ 2931. General applicability; definition

(a) Applicability of Subchapter.—The provisions of this subchapter apply to any withdrawal made by this chapter.

(b) Rules of Construction.—(1) Except as may be provided pursuant to section 2944 of this title, nothing in this chapter shall be construed as assigning management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

(2) The terms 'manage' and 'management', when used in reference to lands withdrawn and reserved by this chapter, include the authority to exercise jurisdiction, custody, and control over those lands in accordance with this title, except that those terms do not include authority for land disposal.

(c) Definition.—In this chapter, the term ‘Indian tribe’ has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

§ 2932. Maps and legal descriptions

(a) Preparation of Maps and Legal Descriptions.—As soon as practicable after the date of the enactment of a subchapter of this chapter, the Secretary of the Interior shall—
“(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by such subchapter; and

“(2) file a map or maps and legal description of the lands withdrawn and reserved by such subchapter with the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

“(b) Legal Effect.—Such maps and legal descriptions shall have the same force and effect as if they were included in this chapter, except that the Secretary of the Interior may correct clerical and typographical errors in such maps and legal descriptions.

“(c) Availability.—Copies of such maps and legal descriptions shall be available for public inspection—

“(1) in the appropriate offices of the Bureau of Land Management;

“(2) in the office of the commanding officer of the military installation at which the lands are withdrawn; and

“(3) if the military installation is under the management of the National Guard, in the office of
the Adjutant General of the State in which the installa-
tion is located.

“(d) Costs.—The Secretary concerned shall reim-
burse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this sec-
tion.

“§2933. Access restrictions

“(a) In General.—If the Secretary concerned deter-
mines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of the lands withdrawn and reserved by a subchapter of this chapter, the Secretary may take such action as the Secretary determines necessary or desirable to effect and maintain such closure.

“(b) Limitation.—Any closure under subsection (a) shall be limited to the minimum areas and periods that the Secretary concerned determines are required for the purposes specified in such subsection.

“(c) Consultation.—(1) Before a closure under this section is implemented, the Secretary concerned shall consult with the Secretary of the Interior.

“(2) In a case in which such a closure may affect access to or use of sacred sites or resources considered important by an Indian tribe, the Secretary concerned
shall consult, at the earliest practicable time, with that tribe.

“(3) No consultation is required under paragraph (1) or (2)—

“(A) if the closure is already provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

“(B) in the case of an emergency, as determined by the Secretary concerned.

“(d) NOTICE.—Immediately preceding and during any closure under subsection (a), the Secretary concerned shall post appropriate warning notices and take other steps, as necessary, to notify the public of the closure.

“§ 2934. Changes in use

“(a) OTHER USES AUTHORIZED.—The Secretary concerned may authorize the use of lands withdrawn and reserved by a subchapter of this chapter for defense-related purposes in addition to the purposes specified in such subchapter.

“(b) NOTICE TO SECRETARY OF THE INTERIOR.—The Secretary concerned shall promptly notify the Secretary of the Interior in the event that the lands withdrawn and reserved by a subchapter of this chapter will
be used for additional defense-related purposes. Such noti-

cification shall indicate—

“(1) the additional use or uses involved;

“(2) the planned duration of such additional

uses; and

“(3) the extent to which such additional uses

will require that additional or more stringent condi-
tions or restrictions be imposed on otherwise-per-
mitted non-defense-related uses of the withdrawn

and reserved lands or portions thereof.

§ 2935. Authorizations for nondefense-related uses

“(a) Authorizations by the Secretary of the

Interior.—Subject to the applicable withdrawals con-
tained in each subchapter of this chapter, with the consent

of the Secretary concerned, the Secretary of the Interior

may authorize the use, occupancy, or development of the

lands withdrawn and reserved by this chapter.

“(b) Authorizations by the Secretary Con-
cerned.—The Secretary concerned may authorize the

use, occupancy, or development of the lands withdrawn

and reserved by this chapter—

“(1) for a defense-related purpose; or

“(2) subject to the consent of the Secretary of

the Interior, for a non-defense-related purpose.
“(c) Form of Authorization.—An authorization under this section may be provided by lease, easement, right-of-way, permit, license, or other instrument authorized by law.

“(d) Prevention of Drainage of Oil or Gas Resources.—For the purpose of preventing drainage of oil or gas resources, the Secretary of the Interior may lease lands otherwise withdrawn from operation of the mineral leasing laws and reserved for defense-related purposes under this chapter, under such terms and conditions as the Secretary considers appropriate. No surface occupancy may be approved by the Secretary of the Interior without the consent of the Secretary concerned. The Secretary of the Interior may unitize or consent to communitization of such lands. The Secretary of the Interior may promulgate regulations to implement this subsection.

“§ 2936. Brush and range fire prevention and suppression

“(a) Required Activities.—The Secretary concerned shall, consistent with any applicable land management plan, take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the lands withdrawn and reserved by this chapter, including fires outside those
lands that spread from the withdrawn and reserved lands and which occurred as a result of such activities.

“(b) Cooperation of Secretary of the Interior.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of such fires and shall be reimbursed for such assistance by the Secretary concerned. Notwithstanding section 2215 of this title, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to reimburse the costs of the Department of the Interior in providing such assistance.

§ 2937. On-going decontamination

“Throughout the duration of a withdrawal and reservation of lands under this chapter, the Secretary concerned shall maintain, to the extent funds are available for such purpose, a program of decontamination of contamination caused by defense-related uses on such lands consistent with applicable Federal and State law. The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 2711 of this title.

§ 2938. Water rights

“(a) No Reservation Created.—Nothing in this chapter shall be construed—

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“(1) to establish a reservation in favor of the United States with respect to any water or water right on the lands withdrawn and reserved by this chapter; or

“(2) to authorize the appropriation of water on such lands except in accordance with applicable State law.

“(b) Effect on Previously Acquired or Reserved Water Rights.—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of the applicable subchapter of this chapter, and the Secretary concerned may exercise any such previously acquired or reserved water rights.

§ 2939. Hunting, fishing, and trapping

“Section 2671 of this title shall apply to all hunting, fishing, and trapping on the lands withdrawn and reserved by this chapter and for which management has been assigned to the Secretary concerned.

§ 2940. Limitation on extensions and renewals

“The withdrawals and reservations established by this chapter may not be extended or renewed except by a law enacted by Congress.
§2941. Application for renewal of a withdrawal and reservation

(a) NOTICE.—To the extent practicable, no later than five years before the termination of a withdrawal and reservation established by a subchapter of this chapter, the Secretary concerned shall notify the Secretary of the Interior as to whether or not the Secretary concerned will have a continuing defense-related need for any of the lands withdrawn and reserved by such subchapter after the termination date of such withdrawal and reservation. The Secretary concerned shall provide a copy of the notice to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) FILING FOR EXTENSION.—If the Secretary concerned concludes that there will be a continuing defense-related need for any of such lands after the termination date, the Secretary shall file an application for extension of the withdrawal and reservation of such needed lands in accordance with the regulations and procedures of the Department of the Interior applicable to the extension of withdrawals.
“§ 2942. Limitation on subsequent availability of lands for appropriation

“At the time of termination of a withdrawal and reservation made by a subchapter of this chapter, the previously withdrawn lands shall not be open to any form of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date upon which such lands shall be restored to the public domain and opened for such purposes.

“§ 2943. Relinquishment

“(a) Notice of Intention to Relinquish.—If, during the period of withdrawal and reservation, the Secretary concerned decides to relinquish any or all of the lands withdrawn and reserved by a subchapter of this chapter, the Secretary concerned shall file a notice of intention to relinquish with the Secretary of the Interior.

“(b) Determination of Contamination.—As a part of the notice under subsection (a), the Secretary concerned shall include a written determination concerning whether and to what extent the lands that are to be relinquished are contaminated with explosive materials or toxic or hazardous substances.

“(c) Public Notice.—The Secretary of the Interior shall publish in the Federal Register the notice of inten-
tion to relinquish, including the determination concerning
the contaminated state of the lands.

“(d) DECONTAMINATION OF LANDS TO BE RELIN-
quished.—

“(1) DECONTAMINATION REQUIRED.—If land
subject of a notice of intention to relinquish pursu-
ant to subsection (a) is contaminated, and the Sec-
retary of the Interior, in consultation with the Sec-
retary concerned, determines that decontamination
is practicable and economically feasible (taking into
consideration the potential future use and value of
the land) and that, upon decontamination, the land
could be opened to operation of some or all of the
public land laws, including the mining laws and the
mineral leasing and geothermal leasing laws, the
Secretary concerned shall decontaminate the land to
the extent that funds are appropriated for such pur-
pose.

“(2) ALTERNATIVES.—If the Secretary of the
Interior, after consultation with the Secretary con-
cerned, concludes that decontamination of land sub-
ject of a notice of intention to relinquish pursuant
to subsection (a) is not practicable or economically
feasible, or that the land cannot be decontaminated
sufficiently to be opened to operation of some or all
of the public land laws, or if Congress does not ap-
appropriate sufficient funds for the decontamination of
such land, the Secretary of the Interior shall not be
required to accept the land proposed for relinquish-
ment.

“(3) Status of Contaminated Lands Upon
termination.—If, because of their contaminated
state, the Secretary of the Interior declines to accept
the lands withdrawn and reserved by a subchapter
of this chapter which have been proposed for relin-
quishment, or if at the expiration of the withdrawal
and reservation made by such subchapter the Sec-
retary of the Interior determines that some of the
lands withdrawn and reserved by such subchapter
are contaminated to an extent which prevents open-
ing such contaminated lands to operation of the pub-
lic land laws—

“(A) the Secretary concerned shall take
appropriate steps to warn the public of the con-
taminated state of such lands and any risks as-
associated with entry onto such lands;

“(B) after the expiration of the withdrawal
and reservation, the Secretary concerned shall
undertake no activities on such lands except in
connection with decontamination of such lands;

and

“(C) the Secretary concerned shall report
to the Secretary of the Interior and to the Con-
gress concerning the status of such lands and
all actions taken in furtherance of this para-
graph.

“(e) REVOCATION AUTHORITY.—Upon deciding that
it is in the public interest to accept the lands proposed
for relinquishment pursuant to subsection (a), the Sec-
retary of the Interior may order the revocation of a with-
drawal and reservation established by a subchapter of this
chapter as it applies to such lands. The Secretary of the
Interior shall publish in the Federal Register the revoca-
tion order, which shall—

“(1) terminate the withdrawal and reservation;
“(2) constitute official acceptance of the lands
by the Secretary of the Interior; and
“(3) state the date upon which the lands will be
opened to the operation of some or all of the public
land laws, including the mining laws.

“(f) ACCEPTANCE BY SECRETARY OF THE INTE-
RIOR.—Nothing in this section shall be construed to re-
quire the Secretary of the Interior to accept the lands pro-
posed for relinquishment if the Secretary determines that
such lands are not suitable for return to the public do-
main. If the Secretary makes such a determination, the
Secretary shall provide notice of the determination to Con-
gress.

§ 2944. Interchanges and transfers of Federal lands

(a) AUTHORITY.—The Secretary of the Interior and
the Secretary concerned may interchange or transfer be-
tween each other parcels of Federal land under their jurys-
diction. A parcel may include multiple non-contiguous
pieces of Federal lands.

(b) CONDITIONS.—Any interchange or transfer of
land under this section is subject to the following condi-
tions:

(1) The Secretary of the Interior and the Sec-
retary concerned must each determine that the
interchange or transfer is to the benefit of their re-
spective department and in the public interest.

(2) Both parcels of land to be interchanged
must, before the interchange, be located on the same
military installation.

(3) Both parcels of land to be interchanged
must be of approximately the same acreage.

(4) The parcel to be transferred must be lo-
cated on the military installation to which it is
transferred.
“(5) The parcel interchanged or transferred by the Secretary of the Interior must be part of the lands withdrawn and reserved by this chapter.

“(6) The parcel interchanged or transferred by the Secretary concerned must be under the administrative jurisdiction of the Secretary concerned and excess to the needs of the Department of Defense.

“(7) During the term of a withdrawal, no more than 5,000 acres may be transferred under this section by one Secretary to the other on any one military installation.

“(c) Status of Federal Land After Interchange.—Upon completion of an interchange or transfer under this section—

“(1) at the discretion of the Secretary of the Interior, a parcel received by the Secretary of the Interior may—

“(A) become withdrawn and reserved lands under the provisions of this chapter; or

“(B) be managed as public lands under the provisions of the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.) and other applicable law; and

“(2) a parcel received by the Secretary concerned shall—
“(A) cease to be part of the public lands and lands withdrawn and reserved by this chapter; and

“(B) be treated as property under section 102(9) of title 40 under the administrative jurisdiction of the Secretary concerned.

“(d) EQUALIZATION PAYMENTS.—Neither the Secretary of the Interior nor the Secretary concerned may make an equalization payment to further a land interchange or transfer under this section.

§ 2945. Delegability by the Secretary of the Interior

“The Secretary of the Interior may delegate the Secretary’s functions under this chapter, except that an order pursuant to section 2942 of this title and a revocation order pursuant to section 2943(e) of this title may be approved and signed only by individuals in the Office of the Secretary who have been appointed by the President, by and with the advice and consent of the Senate.

§ 2946. Land withdrawals; immunity of the United States

“The United States and all departments and agencies thereof, and their officers and employees, shall be held harmless and shall not be liable for any injuries or damages to persons or property suffered in the course of any mining or mineral or geothermal leasing activity or other
authorized non-defense-related activity conducted on lands withdrawn and reserved by this chapter.

"SUBCHAPTER II—CHINA LAKE, CALIFORNIA

Sec. 2955a. Withdrawal and reservation.

2955b. Management of withdrawn and reserved lands.

2955c. Duration of withdrawal and reservation.

§ 2955a. Withdrawal and reservation

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subchapter, the public lands and interests in lands described in subsection (c), and all other areas within the boundary of such lands as depicted on the map provided for by section 2932 of this title which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing laws.

(b) RESERVATION.—The lands withdrawn by subsection (a) are reserved for use by the Secretary of the Navy for the following purposes:

(1) Use as a research, development, test, and evaluation laboratory.

(2) Use as a range for air warfare weapons and weapon systems.

(3) Use as a high hazard testing and training area for aerial gunnery, rocketry, electronic warfare and countermeasures, tactical maneuvering and air
support, and directed energy and unmanned aerial
systems.

“(4) Geothermal leasing, development, and re-
lated power production activities.

“(5) Other defense-related purposes consistent
with the purposes specified in the preceding para-
graphs and authorized pursuant to section 2934 of
this title.

“(e) LAND DESCRIPTION.—The public lands and in-
terests in lands referred to in subsection (a) are the Fed-
eral lands located within the boundaries of the Naval Air
Weapons Station China Lake, comprising approximately
1,030,000 acres in Inyo, Kern, and San Bernardino Coun-
ties, California, as generally depicted on a map entitled
‘Naval Air Weapons Station China Lake Withdrawal—Re-
newal’, dated XX, xx, 2012, and filed in accordance with
section 2932 of this title.

§ 2955b. Management of withdrawn and reserved
lands

“(a) MANAGEMENT BY THE SECRETARY OF THE IN-
TERIOR.—(1) Except as provided in subsection (b), during
the period of the withdrawal and reservation of lands by
this subchapter, the Secretary of the Interior shall manage
the lands withdrawn and reserved by section 2955a of this
title in accordance with this chapter, the Federal Land
Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable law.

“(2) To the extent consistent with applicable law and Executive orders, the lands withdrawn by section 2955a of this title may be managed in a manner permitting the following activities:

“(A) Grazing.
“(B) Protection of wildlife and wildlife habitat.
“(C) Preservation of cultural properties.
“(D) Control of predatory and other animals.
“(E) Recreation and education.
“(F) Prevention and appropriate suppression of brush and range fires resulting from non-military activities.
“(G) Geothermal leasing and development and related power production activities.

“(3) All non-defense-related uses of such lands, including the uses described in paragraph (2), shall be subject to such conditions and restrictions as may be necessary to permit the defense-related use of such lands for the purposes specified in or authorized pursuant to this chapter.

“(b) ASSIGNMENT OF MANAGEMENT.—(1) The Secretary of the Interior may assign the management responsibility, in whole or in part, for the lands withdrawn and
reserved by section 2955a of this title to the Secretary of the Navy who, if so assigned, shall manage such lands in accordance with this title, title I of the Sikes Act (16 U.S.C. 670a et seq.), the Federal Land Policy and Management Act of 1976, and cooperative management arrangements between the Secretary of the Interior and the Secretary of the Navy. Nothing in this subsection or section 2935 of this title shall affect geothermal leases issued by the Secretary of the Interior before the date of the enactment of this subchapter, or the responsibility of the Secretary of the Interior to administer and manage such leases, consistent with the provisions of this section.

“(2) The Secretary of the Interior shall be responsible for the issuance of any lease, easement, right-of-way, permit, license, or other instrument authorized by law with respect to any activity which involves both the lands withdrawn and reserved by section 2955a of this title and any other lands not under the administrative jurisdiction of the Secretary of the Navy. Any such authorization shall be issued only with the consent of the Secretary of the Navy and shall be subject to such conditions as the Secretary of the Navy may prescribe with regard to those lands withdrawn and reserved by section 2955a of this title.
“(3) Neither this chapter nor any other provision of law shall be construed to prohibit the Secretary of the Interior from issuing and administering any lease pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and other applicable law for the development and utilization of geothermal steam and associated geothermal resources on the lands withdrawn and reserved by section 2955a of this title, but such a lease may not be issued without the concurrence of the Secretary of the Navy.

“(4) This chapter shall not affect the geothermal exploration and development authority of the Secretary of the Navy under section 2917 of this title with respect to the lands withdrawn and reserved by section 2955a, except that the Secretary of the Navy shall obtain the concurrence of the Secretary of the Interior before taking action under section 2917.

“(5) Upon the expiration of the withdrawal and reservation or upon the relinquishment of the lands withdrawn and reserved by section 2955a of this title, Navy contracts for the development of geothermal resources at Naval Air Weapons Station China Lake then in effect (as amended or renewed by the Navy after the date of the enactment of this subchapter) shall remain in effect, except that the Secretary of the Interior, with the consent
of the Secretary of the Navy, may offer to substitute a
standard geothermal lease for any such contract.

“(6) Any lease made pursuant to section 2935(d) of
this title of lands withdrawn and reserved by section
2955a of this title shall require the concurrence of the Sec-
retary of the Navy if the Secretary determines that the
proposed lease may interfere with geothermal resources on
those lands.

“(7) The Secretary of the Navy shall be responsible
for the management of wild horses and burros located on
the lands withdrawn and reserved by section 2955a of this
title and may use helicopters and motorized vehicles for
such purpose. Such management shall be conducted in ac-
cordance with laws applicable to such management on
public lands. The Secretary of the Interior and the Sec-
retary of the Navy shall enter into an agreement for imple-
mentation of such management.

“(c) Continuation of Existing Agreement.—
The agreement between the Secretary of the Interior and
the Secretary of the Navy entered into before the date of
the enactment of this subchapter pursuant to section 805
of the California Military Lands Withdrawal and Over-
flights Act of 1994 shall continue in effect until the earlier
of—
“(1) the date on which the Secretaries enter
into a new agreement; or
“(2) the date that is one year after the date of
the enactment of this subchapter.
“(d) COOPERATION IN DEVELOPMENT OF MANAGEMENT PLAN.—(1) The Secretary of the Navy and the Sec-
etary of the Interior shall update and maintain coopera-
tive arrangements concerning land resources and land
uses on the lands withdrawn and reserved by section
2955a of this title.
“(2) Cooperative arrangements under paragraph (1)
shall focus on and apply to sustainable management and
protection of the natural and cultural resources and envi-
ronmental values found on such withdrawn and reserved
lands, consistent with the defense-related purposes for
which those lands are withdrawn and reserved.
“(3) Each cooperative arrangement under paragraph
(1) shall include a comprehensive land use management
plan which shall integrate and be consistent with all appli-
cable law, including the requirements of title I of the Sikes
Act and the Federal Land Policy and Management Act
of 1976. Each such management plan shall be reviewed
annually and shall be updated, as needed, in response to
evolving management requirements and to complement the
updates of other applicable land use and resource management and planning.

“(e) IMPLEMENTING AGREEMENT.—(1) The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to implement the comprehensive land use management plan developed under subsection (d).

“(2) An agreement under paragraph (1) shall include a provision for periodic review of the agreement for its adequacy, effectiveness, and need for revision.

“(3) The duration of an agreement under paragraph (1) shall be the same as the period of the withdrawal and reservation of lands under this subchapter, but may be amended from time to time.

§ 2955c. Duration of withdrawal and reservation

“The withdrawal and reservation made by this subchapter shall terminate on March 31, 2039.

SUBCHAPTER III—LIMESTONE HILLS, MONTANA

§ 2957a. Withdrawal and reservation

“(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subchapter, the
public lands and interests in lands described in subsection (c), and all other areas within the boundary of such lands as depicted on the map provided for by section 2932 of this title which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

“(b) RESERVATION.—The lands withdrawn by subsection (a) are reserved for use by the Secretary of the Army for the following purposes:

“(1) The conduct of training for active and reserve components of the armed forces.

“(2) The conduct of training by the Montana Department of Military Affairs; any such use may not interfere with purposes specified in paragraphs (1) and (3).

“(3) The construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

“(4) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs and authorized pursuant to section 2934 of this title.
“(5) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions; any such use may not interfere with military training activities.

“(c) LAND DESCRIPTION.—The public lands and interests in lands referred to in subsection (a) are the Federal lands comprising approximately 18,644 acres in Broadwater County, Montana, as generally depicted as ‘Proposed Land Withdrawal’ on the map entitled ‘Limestone Hills Training Area Land Withdrawal’ dated __________, and filed in accordance with section 2932 of this title.

“(d) INDIAN TRIBES.—Nothing in this subchapter shall be construed as altering any rights reserved for an Indian tribe for tribal use by treaty or Federal law. Subject to section 2933 of this title, the Secretary of the Army shall consult with any Indian tribe in the vicinity of the lands withdrawn and reserved by this section before taking action affecting tribal rights or cultural resources protected by treaty or Federal law.

§ 2957b. Management of withdrawn and reserved lands

“During the period of the withdrawal and reservation made by this subchapter, the Secretary of the Army shall manage the lands withdrawn and reserved by this sub-
chapter for the purposes specified in section 2957a of this title.

§2957c. Duration of withdrawal and reservation

(a) Term.—The withdrawal and reservation made by this subchapter shall terminate on March 31, 2039.

(b) Extension of term.—Notwithstanding section 2940 of this title, in accordance with section 2 of the Act of February 28, 1958, Public Law 85–337 (72 Stat. 27), commonly known as the ‘Engle Act’ (43 U.S.C. 156), if an application is filed by the Secretary of the Army in accordance with section 2941 of this title, the Secretary of the Interior may use the authority and procedures under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to extend the withdrawal and reservation made by this subchapter for an additional term not to exceed 20 years in accordance with that section and other applicable law.

§2957d. Special rules governing minerals management

(a) Indian Creek Mine.—Locatable mineral activities in the approved Indian Creek Mine, plan of operations MTM–78300, shall be regulated pursuant to subparts 3715 and 3809 of title 43, Code of Federal Regulations. Notwithstanding section 2935 of this title, the Secretary of the Army shall make no determination that the
disposition of or exploration for minerals as provided for
in the approved plan of operations is inconsistent with the
military uses of such lands. The coordination of such dis-
position of and exploration for minerals with military uses
of such lands shall be determined pursuant to procedures
in an agreement provided for under subsection (d).

"(b) Removal of Unexploded Ordnance on
Lands To Be Mined.—The Secretary of the Army shall
request funding for and, subject to the availability of such
funds, shall remove unexploded ordnance on lands with-
drawn and reserved by this subchapter which are subject
to mining under subsection (a), consistent with applicable
Federal and State law. The Secretary of the Army may
engage in such removal of unexploded ordnance in phases
to accommodate the development of the Indian Creek Mine
pursuant to subsection (a).

"(c) Report on Removal Activities.—The Sec-
retary of the Army shall annually submit to the Secretary
of the Interior a report regarding the unexploded ordnance
removal activities for the previous fiscal year performed
pursuant to subsection (b). The report shall include the
amounts of funding expended for unexploded ordnance re-
moval on such lands.

"(d) Implementation Agreement for Mining
Activities.—(1) The Secretary of the Interior and the
Secretary of the Army shall enter into an agreement to implement this section with regard to coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance. The agreement shall provide the following:

“(A) Procedures that will be used to facilitate day-to-day joint-use of the Limestone Hills Training Area.

“(B) Procedures for access through mining operations covered by this section to training areas within the boundaries of the Limestone Hills Training Area.

“(C) Procedures for scheduling of the removal of unexploded ordnance.

“(2) The Secretary of the Interior and the Secretary of the Army shall invite Graymont Western US. Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM–78300, to be a party to the agreement.

“§2957e. Grazing

“(a) Issuance and Administration of Permits and Leases.—The issuance and administration of grazing permits and leases, including their renewal, on the lands withdrawn and reserved by this subchapter shall be managed by the Secretary of the Interior consistent with
all applicable laws, regulations, and policies of the Secretary of the Interior relating to such permits and leases.

“(b) SAFETY REQUIREMENTS.—With respect to any grazing permit or lease issued after the date of enactment of this subchapter for lands withdrawn and reserved by this subchapter, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that are consistent with Department of the Army explosive and range safety standards and that provide for the safe use of any such lands.

“(c) ASSIGNMENT.—The Secretary of the Interior may, with the agreement of the Secretary of the Army, assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that such an assignment may not include the authority to discontinue grazing on the lands withdrawn and reserved by this subchapter.

“SUBCHAPTER IV—CHOCOLATE MOUNTAIN, CALIFORNIA

“§ 2959a. Withdrawal and reservation

“(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subchapter, the public lands and interests in lands described in subsection

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(c), and all other areas within the boundary of such lands as depicted on the map provided for by section 2932 of this title which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

“(b) RESERVATION.—The lands withdrawn by subsection (a) are reserved for use by the Secretary of the Navy for the following purposes:

“(1) Testing and training for aerial bombing, missile firing, tactical maneuvering, and air support.

“(2) Small unit ground forces training, including artillery firing, demolition activities, and small arms field training.

“(3) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs and authorized pursuant to section 2934 of this title.

“(c) LAND DESCRIPTION.—The public lands and interests in lands referred to in subsection (a) are the Federal lands comprising approximately 228,325 acres in Imperial and Riverside Counties, California, as generally depicted on a map entitled ‘Chocolate Mountain Aerial Gunnery Range Proposed—Withdrawal’, said map originally
§2959b. Management of withdrawn and reserved lands

(a) Management by the Secretary of the Interior.—Except as provided in subsection (b), during the period of the withdrawal and reservation of lands by this subchapter, the Secretary of the Interior shall manage the lands withdrawn and reserved by section 2959a of this title in accordance with this chapter, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable law.

(b) Assignment of management to the Secretary of the Navy.—The Secretary of the Interior may assign the management responsibility, in whole or in part, for the lands withdrawn and reserved by section 2959a of this title to the Secretary of the Navy. If the Secretary of the Navy accepts such assignment, that Secretary shall manage such lands in accordance with this title, title I of the Sikes Act (16 U.S.C. 670a et seq.), and other applicable law.
“(c) IMPLEMENTING AGREEMENT.—(1) The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to implement the assignment of management responsibility pursuant to subsection (b).

“(2) An agreement under paragraph (1) shall include a provision for periodic review of the agreement for its adequacy, effectiveness, and need for revision.

“(3) The duration of an agreement under paragraph (1) shall be the same as the period of the withdrawal and reservation of lands under this subchapter, but may be amended from time to time.

“(d) ACCESS AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to address access to and maintenance of Bureau of Reclamation facilities located within the boundary of the Chocolate Mountains Aerial Gunnery Range.

§2959c. Duration of withdrawal and reservation

“The withdrawal and reservation made by this subchapter shall terminate on March 31, 2039.

§2959d. Access

“Notwithstanding section 2933 of this title, the lands withdrawn and reserved by section 2959a of this title, other than those constituting the Bradshaw Trail, are closed to the public and all uses, other than those author-
ized by section 2959a(b) of this title or pursuant to section 2934 of this title, shall be subject to such conditions and restrictions as may be necessary to prevent any interference with the uses authorized by section 2959a(b) of this title or pursuant to section 2934 of this title.

“SUBCHAPTER V—TWENTYNINE PALMS, CALIFORNIA

Sec.

2961a. Withdrawal and reservation.
2961b. Management of withdrawn and reserved lands.
2961c. Duration of withdrawal and reservation.

§ 2961a. Withdrawal and reservation

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subchapter, the public lands and interests in lands described in subsection (d), and all other areas within the boundary of such lands as depicted on the map provided for by section 2932 of this title which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

(b) RESERVATION FOR SECRETARY OF THE NAVY.—The lands withdrawn by subsection (a) constituting the Exclusive Military Use Area are reserved for use by the Secretary of the Navy for the following purposes:
“(1) Sustained, combined arms, live-fire, and maneuver field training for large-scale Marine air ground task forces.

“(2) Individual and unit live-fire training ranges.

“(3) Equipment and tactics development.

“(4) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs and authorized pursuant to section 2934 of this title.

“(c) Reservation for Secretary of the Interior.—The lands withdrawn by subsection (a) constituting the Shared Use Area are reserved for use by the Secretary of the Navy for the purposes specified in subsection (b) and for the Secretary of the Interior for the following purposes:

“(1) Public recreation when not used for military training and having been determined as suitable for public use.

“(2) Natural resources conservation.

“(d) Land Description.—The public lands and interests in lands referred to in subsection (a) are the Federal lands comprising approximately 154,663 acres in San Bernardino County, California, as generally depicted on a map entitled ______, dated ______, and filed in accord-
ance with section 2932 of this title. Such lands are divided into two areas, as follows:

“(1) The Exclusive Military Use Area, divided into four areas, consisting of one area to the west of the Marine Corps Air Ground Combat Center of approximately 103,618 acres, one area south of the Marine Corps Air Ground Combat Center of approximately 21,304 acres, and two other areas, each measuring approximately 300 meters square, located inside the boundaries of the Shared Use Area.

“(2) The Shared Use Area, consisting of approximately 36,755 acres.

§2961b. Management of withdrawn and reserved lands

“(a) MANAGEMENT BY THE SECRETARY OF THE NAVY.—During the period of withdrawal and reservation of lands by this subchapter, the Secretary of the Navy shall, subject to subsection (b), manage the lands withdrawn and reserved by section 2961a of this title for the purposes specified in such section pursuant to—

“(1) an integrated natural resources management plan prepared and implemented pursuant to title I of the Sikes Act (16 U.S.C. 670 et seq.);

“(2) this title; and
“(3) a programmatic agreement between the United States Marine Corps and the California State Historic Preservation Officer regarding operation, maintenance, training, and construction at the United States Marine Air Ground Task Force Training Command, Marine Corps Air Ground Combat Center, Twentynine Palms, California.

“(b) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—(1) During the period of withdrawal and reservation of lands by this subchapter, the Secretary of the Interior shall manage the Shared Use Area except for two 30-day periods each year when such lands are exclusively used by the Secretary of the Navy for military training purposes, during which time the Secretary of the Navy shall manage such lands.

“(2) The Secretary of the Interior, during the period of the Secretary’s management pursuant to paragraph (1), shall manage the Shared Use Area for the purposes specified in section 2961a(c) of this title in accordance with—

“(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

“(B) any other applicable law and regulations.

“(3) The Secretary of the Navy, during the period of the Secretary’s management pursuant to paragraph (1),
shall manage the Shared Use Area for the purposes specified in section 2961a(b) of this title in accordance with—

“(A) an integrated natural resources management plan prepared and implemented in accordance with title I of the Sikes Act (16 U.S.C. 670a et seq.);

“(B) this title; and

“(C) the programmatic agreement referred to in subsection (a)(3).

“(c) PUBLIC ACCESS.—(1) Notwithstanding section 2933 of this title, the Exclusive Military Use Area shall be closed to all public access unless otherwise authorized by the Secretary of the Navy.

“(2) The Shared Use Area shall be open to public recreational use during the period it is under the management of the Secretary of the Interior, but only after being determined as suitable for public use by the Secretary of the Navy. Any such determination shall not be unreasonably withheld.

“(3)(A) The Secretary of the Navy and the Secretary of the Interior, by agreement, shall establish a Resource Management Group comprised of representatives of the Departments of the Interior and Navy.

“(B) The Group shall—
“(i) develop and implement a public outreach plan to inform the public of the land uses changes and safety restrictions affecting the withdrawn lands; and

“(ii) advise the Secretaries of the Interior and Navy as to all issues associated with the multiple uses of the Shared Use Area.

“(C) The Group shall meet at least once a year and shall seek information from relevant California State agencies, private off-highway vehicle interest groups, event managers, environmental advocacy groups, and others relating to the management and facilitation of recreational use within the Shared Use Area.

“(4) Military training within the Shared Use Area shall not be conditioned on, nor shall such training be precluded by—

“(A) the lack of a Department of the Interior developed and implemented recreation management plan or land use management plan for the Shared Use Area; or

“(B) any legal or administrative challenge to any such recreation management plan or land use plan document.
“(5) The Shared Use Area shall be managed so as not to compromise the ability of the Department of the Navy to conduct military training in the Area.

“(d) IMPLEMENTATION AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy shall enter into a written agreement to implement the management responsibility relating to the Shared Use Area. The agreement—

“(1) shall include a provision for periodic review of the agreement for its adequacy, effectiveness, and need for revision;

“(2) shall have a duration which shall be the same as the period of the withdrawal and reservation of lands under this subchapter, but may be amended from time to time;

“(3) may provide for the integration of the management plans required of the Secretaries of the Interior and Navy by this chapter;

“(4) may provide for delegation to civilian law enforcement personnel of the Department of the Navy of the authority of the Secretary of the Interior to enforce the laws relating to protection of natural and cultural resources and of fish and wildlife; and
“(5) may provide for the Secretaries of the Interior and Navy to share resources in order to most efficiently and effectively manage the Shared Use Area.

“(e) JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—

“(1) DESIGNATION.—Approximately 45,000 acres (as depicted on the map referred to in section 2961a of this title) of the existing Bureau of Land Management-designated Johnson Valley Off-Highway Vehicle Area that are not withdrawn and reserved for defense-related uses by this subchapter, together with the Shared Use Area, are hereby designated as the ‘Johnson Valley Off-Highway Vehicle Recreation Area’.

“(2) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable Federal law and regulations and this chapter, any authorized recreation activities and use designation in effect on the date of the enactment of this subchapter and applicable to the Johnson Valley Off-Highway Vehicle Recreation Area may continue, including casual off-highway vehicular use, racing, competitive events, rock crawling, training, and other forms of off-highway recreation.
“(3) Administration.—The Secretary of the Interior shall administer the Johnson Valley Off-Highway Vehicle Recreation Area (other than that portion consisting of the Shared Use Area the management of which is addressed elsewhere in this section) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws and regulations.

“(4) Transit.—In coordination with the Secretary of the Interior, the Secretary of the Navy may authorize transit through the Johnson Valley Off-Highway Vehicle Recreation Area for defense-related purposes supporting military training (including military range management and management of exercise activities) conducted on the lands withdrawn and reserved by this subchapter.

“§ 2961c. Duration of withdrawal and reservation

“The withdrawal and reservation made by this subchapter shall terminate on March 31, 2039.”.

(b) Compensation to Broadwater County, Montana.—The Secretary of the Army may pay Broadwater County, Montana, a one-time lump sum payment of $1,000,000 to offset the 25-year loss of payments in lieu of taxes provided to the County by the Federal Government for lands withdrawn and reserved by subchapter III
of chapter 174 of title 10, United States Code, as added by subsection (a).

(c) Termination of Prior Withdrawals.—The withdrawal and reservation contained in section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 is hereby terminated. Notwithstanding such termination, all rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Interior or a Secretary concerned with respect to the lands withdrawn and reserved under such section, unless inconsistent with the provisions of chapter 174 of title 10, United States Code, as added by subsection (a), shall remain in force until modified, suspended, overruled, or otherwise changed by that Secretary, by a court of competent jurisdiction, or by operation of law.

(d) Clerical Amendment.—The table of chapters at the beginning of subtitle A of such title and at the beginning of part IV of such subtitle are each amended by inserting after the item relating to chapter 173 the following new item:

“174. Land Withdrawals ................................................................. 2931”.

SEC. 2822. FORT BLISS MILITARY LAND WITHDRAWAL.

(a) Revocation of Withdrawal; Return of Administration.—Effective on the date of the enactment of this Act—
(1) Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822), is revoked as to the approximately 2,050 acres of lands generally depicted as “Parcel 1” on the map titled “Doña Ana County Land Transfer and Withdrawal”, dated April 20, 2011 (referred to in this section as the “map”);

(2) administration of the lands is returned from the Secretary of the Army to the Secretary of the Interior, acting through the Director of the Bureau of Land Management; and

(3) the lands shall be managed as public lands in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and any other applicable laws.

(b) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and the limitations in paragraph (2), the parcels of Federal land generally depicted on the map as “Parcel 2” and “Parcel 3”, consisting of approximately 35,550 acres, and any land or interest in land that is acquired by the United States within the boundaries of those parcels, are withdrawn from all forms of location, entry, appropriation, and disposal under the public land laws, including the mineral
leasing laws, the mining laws, the mineral materials
laws, and the geothermal leasing laws.

(2) LIMITATION.—Notwithstanding paragraph
(1), Parcel 3 is not withdrawn for purposes of the
issuance of oil and gas pipeline rights-of-way.

(c) MAPS AND LEGAL DESCRIPTION.—

(1) PUBLICATION AND FILING.—As soon as
practicable after the date of the enactment of this
Act, the Secretary of the Interior shall—

(A) publish in the Federal Register a legal
description of the parcels of Federal land re-
turned by subsection (a) and withdrawn by sub-
section (b); and

(B) file copies of the map described in sub-
section (a) and the legal description of the par-
cels with the Committee on Armed Services and
the Committee on Energy and Natural Re-
sources of the Senate and the Committee on
Armed Services and the Committee on Natural
Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal de-
scriptions filed under paragraph (1)—

(A) shall have the same force and effect as

if included in this Act, except that the Sec-
retary of the Interior may correct errors in the
map and legal descriptions; and

(B) shall be on file and available for public
inspection in the appropriate offices of the Bu-
reau of Land Management.