113TH CONGRESS
1ST SESSION

S. 1034

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 SENATE OF THE UNITED STATES

MAY 23, 2013

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

A BILL

To authorize appropriations for fiscal year 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.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Au-

thorization Act for Fiscal Year 2014”.

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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:

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. 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.
Sec. 115. Multiyear procurement authority for C–130J aircraft program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.
Sec. 202. Five-year extension of pilot program to include technology protection features during research and development of certain defense systems.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Subtitle B—Program Matters

Sec. 311. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.
Sec. 312. Five-year reauthorization of Vessel War Risk Insurance program.
Sec. 313. Repeal of provision of law relating to acquisition policy when Department of Defense is obtaining carriage by vessel.
Sec. 314. Revision to requirement for annual submission of information regarding information technology capital assets.
Sec. 315. Authorized expenses in connection with humanitarian and civic assistance activities provided in conjunction with military operations.
Sec. 316. Authority to utilize concession contracts at Army national cemeteries.
Sec. 317. Five-year reauthorization of authority to provide certain other agencies the Department of Defense reimbursement rate.
Sec. 318. Southern Sea Otter Military Readiness Areas.

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).
Sec. 514. Authority for increase in number of Air Force Reserve military technicians (dual status) who may be assigned to positions outside Air Force Reserve unit program.

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.

Sec. 523. Modification of eligibility for associate degree programs under the Community College of the Air Force.

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.

Sec. 555. Limitation on authority of convening authority to review findings of a court-martial.

Sec. 556. Revision to certain definitions relating to families of servicemembers for purposes of family and medical leave.

Sec. 557. Enhanced role for department of justice under military lending act.

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—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.

Subtitle C—Disability, Retired Pay, and Survivor Benefits

Sec. 621. Overpayments of division of pay as a result of retroactive change in disposable retired pay.
Sec. 622. Reinstatement of temporary special retirement qualification authority for members of the Selected Reserve of the reserve components of the Air Force with 15 years of qualifying service.

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.
Sec. 703. Elimination of mandatory weighting of certain factors in determining best value for awarding health care contracts.

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

Sec. 801. Clarification of scope of supplies covered by statutory rapid acquisition authority.
Sec. 802. Program fraud civil remedies statute for the Department of Defense and the National Aeronautics and Space Administration.
Sec. 803. Reduction in costs to report critical changes to major automated information system programs.
Sec. 804. 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. 805. Timeliness rules for filing bid protests at the United States Court of Federal Claims.
Sec. 806. Exception to internal controls for procurement of necessary property and services by the Department of Defense and Department of Veterans Affairs Interagency Program Office.
Sec. 807. Enhanced transfer of technology developed at Department of Defense laboratories.
Sec. 808. Extension of authority for program to award prizes for advanced technology achievements.
Sec. 809. Revisions to eligibility for, and amount of, financial assistance under Department of Defense Science, Mathematics, and Research for Transformation Program.
Sec. 810. Modification of purposes for which Department of Defense Acquisition Workforce Development Fund may be used.
Sec. 811. Extension of prohibition on contracting with the enemy in the United States Central Command theater of operations.
Sec. 812. Extension of authority for additional access to contractor and subcontractor records in the United States Central Command theater of operations.
Sec. 813. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.
Sec. 814. Extension of special emergency procurement authority to procurements in support of operations performed by special operations forces outside continental United States.
Sec. 815. Extension of special emergency procurement authority.
Sec. 817. Alternative to requirement for conduct of preliminary design review before Milestone B approval for Major Defense Acquisition Programs.
Sec. 818. Limitation on allowable Government contractor compensation costs.
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. Transfer of administration of Ocean Research Advisory Panel From Department of the Navy to National Oceanic and Atmospheric Administration.
Sec. 905. Change to reference to the major Department of Defense headquarters activities issuance.
Sec. 906. One-year extension of authority to waive reimbursement of costs of activities for nongovernmental personnel at Department of Defense Regional Centers for Security Studies.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. Enhancement of Department of Defense capabilities to deter and respond to contractor fraud.
Sec. 1002. Pilot program for the temporary exchange of financial management personnel.

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.
Sec. 1013. Clarification of sole ownership resulting from ship donations at no cost to the Navy.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of authority to support unified counter-drug and counter-terrorism campaign in Colombia and of numerical limitation on assignment of United States personnel in Colombia.
Sec. 1022. Revisions to Department of Defense authority to provide support for counter-drug activities of other agencies.
Sec. 1023. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.
Sec. 1024. Extension of authority for joint task forces to provide support to law enforcement agencies.

Subtitle D—Other Matters

Sec. 1031. Management of Department of Defense installations.
Sec. 1032. Clarification of procedures for use of alternate members on military commissions.
Sec. 1033. Repeal and modification of reporting requirements.
Sec. 1034. Mt. Soledad Veterans Memorial transfer.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.
Sec. 1103. Flexibility in employment and compensation of civilian faculty at Defense Institute for Security Assistance Management and At Joint Special Operations University.
Sec. 1104. Extension of authority to make lump sum severance payments to Department of Defense employees.
Sec. 1105. Modernization of titles of nonappropriated fund instrumentalities for purposes of civil service laws.
Sec. 1106. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.
Sec. 1107. Authority to waive annual limitations on premium and aggregate pay for certain Federal civilian employees working overseas.
Sec. 1108. Authority to employ civilian faculty members at Inter-American Defense College.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Sec. 1201. Authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.
Sec. 1202. Authority to provide unreimbursed defense services in connection with the transfer of excess defense articles in Afghanistan.
Sec. 1203. Five-year extension of authorization for non-conventional assisted recovery capabilities.
Sec. 1204. Increase in annual limitation on transfer of excess defense articles.
Sec. 1205. Revision of statutory references to former NATO support organizations and related NATO agreements.
Sec. 1206. Five-year extension of the Iraqi special immigrant visa program.
Sec. 1207. Five-year extension of the Afghan special immigrant visa program.
Sec. 1208. Permanent and global authority for use of acquisition and cross-servicing agreements to lend certain military equipment to certain foreign forces for personnel protection and survivability.
Sec. 1209. Extension of authority for assignment of civilian employees of the Department of Defense as advisors to foreign ministries of defense.
Sec. 1210. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
Sec. 1211. Support for NATO Special Operations Headquarters.
Sec. 1212. Afghanistan security forces fund.
Sec. 1213. Training with security forces of friendly foreign countries.
Sec. 1214. Revisions to Global Security Contingency Fund authority.
Sec. 1215. Inter-European Air Forces Academy.

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.

TITLE XIV—UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AMENDMENTS

Sec. 1401. Pre-election reporting requirements on availability and transmission of absentee ballots.
Sec. 1402. Transmission requirements; repeal of waiver provision.
Sec. 1403. Clarification of state responsibility, civil penalties, and private right of action.
Sec. 1404. Technical clarifications to conform to 2009 MOVE Act amendments related to the Federal write-in absentee ballot.
Sec. 1405. Treatment of ballot requests.
Sec. 1406. Inclusion of Northern Mariana Islands in the definition of "State" for purposes of the Uniformed and Overseas Citizens Absentee Voting Act.
Sec. 1407. Requirement for Presidential designee to revise the Federal post card application to allow voters to designate ballot requests.
Sec. 1408. Requirement of plurality vote for Virgin Islands and Guam Federal elections.
Sec. 1409. Extension of reporting deadline for the annual report on the assessment of the effectiveness of activities of the Federal Voting Assistance Program.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

Sec. 1501. Purpose.
Sec. 1502. Army procurement.
Sec. 1504. Navy and Marine Corps procurement.
Sec. 1505. Air Force procurement.
Sec. 1506. Joint Urgent Operational Needs Fund.
Sec. 1507. Defense-wide activities procurement.
Sec. 1508. Research, development, test, and evaluation.
Sec. 1509. Operation and maintenance.
Sec. 1510. Military personnel.
Sec. 1511. Working capital funds.
Sec. 1512. Defense Health Program.
Sec. 1513. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Subtitle B—Limitations and Other Matters

Sec. 1521. Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1522. Extension of authority to support operations and activities of the Office of Security Cooperation-Iraq.
Sec. 1523. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.
Sec. 1524. Extension of Commanders Emergency Response Program in Afghanistan.
Sec. 1525. One-year extension of authority to use funds for reintegration activities in Afghanistan.
Sec. 1526. Extension of authority for Task Force for Business and Stability Operations in Afghanistan.

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


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.
Sec. 2803. Change in authorities relating to scope of work variations for military construction projects.
Sec. 2804. Extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

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.
Sec. 2814. Authority to plan, design, construct or lease shared medical facilities with Department of Veterans Affairs.
Sec. 2815. Change from calendar year to fiscal year for annual report of Interagency Coordination Group of Inspectors General for Guam Realignment.
Sec. 2816. Promotion of interagency cooperation to conserve land and natural resources and sustain military readiness.

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.

Subtitle D—Other Matters

Sec. 2831. Modification of amount authorized for military construction project, Andersen Air Force Base, Guam.

TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

Sec. 2901. Short title and purpose.
Sec. 2902. The Commission.
Sec. 2903. Procedure for making recommendations for base closures and realignments.
Sec. 2904. Closure and realignment of military installations.
Sec. 2905. Implementation.
Sec. 2907. Reports.
Sec. 2908. Congressional consideration of commission report.
Sec. 2909. Restriction on other base closure authority.
Sec. 2910. Definitions.
Sec. 2911. Treatment as a base closure law for purposes of other provisions of law.
Sec. 2912. Conforming amendments.
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.
(5) 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-
tion Act of 1950 (50 U.S.C. App. 2061 et seq.) in the amount of $25,135,000.

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
1 Duncan Hunter National Defense Authorization Act for
2 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4377),
3 is repealed.

4 SEC. 115. MULTIYEAR PROCUREMENT AUTHORITY FOR C–
5 130J AIRCRAFT PROGRAM.
6 (a) Authority for Multiyear Procurement.—
7 Subject to section 2306b of title 10, United States Code,
8 the Secretary of the Air Force may enter into one or more
9 multiyear contracts, beginning with the fiscal year 2014
10 program year, for the procurement of C–130J aircraft
11 and, acting as the executive agent for the Department of
12 the Navy, for the procurement of C–130J aircraft.
13 (b) Condition for Out-Year Contract Pay-
14 ments.—A contract entered into under subsection (a)
15 shall provide that any obligation of the United States to
16 make a payment under the contract for a fiscal year after
17 fiscal year 2014 is subject to the availability of appropria-
18 tions for that purpose for such later fiscal year.

19 TITLE II—RESEARCH, DEVELOP-
20 MENT, TEST, AND EVALUA-
21 TION

22 SEC. 201. AUTHORIZATION OF APPROPRIATIONS.
23 Funds are hereby authorized to be appropriated for
24 fiscal year 2014 for the use of the Department of Defense
25 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.

(4) For Defense-wide activities, $17,667,108,000.

(5) For the Director of Operational Test and Evaluation, $186,300,000.

SEC. 202. FIVE-YEAR EXTENSION OF PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.


TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

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. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.

Section 44310 of title 49, United States Code, is amended—

(1) by inserting ``(a) IN GENERAL.—'' before ``The authority'';

(2) by striking ``this chapter'' and inserting ``any provision of this chapter other than section 44305''; and

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

``(b) INSURANCE OF UNITED STATES GOVERNMENT PROPERTY.—The authority of the Secretary of Transpor-
tation to provide insurance and reinsurance for a depart-
ment, agency, or instrumentality of the United States
Government under section 44305 is not effective after De-
cember 31, 2018.”.

SEC. 312. 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. 313. REPEAL OF PROVISION OF LAW RELATING TO AC-
QUISITION POLICY WHEN DEPARTMENT OF
DEFENSE IS OBTAINING CARRIAGE BY VES-
SEL.

Section 1017 of the John Warner National Defense
Authorization Act for Fiscal Year 2007 (Public Law 109–
364; 120 Stat. 2379) is repealed.

SEC. 314. REVISION TO REQUIREMENT FOR ANNUAL SUB-
MISSION OF INFORMATION REGARDING IN-
FORMATION TECHNOLOGY CAPITAL ASSETS.

Section 351(a)(1) of the Bob Stump National De-
fense 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 ex-
cess of $32,000,000 or an estimated total cost for the fu-
ture-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. 315. 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).
SEC. 316. AUTHORITY TO UTILIZE CONCESSION CONTRACTS AT ARMY NATIONAL CEMETERIES.

(a) In General.—Chapter 446 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4727. Cemetery concessions contracts

“(a) In General.—The Secretary of the Army may enter into concessions contracts at the Cemeteries. Subject to this section, any such contract shall be consistent with the provisions of chapter 137 of this title.

“(b) Special Requirements.—All services and concessioner conduct provided pursuant to a concessions contract under subsection (a) shall be performed in a manner and to standards that fully honor the service and sacrifices of the deceased members of the armed forces. The Secretary may establish such concessions contract requirements as the Secretary deems necessary to ensure the protection, dignity, and solemnity of the Cemeteries.

“(c) Term of Concessions Contracts.—

“(1) In General.—A concessions contract entered into under subsection (a) may be awarded for a term of up to 10 years. If the Secretary determines that the contract terms and conditions, including any required construction of capital improvements, warrant a longer term, the Secretary may award a contract for a term of up to 20 years.
“(2) TRANSPORTATION SERVICES.—Notwithstanding paragraph (1), a concessions contract entered into pursuant to subsection (a) solely for the provision of transportation services at the Cemeteries may provide for the contract to cover any period up to five years and may extend the contract period for one or more successive periods pursuant to an option provided in the contract or a modification of the contract. The total contract period as extended may not exceed 10 years.

“(d) FRANCHISE FEES.—A concessions contract shall provide for payment to the government of a franchise fee or such other monetary consideration as determined by the Secretary. Generation of revenue for the United States shall be subordinate to the objectives of honoring the service and sacrifices of the deceased members of the armed forces and of providing necessary and appropriate services for visitors at reasonable rates.

“(e) SPECIAL ACCOUNT.—All franchise fees (and other monetary consideration) under subsection (d) paid to the United States pursuant to concessions contracts shall be deposited into a special account established in the Treasury of the United States. The funds deposited in the special account shall be available for expenditure by the Secretary, without further appropriation, to support ac-
tivities at the Cemeteries. The funds deposited into the special account shall remain available until expended.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘concessioner’ means a public or private entity, including a person, corporation, or partnership, that is awarded a concessions contract under subsection (a).

“(2) The term ‘concessions contract’ means a contract for the provision of tour bus, interpretative, and other necessary and appropriate services to visitors at the Cemeteries.”.

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

“4727. Cemetery concessions contracts.”.

SEC. 317. FIVE-YEAR REAUTHORIZATION OF AUTHORITY TO PROVIDE CERTAIN OTHER AGENCIES THE DEPARTMENT OF DEFENSE REIMBURSEMENT RATE.

Section 2642(a) of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “airlift” and inserting “transportation”; and

(2) in paragraph (3)—
(A) by striking “October 28, 2014” and inserting “September 30, 2019”;

(B) by striking “airlift” both places it appears and inserting “transportation”;

(C) by inserting “and military transportation services provided in support of foreign military sales” after “Department of Defense”; and

(D) by striking “air industry” and inserting “transportation industry”.

SEC. 318. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) Establishment of the Southern Sea Otter Military Readiness Areas.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

“(a) Establishment.—The Secretary of the Navy shall establish areas, to be known as ‘Southern Sea Otter Military Readiness Areas’, for national defense purposes. Such areas shall include each of the following:

“(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock
and the adjacent and surrounding waters within the following coordinates:

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"N. Latitude/W. Longitude
33°27.8′/119°34.3′
33°20.5′/119°15.5′
33°13.5′/119°11.8′
33°06.5′/119°15.3′
33°02.8′/119°26.8′
33°08.8′/119°46.3′
33°17.2′/119°56.9′
33°30.9′/119°54.2′.
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“(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

“(b) Activities Within the Southern Sea Otter Military Readiness Areas.—


“(2) Incidental takings under marine mammal protection act of 1972.—Sections 101
and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

“(3) Treatment as species proposed to be listed.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) Removal.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

“(d) Revision or Termination of Exceptions.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that military activities occurring in the Southern
Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and on the near-shore ecosystem. Monitoring and research parameters and methods shall be determined in consultation with the Service.

“(2) REPORTS.—Not later than 24 months after the date of the enactment of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of the subspecies Enhydra lutris nereis.

“(2) TAKE.—The term ‘take’—

“(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), shall
have the meaning given such term in that Act; and

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) shall have the meaning given such term in that Act.

“(3) INCIDENTAL TAKING.—The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(4) MILITARY READINESS ACTIVITY.—The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and operations of the armed forces that relate to combat and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

“(5) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the
carrying capacity of the habitat and the health of
the ecosystem of which they form a constituent ele-
ment.”.

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

“7235. Establishment of the Southern Sea Otter Military Readiness Areas.”.

(c) CONFORMING AMENDMENT.—Section 1 of Public
Law 99–625 (16 U.S.C. 1536 note) is repealed.

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.

(4) The Air Force, 327,600.

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:

(1) The Army National Guard of the United
States, 354,200.
(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 Reserve of any reserve component shall be proportionately reduced by—

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

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

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for
the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 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 re-
serve 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.

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

(3) For the Air National Guard of the United States, 21,875.

(4) For the Air Force Reserve, 10,429.

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(c)(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 section 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
involuntarily retired under any provision of law during the
fiscal year in which the selection board is convened or dur-
ing 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 National Guard to the active Army National Guard to 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 vacancy 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, respectively.

“(2) The total number of Army National Guard and Air National Guard members, combined, on the active status lists and the inactive status lists assigned to the inactive 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 status 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 provided 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 formerly 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.”.

(c) 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 Categories.—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 sub-
section (c) shall be inapplicable.

“(2) During any period during which there is an inac-
tive 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 sub-
section (c) shall be inapplicable.”. 
(c) 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.

SEC. 514. AUTHORITY FOR INCREASE IN NUMBER OF AIR FORCE RESERVE MILITARY TECHNICIANS (DUAL STATUS) WHO MAY BE ASSIGNED TO POSITIONS OUTSIDE AIR FORCE RESERVE UNIT PROGRAM.

Section 10216(d)(3) of title 10, United States Code, is amended by striking “except that” and all that follows and inserting “except that the number of such technicians assigned outside of the Air Force Reserve unit program at the same time during any fiscal year may not exceed 2 percent of the authorized end strength for military technicians (dual status) for the Air Force Reserve for that fiscal year.”.
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 amended by striking “September 30, 2014” and inserting “December 31, 2018”.

(2) CROSS-REFERENCE AMENDMENTS TO REFLECT 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.—Subparagraph (B)(iii) of section 3012(b)(1) of title 38, United States Code, is amended by inserting “or the period beginning 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 STUDIES 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 College.”; and

(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))”.

SEC. 523. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE DEGREE PROGRAMS UNDER THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9315(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:
“(3) Enlisted members of the armed forces other than the Air Force participating in joint-service medical training and education or who are serving as instructors in such joint-service medical training and education.”.

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:

\[\text{\ldots}\]
“(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 Secretary 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 petition 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 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 en-
actment of this section, no court shall have jurisdiction
to review any matter subject to correction under a provi-
sion of law specified in subsection (a)(2) except as pro-
vided 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 sec-
tions 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 CORREC-
TION OF RECORDS WHEN PROHIBITED PERSONNEL AC-
TION ALLEGED.—

(1) NOTICE OF DENIAL; PROCEDURES FOR JU-
dICIAL REVIEW.—Subsection (f) of section 1034 of
such title is amended by adding at the end the fol-
lowing 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 con-
cerned shall provide the member or former member
a concise written statement of the basis for the deci-
sion 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 amend-
ments 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 Sec-
retary 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 effec-
tive 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
S 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 RECOMMENDING 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) in paragraph (1), by striking “three years” and inserting “five years”; and
(2) in paragraph (2), by striking “two years” and inserting “three years”.

(b) Air Force.—Section 8744(b) of such title is amended—

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

(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’.

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“(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 amend-
ed—

(A) by inserting “living” after “each”; 
(B) by striking “subsection (e) 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 PEN-
sion.—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.**—Sections 1560 and 1561 of title 38, United States Code, are repealed.

(2) **Clerical Amendments.**—The table of sections 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 DECEDEENTS.—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 con-
cerned 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”.

(e) Technical Amendment.—Section 1482(f) of such title is amended in the third sentence by striking “subsection” and inserting “section”.
SEC. 552. EXPANSION OF PRIVILEGED INFORMATION PRO-
VISION TO DEBRIEFING REPORTS OF CERT-
AIN RECOVERED PERSONS WHO WERE
NEVER PLACED IN A MISSING STATUS.

(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 es-
cape debriefing report provided by a person de-
scribed in section 1501(c) of this title who is re-
turned to United States control which is obtained
under a promise of confidentiality made for the pur-
pose of ensuring the fullest possible disclosure of in-
formation.”; and

(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 para-
graph:
“(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 expend 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 per-
sonnel, 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).

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

SEC. 555. LIMITATION ON AUTHORITY OF CONVENING AUTHORITY TO REVIEW FINDINGS OF A COURT-MARTIAL.

(a) Limitation of Authority to Offenses That Would Not Normally Warrant Trial by Court-Martial.—Subsection (c) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended—

(1) in paragraph (3)—

(A) by inserting “may be taken” after “finding of a court-martial”; 

(B) by striking “is not required. However,” and inserting “only with respect to a qualified offense. With respect to such an offense,”;
(C) by striking “may—” and all that follows through “(A) dismiss” and inserting “may dismiss”;

(D) by striking “; or” and inserting a period; and

(E) by striking subparagraph (B); and

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

“(4)(A) In paragraph (3), the term ‘qualified offense’ means, except as provided in subparagraph (B), an offense under this chapter for which—

“(i) the maximum sentence of confinement that may be adjudged does not exceed two years; and

“(ii) the sentence adjudged does not include dismissal, a dishonorable or bad-conduct discharge, or confinement for more than six months.

“(B) Such term does not include such offenses as the Secretary of Defense may prescribe by regulation.”.

(b) REQUIREMENT FOR EXPLANATION IN WRITING.—Such subsection is further amended by adding after paragraph (4), as added by subsection (a)(2), the following new paragraph:
“(5) If the convening authority or other person authorized to act under this section modifies the findings or sentence of a court-martial, such person shall prepare a written explanation for such modification. Such explanation shall be made a part of the record of trial and action thereon.”.

(e) Conforming Amendment.—Subsection (e)(3) of such section (article) is amended in the first sentence by inserting “(if authorized to do so under subsection (c))” after “findings and sentence”.

(d) Effective Date.—The amendments made by subsections (a) and (c) shall apply with respect to offenses committed on or after the date of the enactment of this Act.

SEC. 556. REVISION TO CERTAIN DEFINITIONS RELATING TO FAMILIES OF SERVICEMEMBERS FOR PURPOSES OF FAMILY AND MEDICAL LEAVE.

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

(1) Definition of “Covered Active Duty”.—Paragraph (14) of section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended—

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

(2) Definition of “covered servicemember”.—Paragraph (15)(A) of such section is amended by inserting “inpatient or” before “outpatient status”.

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

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

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

(B) by inserting “, 12301(d), or 12301(g)” after “section 101(a)(13)(B)” in subparagraph (B).

(2) Definition of “covered servicemember”.—Paragraph (8)(A) of such section is amended by inserting “inpatient or” before “outpatient status”.

(3) Technical Amendment.—Paragraph (7)(B) of such section is further amended by striking “, United States Code”.

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SEC. 557. ENHANCED ROLE FOR DEPARTMENT OF JUSTICE UNDER MILITARY LENDING ACT.

(a) Enforcement by the Attorney General.—

Subsection (f) of section 987 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(7) Enforcement by the Attorney General.—

“(A) In general.—The Attorney General may commence a civil action in any appropriate district court of the United States against any person who—

“(i) engages in a pattern or practice of violating this section; or

“(ii) engages in a violation of this section that raises an issue of general public importance.

“(B) Relief.—In a civil action commenced under subparagraph (A), the court—

“(i) may grant any appropriate equitable or declaratory relief with respect to the violation of this section;

“(ii) may award all other appropriate relief, including monetary damages, to any person aggrieved by the violation; and
“(iii) may, to vindicate the public interest, assess a civil penalty—

“(I) in an amount not exceeding $110,000 for a first violation; and

“(II) in an amount not exceeding $220,000 for any subsequent violation.

“(C) INTERVENTION.—Upon timely application, a person aggrieved by a violation of this section with respect to which the civil action is commenced may intervene in such action, and may obtain such appropriate relief as the person could obtain in a civil action under paragraph (5) with respect to that violation, along with costs and a reasonable attorney fee.

“(D) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—Whenever the Attorney General, or a designee, has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this section, the Attorney General, or a designee, may, before commencing a civil action under subparagraph (A), issue in writing and cause to be
served upon such person, a civil investigative demand requiring—

“(i) the production of such documentary material for inspection and copying;

“(ii) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

“(iii) the production of any combination of such documentary material or answers.

“(E) RELATIONSHIP TO FALSE CLAIMS ACT.—The statutory provisions governing the authority to issue, use, and enforce civil investigative demands under section 3733 of title 31 (known as the ‘False Claims Act’) shall govern the authority to issue, use, and enforce civil investigative demands under subparagraph (D), except that—

“(i) any reference in that section to false claims law investigators or investigations shall be applied for purposes of subparagraph (D) as referring to investigators or investigations under this section;
“(ii) any reference in that section to interrogatories shall be applied for purposes of subparagraph (D) as referring to written questions and answers to such need not be under oath;

“(iii) the statutory definitions for purposes of that section relating to ‘false claims law’ shall not apply; and

“(iv) provisions of that section relating to qui tam relators shall not apply.”.

(b) Consultation With Department of Justice.—Subsection (h)(3) of such section is amended by adding at the end the following new subparagraph:

“(H) The Department of Justice.”.

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—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.
(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

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

(b) Title 10 Authorities Relating to Health Care Professionals.—The following sections of title 10, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.
(c) Title 37 Authorities Relating to Health Care Professionals.—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

(d) Authorities Relating to Nuclear Officers.—The following sections of title 37, United States
Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

(c) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

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

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

(5) Section 335(k), relating to bonus and incentive pay authorities for officers in health professions.
(6) Section 351(h), relating to hazardous duty pay.

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

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

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

(f) OTHER TITLE 37 BONUS AND SPECIAL PAY AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.
(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between the Armed Forces.

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

(9) Section 403(b)(7)(E), relating to basic allowance for housing.

Subtitle C—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 de-
cree 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.
SEC. 622. REINSTATEMENT OF TEMPORARY SPECIAL RETIREMENT QUALIFICATION AUTHORITY FOR MEMBERS OF THE SELECTED RESERVE OF THE RESERVE COMPONENTS OF THE AIR FORCE WITH 15 YEARS OF QUALIFYING SERVICE.

(a) Reinstatement of Authority.—Subsection (a)(1) of section 12731a of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “October 1, 1991,” and inserting “the first day of a period described in subsection (b) that is applicable to that member”; and

(2) in subparagraph (B), by striking “after that date and before the end of the period described in subsection (b)” and inserting “during a period described in subsection (b) that is applicable to that member”.

(b) Period of Authority.—Subsection (b) of such section is amended to read as follows:

“(b) Period of Authority.—A period referred to in subsection (a)(1) is any of the following:

“(1) With respect to any member of the Selected Reserve of a reserve component, the period beginning on October 23, 1992, and ending on December 31, 2001.
“(2) With respect to any member of the Select Reserve of the Air Force Reserve or Air National Guard of the United States, the period beginning on October 1, 2014, and ending on December 31, 2018.”

TITLE VII—HEALTH CARE PROVISIONS

SEC. 701. REVISIONS TO TRICARE COST SHARING REQUIREMENTS.

(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 Secretary”; and

(B) by striking paragraph (2); and

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

“(f) ENROLLMENT FEES.—

“(1) AMOUNT.—Beginning January 1, 2014, the enrollment fee described in subsection (e) for a covered 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>“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>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:
The applicable minimum enrollment fee is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Minimum Fee</th>
<th>Maximum Fee</th>
<th>Lower 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 con-
tain 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 per-
sons;

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

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

“(D) for 2017, $115 for an individual or
$230 for a family group of two or more per-
sons;
“(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 of two or more persons;

“(E) for 2018, $290 for an individual or $580 for a family group of two or more persons; and

“(F) for any year after 2018, the amount of the applicable deductible for the previous year increased by the percentage by which retired 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 patient 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 inpatient 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 in-
creased 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 re-
tired 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 indi-
vidual 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.—Sec-
tion 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 enroll-
ment 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>
</tbody>
</table>
For:
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:

<table>
<thead>
<tr>
<th>Year</th>
<th>Fee</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<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>“For:”</th>
<th>The cost sharing amount for 30-day supply of a retail generic is:</th>
<th>The cost sharing amount for 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>
<th>The cost sharing amount for a 90-day supply of a mail order non-formulary is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$5</td>
<td>$26</td>
<td>$0</td>
<td>$26</td>
<td>$51</td>
</tr>
</tbody>
</table>

VerDate Mar 15 2010 23:20 Jun 04, 2013 Jkt 029200 PO 00000 Frm 00092 Fmt 6652 Sfmt 6201 E:\BILLS\S1034.IS S1034mstockstill on DSK4VPTVN1PROD with BILLS
The cost sharing amount for 30-day supply of a retail generic is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Retail Generic</th>
<th>Retail Formulary</th>
<th>Mail Order Generic</th>
<th>Mail Order Formulary</th>
<th>Mail Order Non-Formulary</th>
</tr>
</thead>
<tbody>
<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>
<tr>
<td>2022</td>
<td>$13</td>
<td>$43</td>
<td>$13</td>
<td>$43</td>
<td>$85</td>
</tr>
<tr>
<td>2023</td>
<td>$14</td>
<td>$45</td>
<td>$14</td>
<td>$45</td>
<td>$90</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 phar-
macies 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 ex-
empt the following prescription maintenance
medications from the requirements in subpara-
graph (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;
126 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 Authorization 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 Defense determines that the amount certified under subsection (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.”

SEC. 703. ELIMINATION OF MANDATORY WEIGHTING OF CERTAIN FACTORS IN DETERMINING BEST VALUE FOR AWARDING HEALTH CARE CONTRACTS.

Section 1073a of title 10, United States Code, is amended—

(1) by striking subsection (b); and
(2) by redesignating subsection (c) as subsection (b).

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:

“(1) ASSOCIATED SUPPORT SERVICES.—The term”; 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. PROGRAM FRAUD CIVIL REMEDIES STATUTE FOR THE DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) PURPOSE.—The purpose of this section is to provide the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration with an effective administrative remedy to obtain recompense for the Department of Defense and the National Aeronautics and Space Administration for losses resulting from the submission to the Department or the Administration, respectively, of false, fictitious, or fraudulent claims and statements.

(b) PROGRAM FRAUD CIVIL REMEDIES.—

(1) IN GENERAL.—Chapter IV of subtitle A of title 10, United States Code, is amended by inserting after chapter 163 the following new chapter:

"CHAPTER 164—ADMINISTRATIVE REMEDIES FOR FALSE CLAIMS AND STATEMENTS

Sec.
2751. Applicability of chapter; definitions.
2752. False claims and statements; liability.
2753. Hearing and determinations.
2754. Payment; interest on late payments.
2756. Collection of civil penalties and assessments.
2757. Right to administrative offset.
2758. Limitations.
2759. Effect on other laws."
§ 2751. Applicability of chapter; definitions

(a) Applicability of Chapter.—This chapter applies to the following agencies:

(1) The Department of Defense.

(2) The National Aeronautics and Space Administration.

(b) Definitions.—In this chapter:

(1) Head of an agency.—The term ‘head of an agency’ means the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration.

(2) Claim.—The term ‘claim’ means any request, demand, or submission—

(A) made to the head of an agency for property, services, or money (including money representing grants, loans, insurance, or benefits);

(B) made to a recipient of property, services, or money received directly or indirectly from the head of an agency or to a party to a contract with the head of an agency—

(i) for property or services if the United States—

(I) provided such property or services;
“(II) provided any portion of the funds for the purchase of such property or services; or
“(III) will reimburse such recipient or party for the purchase of such property or services; or
“(ii) for the payment of money (including money representing grants, loans, insurance, or benefits) if the United States—
“(I) provided any portion of the money requested or demanded; or
“(II) will reimburse such recipient or party for any portion of the money paid on such request or demand; or
“(C) made to the head of an agency which has the effect of decreasing an obligation to pay or account for property, services, or money.
“(3) KNOWS OR HAS REASON TO KNOW.—The term ‘knows or has reason to know’, for purposes of establishing liability under section 2752 of this title, means that a person, with respect to a claim or statement—
“(A) has actual knowledge that the claim or statement is false, fictitious, or fraudulent;

“(B) acts in deliberate ignorance of the truth or falsity of the claim or statement; or

“(C) acts in reckless disregard of the truth or falsity of the claim or statement, and no proof of specific intent to defraud is required.

“(4) RESPONSIBLE OFFICIAL.—The term ‘responsible official’ means a designated debarring and suspending official of the agency named in subsection (a).

“(5) RESPONDENT.—The term ‘respondent’ means a person who has received notice from a responsible official asserting liability under section 2752 of this title.

“(6) STATEMENT.—The term ‘statement’ means any representation, certification, affirmation, document, record, or an accounting or bookkeeping entry made—

“(A) with respect to a claim or to obtain the approval or payment of a claim (including relating to eligibility to make a claim); or

“(B) with respect to (including relating to eligibility for)—
“(i) a contract with, or a bid or proposal for a contract with the head of an agency; or

“(ii) a grant, loan, or benefit from the head of an agency.

“(c) CLAIMS.—For purposes of paragraph (2) of subsection (b)—

“(1) each voucher, invoice, claim form, or other individual request or demand for property, services, or money constitutes a separate claim;

“(2) each claim for property, services, or money is subject to this chapter regardless of whether such property, services, or money is actually delivered or paid; and

“(3) a claim shall be considered made, presented, or submitted to the head of an agency, recipient, or party when such claim is actually made to an agent, fiscal intermediary, or other entity acting for or on behalf of such authority, recipient, or party.

“(d) STATEMENTS.—For purposes of paragraph (6) of subsection (b)—

“(1) each written representation, certification, or affirmation constitutes a separate statement; and
“(2) a statement shall be considered made, presented, or submitted to the head of an agency when such statement is actually made to an agent, fiscal intermediary, or other entity acting for or on behalf of such authority.

§ 2752. False claims and statements; liability

“(a) False Claims.—Any person who makes, presents, or submits, or causes to be made, presented, or submitted, to the head of an agency a claim that the person knows or has reason to know—

“(1) is false, fictitious, or fraudulent;

“(2) includes or is supported by any written statement which asserts a material fact that is false, fictitious, or fraudulent;

“(3) includes or is supported by any written statement that—

“(A) omits a material fact;

“(B) is false, fictitious, or fraudulent as a result of such omission; and

“(C) the person making, presenting, or submitting such statement has a duty to include such material fact; or

“(4) is for payment for the provision of property or services which the person has not provided as claimed,
shall, in addition to any other remedy that may be pre-
scribed by law, be subject to a civil penalty of not more
than $5,000 for each such claim. Such person shall also
be subject to an assessment of not more than twice the
amount of such claim, or the portion of such claim which
is determined by the responsible official to be in violation
of the preceding sentence.

“(b) FALSE STATEMENTS.—Any person who makes,
presents, submits, or causes to be made, presented, or sub-
mitted, a written statement in conjunction with a procure-
ment program or acquisition of the agency named in sec-
tion 2751(a) of this title that—

“(1) the person knows or has reason to know—

“(A) asserts a material fact that is false, fictitious, or fraudulent; or

“(B)(i) omits a material fact; and

“(ii) is false, fictitious, or fraudulent as a result of such omission;

“(2) in the case of a statement described in subparagraph (B) of paragraph (1), is a statement
in which the person making, presenting, or submit-
ting such statement has a duty to include such ma-
terial fact; and
“(3) contains or is accompanied by an express certification or affirmation of the truthfulness and accuracy of the contents of the statement, shall be subject to, in addition to any other remedy that may be prescribed by law, a civil penalty of not more than $5,000 for each such statement.

§ 2753. Hearing and determinations

“(a) TRANSMITTAL OF NOTICE TO ATTORNEY GENERAL.—If a responsible official determines that there is adequate evidence to believe that a person is liable under section 2752 of this title, the responsible official shall transmit to the Attorney General, or any other officer or employee of the Department of Justice designated by the Attorney General, a written notice of the intention of such official to initiate an action under this section. The notice shall include the following:

“(1) A statement of the reasons for initiating an action under this section.

“(2) A statement specifying the evidence which supports liability under section 2752 of this title.

“(3) A description of the claims or statements for which liability under section 2752 of this title is alleged.
“(4) An estimate of the penalties and assessments that will be demanded under section 2752 of this title.

“(5) A statement of any exculpatory or mitigating circumstances which may relate to such claims or statements.

“(b) STATEMENT FROM ATTORNEY GENERAL.—

“(1) Within 90 days after receipt of a notice from a responsible official under subsection (a), the Attorney General, or any other officer or employee of the Department of Justice designated by the Attorney General, shall transmit a written statement to the responsible official which specifies—

“(A) that the Attorney General, or any other officer or employee of the Department of Justice designated by the Attorney General, approves or disapproves initiating an action under this section based on the allegations of liability stated in such notice; and

“(B) in any case in which the initiation of an action under this section is disapproved, the reasons for such disapproval.

“(2) If at any time after the initiation of an action under this section the Attorney General, or any other officer or employee of the Department of Jus-
tice designated by the Attorney General, transmits
to a responsible official a written determination that
the continuation of any action under this section
may adversely affect any pending or potential crimi-
nal or civil action, such action shall be immediately
stayed and may be resumed only upon written au-
thorization from the Attorney General, or any other
officer or employee of the Department of Justice
designated by the Attorney General.

“(c) LIMITATION ON AMOUNT OF CLAIM THAT MAY
BE PURSUED UNDER THIS SECTION.—No action shall be
initiated under this section, nor shall any assessment be
imposed under this section, if the total amount of the
claim determined by the responsible official to violate sec-
tion 2752(a) of this title exceeds $500,000. The $500,000
threshold does not include penalties or any assessment
permitted under 2752(a) of this title greater than the
amount of the claim determined by the responsible official
to violate such section.

“(d) PROCEDURES FOR RESOLVING CLAIMS.—(1)
Upon receiving approval under subsection (b) to initiate
an action under this section, the responsible official shall
mail, by registered or certified mail, or other similar com-
mercial means, or shall deliver, a notice to the person al-
leged to be liable under section 2752 of this title. Such
notice shall specify the allegations of liability against such
person, specify the total amount of penalties and assess-
ments sought by the United States, advise the person of
the opportunity to submit facts and arguments in opposi-
tion to the allegations set forth in the notice, advise the
person of the opportunity to submit offers of settlement
or proposals of adjustment, and advise the person of the
procedures of the agency named in section 2751(a) of this
title governing the resolution of actions initiated under
this section.

“(2) Within 30 days after receiving a notice under
paragraph (1), or any additional period of time granted
by the responsible official, the respondent may submit in
person, in writing, or through a representative, facts and
arguments in opposition to the allegations set forth in the
notice, including any additional information that raises a
genuine dispute of material fact.

“(3) If the respondent fails to respond within 30
days, or any additional time granted by the responsible
official, the responsible official may issue a written deci-
sion disposing of the matters raised in the notice. Such
decision shall be based on the record before the responsible
official. If the responsible official concludes that the re-
spondent is liable under section 2752 of this title, the deci-
sion shall include the findings of fact and conclusions of
law which the responsible official relied upon in determining that the respondent is liable, and the amount of any penalty and/or assessment to be imposed on the respondent. Any such determination shall be based on a preponderance of the evidence. The responsible official shall promptly send to the respondent a copy of the decision by registered or certified mail, or other similar commercial means, or shall hand deliver a copy of the decision.

“(4) If the respondent makes a timely submission, and the responsible official determines that the respondent has not raised any genuine dispute of material fact, the responsible official may issue a written decision disposing of the matters raised in the notice. Such decision shall be based on the record before the responsible official. If the responsible official concludes that the respondent is liable under section 2752 of this title, the decision shall include the findings of fact and conclusions of law which the responsible official relied upon in determining that the respondent is liable, and the amount of any penalty or assessment to be imposed on the respondent. Any such determination shall be based on a preponderance of the evidence. The responsible official shall promptly send to the respondent a copy of the decision by registered or certified mail, or other similar commercial means, or shall hand deliver a copy of the decision.
“(5) If the respondent makes a timely submission, and the responsible official determines that the respondent has raised a genuine dispute of material fact, the responsible official shall commence a hearing to resolve the genuinely disputed material facts by mailing by registered or certified mail, or other similar commercial means, or by hand delivery of, a notice informing the respondent of—

“(A) the time, place, and nature of the hearing;
“(B) the legal authority under which the hearing is to be held;
“(C) the material facts determined by the responsible official to be genuinely in dispute that will be the subject of the hearing; and
“(D) a description of the procedures for the conduct of the hearing.

“(6) The responsible official and any person against whom liability is asserted under this chapter may agree to a compromise or settle an action at any time. Any compromise or settlement must be in writing.

“(e) Respondent Entitled to Copy of the Record.—At any time after receiving a notice under paragraph (1) of subsection (d), the respondent shall be entitled to a copy of the entire record before the responsible official.
“(f) HEARINGS.—Any hearing commenced under this section shall be conducted by the responsible official, or a fact-finder designated by the responsible official, solely to resolve genuinely disputed material facts identified by the responsible official and set forth in the notice to the respondent.

“(g) PROCEDURES FOR HEARINGS.—(1) Each hearing shall be conducted under procedures prescribed by the head of the agency. Such procedures shall include the following:

“(A) The provision of written notice of the hearing to the respondent, including written notice of—

“(i) the time, place, and nature of the hearing;

“(ii) the legal authority under which the hearing is to be held;

“(iii) the material facts determined by the responsible official to be genuinely in dispute that will be the subject of the hearing; and

“(iv) a description of the procedures for the conduct of the hearing.

“(B) The opportunity for the respondent to present facts and arguments through oral or documentary evidence, to submit rebuttal evidence, and
to conduct such cross-examination as may be re-
quired to resolve any genuinely disputed material
facts identified by the responsible official.

“(C) The opportunity for the respondent to be
accompanied, represented, and advised by counsel or
such other qualified representative as the Secretary
may specify in such regulations.

“(2) For the purpose of conducting hearings under
this section, the responsible official is authorized to admin-
ister oaths or affirmations.

“(3) Hearings shall be held at the responsible offi-
cial’s office, or at such other place as may be agreed upon
by the respondent and the responsible official.

“(h) DECISION FOLLOWING HEARING.—The respon-
sible official shall issue a written decision within 60 days
after the conclusion of the hearing. That decision shall set
forth specific findings of fact resolving the genuinely dis-
puted material facts that were the subject of the hearing.
The written decision shall also dispose of the matters
raised in the notice required under paragraph (1) of sub-
section (d). If the responsible official concludes that the
respondent is liable under section 2752 of this title, the
decision shall include the findings of fact and conclusions
of law which the responsible official relied upon in deter-
mining that the respondent is liable, and the amount of
any penalty or assessment to be imposed on the respondent. Any decisions issued under this subparagraph shall be based on the record before the responsible official and shall be supported by a preponderance of the evidence. The responsible official shall promptly send to the respondent a copy of the decision by registered or certified mail, or other similar commercial means, or shall hand deliver a copy of the decision.

§2754. Payment; interest on late payments

(a) Payment of assessments and penalties.—A respondent shall render payment of any assessment and penalty imposed by a responsible official, or any amount otherwise agreed to as part of a settlement or adjustment, not later than the date—

(1) that is 30 days after the date of the receipt by the respondent of the responsible official’s decision; or

(2) as otherwise agreed to by the respondent and the responsible official.

(b) Interest.—If there is an unpaid balance as of the date determined under paragraph (1), interest shall accrue from that date on any unpaid balance. The rate of interest charged shall be the rate in effect as of that date that is published by the Secretary of the Treasury under section 3717 of title 31.
“(c) **TREATMENT OF RECEIPTS.**—All penalties, assessments, or interest paid, collected, or otherwise recovered under this chapter shall be deposited into the Treasury as miscellaneous receipts as provided in section 3302 of title 31.

§ 2755. **Judicial review**

“A decision by a responsible official under section 2753(d) or 2753(h) of this title shall be final. Any such final decision is subject to judicial review only under chapter 7 of title 5.

§ 2756. **Collection of civil penalties and assessments**

“(a) **JUDICIAL ENFORCEMENT OF CIVIL PENALTIES AND ASSESSMENTS.**—The Attorney General shall be responsible for judicial enforcement of any civil penalty or assessment imposed under this chapter.

“(b) **CIVIL ACTIONS FOR RECOVERY.**—Any penalty or assessment imposed in a decision by a responsible official, or amounts otherwise agreed to as part of a settlement or adjustment, along with any accrued interest, may be recovered in a civil action brought by the Attorney General. In any such action, no matter that was raised or that could have been raised in a proceeding under this chapter or pursuant to judicial review under section 2755 of this title may be raised as a defense, and the determination
of liability and the determination of amounts of penalties
and assessments shall not be subject to review.

“(c) JURISDICTION OF UNITED STATES DISTRICT
COURTS.—The district courts of the United States shall
have jurisdiction of any action commenced by the United
States under subsection (b).

“(d) JOINING AND CONSOLIDATING ACTIONS.—Any
action under subsection (b) may, without regard to venue
requirements, be joined and consolidated with or asserted
as a counterclaim, cross-claim, or setoff by the United
States in any other civil action which includes as parties
the United States, and the person against whom such ac-
tion may be brought.

“(e) JURISDICTION OF UNITED STATES COURT OF
FEDERAL CLAIMS.—The United States Court of Federal
Claims shall have jurisdiction of any action under sub-
section (b) to recover any penalty or assessment, or
amounts otherwise agreed to as part of a settlement or
adjustment, along with any accrued interest, if the cause
of action is asserted by the United States as a counter-
claim in a matter pending in such court. The counterclaim
need not relate to the subject matter of the underlying
claim.
§ 2757. Right to administrative offset

“The amount of any penalty or assessment that has been imposed by a responsible official, or any amount agreed upon in a settlement or compromise, along with any accrued interest, may be collected by administrative offset.

§ 2758. Limitations

“(a) Limitation on period for initiation of administrative action.—An action under section 2752 of this title with respect to a claim or statement shall be commenced within six years after the date on which such claim or statement is made, presented, or submitted.

“(b) Limitation period for initiation of civil action for recovery of administrative penalty or assessment.—A civil action to recover a penalty or assessment under section 2756 of this title shall be commenced within three years after the date of the decision of the responsible official imposing the penalty or assessment.

§ 2759. Effect on other laws

“(a) Relationship to Title 44 authorities.—This chapter does not diminish the responsibility of the head of an agency to comply with the provisions of chapter 35 of title 44, relating to coordination of Federal information policy.
“(b) RELATIONSHIP TO TITLE 31 AUTHORITIES.—The procedures set forth in this chapter apply to the agencies named in section 2751(a) of this title in lieu of the procedures under chapter 38 of title 31, relating to administrative remedies for false claims and statements.

“(c) RELATIONSHIP TO OTHER AUTHORITIES.—Any action, inaction, or decision under this chapter shall be based solely upon the information before the responsible official and shall not limit or restrict any agency of the Government from instituting any other action arising outside this chapter, including suspension or debarment, based upon the same information. Any action, inaction or decision under this chapter shall not restrict the ability of the Attorney General to bring judicial action, based upon the same information as long as such action is not otherwise prohibited by law.”.

(2) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle A, and at the beginning of part IV of subtitle A, of such title are each amended by inserting after the item relating to chapter 163 the following new item:

“164. Administrative Remedies for False Claims and Statements .......... 2751.”.

(e) CONFORMING AMENDMENTS.—Section 3801(a)(1) of title 31, United States Code, is amended—
(1) by inserting “(other than the Department of Defense)” in subparagraph (A) after “executive department”;  
(2) by striking subparagraph (B);  
(3) by redesignating subparagraph (C) as subparagraph (B) and by inserting “(other than the National Aeronautics and Space Administration)” in that subparagraph after “not an executive department”; and  
(4) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (C), (D), and (E), respectively.  

(d) EFFECTIVE DATE.—Chapter 164 of title 10, United States Code, as added by subsection (b), and the amendments made by subsection (c), shall apply to any claim or statement made, presented, or submitted on or after the date of the enactment of this Act.

SEC. 803. 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 by 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 opera-
tionally effective and suitable by an independent test
agency or the Director of Operational Test and Evalua-
tion, beyond the scope planned in the original estimate or
information originally submitted on the program.”.

(b) REPORTS ON CRITICAL CHANGES IN MAIS PRO-
GRAMS.—Subsection (d) of section 2445e of such title is
amended—

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

(2) by redesignating paragraph (2) as para-
graph (3); and

(3) by inserting after paragraph (1) the fol-
lowing new paragraph (2):

“(2) NOTIFICATION WHEN VARIANCE DUE TO
CONGRESSIONAL ACTION OR EXTENSION OF PRO-
GRAM.—If a senior Department of Defense official
who, following receipt of a quarterly report described
in paragraph (1) and making a determination de-
scribed in paragraph (3), also determines that the
circumstances resulting in the determination de-
scribed 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 notifica-
tion 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
(c)(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”.

(c) 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. 804. 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. 805. TIMELINESS RULES FOR FILING BID PROTESTS AT THE UNITED STATES COURT OF FEDERAL CLAIMS.

(a) JURISDICTION.—Paragraph (1) of section 1491(b) of title 28, United States Code, is amended—

(1) in the first sentence, by striking “Both the” and all that follows through “shall have” and insert-
ing “The United States Court of Federal Claims shall have”; and

(2) in the second sentence—

(A) by striking “Both the” and all that fol-

lows through “shall have” and inserting “The

United States Court of Federal Claims shall

have”; and

(B) by striking “is awarded.” and insert-

ing “is awarded, but such jurisdiction is subject
to time limits as follows:

“(A) A protest based upon alleged improprieties

in a solicitation that are apparent before bid opening

or the time set for receipt of initial proposals shall

be filed before bid opening or the time set for receipt

of initial proposals. In the case of a procurement

where proposals are requested, alleged improprieties

that do not exist in the initial solicitation but that

are subsequently incorporated into the solicitation

shall be protested not later than the next closing

time for receipt of proposals following the incorpora-
tion. A protest that meets these time limitations that

was previously filed with the Comptroller General

may not be reviewed.

“(B) A protest other than one covered by sub-

paragraph (A) shall be filed not later than 10 days
after the basis of the protest is known or should have been known (whichever is earlier), with the exception of a protest challenging a procurement conducted on the basis of competitive proposals under which a debriefing is requested and, when requested, is required. In such a case, with respect to any protest the basis of which is known or should have been known either before or as a result of the debriefing, the initial protest shall not be filed before the debriefing date offered to the protester, but shall be filed not later than 10 days after the date on which the debriefing is held.

“(C) If a timely agency-level protest was previously filed, any subsequent protest to the United States Court of Federal Claims that is filed within 10 days of actual or constructive knowledge of initial adverse agency action shall be considered, if the agency-level protest was filed in accordance with subparagraphs (A) and (B), unless the contracting agency imposes a more stringent time for filing the protest, in which case the agency’s time for filing shall control. In a case where an alleged impropriety is not protested to the contracting agency, any subsequent protest to the United States Court of Federal Claims shall be considered timely.
if filed within the 10-day period provided by this subparagraph, even if filed after bid opening or the closing time for receipt of proposals.

“(D) A protest untimely on its face shall be dismissed. A protester shall include in its protest all information establishing the timeliness of the protest; a protester shall not be permitted to introduce for the first time in a motion for reconsideration information necessary to establish that the protest was timely. Under no circumstances may the United States Court of Federal Claims consider a protest that is untimely because it was first filed with the Government Accountability Office.”.

(b) AVAILABLE RELIEF.—Paragraph (2) of such section is amended by inserting “monetary relief shall not be available if injunctive relief is or has been granted, and” after “except that”.

(c) AGENCY DECISIONS OVERRIDDING STAY OF CONTRACT AWARD OR PERFORMANCE.—Such section is further amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):
“(5) The United States Court of Federal Claims shall have jurisdiction to render judgment on an action by an interested party challenging an agency’s decision to override a stay of contract award or contract performance that would otherwise be required by section 3553 of title 31.”.

(d) Effective Date.—The amendments made by this section shall apply to any cause of action filed 180 days or more after the date of the enactment of this Act.

SEC. 806. EXCEPTION TO INTERNAL CONTROLS FOR PROCUREMENT OF NECESSARY PROPERTY AND SERVICES BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS INTERAGENCY PROGRAM OFFICE.

(a) In General.—Subparagraph (A) of section 801(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 202; 10 U.S.C. 2304 note) is amended to read as follows:

“(A) In General.—The limitation in paragraph (1) shall not apply to the procurement of property and services on behalf of—

“(i) the Department of Defense by a non-defense agency during any fiscal year for which there is in effect a written determination of the Under Secretary of Defense for Acquisition, Technology, and Lo-
logistics that it is necessary in the interest
of the Department of Defense to procure
property and services through the non-de-
fense agency during such fiscal year; or

“(ii) the Department of Defense and
Department of Veterans Affairs inter-
agency program office established under
section 1635 of this Act.”.

(b) CONFORMING AMENDMENT.—Subparagraph (B)
of such section is amended by inserting “(i)” after “sub-
paragraph (A)”.

SEC. 807. ENHANCED TRANSFER OF TECHNOLOGY DEVEL-
OPED AT DEPARTMENT OF DEFENSE LAB-
ORATORIES.

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

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

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

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

(B) meets the definition of “laboratory” as
provided in subsection (d)(2) of section 12 of

(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 development of the computer software by the DoD laboratory.

(e) ROYALTIES.—

(1) USE OF ROYALTIES.—Except as provided in paragraph (2), any royalties or other payments received by the department from licensing computer software or documentation under paragraph (b)(1) shall be retained by the department and shall be disposed of as follows:

(A)(i) The department shall pay each year the first $2,000, and thereafter at least 15 percent, of the royalties or other payments to be divided among the employees who developed the computer software.
(ii) The department may provide appropriate 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 royalties 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 increase the potential for transfer of the technology 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 management and licensing services; or
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 received 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, development, engineering, testing and evaluation or other related administrative, processing or value-added activities 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 section shall be in addition to the regular pay of the employee and to any other awards made to the employee, 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 deducted 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 approves 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.
(c) Expiration.—The authority provided in this section shall expire on December 31, 2018.

SEC. 808. 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. 809. 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”.

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(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.”.

SEC. 810. MODIFICATION OF PURPOSES FOR WHICH DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND MAY BE USED.

(a) Clarification of Availability of Funds.—Paragraph (1) of section 1705(e) of title 10, United States Code, is amended—

(1) in the first sentence, by striking “including for the provision of training and retention incentives to the acquisition workforce of the Department.” and inserting “including for the provision of workforce planning and research, training, development, retention incentives, and support approved by, and consistent with guidance issued by, the senior official designated to manage the Fund to achieve the objectives of the recruitment, hiring, training and development, sustainment, and retention of acquisition personnel of the Department.”; and
(2) by inserting after the first sentence the following new sentences: “Amounts in the Fund shall not be used for contractual services, supplies, or equipment used to execute acquisition mission operations. Amounts in the Fund may be used for contractual services, supplies, and equipment only in direct support of activities identified in this section, approved by the senior official, and consistent with senior official guidance.”.

(b) Revision to Limitation on Payments to or for Contractors.—Paragraph (4) of such section is amended to read as follows:

“(4) Limitation on Payments to or for Contractors.—Application for amounts in the Fund that includes amounts to be made available for payments to contractors or contractor employees for achieving the purposes of the Fund shall be subject to the approval of the senior official designated to manage the Fund. The Fund shall not be used to provide training or any other support to contractors.”.
SEC. 811. EXTENSION OF PROHIBITION ON CONTRACTING WITH THE ENEMY IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS.

Section 841(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1510; 10 U.S.C. 2302 note) is amended by striking “the date that is three years after the date of the enactment of this Act” and inserting “December 31, 2016”.

SEC. 812. EXTENSION OF AUTHORITY FOR ADDITIONAL ACCESS TO CONTRACTOR AND SUBCONTRACTOR RECORDS IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS.

Section 842(d)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1513; 10 U.S.C. 2313 note) is amended by striking “the date that is three years after the date of the enactment of this Act” and inserting “December 31, 2016”.

SEC. 813. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as amended by section 841(a) of the National De-

SEC. 814. EXTENSION OF SPECIAL EMERGENCY PROCUREMENT AUTHORITY TO PROCUREMENTS IN SUPPORT OF OPERATIONS PERFORMED BY SPECIAL OPERATIONS FORCES OUTSIDE CONTINENTAL UNITED STATES.

Section 1903(a) of title 41, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; or”; and

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

“(3) in support of an operation performed by special operations forces outside the continental United States so long as the operation is covered by an order of the Secretary of Defense referred to as an ‘execute order’ and the procurement is of property or services which are special operations-peculiar as that term is defined in Department of Defense Directive 5100.03, entitled ‘Support of the Head-
quarters of Combatant and Subordinate Unified
Commands’ and dated February 9, 2011.’’.

SEC. 815. EXTENSION OF SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

Section 1903(a) of title 41, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2); and

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

“(3) in support of requests from the United States Agency for International Development to facilitate the provision of international disaster assistance pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

“(4) in support of an emergency or major disaster (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).”.

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SEC. 816. ENHANCEMENT OF AGENCY AUTHORITY TO
EVALUATE CONTRACTOR DATA AND OF DEFENSE CONTRACT AUDIT AGENCY SUBPOENA AUTHORITY.

(a) Access to Data for Evaluation Purposes.—Subsection (a)(2) of section 2313 of title 10, United States Code, is amended by inserting “or for the purpose of evaluating data other than certified cost or pricing data with respect to a contract or subcontract, to have access to and” after “subcontract,”.

(b) DCAA Subpoena Authority.—Subsection (b)(1) of such section is amended by inserting “or subcontract” after “of a contractor”.

SEC. 817. ALTERNATIVE TO REQUIREMENT FOR CONDUCT OF PRELIMINARY DESIGN REVIEW BEFORE MILESTONE B APPROVAL FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

Paragraph (2) of section 2366b(a) of title 10 United States Code, is amended to read as follows:

“(2) certifies that the program demonstrates a high likelihood of accomplishing its intended mission based upon either—

“(A) a formal assessment by the milestone decision authority of the results of a preliminary design review conducted before Milestone B approval; or
“(B) an approved acquisition strategy for
the Engineering and Manufacturing Develop-
ment Phase that includes a program schedule
that identifies a specific timeframe for the con-
duct of a preliminary design review and post-
preliminary design review assessment at an ap-
propriate point after Milestone B approval;
and”.

SEC. 818. LIMITATION ON ALLOWABLE GOVERNMENT CON-
TRACTOR COMPENSATION COSTS.

(a) LIMITATION.—

(1) CIVILIAN CONTRACTS.—Section
4304(a)(16) of title 41, United States Code, is
amended to read as follows:

“(16) Costs of compensation of any contractor
employee for a fiscal year, regardless of the contract
funding source, to the extent that such compensa-
tion exceeds the annual amount paid to the Presi-
dent in accordance with section 102 of title 3, except
that the head of an executive agency may establish
one or more narrowly targeted exceptions for sci-
entists, engineers, or other specialists upon a deter-
mination that such exceptions are needed to ensure
that the executive agency has continued access to
needed skills and capabilities.”.
(2) Defense contracts.—Section 2324(e)(1)(P) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of any contractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds the annual amount paid to the President in accordance with section 102 of title 3, except that the head of the agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the agency has continued access to needed skills and capabilities.”.

(3) Effective date.—The amendments made by this subsection shall apply with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

(b) Conforming amendment.—(1) Section 1127 of title 41, United States Code, is amended by adding at the end the following new subsection:

“(c) Applicability.—This section shall apply only with respect to costs of compensation incurred under con-
tracts entered into before the date that is 180 days after
the date of the enactment of the National Defense Author-
ization Act for Fiscal Year 2014.”.

(2) Section 4301 of title 41, United States Code, is
amended by striking paragraph (4).

TITLE IX—DEPARTMENT OF DE-
FENSE ORGANIZATION AND
MANAGEMENT

SEC. 901. CLARIFICATION OF THE ORDER OF PRECEDENCE
FOR THE PRINCIPAL DEPUTY UNDER SECRE-
TARIES 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 De-
fense.” and inserting “the Deputy Chief Management Of-
fer of the Department of Defense, and the officials serv-
ing in positions specified in section 131(b)(4) of this
title.”.

SEC. 902. UPDATE OF STATUTORY SPECIFICATION OF
FUNCTIONS OF THE CHAIRMAN OF THE
JOINT CHIEFS OF STAFF RELATING TO DOC-
TRINE, 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 sub-paragraphs: 
“(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:

“(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. TRANSFER OF ADMINISTRATION OF OCEAN RESEARCH ADVISORY PANEL FROM DEPARTMENT OF THE NAVY TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) Authority for Ocean Research Advisory Panel.—Subsection (a) of section 7903 of title 10, United States Code, is amended—

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

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

(B) by striking “Panel consisting” and inserting “Panel. The Panel shall consist”; and  

(C) by striking “chairman” and inserting “Administrator of the National Oceanic and Atmospheric Administration, on behalf of the Council”;  

(2) in paragraph (1), by striking “National Academy of Science” and inserting “National Academies”; and
(3) by striking paragraphs (2) and (3) and redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(b) Responsibilities of Panel.—Subsection (b) of such section is amended—

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

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

(3) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

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

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

(c) Funding to Support Activities of Panel.—Subsection (c) of such section is amended by striking “Secretary of the Navy” and inserting “Secretary of Commerce”.
SEC. 905. 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’.”.

SEC. 906. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.


TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters

SEC. 1001. ENHANCEMENT OF DEPARTMENT OF DEFENSE CAPABILITIES TO DETER AND RESPOND TO CONTRACTOR FRAUD.

(a) WITHHOLDING OF CONTRACTUAL PAYMENTS.— Subsection (a) of section 2207 of title 10, United States Code, is amended—
(1) by striking “unless that contract provides that—” and inserting “unless that contract provides each of the following:”;

(2) in paragraph (1)—

(A) by inserting “That” after “(1)”;

(B) by striking “; and” and inserting a period;

(3) in paragraph (2), by inserting “That,” after “(2)”;

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

“(3) That with respect to a contract that could have been terminated under paragraph (1) but for the prior completion of the contract’s performance, the United States is entitled to exemplary damages as set forth in paragraph (2), in accordance with the notice and hearing process set forth in paragraph (1).

“(4) That, with respect to a contract that is terminated under paragraph (1) or, as specified in paragraph (3), could have been terminated under paragraph (1) but for the prior completion of the contract’s performance, the United States may, after notifying the contractor but pending the determination concerning exemplary damages referred to in
paragraph (2), withhold from payments otherwise
due to the contractor under any contract between
the contractor and the military department or De-
fense Agency that entered into the terminated (or
completed) contract an amount that is up to 10
times the cost incurred by the contractor in giving
gratuities to the officer, official, or employee con-
cerned, as such cost is estimated by the Secretary.”.

(b) INAPPLICABILITY TO NON-DoD AGENCIES.—

Subsection (b) of such section is amended—

(1) by inserting “(1)” after “(b)”; and

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

“(2) Paragraph (4) of subsection (a) does not apply
to a contract awarded on behalf of a military department
or Defense Agency by a department or agency of the
United States outside of the Department of Defense.”.

(c) RETENTION OF DAMAGES; FRAUD FIGHTING
FUNDS.—Such section is further amended—

(1) by redesignating subsection (b), as amended
by subsection (b) of this section, as subsection (c);
and

(2) by inserting after subsection (a) the fol-
lowing new subsection (b):
“(b) Retention of Damages; Fraud Fighting Funds.—(1) Exemplary damages recovered under subsection (a)(2) may be retained by the Secretary of Defense, if recovered by a Defense Agency, or by the Secretary concerned, if recovered by a military department, without regard to section 3302 of title 31.

“(2) The Secretary of Defense and the Secretaries of the military departments shall each establish a ‘Fraud-Fighting Fund’ for use by the Defense Agencies, in the case of the fund established by the Secretary of Defense, or military department, in the case of a fund established by the Secretary concerned, which shall be available to provide funds, in addition to funds which may be otherwise available for activities including training, investigations, administrative proceedings, enforcement actions, and other related activities associated with deterring and preventing fraud. Exemplary damages recovered under subsection (a)(2), shall be paid into the appropriate fund and shall be available until expended.”.

(d) Burden of Proof.—Subsection (a)(1) of such section, as amended by subsection (a), is further amended by inserting “and by a preponderance of the evidence” after “after notice and hearing”.

(e) Technical Amendments.—Subsection (a) of such section is further amended by striking “clause (1)”
in paragraph (2) and in the flush sentence at the end and
inserting “paragraph (1)”.

(f) Effective Date.—The amendments made by
this section shall apply to contracts that are awarded on
or after the date that is 180 days after the date of the
enactment of this Act.

(g) Conforming Amendments.—Section 2410m(a)
of title 10, United States Code, is amended—

(1) by inserting “or arising from a recovery of
exemplary damages under section 2207 of this title,”
after “of title 41”;

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

(3) by striking the period at the end of para-
graph (3) and inserting “; or”; and

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

“(4) any determination under section 2207 of
this title.”.

(h) Procurement Regulations.—Regulations
governing actions under section 2207 of title 10, United
States Code, shall be revised to implement the amend-
ments to that section made by this section not later than
180 days after the date of the enactment of this Act.
SEC. 1002. PILOT PROGRAM FOR THE TEMPORARY EX-
CHANGE OF FINANCIAL MANAGEMENT PER-
SONNEL.

(a) ASSIGNMENT AUTHORITY.—The Secretary of De-
dfense may, with the agreement of the private sector orga-
nization concerned, arrange for the temporary assignment
of an employee to such private sector organization, or from
such private sector organization to a Department of De-
fense organization under this section. An employee shall
be eligible for such an assignment only if the employee—
(1) works in the field of financial management;
(2) is considered by the Secretary of Defense to
be an exceptional employee; and
(3) is compensated at not less than the GS–11
level (or the equivalent).

(b) AGREEMENTS.—The Secretary of Defense shall
provide for a written agreement among the Department
of Defense, the private sector organization, and the em-
ployee concerned regarding the terms and conditions of
the employee’s assignment under this section. The agree-
ment—
(1) shall require, in the case of an employee of
the Department of Defense, that upon completion of
the assignment, the employee will serve in the civil
service for a period at least equal to three times the
length of the assignment, unless the employee is
sooner involuntarily separated from the service of the employee’s agency; and

(2) shall provide that if the employee of the Department of Defense or of the private sector organization (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee’s agency before the end of the period stated in the agreement, such employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for good and sufficient reason, as determined by the Secretary of Defense.

An amount for which an employee is liable under paragraph (2) shall be treated as a debt due the United States. The Secretary may waive, in whole or in part, collection of such a debt based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States.

(c) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the private sector organization concerned.

(d) DURATION.—An assignment under this section shall be for a period of not less than 3 months and not
more than 1 year; however, no assignment under this section may commence after September 30, 2019.

(c) Status of Federal Employees Assigned to Private Sector Organization.—An employee of the Department of Defense who is temporarily assigned to a private sector organization under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes. The written agreement established under subsection (b) shall address the specific terms and conditions related to the employee’s continued status as a Federal employee.

(f) Terms and Conditions for Private Sector Employees.—An employee of a private sector organization who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the private sector organization from which such employee is assigned;

(2) is deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of
title 18, United States Code, and any other
conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of
title 31, United States Code;

(D) the Federal Tort Claims Act and any
other Federal tort liability statute;

(E) the Ethics in Government Act of 1978;

(F) section 1043 of the Internal Revenue
Code of 1986;

(G) chapter 21 of title 41, United States
Code; and

(H) subchapter I of chapter 81 of title 5,
United States Code, relating to compensation
for work-related injuries; and

(3) may not have access, while the employee is
assigned to a Department of Defense organization,
to any trade secrets or to any other nonpublic infor-
mation which is of commercial value to the private
sector organization from which such employee is as-
signed.

(g) PROHIBITION AGAINST CHARGING CERTAIN
COSTS TO THE FEDERAL GOVERNMENT.—A private sec-
tor organization may not charge the Department of De-
fense or any other agency of the Federal Government, as
direct or indirect costs under a Federal contract, the costs
of pay or benefits paid by the organization to an employee assigned to a Department of Defense organization under this section for the period of the assignment.

(h) **CONSIDERATION.**—The Secretary of Defense shall take into consideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial management.

(i) **NUMERICAL LIMITATION.**—Not more than five Department of Defense employees may be assigned to private sector organizations under this section, and not more than five employees of private sector organizations may be assigned to the Department of Defense under this section, at any given time.

**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.

SEC. 1013. CLARIFICATION OF SOLE OWNERSHIP RESULTING FROM SHIP DONATIONS AT NO COST TO THE NAVY.

(a) Clarification of Transfer Authority.—Subsection (a) of section 7306 of title 10, United States Code, is amended to read as follows:

“(a) Authority To Make Transfer.—The Secretary of the Navy may convey, by donation, all right, title, and interest to any vessel stricken from the Naval Vessel Register or any captured vessel, for use as a museum or memorial for public display in the United States, to—

“(1) any State, the District of Columbia, any Commonwealth or possession of the United States, or any municipal corporation or political subdivision thereof; or

“(2) any nonprofit entity.”.

(b) Clarification of Limitations on Liability and Responsibility.—Subsection (b) of such section is amended to read as follows:
“(b) LIMITATIONS ON LIABILITY AND RESPONSIBILITY.—

“(1) IMMUNITY OF UNITED STATES.—The United States and all departments and agencies thereof, and their officers and employees, shall not be liable at law or in equity for any injury or damage to any person or property occurring on a vessel donated under this section.

“(2) IMPROVEMENTS, UPGRADES, AND REPAIRS.—Notwithstanding any other law, the United States and all departments and agencies thereof, and their officers and employees, shall have no responsibility or obligation to make, engage in, or provide funding for, any improvement, upgrade, modification, maintenance, preservation, or repair to a vessel donated under this section.”.

(c) CLARIFICATION THAT TRANSFERS TO BE MADE AT NO COST TO UNITED STATES.—Subsection (c) of such section is amended by inserting after “under this section” the following: “, the maintenance and preservation of that vessel as a museum or memorial, and the ultimate disposal of that vessel, including demilitarization of Munitions List items at the end of the useful life of the vessel as a museum or memorial,”.
(d) APPLICATION OF ENVIRONMENTAL LAWS; DEFINITIONS.—Such section is further amended by adding at the end the following new subsections:

"(e) APPLICATION OF ENVIRONMENTAL LAWS. — Nothing in this section shall affect the applicability of Federal, State, interstate, and local environmental laws and regulations, including the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), to the Department of Defense or to a donee.

"(f) DEFINITIONS. — In this section:

"(1) The term ‘nonprofit entity’ means any entity qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986.

"(2) The term ‘Munitions List’ means the United States Munitions List created and controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

"(3) The term ‘donee’ means any entity receiving a vessel pursuant to subsection (a).”.

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING. — The heading of such section is amended to read as follows:
§ 7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.

(2) Table of Sections.—The item relating to such section in the table of sections at the beginning of chapter 633 of such title is amended to read as follows:

“7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.”.

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERORISM CAMPAIGN IN COLOMBIA AND OF NUMERICAL LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.


(1) in subsection (a)(1), by striking “In fiscal years 2005 through 2013” and inserting “During the period ending on December 31, 2016”; and
(2) in subsection (c), by striking “in fiscal years 2005 through 2013” and inserting “during the period ending on December 31, 2016.”.

SEC. 1022. REVISIONS TO DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE SUPPORT FOR COUNTER-DRUG ACTIVITIES OF OTHER AGENCIES.


(b) Authority to Provide Certain Equipment or Services.—Subsection (b)(4) of such section is amended by inserting before the period at the end the following: “, including the provision of non-lethal equipment or services necessary for the operation of such bases or facilities, other than any equipment specifically identified in section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), and the provision of ammunition up to .50 caliber for United States Federal law enforcement agencies operating outside the United States.”.
SEC. 1023. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.


(b) Additional Governments Eligible to Receive Support.—Subsection (b) of such section is further amended by adding at the end the following new paragraphs:

“(37) The Government of Yemen.”.

(c) Maximum Amount of Support.—Subsection (e)(2) of such section is further amended by striking “2013” and inserting “2015”.

SEC. 1024. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES.

Subsection (b) of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law

Subtitle D—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 installa-
tion, 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 deter-
mines, 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 Secretary, 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 Depart-
ment of Defense or persons on such property.
“(c) Regulations.—
“(1) In general.—The Secretary may pre-
scribe regulations, including traffic regulations, nec-
essary for the protection and administration of prop-
erty under the jurisdiction, custody, or control of the
Department of Defense and persons on that prop-
erty. The regulations may include reasonable pen-
alties, 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 regula-
tion 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 sub-
sections (b) and (c) may be exercised only by the Secretary
or Deputy Secretary of Defense.

“(e) Disposition of Persons Arrested.—A per-
son 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 Agen-
cies.—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 Fed-
eral, 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, cus-
tody, or control of the Department of Defense and persons
on that property, the Secretary may enter into agreements
with Federal agencies and with State, tribal, and local
governments to obtain authority for civilian officers and
agents designated under this section to enforce Federal
laws and State, tribal, and local laws concurrently with
other Federal law enforcement officers and with State,
tribal, and local law enforcement officers.

“(h) ATTORNEY GENERAL APPROVAL.—The powers
granted pursuant to subsection (b)(2) to officers and
agents designated under subsection (b)(1) shall be exer-
cised in accordance with guidelines approved by the Attor-
ney General.

“(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 Gen-
eral Services to promulgate regulations affecting
property under the custody and control of that Sec-
retary or the Administrator, respectively;

“(3) to expand or limit section 21 of the Inter-
nal 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 Sec-
retary of Defense or the Secretary of a military de-
partment.”.
(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. 1032. CLARIFICATION OF PROCEDURES FOR USE OF ALTERNATE MEMBERS ON MILITARY COMMISSIONS.

(a) Primary and Alternate Members.—

(1) Number of Members.—Subsection (a) of section 948m of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by striking “at least five members” and inserting “at least five primary members and as many alternate members as the convening authority shall detail”; and

(ii) by adding at the end the following new sentence: “Alternate members shall be designated in the order in which they will replace an excused primary member.”; and

(B) in paragraph (2), by inserting “primary” after “the number of”.

(2) General Rules.—Such section is further amended—
(A) by redesignating subsection (b) and (c) as subsections (d) and (e), respectively; and

(B) by inserting after subsection (a) the following new subsections (b) and (c):

“(b) PRIMARY MEMBERS.—Primary members of a military commission under this chapter are voting members.

“(c) ALTERNATE MEMBERS.—(1) A military commission may include alternate members to replace primary members who are excused from service on the commission.

“(2) Whenever a primary member is excused from service on the commission, an alternate member, if available, shall replace the excused primary member and the trial may proceed.”.

(3) EXCUSE OF MEMBERS.—Subsection (d) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the matter before paragraph (1), by inserting “primary or alternate” before “member”; 

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

(C) by striking the period at the end of paragraph (3) and inserting “; or”; and
(D) by adding at the end the following new paragraph:

“(4) in the case of an alternate member, in order to reduce the number of alternate members required for service on the commission, as determined by the convening authority.”.

(4) ABSENT AND ADDITIONAL MEMBERS.—Subsection (e) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the first sentence—

(i) by inserting “the number of primary members of” after “Whenever”;

(ii) by inserting “primary” before “members required by”; and

(iii) by inserting “and there are no remaining alternate members to replace the excused primary members” after “subsection (a)”;

(B) by adding at the end the following new sentence: “An alternate member who was present for the introduction of all evidence shall not be considered to be a new or additional member.”.

(b) CHALLENGES.—Section 949f of such title is amended—
(1) in subsection (a), by inserting “primary or alternate” before “member”; and

(2) by adding at the end of subsection (b) the following new sentence: “Nothing in this section prohibits the military judge from awarding to each party such additional peremptory challenges as may be required in the interests of justice.”.

(c) Number of Votes Required.—Section 949m of such title is amended—

(1) by inserting “primary” before “members” each place it appears; and

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

“(4) The primary members present for a vote on a sentence need not be the same primary members who voted on the conviction if the requirements of section 948m(d) of this title are met.”.

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 (c).

(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(e) 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 follows: 

“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 Sec-
retary” and inserting “REQUIREMENTS.—
The Secretary”;

(ii) by striking paragraph (2); and

(iii) by redesignating subparagraphs
(A) and (B) as paragraphs (1) and (2), re-
spectively.

(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 sub-
section (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 Sec-
retary”; 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.

(4) FISCAL YEAR 2007.—The John Warner National Defense Authorization Act for Fiscal Year 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).

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).

(10 U.S.C. 2326 note) is amended by striking subsection 
(b).

d) FOREIGN ASSISTANCE ACT OF 1961.—The For-

eign 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 sec-
tion 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 “fis-
cal year”.

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(f) **Security Reports.**—


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

(3) Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is repealed.

(g) **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).

(h) **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”.

(i) Department of Defense Appropriations Act, 2002.—Section 8159(c) of the Department of Defense Appropriations Act, 2002 (division A of Public Law 107–117; 115 Stat. 2284), is amended by striking paragraph (7).

Sec. 1034. Mt. Soledad Veterans Memorial Transfer.

(a) Authority to Convey Mt. Soledad Veterans Memorial, San Diego, California.—Subject to subsection (b), the Secretary of Defense may convey all right, title, and interest of the United States in and to the Mt. Soledad Veterans Memorial (in this section referred to as the “Memorial”) to an eligible entity as provided in this section.

(b) Limitations.—

(1) Price.—The Secretary shall select by public bid the eligible entity to which the Memorial is to be conveyed under subsection (a). The Secretary may accept a price for the conveyance of the Memo-
trial in accordance with the public bid process without regard to its fair market value.

(2) CONDITIONS ON CONVEYANCE.—The conveyance of the Memorial under subsection (a) shall be subject to the following conditions:

(A) That the eligible entity to which the Memorial is conveyed accepts the Memorial in its condition at the time of the conveyance, commonly known as conveyance “as is”, and agrees to indemnify and hold the United States harmless from any liability resulting from the period of ownership of the Memorial by the United States.

(B) That the Memorial shall be maintained and used as a veterans memorial in perpetuity.

(C) That if the Memorial is ever put to a use other than as a veterans memorial, the United States shall have the right, at its election, to take back all right, title, and interest in and to the Memorial without any right of compensation to the owner or any other person.

(3) LAND EXCHANGE.—Notwithstanding paragraph (1), if no eligible entity makes an acceptable bid for the Memorial or the Secretary determines, in the Secretary’s sole discretion, that a land exchange
would be more beneficial to the United States, the Secretary may convey the Memorial to an eligible entity in exchange for real property of at least equal value if the real property offered in exchange is located adjacent to other real property of the United States and the Federal agency exercising administrative jurisdiction over that other real property agrees to accept administrative jurisdiction over the real property offered in exchange.

(c) Treatment of Amounts Received.—

(1) Reimbursement of Costs of Conveyance.—The Secretary shall use any funds received from the conveyance under subsection (a) to reimburse the Secretary for costs incurred by the Secretary to carry out the conveyance, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. Amounts to reimburse those costs from funds so received shall be credited to the fund or account that was used to cover those costs. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.
(2) **DEPOSIT OF BALANCE.**—The remainder of such funds, if any, shall be deposited into the account used to pay for the acquisition of the Memorial by the United States.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a), and, in the case of a land exchange under subsection (b)(3), the real property offered in exchange, shall be determined by a survey satisfactory to the Secretary.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) **EXCLUSIONS.**—

(1) **HISTORIC PRESERVATION.**—Sections 106 and 110 of the National Historic Preservation Act (16 U.S.C. 470f, 470h–2) shall not apply to a conveyance under subsection (a).

(2) **PRIOR MT. SOLEDAD LEGISLATION.**—Section 2(c) of the Act of August 14, 2006, entitled "An Act to preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United

(g) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a non-governmental entity that has a history of involvement in veterans affairs and has demonstrated to the Secretary, in the Secretary’s sole discretion, that the entity has the capability to operate and maintain the Memorial in accordance with this section.

(2) MT. SOLEDAD VETERANS MEMORIAL.—The term “Mt. Soledad Veterans Memorial” means the memorial in San Diego, California, acquired by the United States pursuant to Public Law 109–272.

SEC. 1035. REPEAL OF CERTAIN NATIONAL DEFENSE AUTHORIZATION ACT REPORTING REQUIREMENTS.

1 (Public Law 111–383) is amended by striking subsection
2 (b).
3
4 (b) CONGRESSIONAL NOTIFICATION OF CANCELLA-
5 TION OF MAJOR AUTOMATED INFORMATION SYSTEM.—
6 Section 806 of the National Defense Authorization Act for
7 Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2302
8 note) is repealed.
9
10 TITLE XI—CIVILIAN PERSONNEL
11 MATTERS
12
13 SEC. 1101. EXPANSION OF PROTECTION OF EMPLOYEES OF
14 NONAPPROPRIATED FUND INSTRUMENTAL-
15 ITIES FROM REPRISALS.
16
17 Section 1587(b) of title 10, United States Code, is
18 amended by inserting “, threaten to take,” after “take”
19 the third place it appears.
20
21 SEC. 1102. EXTENSION OF VOLUNTARY REDUCTION-IN-
22 FORCE AUTHORITY FOR CIVILIAN EMPLOY-
23 EES OF DEPARTMENT OF DEFENSE.
24
25 Section 3502(f)(5) of title 5, United States Code, is
26 amended by striking “September 30, 2014” and inserting
27 “September 30, 2018”.
28
SEC. 1103. FLEXIBILITY IN EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY AT DEFENSE INSTITUTE FOR SECURITY ASSISTANCE MANAGEMENT AND AT JOINT SPECIAL OPERATIONS UNIVERSITY.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraphs:


“(6) The Joint Special Operations University.”.

SEC. 1104. EXTENSION OF AUTHORITY TO MAKE LUMP SUM SEVERANCE PAYMENTS TO DEPARTMENT OF DEFENSE EMPLOYEES.

Section 5595(i)(4) of title 5, United States Code, is amended by striking “October 1, 2014” and inserting “October 1, 2018”.

SEC. 1105. MODERNIZATION OF TITLES OF NON-APPROPRIATED FUND INSTRUMENTALITIES FOR PURPOSES OF CIVIL SERVICE LAWS.

Section 2105(c) of title 5, United States Code, is amended by striking “Army and Air Force Motion Picture Service, Navy Ship’s Stores Ashore” in the matter preceding paragraph (1) and inserting “Navy Ships Stores Program”.

S 1034 IS
SEC. 1106. EXTENSION OF ENHANCED APPOINTMENT AND COMPENSATION AUTHORITY FOR CIVILIAN PERSONNEL FOR CARE AND TREATMENT OF WOUNDED AND INJURED MEMBERS OF THE ARMED FORCES.

(a) Extension.—Subsection (c) of section 1599c of title 10, United States Code, is amended by striking “December 31, 2015” both places it appears and inserting “December 31, 2020”.

(b) Repeal of Fulfilled Requirement.—Such section is further amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c), as amended by subsection (a), as subsection (b).

(c) Repeal of References to Certain Title 5 Authorities.—Subsection (a)(2)(A) of such section is amended by striking “sections 3304, 5333, and 5753 of title 5” and inserting “section 3304 of title 5”.

SEC. 1107. AUTHORITY TO WAIVE ANNUAL LIMITATIONS ON PREMIUM AND AGGREGATE PAY FOR CERTAIN FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

(a) Waiver of Limitation on Premium Pay.—Section 5547 of title 5, United States Code, is amended by adding at the end the following new subsection:
“(e)(1) Subsection (a) shall not apply to an employee who performs work while assigned to duty in a designated zone of armed conflict.

“(2) Notwithstanding paragraph (1), no employee referred to in such paragraph may be paid premium pay under the provisions of law cited in subsection (a) to the extent that the aggregate of the basic pay and premium pay under those provisions for such employee would, in any calendar year, exceed the annual rate of salary payable to the Vice President under section 104 of title 3.

“(3) Notwithstanding paragraph (1), the Office of Personnel Management may prescribe a minimum period during which an employee is assigned to duty in a designated zone of armed conflict in order to be covered by such paragraph.

“(4) To the extent that a waiver under paragraph (1) results in payment of additional premium pay of a type that is normally creditable as basic pay for retirement or any other purpose, such additional pay shall not be considered to be basic pay for any purpose, nor shall it be used in computing a lump-sum payment for accumulated and accrued annual leave under section 5551.

“(5) The Office of Personnel Management may prescribe regulations to ensure appropriate consistency
among heads of Executive agencies in the exercise of the
authority granted by this subsection.

“(6) For the purpose of this subsection—

“(A) ‘assigned to duty in’ refers to an employee
who is officially assigned to work or duty (including
serving on temporary duty) in a designated zone of
armed conflict, which may include short periods
away from the zone to perform work in connection
with the assignment, subject to any limitations or
requirements established by regulation or official
policy; and

“(B) ‘designated zone of armed conflict’ means
a foreign country or other foreign geographic area
outside of the United States (as that term is defined
in section 202(7) of the State Department Basic Au-
thorities Act of 1956 (22 U.S.C. 4302(7)) that is
designated by the Secretary of State, in coordination
with the Secretary of Defense, as an area where
there are exceptional levels of armed violence. In
making such a designation, the Secretary of State
may consider—

“(i) whether the Armed Forces of the
United States are involved in hostilities in the
country or area;
“(ii) whether the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

“(iii) whether the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986;

“(iv) whether a contingency operation involving combat operations directly affects civilian employees in the country or area; or

“(v) any other relevant conditions and factors.

“(7) The authority under this subsection expires at the close of December 31, 2015.”.

(b) WAIVER OF LIMITATION ON AGGREGATE PAY.—Section 5307 of such title is amended—

(1) in subsection (a)(1), by striking “or as otherwise provided under subsection (d)” and inserting “or as otherwise provided by this section”; and

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

“(e)(1) The preceding subsections of this section shall not apply to payments in addition to basic pay earned by
an employee during a calendar year for performing work
while assigned to duty in a designated zone of armed con-
flict (as such terms are defined in section 5547(e)(6)(A)
and (B)).

“(2) For the purpose of this subsection, the term
‘basic pay’ includes any applicable locality-based com-
parability payment under section 5304, any applicable
special rate supplement under section 5305, and any simi-
lar payment under any other provision of law.

“(3) Notwithstanding paragraph (1), the Office of
Personnel Management may prescribe a minimum period
during which an employee is assigned to duty in a des-
ignated zone of armed conflict in order to be covered by
such paragraph.

“(4) The Office of Personnel Management may pre-
scribe regulations to implement this subsection.

“(5) The authority in paragraph (1) shall not apply
to calendar years after 2015.”.

(c) DEPARTMENT OF DEFENSE HIGHLY QUALIFIED
EXPERTS.—Section 9903(d) of such title is amended—

(1) in subparagraph (1) by striking “12-month
period” and inserting “calendar year”; and

(2) in subparagraph (2)(B) by striking “in sup-
port of a contingency operation (as defined by sec-
tion 101(a)(13) of title 10” and inserting “to duty
in a designated zone of armed conflict (as such terms are defined in section 5547(e)(5)(A) and (B)).

(d) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall apply to premium payments payable on or after January 1, 2014.

(2) The amendments made by subsections (b) and (c) shall take effect on January 1, 2014.

SEC. 1108. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) The Inter-American Defense College.”.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) AUTHORITY.—The Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Department of Justice and Department of Homeland Security, may provide assistance to the military and
civilian first responders of a foreign country in order for
that country to respond effectively to incidents involving
weapons of mass destruction.

(b) AUTHORIZED ELEMENTS.—Assistance provided
under this section may include training, equipment, and
supplies.

(c) AVAILABILITY OF FUNDS FOR ACTIVITIES
ACROSS FISCAL YEARS.—Amounts available for any fiscal
year for the provision of assistance under the authority
in subsection (a) may be used for an activity to provide
such assistance that begins in that fiscal year but ends
in the next fiscal year.

(d) INTERAGENCY COORDINATION.—In carrying out
this section, the Secretary of Defense shall comply with
any otherwise-applicable requirement for coordination or
consultation within the executive branch.

SEC. 1202. AUTHORITY TO PROVIDE UNREIMBURSED DE-
FENSE SERVICES IN CONNECTION WITH THE
TRANSFER OF EXCESS DEFENSE ARTICLES IN
AFGHANISTAN.

(a) AUTHORITY TO PROVIDE UNREIMBURSED DE-
FENSE SERVICES.—The Secretary of Defense may, with
the concurrence of the Secretary of State, provide defense
services without reimbursement from the government of
the recipient country—
(1) in connection with the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j); and

(2) in connection with the transfer under chapter 7 of title 40, United States Code, of personal property that—

(A) is foreign excess property for purposes of such chapter; and

(B) is categorized under regulations of the Department of Defense as foreign excess personal property.

(b) LIMITATIONS.—

(1) VALUE.—The aggregate value of all defense services provided under subsection (a) in any fiscal year may not exceed $100,000,000.

(2) SOURCE OF TRANSFERRED ARTICLES.—The authority under subsection (a) may only be used in connection with defense articles and personal property present in Afghanistan as of the date of the enactment of this Act.

(c) EXEMPTION.—The provision of defense services under subsection (a)(1) shall not be subject to the limitations applicable to the transfer of excess defense articles under section 516 of the Foreign Assistance Act of 1961.
(22 U.S.C. 2321j) contained in subsections (b)(1)(B) and
(e) of such section.

(d) Expiration.—The authority provided in subsection (a) may not be exercised after December 31, 2014.

(e) Definition.—In this section, the term “defense services” has the meaning given that term in section 644(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(f)).

(f) Construction Equipment.—Notwithstanding section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)) and section 2562 of title 10, United States Code, construction equipment from the stocks of the Department of Defense located in Afghanistan as of the date of the enactment of this Act may be transferred as an excess defense article to the Government of Afghanistan under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

SEC. 1203. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

is further amended by striking “2013” and inserting “2018”.

SEC. 1204. 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”.

SEC. 1205. REVISION OF STATUTORY REFERENCES TO FORMER NATO SUPPORT ORGANIZATIONS AND RELATED NATO AGREEMENTS.

(a) TITLE 10, UNITED STATES CODE.—Section 2350d of title 10, United States Code, is amended—

(1) by striking “NATO Maintenance and Supply Organization” each place it appears and inserting “NATO Support Organization and its executive agencies”;

(2) by striking “Weapon System Partnership Agreement” each place it appears and inserting “Support Partnership Agreement”; and

(3) by striking “a specific weapon system” in subsection (a)(1)(B) and inserting “activities”.

(b) ARMS EXPORT CONTROL ACT.—Section 21(e)(3) of the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is amended—
(1) by striking “Maintenance and Supply Agency of the North Atlantic Treaty Organization” in subparagraphs (A) and (C)(i) and inserting “North Atlantic Treaty Organization (NATO) Support Organization and its executive agencies”;

(2) by striking “weapon system partnership agreement” in subparagraph (A)(i) and inserting “support partnership agreement”; and

(3) by striking “a specific weapon system” in subparagraph (C)(i)(II) and inserting “activities”.

SEC. 1206. FIVE-YEAR EXTENSION OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

Section 1244(c)(3) of the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of Public Law 110–181; 8 U.S.C. 1157 note) is amended by adding at the end the following new subparagraph:

“(C) ADDITIONAL FISCAL YEARS.—Notwithstanding subparagraphs (A) and (B), and consistent with subsection (b), any unused balance of the total number of principal aliens who may be provided special immigrant status under this subsection in fiscal years 2008 through 2012 may be carried forward and provided through the end of fiscal year 2018, except that—
“(i) the one-year period during which
a principal alien must have been employed
in accordance with subsection (b)(1) shall
be entirely during the period from March
20, 2003 through September 30, 2013;
and
“(ii) a principal alien seeking special
immigrant status under this subparagraph
shall apply to the Chief of Mission in ac-
cordance with subsection (b)(4) no later
than September 30, 2017.”.

SEC. 1207. FIVE-YEAR EXTENSION OF THE AFGHAN SPECIAL
IMMIGRANT VISA PROGRAM.

Section 602(b)(3) of the Afghan Allies Protection Act
of 2009 (title VI of Public Law 111–8; 8 U.S.C. 1101
note) is amended by adding at the end the following new
subparagraph:

“(D) ADDITIONAL FISCAL YEARS.—Not-
withstanding subparagraph (C), for each of the
fiscal years 2014 through 2018, the total num-
ber of principal aliens who may be provided spe-
cial immigrant status under this section may
not exceed 3,000 per year, except that any un-
used balance of the total number of principal
aliens who may be provided special immigrant

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status in fiscal years 2014 through 2018, in addi-
tion to any unused balance of the total num-
ber of principal aliens who may be provided spe-
cial immigrant status under subparagraph (A)
in fiscal years 2009 through 2013, may be car-
rried forward and provided through the end of
fiscal year 2019, except that—

“(i) the one-year period during which
a principal alien must have been employed
in accordance with paragraph (2)(A)(ii)
shall be entirely during the period from
October 7, 2001 through December 31, 2014; and

“(ii) a principal alien seeking special
immigrant status under this subparagraph
shall apply to the Chief of Mission in ac-
cordance with paragraph (2)(D) no later
than September 30, 2015.”.

SEC. 1208. PERMANENT AND GLOBAL AUTHORITY FOR USE
OF ACQUISITION AND CROSS-SERVICING
AGREEMENTS TO LEND CERTAIN MILITARY
EQUIPMENT TO CERTAIN FOREIGN FORCES
FOR PERSONNEL PROTECTION AND SURVIV-
ABILITY.

(a) Codification of Permanent Authority.—
(1) ENACTMENT IN TITLE 10 OF SECTION 1202
ACQUISITION AND CROSS-SERVICING AGREEMENT

AUTHORITY.—Chapter 138 of title 10, United States Code, is amended by inserting after section 2342 a new section 2342a consisting of—

(A) a heading as follows:

§ 2342a. Acquisition and cross-servicing agreements:
authority to lend certain military equipment to certain foreign forces for personnel protection and survivability;

and

(B) a text consisting of the text of sub-sections (a) through (d) of section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), as most recently amended by section 1202 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), and revised as specified in sub-section (b).

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by inserting after the item relating to section 2342 the following new item:

"2342a. Acquisition and cross-servicing agreements: authority to lend certain military equipment to certain foreign forces for personnel protection and survivability."
(b) Revisions to Codified Section.—The revisions to the text specified in subsection (a)(1)(B) are as follows:

(1) Global Authority.—In subsection (a)(1)—

(A) insert “military or stability” after “combined” the first place it appears; and

(B) strike “in Afghanistan”.

(2) Conforming Amendments.—In subsection (a)(3)—

(A) in subparagraph (A), strike “Afghanistan” and insert “a combined military or stability operation with the United States”; and

(B) in subparagraph (C), strike “Afghanistan or a” and insert “a combined military or stability operation or”.

(3) Reporting Exception.—In subsection (a)(5)—

(A) insert “(A)” before “Equipment may not”; and

(B) add at the end the following:

“(B) Exception.—The notice required in subparagraph (A) shall not be required when the equipment to be loaned is intended to be used—
“(i) in a facility that is under the control of the United States; or
“(ii) in connection with training directed by United States personnel.”.

(4) WAIVER IN THE CASE OF COMBAT LOSS OF EQUIPMENT.—At the end of subsection (a), insert the following new paragraph:

“(6) WAIVER OF REIMBURSEMENT IN THE CASE OF COMBAT LOSS.—

“(A) AUTHORITY.—In the case of equipment provided to the military forces of another nation under the authority of this section that is damaged or destroyed as a result of combat operations while held by those forces, the Secretary of Defense may, with respect to such equipment, waive any other applicable requirement under this subchapter for—

“(i) reimbursement;
“(ii) replacement-in-kind; or
“(iii) exchange of supplies or services of an equal value.

“(B) LIMITATIONS.—Any waiver under this subsection may be made only on a case-by-case basis. Any waiver under this subsection may be made only if the Secretary determines
that the waiver is in the national security interest of the United States.”.

(5) **TECHNICAL AND CLERICAL AMENDMENTS.—**

(A) In subsection (a)(1), strike “under subchapter I of chapter 138 of title 10, United States Code,”.

(B) In subsection (d)(2)(B), strike “Committee on International Relations” and insert “Committee on Foreign Affairs”.


(d) **RETROACTIVE APPLICATION OF WAIVER AUTHORITY.—**The authority in subsection (a)(6) of section 2342a of title 10, United States Code, as added by this section, shall apply with respect to equipment provided before the date of the enactment of this Act to a foreign nation under section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007, as amended, in the same manner as to equipment provided under such section 2342a.
SEC. 1209. EXTENSION OF AUTHORITY FOR ASSIGNMENT
OF CIVILIAN EMPLOYEES OF THE DEPARTMENT
OF DEFENSE AS ADVISORS TO FOREIGN
MINISTRIES OF DEFENSE.

(a) Extension of Authority.—Subsection (b) of
section 1081 of the National Defense Authorization Act
for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168
note) is amended—

(1) in paragraph (1), by striking “September
30, 2014” and inserting “September 30, 2017”; and
(2) in paragraph (2), by striking “fiscal year
2012, 2013, or 2014” and inserting “a fiscal year
ending on or before that date”.

(b) Technical Amendment.—Subsection (c)(4) of
such section is amended by striking “carried out such by
such” and inserting “carried out by such”.

SEC. 1210. MODIFICATION AND EXTENSION OF AUTHORITY
RELATING TO PROGRAM TO BUILD THE
CAPACITY OF FOREIGN MILITARY FORCES.

(a) Modification of Authority.—Subsection
(b)(1) of section 1206 of the National Defense Authorization
Act for Fiscal Year 2006 (Public Law 109–163; 119
Stat. 3456), as most recently amended by section 1201
of the National Defense Authorization Act for Fiscal Year
2013 (Public Law 112–239; 126 Stat. 1979), is further
amended by striking “supplies, training” and inserting “training, logistic support, supplies, and services”.

(b) Availability of Funds.—Subsection (c) of such section is amended—

(1) in paragraph (5)—

(A) by striking “not more than $75,000,000 may be used during fiscal year 2010, not more than $75,000,000 may be used during fiscal year 2011 and”; and

(B) by striking “each of fiscal years 2012, 2013, and 2014” and inserting “each fiscal year through fiscal year 2015”; and

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

“(7) Availability of Funds for Programs During the First Three Months of the Following Fiscal Year.—

“(A) In General.—For discretionary appropriations enacted after the date of the enactment of this paragraph, and subject to subparagraph (B), an amount not to exceed 20 percent of amounts available under this subsection for the authority in subsection (a) for any fiscal year may be obligated during the first three months of the following fiscal year to conduct
or support a program authorized, approved, and congressional notification completed in accordance with subsection (a).

“(B) Notification.—Whenever the Secretary of Defense decides, with the concurrence of the Secretary of State, to conduct or support a program authorized under subsection (a) by obligating funds as described in subparagraph (A) during the first six months of the following fiscal year, the Secretary of Defense shall submit to the congressional committees specified in paragraph (3) of subsection (e) a notification in writing of that decision in accordance with such subsection by not later than September 30 of the fiscal year for which the funds are appropriated.”.

(c) Extension of Program Authorization.—Subsection (g) of such section is amended—

(1) by striking “September 30, 2014” and inserting “September 30, 2015”; and

(2) by striking “through 2014” and inserting “through 2015”.

(d) Definition.—Such section is further amended by adding at the end the following new subsection:
“(h) DEFINITION.—In this section, the term ‘logistic
support, supplies, and services’ has the meaning given that
term in section 2350(1) of title 10, United States Code.”.

(e) EFFECTIVE DATE.—The amendments made by
this section shall take effect on October 1, 2013, and shall
apply with respect to programs under section 1206(a) of
the National Defense Authorization Act for Fiscal Year
2006 that begin on or after that date.

SEC. 1211. SUPPORT FOR NATO SPECIAL OPERATIONS
HEADQUARTERS.

(a) AUTHORITY.—Subchapter II of chapter 138 of
title 10, United States Code, is amended by adding at the
end the following new section:

“§ 2350n. NATO Special Operations Headquarters

“(a) AUTHORIZATION.—Funds available for the De-
partment of Defense for operation and maintenance may
be used for the purposes set forth in subsection (b) for
support of operations of the North Atlantic Treaty Orga-
nization (NATO) Special Operations Headquarters. The
amount of such funds used for such purposes for fiscal
year 2014 and for fiscal year 2015 may not exceed
$50,000,000.

“(b) PURPOSES.—The Secretary of Defense may pro-
vide funds for the NATO Special Operations Head-
quarters under subsection (a) for the following purposes:
“(1) To improve coordination and cooperation between the special operations forces of NATO member nations, Allied nations, and partner nations.

“(2) To facilitate combined operations by special operations forces of NATO member nations, Allied nations, and partner nations.

“(3) To support command, control, and communications capabilities peculiar to special operations forces.

“(4) To promote special operations forces intelligence and informational requirements within the NATO structure.

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

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

“(1) The total amount of funding provided by the United States and other NATO nations to the NATO Special Operations Headquarters for oper-
ating costs of the NATO Special Operations Headquarters.

“(2) A description of the activities carried out with such funding, including—

“(A) the amount of funding allocated for each such activity;

“(B) the extent to which other NATO nations participate in each such activity;

“(C) the extent to which each such activity is designed to meet the purposes set forth in paragraphs (1) through (5) of subsection (b); and

“(D) an assessment of the extent to which each such activity will promote the mission of the NATO Special Operations Headquarters.

“(3) Other contributions, financial or in kind, provided by the United States and other NATO nations in support of the NATO Special Operations Headquarters.

“(4) Any other matters that the Secretary of Defense considers appropriate.

“(d) SECRETARY OF DEFENSE PUBLISHED GUIDANCE.—The Secretary of Defense shall publish guidance detailing the roles and responsibilities of components of the Department of Defense in support of the NATO Spe-
cial Operations Headquarters. Such guidance shall include
specification of the responsibilities of the Assistant Sec-
retary of Defense for Special Operations and Low-Inten-
sity Conflict, consistent with the duties of the Assistant
Secretary under section 138(b)(4) of this title (including
oversight of policy and resources), for oversight of support
provided by the United States Special Operations Com-
mand to the NATO Special Operations Headquarters.”.

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

“2350n. NATO Special Operations Headquarters.”.

(c) DEADLINE FOR PUBLICATION OF GUIDANCE AND
NOTIFICATION OF CONGRESSIONAL COMMITTEES.—Not
later than 180 days after the enactment of this Act, the
Secretary of Defense shall notify the congressional defense
committees that the Secretary has published the guidance
required by subsection (d) of section 2350n of title 10,
United States Code, as added by subsection (a).

(d) CONFORMING REPEAL.—Section 1244 of the Na-
tional Defense Authorization Act for Fiscal Year 2010
(Public Law 111–84; 123 Stat. 2541), as most recently
amended by section 1272 of the National Defense Author-
ization Act for Fiscal Year 2013 (Public Law 112–239;
126 Stat. 2023), is repealed.
SEC. 1212. AFGHANISTAN SECURITY FORCES FUND.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal year 2014 for the Afghanistan Security Forces Fund in the amount of $7,726,720,000.

(b) Continuation of Prior Authorities and Notice and Reporting Requirements.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(c) Limitation.—Of the funds authorized to be appropriated in subsection (a), $2,615,000,000 shall not be obligated or expended until the Secretary of Defense, with the approval of the Director of the Office of Management and Budget, notifies the congressional defense committees that an additional amount is necessary to further develop the capabilities of the Afghanistan security forces.

(d) Equipment Disposal.—The United States may accept equipment procured using funds authorized under this section in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such
forces to the United States. The equipment described in this subsection as well as equipment not yet transferred to the security forces of Afghanistan when determined by the Commander, Combined Security Transition Command-Afghanistan, or the Secretary’s designee, to no longer be required for transfer to such forces, may be treated as stocks of the Department of Defense upon notification to the congressional defense committees.

SEC. 1213. TRAINING WITH SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

(a) IN GENERAL.—

(1) AUTHORITY.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2011 the following new section:

“§2011a. General purpose forces: training with friendly foreign forces

“(a) AUTHORITY.—Under regulations prescribed pursuant to subsection (d), the armed forces and Department of Defense civilian employees may train with the military forces or other security forces of a friendly foreign country in order to prepare the armed forces to train the military forces or other security forces, and supporting institutions, of a friendly foreign country. Training activities may be carried out under this section only with the prior
approval of the Secretary of Defense and with the concurrence of the Secretary of State.

“(b) Authority To Pay Expenses.—The Secretary of a military department or commander of a combatant command may pay, or authorize payment for, the incremental expenses incurred by a friendly foreign country as the direct result of training with Department of Defense personnel pursuant to this section.

“(c) Purpose of Training.—The primary purpose of the training authorized under subsection (a) shall be to train the general purpose forces of a military department or general purpose forces available to the commander of a combatant command in order to—

“(1) develop and maintain necessary advise and assist training skills; or

“(2) prepare such forces for the provision of defense services or other assistance under any provision of law.

“(d) Regulations.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall establish accounting procedures to ensure that the expenditures pursuant to this section are appropriate.

“(e) Definitions.—In this section:
“(1) The term ‘incremental expenses’, with respect to a friendly foreign country, means the reasonable and proper costs of rations, fuel, training ammunition, and transportation, and other goods and services consumed by such country as a direct result of that country’s participation in training events authorized under this section. Such term does not include pay, allowances, and other normal costs of such country’s personnel.

“(2) The term ‘other security forces’ includes national security forces that conduct border and maritime security, internal security, and counterterrorism operations, but does not include civilian police.

“(f) LIMITATION.—Not more than $10,000,000 may be used in any fiscal year to pay for the incremental expenses of the military forces or other security forces of a friendly foreign country to train with Department of Defense personnel pursuant to this section.

“(g) EXPIRATION.—The authority under this section may not be exercised after September 30, 2018.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2011 the following new item:

“2011a. General purpose forces: training with friendly foreign forces.”.
(b) Budget Proposals.—Section 166(c) of such title is amended—

1. by striking “SOF” in the subsection heading; and

2. by inserting “or 2011a” after “section 2011”.

SEC. 1214. REVISIONS TO GLOBAL SECURITY CONTINGENCY FUND AUTHORITY.

(a) Authority.—Subsection (b)(1) of section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1625; 22 U.S.C. 2151 note) is amended—

1. in the matter preceding subparagraph (A), by striking “forces, and” and inserting “forces, or”; and

2. in subparagraph (A)—

(A) by striking “and” the second place it appears and inserting “or”;

(B) by inserting “or activities” after “counterterrorism operations”; and

(C) by striking “; and” and inserting “; or”.

(b) Types of Assistance.—Subsection (e)(1) of such section is amended by striking “and training” and
inserting “minor construction, training and education, and professional guidance and advice”.

(c) TRANSFER AUTHORITY.—Subsection (f) of such section is amended—

(1) in paragraph (1)—

(A) by striking “for Defense-wide activities” in the first sentence; and

(B) by striking “subsection (i)” in the second sentence and inserting “subsection (h)”;

and

(2) in paragraph (2)—

(A) by inserting “and Department of State” after “Department of Defense”; and

(B) by striking “$200,000,000” and inserting “$300,000,000”.

(d) TWO-YEAR EXTENSION OF AVAILABILITY OF FUNDS.—Subsection (i) of such section is amended by striking “September 30, 2015” and inserting “September 30, 2017”.

(e) NOTICES TO CONGRESS.—Subsection (l) of such section is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (C); and

(B) by redesignating subparagraph (D) as subparagraph (C);
(2) by striking paragraph (2); and

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

(f) Annual Report Requirement.—Subsection (m) of such section is amended in the matter preceding paragraph (1)—

(1) by striking “October 30, 2012, and annually thereafter” and inserting “October 30 each year”; and

(2) by striking “subsection (q)” and inserting “subsection (o)”.

(g) Repeal of Fiscal Year 2012 Transitional Authorities.—Subsection (n) of such section is repealed.

(h) Repeal of Statutory Funding Limitation.—Subsection (o) of such section is repealed.

(i) Redesignation.—Subsection (p) of such section is redesignated as subsection (n).

(j) Extension of Expiration Date.—Subsection (q) of such section is redesignated as subsection (o) and is amended—

(1) by striking “September 30, 2015” and inserting “September 30, 2017”; and
(2) by striking “funds available for fiscal years 2012 through 2015” and inserting “funds available for a fiscal year beginning before that date”.

SEC. 1215. INTER-EUROPEAN AIR FORCES ACADEMY.

(a) In General.—Chapter 907 of title 10, United States Code, is amended by inserting after section 9415 the following new section:

“§ 9416. Inter-European Air Forces Academy

“(a) Operation.—The Secretary of the Air Force may operate the Air Force education and training facility known as the Inter-European Air Forces Academy for the purpose of providing military education and training to military personnel of countries that are members of the North Atlantic Treaty Organization or signatories to the Partnership for Peace Framework Documents.

“(b) Eligible Countries.—(1) No foreign force may be trained under the authority of this section without the concurrence of the Secretary of State.

“(2) Without prejudice to the inclusion of other forces, the Secretary of Defense and the Secretary of State shall, not later than July 1 of each year agree to a list of countries whose forces will be eligible to attend the academy in the following fiscal year.

“(3) The Secretary of the Air Force may not use the authority in subsection (a) to provide assistance to any
foreign country that is otherwise prohibited from receiving
such type of assistance under any other provision of law.

“(c) Costs.—The costs of operating and maintaining
the Inter-European Air Forces Academy may be paid from
funds available for operation and maintenance of the Air
Force.

“(d) Supplies and Clothing.—The Secretary of
the Air Force may, under such conditions as the Secretary
may prescribe, provide to a person receiving training
under this chapter—

“(1) transportation incident to the training;

“(2) supplies and equipment to be used during
the training; and

“(3) billeting, food, and health services.

“(e) Living Allowance.—The Secretary of the Air
Force may pay to a person receiving training under this
chapter a living allowance at a rate to be prescribed by
the Secretary, taking into account the amount of living
allowances authorized for a member of the armed forces
under similar circumstances.

“(f) Maintenance.—The Secretary of the Air Force
may authorize such expenditures from the appropriations
of the Air Force as the Secretary considers necessary for
the efficient and effective maintenance of the Program in
accordance with this chapter.”.
(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9415 the following new item:

“9416. Inter-European Air Forces Academy.”.

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 Depart-
ment of Defense for fiscal year 2014 for expenses, not oth-
erwise 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 Mainte-
nance;

(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 expenses, 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 Maintenance; 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 section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). 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.

TITLE XIV—UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AMENDMENTS

SEC. 1401. PRE-ELECTION REPORTING REQUIREMENTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

(a) IN GENERAL.—Subsection (c) of section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—
(1) by designating the text of that subsection as paragraph (3) and indenting that paragraph, as so designated, two ems from the left margin; and

(2) by inserting before paragraph (3), as so designated, the following new paragraphs:

“(1) Pre-election report on absentee ballot availability.—Not later than 55 days before any election for Federal office held in a State, such State shall submit a report to the Attorney General and the Presidential Designee, and make that report publicly available that same day, certifying that absentee ballots are available for transmission to absentee voters, or that it is aware of no circumstances that will prevent absentee ballots from being available for transmission by 46 days before the election. The report shall be in a form prescribed by the Attorney General and shall require the State to certify specific information about ballot availability from each unit of local government which will administer the election.

“(2) Pre-election report on absentee ballots transmitted.—Not later than 43 days before any election for Federal office held in a State, such State shall submit a report to the Attorney General and the Presidential Designee, and make
that report publicly available that same day, certifying whether all absentee ballots validly requested by absent uniformed services voters and overseas voters whose requests were received by the 46th day before the election have been transmitted to such voters by such date. The report shall be in a form prescribed by the Attorney General and shall require the State to certify specific information about ballot transmission, including the total numbers of ballot requests received and ballots transmitted, from each unit of local government which will administer the election.”.

(b) CONFORMING AMENDMENTS.—

(1) Subsection heading.—The heading for such subsection is amended to read as follows: “REPORTS ON ABSENTEE BALLOTS.—”.

(2) Paragraph heading.—Paragraph (3) of such subsection, as designated by subsection (a)(1), is amended by inserting “POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—” before “Not later than 90 days”.

SEC. 1402. TRANSMISSION REQUIREMENTS; REPEAL OF WAIVER PROVISION.

(a) IN GENERAL.—Subsection (a)(8) of section 102 of the Uniformed and Overseas Citizens Absentee Voting
Act (42 U.S.C. 1973ff-1) is amended by striking “voter—
” and all that follows in that subsection and inserting
“voter by the date and in the manner determined under
subsection (g),”.

(b) BALLOT TRANSMISSION REQUIREMENTS AND
REPEAL OF WAIVER PROVISION.—Subsection (g) of such
section is amended to read as follows:

“(g) BALLOT TRANSMISSION REQUIREMENTS.—

“(1) REQUESTS RECEIVED AT LEAST 46 DAYS
BEFORE AN ELECTION FOR FEDERAL OFFICE.—For
purposes of subsection (a)(8), in a case in which a
valid request for an absentee ballot is received at
least 46 days before an election for Federal office,
the following rules shall apply:

“(A) TIME FOR TRANSMITTAL OF ABSEN-
TEE BALLOT.—The State shall transmit the ab-
sentee ballot not later than 46 days before the
election.

“(B) SPECIAL RULES IN CASE OF FAILURE
TO TRANSMIT ON TIME.—

“(i) GENERAL RULE.—If the State
fails to transmit any absentee ballot by the
46th day before the election as required by
subparagraph (A) and the absent uni-
formed services voter or overseas voter did
not request electronic ballot transmission
pursuant to subsection (f), the State shall
transmit such ballot by express delivery.

“(ii) **EXTENDED FAILURE.**—If the State fails to transmit any absentee ballot by the 41st day before the election, in addition to transmitting the ballot as provided in clause (i), the State shall—

“(I) in the case of absentee ballots requested by absent uniformed services voters with respect to regularly scheduled general elections, notify such voters of the procedures established under section 103A for the collection and delivery of marked absentee ballots; and

“(II) in any other case, provide, at the State’s expense, for the return of such ballot by express delivery.

“(iii) **ENFORCEMENT.**—A State’s compliance with this subparagraph does not bar the Attorney General from seeking additional remedies necessary to effectuate the purposes of this Act.
“(2) Requests received after 46th day before an election for federal office.—For purposes of subsection (a)(8), in a case in which a valid request for an absentee ballot is received less than 46 days before an election for Federal office, the State shall transmit the absentee ballot within one business day of receipt of the request.”.

SEC. 1403. CLARIFICATION OF STATE RESPONSIBILITY, CIVIL PENALTIES, AND PRIVATE RIGHT OF ACTION.

(a) Enforcement.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–4) is amended to read as follows:

“SEC. 105. ENFORCEMENT.

“(a) In General.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title. In any such action, the only necessary party defendant is the State. It shall not be a defense to such action that local election officials are not also named as defendants.

“(b) Civil Penalty.—In a civil action brought under subsection (a), if the court finds that the State violated any provision of this title, it may, to vindicate the public interest, assess a civil penalty against the State—
“(1) in an amount not exceeding $110,000, for a first violation,
“(2) in an amount not exceeding $220,000, for any subsequent violation.
“(c) Annual Report to Congress.—Not later than December 31 of each year, the Attorney General shall submit to Congress a report on any civil action brought under subsection (a) during that year.
“(d) Private Right of Action.—A person who is aggrieved by a State’s violation of this Act may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this Act.
“(e) Attorney’s Fees.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney’s fees, including litigation expenses, and costs.”.
(b) Repeal of Clarification Regarding Delegation of State Responsibility.—Section 576 of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff–1 note) is repealed.
SEC. 1404. TECHNICAL CLARIFICATIONS TO CONFORM TO 2009 MOVE ACT AMENDMENTS RELATED TO THE FEDERAL WRITE-IN ABSENTEE BALLOT.

(a) State Responsibilities.—Section 102(a)(3) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)(3)) is amended by striking “general”.

(b) Write-In Absentee Ballots.—Section 103 of such Act (42 U.S.C. 1973ff–2) is amended—

(1) by striking “GENERAL” in the title of the section; and

(2) by striking “general” in subsection (b)(2)(B).

SEC. 1405. TREATMENT OF BALLOT REQUESTS.

(a) In General.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) is amended—

(1) by striking “A State may not” and inserting:

“(a) Prohibition of Refusal of Applications on Grounds of Early Submission.—A State may not”;

(2) by inserting “or overseas voter” after “an absent uniformed services voter”;

(3) by striking “members of the” before “uniformed services”;

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(4) by inserting “voters or overseas voters” before the period; and

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

“(b) Application Treated as Valid for Subsequent Elections.—

“(1) In general.—If a State accepts and processes a request for an absentee ballot by an absent uniformed services voter or overseas voter and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), and any special elections for Federal office held in the State through the calendar year following such general election, the State shall provide an absentee ballot to the voter for each such subsequent election.

“(2) Exception for Voters Changing Registration.—Paragraph (1) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote
in the State or after the State determines that the
voter has registered to vote in another State.”.

(b) CONFORMING AMENDMENT.—The heading of
such section is amended to read as follows:

“SEC. 104. TREATMENT OF BALLOT REQUESTS.”.

SEC. 1406. INCLUSION OF NORTHERN MARIANA ISLANDS IN
THE DEFINITION OF “STATE” FOR PURPOSES
OF THE UNIFORMED AND OVERSEAS CITI-
ZENS ABSENTEE VOTING ACT.

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

SEC. 1407. REQUIREMENT FOR PRESIDENTIAL DESIGNEE
TO REVISE THE FEDERAL POST CARD APPLI-
CATION TO ALLOW VOTERS TO DESIGNATE
BALLOT REQUESTS.

(a) REQUIREMENT.—The Presidential designee shall
ensure that the official post card form (prescribed under
section 101(b)(2) of the Uniformed and Overseas Citizens
Absentee Voting Act (42 U.S.C. 1973ff(b)(2))) enables a
voter using the form to—

(1) request an absentee ballot for each election
for Federal office held in a State through the next
regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election) and any special elections for Federal office held in the State through the calendar year following such general election; or

(2) request an absentee ballot for a specific election or elections for Federal office held in a State during the period described in paragraph (1).

(b) DEFINITION.—In this section, the term “Presidential designee” means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(a)).

SEC. 1408. REQUIREMENT OF PLURALITY VOTE FOR VIRGIN ISLANDS AND GUAM FEDERAL ELECTIONS.

Section 2(a) of the Act entitled “An Act to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives” approved April 10, 1972 (48 U.S.C. 1712(a)), is amended—

(1) by striking “majority” in the second and third sentences and inserting “plurality”; and

(2) by striking the fourth sentence.
SEC. 1409. EXTENSION OF REPORTING DEADLINE FOR THE
ANNUAL REPORT ON THE ASSESSMENT OF
THE EFFECTIVENESS OF ACTIVITIES OF THE
FEDERAL VOTING ASSISTANCE PROGRAM.

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

(1) by striking “March 31 of each year” and inserting “June 30 of each odd-numbered year”; and

(2) by striking “the following information” and inserting “the following information with respect to the Federal elections held during the preceding calendar year”.

(b) Conforming Amendments.—Such section is further amended—

(1) by striking “Annual Report” in the subsection heading and inserting “Biennial Report”; and

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

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2014 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. ARMY PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Army in amounts as follows:

(1) For aircraft procurement, $711,788,000.
(2) For missile procurement, $128,645,000.
(3) For ammunition procurement, $180,900,000.
(4) For other procurement, $603,123,000.

SEC. 1503. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the Joint Improvised Explosive Device Defeat Fund in the amount of $1,000,000,000.
SEC. 1504. NAVY AND MARINE CORPS PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Navy and Marine Corps in amounts as follows:

1. For aircraft procurement, Navy, $240,696,000.
2. For weapons procurement, Navy, $86,500,000.
3. For ammunition procurement, Navy and Marine Corps, $206,821,000.
4. For other procurement, Navy, $17,968,000.
5. For procurement, Marine Corps, $129,584,000.

SEC. 1505. AIR FORCE PROCUREMENT.

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

1. For aircraft procurement, $115,668,000.
2. For ammunition procurement, $159,965,000.
3. For missile procurement, $24,200,000.
4. For other procurement, $2,574,846,000.

SEC. 1506. 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 $15,000,000.
SEC. 1507. DEFENSE-WIDE ACTIVITIES PROCUREMENT.
Funds are hereby authorized to be appropriated for fiscal year 2014 for the procurement account for Defense-wide activities in the amount of $111,275,000.

SEC. 1508. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.
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, $7,000,000.
(2) For the Navy, $34,426,000.
(3) For the Air Force, $9,000,000.
(4) For Defense-wide activities, $66,208,000.

SEC. 1509. OPERATION AND MAINTENANCE.
Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $29,279,633,000.
(2) For the Navy, $6,067,993,000.
(3) For the Marine Corps, $2,669,815,000.
(4) For the Air Force, $10,005,224,000.
(5) For Defense-wide activities, $6,435,078,000.
(6) For the Army Reserve, $42,935,000.
(7) For the Navy Reserve, $55,700,000.
(8) For the Marine Corps Reserve, $12,534,000.

(9) For the Air Force Reserve, $32,849,000.

(10) For the Army National Guard, $199,371,000.

(11) For the Air National Guard, $22,200,000.

(12) For the Afghanistan Security Forces Fund, $7,726,720,000.

(13) For the Afghanistan Infrastructure Fund, $279,000,000.

**SEC. 1510. MILITARY PERSONNEL.**

Funds are hereby authorized to be appropriated for fiscal year 2014 to the Department of Defense for military personnel accounts in the total amount of $9,689,307,000.

**SEC. 1511. 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 the Defense Working Capital Funds in the amount of $264,910,000.

**SEC. 1512. 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 $904,201,000 for operation and maintenance.

SEC. 1513. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount of $376,305,000.

SEC. 1514. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense in the amount of $10,766,000.

Subtitle B—Limitations and Other Matters

SEC. 1521. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1227 of the

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section is amended by striking “during fiscal year 2013 may not exceed $1,650,000,000” and inserting “during fiscal year 2014 may not exceed $1,500,000,000”.

SEC. 1522. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION-IRAQ.

(a) Extension of Authority.—Subsection (f) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631) is amended by striking “fiscal year 2013” and inserting “fiscal year 2014”.

(b) Limitation on Amount.—Subsection (c) of such section is amended by striking “2012” and all that follows through the period at the end and inserting “2014 may not exceed $209,000,000.”.

(c) Source of Funds.—Subsection (d) of such section is amended—

(1) by striking “fiscal year 2012 or fiscal year 2013” and inserting “fiscal year 2014”; and
(2) by striking “fiscal year 2012 or 2013, as the case may be,” and inserting “that fiscal year”.

SEC. 1523. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.


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

“(C) Up to $279,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2014.”; and

(2) in paragraph (3), by adding at the end the following new subparagraph:

“(D) In the case of funds for fiscal year 2014, until September 30, 2015.”.

(b) Effective Date.—The amendments made by this section shall take effect on October 1, 2013.
SEC. 1524. EXTENSION OF COMMANDERS EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) One-Year Extension.—


(2) Conforming amendment.—The heading of subsection (a) of such section is amended by striking “FISCAL YEAR 2013” and inserting “FISCAL YEAR 2014”.

(b) Amount of Funds Available During Fiscal Year 2014.—Subsection (a) of such section is further amended by striking “$200,000,000” and inserting “$60,000,000”.

(c) Repeal of Requirement for Quarterly Briefings.—Subsection (b) of such section is amended—

(1) in the subsection heading, by striking “AND BRIEFINGS”; and

(2) by striking paragraph (3).
SEC. 1525. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.


(1) in subsection (a)—

(A) by striking “$35,000,000” and inserting “$25,000,000”; and

(B) by striking “for fiscal year 2013” and inserting “for fiscal year 2014”; and

(2) in subsection (e), by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 1526. EXTENSION OF AUTHORITY FOR TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(1) in paragraph (6), by striking “October 31, 2011, October 31, 2012, and October 31, 2013” and inserting “October 31, 2014,”; and

(2) in paragraph (8), by striking “September 30, 2013” and inserting “September 30, 2014”.

(b) FUNDING.—Paragraph (4)(B) of such subsection is amended—

(1) by striking “and” at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting “; and”;

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

“(iii) may not exceed $63,800,000 for fiscal year 2014.”.

(c) REPEAL OF REQUIREMENT OF QUARTERLY UPDATES TO REPORT.—Paragraph (7) of such subsection is amended by striking subparagraph (B).

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 Security Investment Program (and authorizations of appropriations 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 authorizing funds for fiscal year 2017 for military construction projects, land acquisition, family housing
projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

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

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(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>
</tr>
<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>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$61,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Fort Shafter</td>
<td>$75,000,000</td>
</tr>
<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>
<tr>
<td>Maryland</td>
<td>Aberdeen Proving Ground</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Detrick</td>
<td>$7,100,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Leonard Wood</td>
<td>$20,700,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$46,800,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Langley-Eustis</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$144,000,000</td>
</tr>
<tr>
<td></td>
<td>Yakima</td>
<td>$9,100,000</td>
</tr>
</tbody>
</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:

**Army: Outside the United States**

<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>
</tr>
<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:

**Army: Family Housing**

<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>

(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
SEC. 2105. 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. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

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:

Army: Extension of 2010 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>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.</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/Country</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>Barracks ................</td>
<td>$29,000,000</td>
</tr>
</tbody>
</table>
Army: Extension of 2011 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State/ Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<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>Coronado .......</td>
<td></td>
<td>$8,910,000</td>
</tr>
<tr>
<td>San Diego .......</td>
<td></td>
<td>$34,331,000</td>
</tr>
<tr>
<td>Twentynine 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>
<tr>
<td>Key West ..........</td>
<td></td>
<td>$14,001,000</td>
</tr>
<tr>
<td>Mayport ..........</td>
<td></td>
<td>$16,093,000</td>
</tr>
<tr>
<td>Georgia ..........</td>
<td>Albany .................</td>
<td>$16,610,000</td>
</tr>
<tr>
<td>Savannah ..........</td>
<td></td>
<td>$61,717,000</td>
</tr>
<tr>
<td>Hawaii ............</td>
<td>Kaneohe Bay ............</td>
<td>$236,982,000</td>
</tr>
<tr>
<td>Pearl City .........</td>
<td></td>
<td>$30,100,000</td>
</tr>
<tr>
<td>Pearl Harbor .........</td>
<td></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>Kittery ...........</td>
<td></td>
<td>$11,522,000</td>
</tr>
<tr>
<td>Maryland ..........</td>
<td>Port 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>New River ...........</td>
<td></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>$73,932,000</td>
</tr>
<tr>
<td>Virginia ..........</td>
<td>Norfolk ..................</td>
<td>$3,380,000</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>Quantico</td>
<td>.................................................</td>
<td>$38,374,000</td>
</tr>
<tr>
<td>Yorktown</td>
<td>.................................................</td>
<td>$18,700,000</td>
</tr>
<tr>
<td>Dan Neck</td>
<td>...............................................</td>
<td>$10,587,000</td>
</tr>
<tr>
<td>Whidbey Island</td>
<td>...............................................</td>
<td>$117,649,000</td>
</tr>
<tr>
<td>Bremerton</td>
<td>...............................................</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:

Navy: Outside the United States

<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 engineering services and construction design activities with respect to the construction or improvement of family housing 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 family 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 military 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 stor-
• S 1034 IS

age 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 Authoriza-
tion Act for Fiscal Year 2012 (division B of Public Law
112–81; 125 Stat. 1666), for Kitsap Washington, for con-
struction of Explosives Handling Wharf No. 2 at that lo-
cation, the Secretary of the Navy may construct new hard-
ened 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 Un-
dersea Warfare Command unhardened facilities using ap-
propriations 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
4436), the authorization set forth in the table in sub-
section (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:

**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>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 Improvements.</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:

<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>Whiteman AFB</td>
<td>$5,900,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis AFB</td>
<td>$78,500,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon AFB</td>
<td>$34,100,000</td>
</tr>
<tr>
<td>Holoman AFB</td>
<td></td>
<td>$2,250,000</td>
</tr>
<tr>
<td>Kirtland AFB</td>
<td></td>
<td>$30,500,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Minot AFB</td>
<td>$23,830,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker AFB</td>
<td>$8,600,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$3,350,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill AFB</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Langley-Enstis</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>Unspecified</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 appropriations in section 2304(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the
United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>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 mili-
tary 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, author-
ized 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>California</td>
<td>Fort Greely</td>
<td>$82,000,000</td>
</tr>
<tr>
<td></td>
<td>Miramar</td>
<td>$8,000,000</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></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>$3,800,000</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>$2,700,000</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>Maryland</td>
<td>Fort Knox</td>
<td>$303,023,000</td>
</tr>
<tr>
<td>Massachusetts</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>New Jersey</td>
<td>Hanscom AFB</td>
<td>$36,213,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Joint Base McGuire-Dix-Lakehurst</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Holloman AFB</td>
<td>$81,400,000</td>
</tr>
<tr>
<td></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>Oklahoma</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>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>Weisbaden</td>
<td>$109,655,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Kaiserlautern AB</td>
<td>$49,907,000</td>
</tr>
<tr>
<td>Germany</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>Japan</td>
<td>Kadena AB</td>
<td>$38,792,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokosuka</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Atsugi</td>
<td>$4,100,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Torri Commo Station</td>
<td>$71,451,000</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>United Kingdom</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-
authorization Act of Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), $13,000,000.

(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

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum
of the amount authorized to be appropriated for this pur-
pose in section 2502 and the amount collected from the
North Atlantic Treaty Organization as a result of con-
struction 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 con-
tributions 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 CON-
STRUCTION AND LAND ACQUISITION
PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts
appropriated pursuant to the authorization of appropria-
tions 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>$3,000,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman AFB</td>
<td>$5,000,000</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:

<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-Lakehurst</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:

<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>$15,020,000</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>Martin State Airport</td>
<td>$12,900,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Great Falls IAP</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$4,700,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Springfield Beckley-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. 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 (c) of such section is amended by striking “$750,000” and inserting “$1,000,000”.

(c) 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)”;

(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.”.

SEC. 2803. CHANGE IN AUTHORITIES RELATING TO SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS.

(a) Limited Authority for Scope of Work Increase.—Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)(2), by striking “The scope of work” and inserting “Except as provided in subsection (d), the scope of work”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (e) the following new subsection (d):

“(d) The limitation in subsection (b)(2) on an increase in the scope of work does not apply if—

“(1) the increase in the scope of work is not more than 10 percent of the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition;
“(2) the increase is approved by the Secretary concerned;

“(3) the Secretary concerned notifies the appro- priate committees of Congress in writing of the in- crease in scope and the reasons therefor; and

“(4) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pur- suant to section 480 of this title.”.

(b) CROSS-REFERENCE AMENDMENT.—Subsection (a) of such section is amended by striking “or (d)” and inserting “or (e)”.

SEC. 2804. EXTENSION OF TEMPORARY, LIMITED AUTHOR- ITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

vision B of Public law 112–239; 126 Stat. 2149), is amended by striking “shall not exceed $200,000,000 in a fiscal year” and inserting “shall not exceed $100,000,000 between October 1, 2013 and December 31, 2014”.

(b) EXTENSION OF AUTHORITY.—Subsection (h) of such section is amended—

(1) in paragraph (1), by striking “September 30, 2013” and inserting “December 31, 2014”; and

(2) in paragraph (2), by striking “fiscal year 2014” and inserting “fiscal year 2015”.

(c) TECHNICAL AMENDMENT.—Subsection (i) of such section is amended to read as follows:

“(i) DEFINITIONS.—In this section:

“(1) The term ‘area of responsibility’, with respect to the Combined Joint Task Force-Horn of Africa, is Kenya, Somalia, Ethiopia, Eritrea, Djibouti, Seychelles, Burundi, Rwanda, Tanzania, and Uganda.

“(2) The term ‘area of interest’, with respect to the Combined Joint Task Force-Horn of Africa, is Yemen, Mauritius, Madagascar, Mozambique, Comoros, Chad, the Democratic Republic of Congo, Central African Republic, Egypt, Sudan, and South Sudan.”.
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 transactions, but does not include Government personnel costs.”.
SEC. 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)”.

SEC. 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.

SEC. 2814. AUTHORITY TO PLAN, DESIGN, CONSTRUCT OR LEASE SHARED MEDICAL FACILITIES WITH DEPARTMENT OF VETERANS AFFAIRS.

(a) Authority To Plan, Design, and Construct or Lease a Shared Medical Facility.—

(1) In general.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section:
§ 1104a. Shared medical facilities with Department of Veterans Affairs

“(a) AGREEMENTS.—The Secretary of Defense may enter into agreements with the Secretary of Veterans Affairs for the planning, design, and construction, or leasing, of facilities to be operated as shared medical facilities.

“(b) TRANSFER OF FUNDS BY THE SECRETARY OF DEFENSE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

“(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military construction project, for a project for the construction of or for a shared medical facility if the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount authorized under section 2805 of this title and if the other requirements of such section have been met with respect to funds identified for transfer.

“(B) Amounts appropriated for the Defense Health Program for the purpose of construction, planning, and design, or the leasing of space, for a shared medical facility.

“(2) The authority to transfer funds under this section is in addition to any other authority to transfer available to the Secretary of Defense.
“(3) Section 2215 of this title does not apply to a transfer under this subsection.

“(c) Transfer of Funds to the Secretary of Defense.—

“(1) Any amount transferred under section 8111B of title 38 to the Secretary of Defense by the Secretary of Veterans Affairs for the necessary expenses of a construction project for a shared medical facility, where the amount of the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title, may be credited to accounts of the Department of Defense available for the construction of or for a shared medical facility.

“(2) Amounts transferred under section 8111B of title 38 to the Secretary of Defense by the Secretary of Veterans Affairs for the purpose of planning, and design, or the leasing of space, of or for a shared medical facility may be credited to accounts of the Department of Defense available for such purposes, and used of such purposes.

“(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under paragraph (1), the Secretary of Defense may carry out unspecified minor military construction projects that
have an approved cost not more than $12,000,000,
so long as the share of the Department of Defense
for the cost of such project does not exceed the
amount specified in section 2805(a)(2) of this title.

“(d) MERGER OF AMOUNTS TRANSFERRED.—Any
amount transferred to the Secretary of Veterans Affairs
pursuant to subsection (b), and any amount transferred
to the Secretary of Defense as described in subsection (c),
shall be merged with, and be available for the same pur-
poses and the same time period as, the appropriation or
fund to which transferred.

“(e) DEFINITION.—In this section, the term ‘shared
medical facility’ means a building or buildings, or a cam-
pus, intended to be used by both the Department of De-
fense and the Department of Veterans Affairs for the pro-
vision of health-care services, whether under the jurisdic-
tion of the Secretary of Defense or the Secretary of Vet-
erans Affairs, and whether or not located on a military
installation or on real property under the jurisdiction of
the Secretary of Veterans Affairs. Such term includes any
necessary building and auxiliary structure, garage, park-
ing facility, mechanical equipment, abutting sidewalks,
and accommodations for attending personnel.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 1104
the following new item:

“1104a. Shared medical facilities with Department of Veterans Affairs.”.

(b) CONFORMING AMENDMENT.—Section 2801 of
title 10, United States Code, is amended—

(1) in subsection (a), by inserting “or property
under the control of the Secretary of Veterans Af-
fairs for shared medical facilities,” after “with re-
spect to a military installation,”; and

(2) in subsection (b), by inserting “, including
a shared medical facility with the Department of
Veterans Affairs pursuant to section 1104a of this
title and section 8111B of title 38,” after “existing
facility”.

SEC. 2815. CHANGE FROM CALENDAR YEAR TO FISCAL
YEAR FOR ANNUAL REPORT OF INTER-
AGENCY COORDINATION GROUP OF INSPEC-
TORS GENERAL FOR GUAM REALIGNMENT.

Section 2835(e)(1) of the National Defense Author-
ization Act for Fiscal Year 2010 (Public Law 111–84; 123
Stat. 2674; 10 U.S.C. 2687 note) is amended by striking
“calendar year” and inserting “fiscal year”.

S 1034 IS
SEC. 2816. PROMOTION OF INTERAGENCY COOPERATION TO CONSERVE LAND AND NATURAL RESOURCES AND SUSTAIN MILITARY READINESS.

Section 2684a(d)(4) of title 10, United States Code, is amended by adding at the end the following new sub-paragraph:

“(F) Notwithstanding any other provision of law relating to matching funds or cost-share requirements, funds provided by the Secretary of Defense or the Secretary of a military department pursuant to an agreement under this section may, with regard to the lands or waters within the scope of the agreement, be used by the recipient of such funds to satisfy any matching funds or cost-share requirement of any program administered by the Department of Agriculture for the purpose of protecting or enhancing habitat, forests, agricultural lands, or wetlands.”.
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 installation is located.

“(d) Costs.—The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this section.

“§ 2933. Access restrictions

“(a) In General.—If the Secretary concerned determines 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 deter-
mined 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-re-
lated purposes in addition to the purposes specified in
such subchapter.

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

fication 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—
“(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.
1 “§ 2942. Limitation on subsequent availability of
2 lands for appropriation
3 “At the time of termination of a withdrawal and res-
4 ervation made by a subchapter of this chapter, the pre-
5 viously withdrawn lands shall not be open to any form of
6 appropriation under the public land laws, including the
7 mining laws and the mineral leasing and geothermal leasing
8 laws, until the Secretary of the Interior publishes in
9 the Federal Register an appropriate order specifying the
10 date upon which such lands shall be restored to the public
11 domain and opened for such purposes.
12 “§ 2943. Relinquishment
13 “(a) Notice of Intention to Relinquish.—If, during the period of withdrawal and reservation, the Sec-
14 retary concerned decides to relinquish any or all of the
15 lands withdrawn and reserved by a subchapter of this
16 chapter, the Secretary concerned shall file a notice of in-
17 tention to relinquish with the Secretary of the Interior.
18 “(b) Determination of Contamination.—As a part of the notice under subsection (a), the Secretary con-
19 cerned shall include a written determination concerning
20 whether and to what extent the lands that are to be relin-
21 quished are contaminated with explosive materials or toxic
22 or hazardous substances.
23 “(c) Public Notice.—The Secretary of the Interior
24 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-
QUSHED.—**

“(1) **DECONTAMINATION REQUIRED.—** If land
subject of a notice of intention to relinquish pursuant
to subsection (a) is contaminated, and the Secre-
tary of the Interior, in consultation with the Secre-
tary 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-
propriate 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 Congress concerning the status of such lands and all actions taken in furtherance of this paragraph.

“(e) Revocation Authority.—Upon deciding that it is in the public interest to accept the lands proposed for relinquishment pursuant to subsection (a), the Secretary of the Interior may order the revocation of a withdrawal 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 revocation 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 Interior.—Nothing in this section shall be construed to require the Secretary of the Interior to accept the lands proposed 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 juris-
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 chap-
ter; and

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

“(d) E QUALIZATION PAYMENTS.—Neither the Sec-
retary of the Interior nor the Secretary concerned may
make an equalization payment to further a land inter-
change or transfer under this section.

“§ 2945. Delegability by the Secretary of the Interior

“The Secretary of the Interior may delegate the Sec-
retary’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 ap-
proved 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 dam-
ages 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.—(1) 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 related power production activities.

“(5) 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 located within the boundaries of the Naval Air Weapons Station China Lake, comprising approximately 1,030,000 acres in Inyo, Kern, and San Bernardino Counties, California, as generally depicted on a map entitled ‘Naval Air Weapons Station China Lake Withdrawal—Renewal’, 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 INTERIOR.—(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 Secretary 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 accordance with laws applicable to such management on public lands. The Secretary of the Interior and the Secretary of the Navy shall enter into an agreement for implementation 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 Overflights 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 MANAGE-
MENT PLAN.—(1) The Secretary of the Navy and the Sec-
retary 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

Sec.

2957a. Withdrawal and reservation.

2957b. Management of withdrawn and reserved lands.

2957c. Duration of withdrawal and reservation.

2957d. Special rules governing minerals management.

2957e. Grazing.

§2957a. Withdrawal and reservation

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

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public lands and interests in lands described in subsection (e), 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 disposition 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 withdrawn 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 Secretary 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 removal 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
dated 1987, with revised dating to July 1993, prepared
by Department of the Navy, Naval Facilities Engineering
Command, identified as WESTDIV Drawing No. C–
102370, on file with the Department of the Interior, Bu-
reau of Land Management, California State Office, and
filed in accordance with section 2932 of this title.
§ 2959b. Management of withdrawn and reserved
lands
“(a) Management by the Secretary of the In-
terior.—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 Sec-
retary 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 Sec-
retary 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:

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“(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 ac-
cordance 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 incon-
sistent with the provisions of chapter 174 of title 10,
United States Code, as added by subsection (a), shall re-
main in force until modified, suspended, overruled, or oth-
erwise 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 be-
ginning of part IV of such subtitle are each amended by
inserting after the item relating to chapter 173 the fol-
lowing new item:

“174. Land Withdrawals .................................................. 2931.”.

SEC. 2822. FORT BLISS MILITARY LAND WITHDRAWAL.

(a) Revocation of Withdrawal; Return of Ad-
ministration.—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-
Secretary 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 Bureau of Land Management.

Subtitle D—Other Matters

SEC. 2831. MODIFICATION OF AMOUNT AUTHORIZED FOR MILITARY CONSTRUCTION PROJECT, ANDERSEN AIR FORCE BASE, GUAM.

The table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2126) is amended in the item relating to Andersen Air Force Base, Guam, by striking “$58,000,000” in the amount column and inserting “$128,000,000”.

TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

SEC. 2901. SHORT TITLE AND PURPOSE.

(a) SHORT TITLE.—This title may be cited as the “Defense Base Closure and Realignment Act of 2013”.

(b) PURPOSE.—The purpose of this title is to provide a fair process that will result in the timely closure and realignment of military installations inside the United States.
SEC. 2902. THE COMMISSION.

(a) ESTABLISHMENT.—There is established an independent commission to be known as the “Defense Base Closure and Realignment Commission”.

(b) DUTIES.—The Commission shall carry out the duties specified for it in this title.

(c) APPOINTMENT.—(1)(A) The Commission shall be composed of nine members appointed by the President, by and with the advice and consent of the Senate.

(B) Subject to the certifications required under section 2903(b), the President may commence a round for the selection of military installations for closure and realignment under this title in 2015 by transmitting to the Senate, not later than March 1, 2015 nominations for appointment to the Commission.

(C) If the President does not transmit to Congress the nominations for appointment to the Commission on or before the date specified, the process by which military installations may be selected for closure or realignment under this title with respect to that year shall be terminated.

(2) In selecting individuals for nominations for appointments to the Commission, the President should consult with—

(A) the Speaker of the House of Representatives concerning the appointment of two members;
(B) the majority leader of the Senate concerning the appointment of two members;

(C) the minority leader of the House of Representatives concerning the appointment of one member; and

(D) the minority leader of the Senate concerning the appointment of one member.

(3) At the time the President nominates individuals for appointment to the Commission for each session of Congress referred to in paragraph (1)(B), the President shall designate one such individual who shall serve as Chairman of the Commission.

(d) Terms.—(1) Except as provided in paragraph (2), each member of the Commission shall serve until the adjournment of Congress sine die for the session during which the member was appointed to the Commission.

(2) The Chairman of the Commission shall serve until the confirmation of a successor.

(e) Meetings.—(1) The Commission shall meet only during calendar year 2015.

(2)(A) Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.
(B) All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the following:

(i) The Chairman and the ranking minority party member of the Subcommittee on Readiness and Management Support of the Committee on Armed Services of the Senate, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(ii) The Chairman and the ranking minority party member of the Subcommittee on Readiness of the Committee on Armed Services of the House of Representatives, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(iii) The Chairmen and ranking minority party members of the subcommittees with jurisdiction for military construction of the Committees on Appropriations of the Senate and of the House of Representatives, or such other members of the subcommittees designated by such Chairmen or ranking minority party members.

(f) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment, but the individual appointed to fill the vacancy shall serve
only for the unexpired portion of the term for which the
individual’s predecessor was appointed.

(g) Pay and Travel Expenses.—(1)(A) Each
member, other than the Chairman, shall be paid at a rate
equal to the daily equivalent of the minimum annual rate
of basic pay payable for level IV of the Executive Schedule
under section 5315 of title 5, United States Code, for each
day (including travel time) during which the member is
engaged in the actual performance of duties vested in the
Commission.

(B) The Chairman shall be paid for each day referred
to in subparagraph (A) at a rate equal to the daily equiva-
lent of the minimum annual rate of basic pay payable for
level III of the Executive Schedule under section 5314,
of title 5, United States Code.

(2) Members shall receive travel expenses, including
per diem in lieu of subsistence, in accordance with sections
5702 and 5703 of title 5, United States Code.

(h) Director of Staff.—(1) The Commission
shall, without regard to section 5311 of title 5, United
States Code, appoint a Director who has not served on
active duty in the Armed Forces or as a civilian employee
of the Department of Defense during the one-year period
preceeding the date of such appointment.
(2) The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(i) Staff.—(1) Subject to paragraphs (2) and (3), the Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(2) The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS–15 of the General Schedule.

(3)(A) Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(B)(i) Not more than one-fifth of the professional analysts of the Commission staff may be persons detailed from the Department of Defense to the Commission.

(ii) No person detailed from the Department of Defense to the Commission may be assigned as the lead professional analyst with respect to a military department or defense agency.
(C) A person may not be detailed from the Department of Defense to the Commission if, within 12 months before the detail is to begin, that person participated personally and substantially in any matter within the Department of Defense concerning the preparation of recommendations for closures or realignments of military installations.

(D) No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(i) prepare any report concerning the effectiveness, fitness, or efficiency of the performance on the staff of the Commission of any person detailed from the Department of Defense to that staff;

(ii) review the preparation of such a report; or

(iii) approve or disapprove such a report.

(4) Upon request of the Director, the head of any Federal department or agency may detail any of the personnel of that department or agency to the Commission to assist the Commission in carrying out its duties under this title.

(5) The Comptroller General of the United States shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.
(6) The following restrictions relating to the personnel of the Commission shall apply during the period beginning January 1, 2016 and ending April 15, 2016:

(A) There may not be more than 15 persons on the staff at any one time.

(B) The staff may perform only such functions as are necessary to prepare for the transition to new membership on the Commission in the following year.

(C) No member of the Armed Forces and no employee of the Department of Defense may serve on the staff.

(j) Other Authority.—(1) The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) The Commission may lease space and acquire personal property to the extent funds are available.

(k) Funding.—(1) There are authorized to be appropriated to the Commission such funds as are necessary to carry out its duties under this title. Such funds shall remain available until expended.

(2) If no funds are appropriated to the Commission by the end of the second session of the 113th Congress,
the Secretary of Defense may transfer to the Commission for purposes of its activities under this title in that year such funds as the Commission may require to carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.

(l) **Termination.**—The Commission shall terminate on April 15, 2016.

(m) **Prohibition Against Restricting Communications.**—Section 1034 of title 10, United States Code, shall apply with respect to communications with the Commission.

**SEC. 2903. PROCEDURE FOR MAKING RECOMMENDATIONS FOR BASE CLOSURES AND REALIGNMENTS.**

(a) **Force-Structure Plan and Infrastructure Inventory.**—

(1) **Preparation and Submission.**—As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2015, the Secretary shall submit to Congress the following:

(A) A force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national
security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(B) A comprehensive inventory of military installations worldwide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) RELATIONSHIP OF PLAN AND INVENTORY.—Using the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity.
(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) SPECIAL CONSIDERATIONS.—In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) REVISION.—The Secretary may revise the force-structure plan and infrastructure inventory. If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than March 15th of the year following the year in which such plan was first submitted. For purposes of selecting military installations for closure or realignment under this title in
the year in which a revision is submitted, no revision
of the force-structure plan or infrastructure invent-
ory is authorized after that date.

(b) Certification of Need for Further Clos-
ures and Realignments.—

(1) Certification Required.—On the basis
of the force-structure plan and infrastructure invent-
ory prepared under subsection (a) and the descrip-
tions and economic analysis prepared under such
subsection, the Secretary shall include as part of the
submission of the plan and inventory—

(A) a certification regarding whether the
need exists for the closure or realignment of ad-
ditional military installations; and

(B) if such need exists, a certification that
the additional round of closures and realign-
ments would result in annual net savings for
each of the military departments beginning not
later than six years following the commence-
ment of such closures and realignments.

(2) Effect of Failure to Certify.—If the
Secretary does not include the certifications referred
to in paragraph (1), the President may not com-
mence a round for the selection of military installa-
tions for closure and realignment under this title in
the year following submission of the force-structure plan and infrastructure inventory.

(c) **Comptroller General Evaluation.**—

(1) **Evaluation Required.**—If the certification is provided under subsection (b), the Comptroller General shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in paragraph (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) **Submission.**—The Comptroller General shall submit the evaluation to Congress not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) **Final Selection Criteria.**—

(1) **In General.**—The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations inside the United States under this title in 2015 shall be...
the military value and other criteria specified in paragraphs (2) and (3).

(2) MILITARY VALUE CRITERIA.—The military value criteria are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the man-
(3) **OTHER CRITERIA.**—The other criteria that the Secretary shall use in making recommendations for the closure or realignment of military installations inside the United States under this title in 2015 are as follows:

   (A) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

   (B) The economic impact on existing communities in the vicinity of military installations.

   (C) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

   (D) The environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

   (e) **PRIORITY GIVEN TO MILITARY VALUE.**—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.
(f) **Effect on Department and Other Agency Costs.**—The selection criteria relating to the cost savings or return on investment from the proposed closure or realignment of military installations shall take into account the effect of the proposed closure or realignment on the costs of any other activity of the Department of Defense or any other Federal agency that may be required to assume responsibility for activities at the military installations.

(g) **Relation to Other Materials.**—The final selection criteria specified in this section shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations inside the United States under this title in 2015.

(h) **DoD Recommendations.**—(1) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by no later than May 15, 2015, publish in the Federal Register and transmit to the congressional defense committees and to the Commission a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and
the final selection criteria specified in subsection (d) that
are applicable to the year concerned.

(2) The Secretary shall include, with the list of rec-
ommendations published and transmitted pursuant to
paragraph (1), a summary of the selection process that
resulted in the recommendation for each installation, in-
cluding a justification for each recommendation. The Sec-
retary shall transmit the matters referred to in the pre-
ceding sentence not later than 7 days after the date of
the transmittal to the congressional defense committees
and the Commission of the list referred to in paragraph
(1).

(3)(A) In considering military installations for clo-
sure or realignment, the Secretary shall consider all mili-
tary installations inside the United States equally without
regard to whether the installation has been previously con-
sidered or proposed for closure or realignment by the De-
partment.

(B) In considering military installations for closure
or realignment, the Secretary may not take into account
for any purpose any advance conversion planning under-
taken by an affected community with respect to the antici-
pated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case
of a community anticipating the economic effects of a clo-
sure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations to the Commission, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.
(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(4) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Commission and the Comptroller General of the United States.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense or the Commission concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that person’s knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or
realignment of military installations, as designated in regulations which the Secretary of Defense shall prescribe, regulations which the Secretary of each military department shall prescribe for personnel within that military department, or regulations which the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Commission by a person described in paragraph (5)(B) shall also be submitted to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Commission.

(i) REVIEW AND RECOMMENDATIONS BY THE COMMISSION.—(1) After receiving the recommendations from the Secretary pursuant to subsection (h) for any year, the Commission shall conduct public hearings on the recommendations. All testimony before the Commission at a public hearing conducted under this paragraph shall be presented under oath.

(2)(A) The Commission shall, by no later than October 1 of each year in which the Secretary transmits recommendations to it pursuant to subsection (h), transmit
to the President a report containing the Commission’s findings and conclusions based on a review and analysis of the recommendations made by the Secretary, together with the Commission’s recommendations for closures and realignments of military installations inside the United States.

(B) Subject to subparagraphs (C) and (E), in making its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the force-structure plan and final criteria referred to in subsection (d)(1) in making recommendations.

(C) In the case of a change described in subparagraph (D) in the recommendations made by the Secretary, the Commission may make the change only if—

(i) the Commission—

(I) makes the determination required by subparagraph (B);

(II) determines that the change is consistent with the force-structure plan and final criteria referred to in subsection (d)(1);

(III) publishes a notice of the proposed change in the Federal Register not less than 45 days before transmitting its recommendations
to the President pursuant to subparagraph (A); and

(IV) conducts public hearings on the proposed change;

(ii) at least two members of the Commission visit the military installation before the date of the transmittal of the report; and

(iii) the decision of the Commission to make the change is supported by at least seven members of the Commission.

(D) Subparagraph (C) shall apply to a change by the Commission in the Secretary’s recommendations that would—

(i) add a military installation to the list of military installations recommended by the Secretary for closure;

(ii) add a military installation to the list of military installations recommended by the Secretary for realignment; or

(iii) increase the extent of a realignment of a particular military installation recommended by the Secretary.

(E) The Commission may not consider making a change in the recommendations of the Secretary that would add a military installation to the Secretary’s list of
installations recommended for closure or realignment unless, in addition to the requirements of subparagraph (C)—

(i) the Commission provides the Secretary with at least a 15-day period, before making the change, in which to submit an explanation of the reasons why the installation was not included on the closure or realignment list by the Secretary; and

(ii) the decision to add the installation for Commission consideration is supported by at least seven members of the Commission.

(F) In making recommendations under this paragraph, the Commission may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of a military installation.

(3) The Commission shall explain and justify in its report submitted to the President pursuant to paragraph (2) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (h). The Commission shall transmit a copy of such report to the congressional defense committees on the same date on which it transmits its recommendations to the President under paragraph (2).
(4) After October 1 of each year in which the Commission transmits recommendations to the President under this subsection, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(5) The Comptroller General of the United States shall—

(A) assist the Commission, to the extent requested, in the Commission’s review and analysis of the recommendations made by the Secretary pursuant to subsection (h); and

(B) by no later than July 1 of each year in which the Secretary makes such recommendations, transmit to the Congress and to the Commission a report containing a detailed analysis of the Secretary’s recommendations and selection process.

(j) REVIEW BY THE PRESIDENT.—(1) The President shall, by no later than October 15 of each year in which the Commission makes recommendations under subsection (i), transmit to the Commission and to the Congress a report containing the President’s approval or disapproval of the Commission’s recommendations.

(2) If the President approves all the recommendations of the Commission, the President shall transmit a
copy of such recommendations to the Congress, together
with a certification of such approval.

(3) If the President disapproves the recommendations
of the Commission, in whole or in part, the President shall
transmit to the Commission and the Congress the reasons
for that disapproval. The Commission shall then transmit
to the President, by no later than November 18 of the
year concerned, a revised list of recommendations for the
closure and realignment of military installations.

(4) If the President approves all of the revised rec-
ommendations of the Commission transmitted to the
President under paragraph (3), the President shall trans-
mitt a copy of such revised recommendations to the Con-
gress, together with a certification of such approval.

(5) If the President does not transmit to the Con-
gress an approval and certification described in paragraph
(2) or (4) by December 2 of any year in which the Com-
mission has transmitted recommendations to the Presi-
dent under this title, the process by which military instal-
lations may be selected for closure or realignment under
this title with respect to that year shall be terminated.

SEC. 2904. CLOSURE AND REALIGNMENT OF MILITARY IN-
STALLATIONS.

(a) In General.—Subject to subsection (b), the Sec-
retary shall—
(1) close all military installations recommended for closure by the Commission in each report transmitted to the Congress by the President pursuant to section 2903(j);

(2) realign all military installations recommended for realignment by such Commission in each such report;

(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations of the Commission in such report and is determined by the Commission to be the most cost-effective method of implementation of the recommendation;

(4) initiate all such closures and realignments no later than two years after the date on which the President transmits a report to the Congress pursuant to section 2903(j) containing the recommendations for such closures or realignments; and

(5) complete all such closures and realignments no later than the end of the six-year period beginning on the date on which the President transmits the report pursuant to section 2903(j) containing
the recommendations for such closures or realignments.

(b) CONGRESSIONAL DISAPPROVAL.—(1) The Secretary may not carry out any closure or realignment recommended by the Commission in a report transmitted from the President pursuant to section 2903(j) if a joint resolution is enacted, in accordance with the provisions of section 2908, disapproving such recommendations of the Commission before the earlier of—

(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

(B) the adjournment of Congress sine die for the session during which such report is transmitted.

(2) For purposes of paragraph (1) of this subsection and subsections (a) and (e) of section 2908, the days on which either House of Congress is not in session because of adjournment of more than three days to a day certain shall be excluded in the computation of a period.

SEC. 2905. IMPLEMENTATION.

(a) IN GENERAL.—(1) In closing or realigning any military installation under this title, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such
replacement facilities, the performance of such ac-
tivities, and the conduct of such advance planning
and design as may be required to transfer functions
from a military installation being closed or realigned
to another military installation, and may use for
such purpose funds in the Account or funds appro-
priated to the Department of Defense for use in
planning and design, minor construction, or oper-
ation and maintenance;

(B) provide—

(i) economic adjustment assistance to any
community located near a military installation
being closed or realigned, and

(ii) community planning assistance to any
community located near a military installation
to which functions will be transferred as a re-
sult of the closure or realignment of a military
installation,

if the Secretary of Defense determines that the fi-
nancial resources available to the community (by
grant or otherwise) for such purposes are inad-
equate, and may use for such purposes funds in the
Account or funds appropriated to the Department of
Defense for economic adjustment assistance or com-
munity planning assistance;
(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account;

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this title, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and
surplus real property, facilities, and personal property located at a military installation closed or realigned under this title—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with—

(i) all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code; and

(ii) all regulations governing the conveyance and disposal of property under section 13(g) of the
Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this title, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this title, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan
for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this title includes a road used for public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 6 months after the date of approval of the closure or realignment of a military installation under this title, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.
(B) If no redevelopment authority referred to in sub-
paragraph (A) exists with respect to an installation, the
Secretary shall consult with—

(i) the local government in whose jurisdiction
the installation is wholly located; or

(ii) a local government agency or State govern-
ment agency designated for the purpose of such con-
sultation by the chief executive officer of the State
in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and
(F), the Secretary may not carry out any of the activities
referred to in clause (ii) with respect to an installation
referred to in that clause until the earlier of—

(I) one week after the date on which the rede-
development plan for the installation is submitted to
the Secretary;

(II) the date on which the redevelopment au-

thority notifies the Secretary that it will not submit
such a plan;

(III) twenty-four months after the date of ap-

proval of the closure or realignment of the installa-
tion; or

(IV) ninety days before the date of the closure
or realignment of the installation.
(ii) The activities referred to in clause (i) are activities relating to the closure or realignment of an installation to be closed or realigned under this title as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this title to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.
(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this title if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal department or agency for which expenditures for similar property would be necessary, and

(II) is the subject of a written request by the head of the department or agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines
that the carrying out of such activity is in the national
security interest of the United States.

(4)(A) The Secretary may transfer real property and
personal property located at a military installation to be
closed or realigned under this title to the redevelopment
authority with respect to the installation for purposes of
job generation on the installation.

(B) The transfer of property located at a military in-
stallation under subparagraph (A) may be for consider-
ation at or below the estimated fair market value or with-
oun consideration. The determination of such consider-
ation may account for the economic conditions of the local
affected community and the estimated costs to redevelop
the property. The Secretary may accept, as consideration,
a share of the revenues that the redevelopment authority
receives from third-party buyers or lessees from sales and
long-term leases of the conveyed property, consideration
in kind (including goods and services), real property and
improvements, or such other consideration as the Sec-
retary considers appropriate. The transfer of property lo-
cated at a military installation under subparagraph (A)
may be made for consideration below the estimated fair
market value or without consideration only if the redevelop-
ment authority with respect to the installation—
(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

(i) Road construction.

(ii) Transportation management facilities.

(iii) Storm and sanitary sewer construction.

(iv) Police and fire protection facilities and other public facilities.

(v) Utility construction.
(vi) Building rehabilitation.
(vii) Historic property preservation.
(viii) Pollution prevention equipment or facilities.
(ix) Demolition.
(x) Disposal of hazardous materials generated by demolition.
(xi) Landscaping, grading, and other site or public improvements.
(xii) Planning for or the marketing of the development and reuse of the installation.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this title (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon
transfer, one or more portions of the property transferred
under this subparagraph to the Secretary or to the head
of another department or agency of the Federal Govern-
ment. Subparagraph (B) shall apply to a transfer under
this subparagraph.

(ii) A lease under clause (i) shall be for a term of
not to exceed 50 years, but may provide for options for
renewal or extension of the term by the department or
agency concerned.

(iii) A lease under clause (i) may not require rental
payments by the United States.

(iv) A lease under clause (i) shall include a provision
specifying that if the department or agency concerned
ceases requiring the use of the leased property before the
expiration of the term of the lease, the remainder of the
lease term may be satisfied by the same or another depart-
ment or agency of the Federal Government using the prop-
erty for a use similar to the use under the lease. Exercise
of the authority provided by this clause shall be made in
consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under
clause (i) involves a substantial portion of the installation,
the department or agency concerned may obtain facility
services for the leased property and common area mainte-
nance from the redevelopment authority or the redevelop-
ment authority’s assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as such Secretary considers appropriate to protect the interests of the United States.
(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another department or agency of the Federal Government has identified a use for any portion of a military installation to be closed or realigned under this title, or will accept transfer of any portion of such installation, are made not later than 6 months after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this title as the location...
for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this title shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of
any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another department or agency of the Federal Government has identified a use, or of which another department or agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of the determination described in the stem of this sentence) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the
buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—
(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as is practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 3 months and not later than 6 months after the date of publication of such determination in a newspaper of general cir-
calculation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 3 months and not later than 6 months after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other home-
less assistance programs in the communities in the vicinity of the installation.

(IV) A description of the buildings and property at the installation that are necessary in order to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).
(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 9
months after the date specified by the redevelopment auth-

ority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan
under subparagraph (F), a redevelopment authority shall
submit an application containing the plan to the Secretary
of Defense and to the Secretary of Housing and Urban
Development.

(ii) A redevelopment authority shall include in an ap-
lication under clause (i) the following:

(I) A copy of the redevelopment plan, including
a summary of any public comments on the plan re-
ceived by the redevelopment authority under sub-
paragraph (F)(iii).

(II) A copy of each notice of interest of use of
buildings and property to assist the homeless that
was submitted to the redevelopment authority under
subparagraph (C), together with a description of the
manner, if any, in which the plan addresses the in-
terest expressed in each such notice and, if the plan
does not address such an interest, an explanation
why the plan does not address the interest.

(III) A summary of the outreach undertaken by
the redevelopment authority under subparagraph
(C)(iii)(II) in preparing the plan.
(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the
plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.
(iii) The Secretary of Housing and Urban Development may engage in negotiations and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(v) If the Secretary of Housing and Urban Development determines as a result of such a review that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

1. an explanation of that determination; and

2. a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does
not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment
plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sec-
sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;
(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.
(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installa-
tion, the Secretary of Defense shall treat the redevelop-
ment plan submitted by the redevelopment authority for
the installation (including the aspects of the plan pro-
viding for disposal to State or local governments, rep-
resentatives of the homeless, and other interested parties)
as part of the proposed Federal action for the installation.
The Secretary of Defense shall incorporate the notification
of the Secretary of Housing and Urban Development
under clause (iii)(I) as part of the proposed Federal action
for the installation only to the extent, if any, that the Sec-
retary of Defense considers such incorporation to be ap-
propriate and consistent with the best and highest use of
the installation as a whole, taking into consideration the
redevelopment plan submitted by the redevelopment au-
thority.

(III) The Secretary of Defense shall dispose of build-
ings and property under subclause (I) in accordance with
the record of decision or other decision document prepared
by the Secretary in accordance with the National Environ-
mental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In
preparing the record of decision or other decision docu-
ment, the Secretary shall give deference to the redevelop-
ment plan submitted by the redevelopment authority for
the installation.
(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the
building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term “communities in the vicinity of the installation”, in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term “other interested parties”, in the case of an installation, includes
any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this title, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.
(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(e) **Applicability of National Environmental Policy Act of 1969.**—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President, the Commission, and, except as provided in paragraph (2), the Department of Defense in carrying out this title.

   (2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this title (i) during the process of property disposal, and (ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

   (B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—
(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission;

(ii) the need for transferring functions to any military installation which has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(d) WAIVER.—The Secretary of Defense may close or realign military installations under this title without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.
(e) Transfer Authority in Connection With Payment of Environmental Remediation Costs.—

(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this title that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (b)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this title after
2001 that are available for purposes other than to assist
the homeless.

(C) The Secretary may require any additional terms
and conditions in connection with an agreement author-
ized by subparagraph (A) as the Secretary considers ap-
propriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be
made under paragraph (1) only if the Secretary certifies
to Congress that—

(A) the costs of all environmental restoration,
waste management, and environmental compliance
activities otherwise to be paid by the Secretary with
respect to the property or facilities are equal to or
greater than the fair market value of the property
or facilities to be transferred, as determined by the
Secretary; or

(B) if such costs are lower than the fair market
value of the property or facilities, the recipient of
the property or facilities agrees to pay the difference
between the fair market value and such costs.

(3) In the case of property or facilities covered by
a certification under paragraph (2)(A), the Secretary may
pay the recipient of such property or facilities an amount
equal to the lesser of—
(A) the amount by which the costs incurred by
the recipient of such property or facilities for all en-
vironmental restoration, waste, management, and
environmental compliance activities with respect to
such property or facilities exceed the fair market
value of such property or facilities as specified in
such certification; or

(B) the amount by which the costs (as deter-
mined by the Secretary) that would otherwise have
been incurred by the Secretary for such restoration,
management, and activities with respect to such
property or facilities exceed the fair market value of
such property or facilities as so specified.

(4) As part of an agreement under paragraph (1),
the Secretary shall disclose to the person to whom the
property or facilities will be transferred any information
of the Secretary regarding the environmental restoration,
waste management, and environmental compliance activi-
ties described in paragraph (1) that relate to the property
or facilities. The Secretary shall provide such information
before entering into the agreement.

(5) Nothing in this subsection shall be construed to
modify, alter, or amend the Comprehensive Environmental
Response, Compensation, and Liability Act of 1980 (42
(6) Section 330 of the National Defense Authoriza-
tion Act for Fiscal Year 1993 (Public Law 102–484; 10
U.S.C. 2687 note) shall not apply to any transfer under
this subsection to persons or entities described in sub-
section (a)(2) of such section 330, except in the case of
releases or threatened releases not disclosed pursuant to
paragraph (4).

SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE AC-
COUNT 2013.

(a) IN GENERAL.—(1) If the Secretary makes the
certifications required under section 2903(b), there shall
be established on the books of the Treasury an account
to be known as the “Department of Defense Base Closure
Account 2013” (in this section referred to as the “Ac-
count’’). The Account shall be administered by the Sec-
retary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to
the Account;

(B) any funds that the Secretary may, subject
to approval in an appropriation Act, transfer to the
Account from funds appropriated to the Department
of Defense for any purpose, except that such funds
may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this title.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under subsection (c)(2).

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2905 with respect to military installations approved for closure or realignment under this title.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2905(a) and the cost of the project will exceed the maximum amount authorized by law for a minor military construction project, the Secretary shall notify in writing the congressional defense committees of the nature of, and
justification for, the project and the amount of expendi-
tures for such project. Any such construction project may
be carried out without regard to section 2802(a) of title
10, United States Code.

(c) REPORTS.—(1)(A) No later than 60 days after
the end of each fiscal year in which the Secretary carries
out activities under this title using amounts in the Ac-
count, the Secretary shall transmit a report to the con-
gressional defense committees of—

(i) the amount and nature of the deposits into,
and the expenditures from, the Account during such
fiscal year;

(ii) the amount and nature of other expendi-
tures made pursuant to section 2905(a) during such
fiscal year;

(iii) the amount and nature of anticipated de-
posits to be made into, and the anticipated expendi-
tures to be made from, the Account during the first
fiscal year commencing after the submission of the
report; and

(iv) the amount and nature of anticipated ex-
penditures to be made pursuant to section 2905(a)
during the first fiscal year commencing after the
submission of the report.
(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by sub-account and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2907(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.
(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this title.

(2) No later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expended from the Account or otherwise expended under this title with respect to such installations; and

(B) any amount remaining in the Account.

(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this title, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note).
(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for non-appropriated fund instrumentalities.

(4) As used in this subsection:

(A) The term “commissary store funds” means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term “nonappropriated funds” means funds received from a nonappropriated fund instrumentality.

(C) The term “nonappropriated fund instrumentality” means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office,
and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) Account Exclusive Source of Funds for Environmental Restoration Projects.—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2905(a)(1)(C).

The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) Authorized Cost and Scope of Work Variations.—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or $2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Military Construction Authorization Act authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be
carried out using funds in the Account with an estimated
cost of less than $5,000,000, unless the project has not
been previously identified in any budget submission for the
Account and exceeds the applicable minor construction
threshold under section 2805 of title 10, United States
Code.

(3) The limitation on cost or scope variation in para-
graph (1) shall not apply if the Secretary of Defense
makes a determination that an increase or reduction in
cost or a reduction in the scope of work for a military
construction project or military family housing project to
be carried out using funds in the Account needs to be
made for the sole purpose of meeting unusual variations
in cost or scope. If the Secretary makes such a determina-
tion, the Secretary shall notify the congressional defense
committees of the variation in cost or scope not later than
21 days before the date on which the variation is made
in connection with the project or, if the notification is pro-
vided in an electronic medium pursuant to section 480 of
title 10, United States Code, not later than 14 days before
the date on which the variation is made. The Secretary
shall include the reasons for the variation in the notifica-
tion.
SEC. 2907. REPORTS.

(a) REPORTING REQUIREMENT.—As part of the budget request for fiscal year 2017 and for each fiscal year thereafter through fiscal year 2028 for the Department of Defense, the Secretary shall transmit to the congressional defense committees—

(1) a schedule of the closure actions to be carried out under this title in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and of the time period in which these savings are to be achieved in each case, together with the Secretary’s assessment of the environmental effects of such actions;

(2) a description of the military installations, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures, together with the Secretary’s assessment of the environmental effects of such transfers;

(3) a description of the closure actions already carried out at each military installation since the date of the installation’s approval for closure under this title and the current status of the closure of the installation, including whether—
(A) a redevelopment authority has been recognized by the Secretary for the installation; 

(B) the screening of property at the installation for other Federal use has been completed; and 

(C) a redevelopment plan has been agreed to by the redevelopment authority for the installation; 

(4) a description of redevelopment plans for military installations approved for closure under this title, the quantity of property remaining to be disposed of at each installation as part of its closure, and the quantity of property already disposed of at each installation; 

(5) a list of the Federal agencies that have requested property during the screening process for each military installation approved for closure under this title, including the date of transfer or anticipated transfer of the property to such agencies, the acreage involved in such transfers, and an explanation for any delays in such transfers; 

(6) a list of known environmental remediation issues at each military installation approved for closure under this title, including the acreage affected by these issues, an estimate of the cost to complete
such environmental remediation, and the plans (and
timelines) to address such environmental remedi-
ation; and

(7) an estimate of the date for the completion
of all closure actions at each military installation ap-
proved for closure or realignment under this title.

SEC. 2908. CONGRESSIONAL CONSIDERATION OF COMMIS-
SION REPORT.

(a) Terms of the Resolution.—For purposes of
section 2904(b), the term “joint resolution” means only
a joint resolution which is introduced within the 10-day
period beginning on the date on which the President trans-
mits the report to the Congress under section 2903(j),
and—

(1) which does not have a preamble;

(2) the matter after the resolving clause of
which is as follows: “That Congress disapproves the
recommendations of the Defense Base Closure and
Realignment Commission as submitted by the Presi-
dent on ________”, the blank space being filled in
with the appropriate date; and

(3) the title of which is as follows: “Joint reso-
lution disapproving the recommendations of the De-
fense Base Closure and Realignment Commission.”.
(b) **Referral.**—A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(e) **Discharge.**—If the committee to which a resolution described in subsection (a) is referred has not reported such a resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to the Congress under section 2903(j), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) **Consideration.**—(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member’s in-
tention to make the motion, except that, in the case of
the House of Representatives, the motion may be made
without such prior announcement if the motion is made
by direction of the committee to which the resolution was
referred. All points of order against the resolution (and
against consideration of the resolution) are waived. The
motion is highly privileged in the House of Representatives
and is privileged in the Senate and is not debatable. The
motion is not subject to amendment, or to a motion to
postpone, or to a motion to proceed to the consideration
of other business. A motion to reconsider the vote by
which the motion is agreed to or disagreed to shall not
be in order. If a motion to proceed to the consideration
of the resolution is agreed to, the respective House shall
immediately proceed to consideration of the joint resolu-
tion without intervening motion, order, or other business,
and the resolution shall remain the unfinished business of
the respective House until disposed of.

(2) Debate on the resolution, and on all debatable
motions and appeals in connection therewith, shall be lim-
ited to not more than 2 hours, which shall be divided
equally between those favoring and those opposing the res-
olution. An amendment to the resolution is not in order.
A motion further to limit debate is in order and not debat-
able. A motion to postpone, or a motion to proceed to the
consideration of other business, or a motion to recommit
the resolution is not in order. A motion to reconsider the
vote by which the resolution is agreed to or disagreed to
is not in order.

(3) Immediately following the conclusion of the de-
bate on a resolution described in subsection (a) and a sin-
gle quorum call at the conclusion of the debate if re-
quested in accordance with the rules of the appropriate
House, the vote on final passage of the resolution shall
occur.

(4) Appeals from the decisions of the Chair relating
to the application of the rules of the Senate or the House
of Representatives, as the case may be, to the procedure
relating to a resolution described in subsection (a) shall
be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—(1) If, be-
fore the passage by one House of a resolution of that
House described in subsection (a), that House receives
from the other House a resolution described in subsection
(a), then the following procedures shall apply:

(A) The resolution of the other House shall not
be referred to a committee and may not be consid-
ered in the House receiving it except in the case of
final passage as provided in subparagraph (B)(ii).
(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time,
in the same manner, and to the same extent as in
the case of any other rule of that House.

SEC. 2909. RESTRICTION ON OTHER BASE CLOSURE AU-
THORITY.

(a) IN GENERAL.—Except as provided in subsection
(c), during the period beginning on the date of the enact-
ment of this Act, and ending on April 15, 2016, this title
shall be the exclusive authority for selecting for closure
or realignment, or for carrying out any closure or realign-
ment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection
(c), none of the funds available to the Department of De-
fense may be used, other than under this title, during the
period specified in subsection (a)—

(1) to identify, through any transmittal to the
Congress or through any other public announcement
or notification, any military installation inside the
United States as an installation to be closed or re-
aligned or as an installation under consideration for
closure or realignment; or

(2) to carry out any closure or realignment of
a military installation inside the United States.

(e) EXCEPTION.—Nothing in this title affects the au-
thority of the Secretary to carry out closures and realign-
ments to which section 2687 of title 10, United States
Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency referred to in subsection (e) of such section.

SEC. 2910. DEFINITIONS.

As used in this title:

(1) The term “Account” means the Department of Defense Base Closure Account established by section 2906(a)(1).

(2) The term “congressional defense committees” means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term “Commission” means the Commission established by section 2902.

(4) The term “military installation” means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under
the primary jurisdiction or control of the Department of Defense.

(5) The term “realignment” includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(6) The term “Secretary” means the Secretary of Defense.

(7) The term “United States” means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(8) The term “date of approval”, with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this title expires.

(9) The term “redevelopment authority”, in the case of an installation to be closed or realigned under this title, means any entity (including an entity established by a State or local government) recog-
nized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(10) The term “redevelopment plan” in the case of an installation to be closed or realigned under this title, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(11) The term “representative of the homeless” has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2911. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) Definition of “Base Closure Law” in Title 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new sub-

paragraph:
“(D) The Defense Base Closure and Realignment Act of 2013.”.

(b) Definition of “Base Closure Law” in Other Laws.—

(1) Section 131(b) of Public Law 107–249 (10 U.S.C. 221 note) is amended by striking “means” and all that follows and inserting “has the meaning given the term ‘base closure law’ in section 101(a)(17) of title 10, United States Code.”.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2013.”.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2013.”.

SEC. 2912. CONFORMING AMENDMENTS.

(a) Deposit and Use of Lease Proceeds.—Section 2667(e) of title 10, United States Code, is amended—
(1) in paragraph (5), by striking “on or after January 1, 2005,” and inserting “from January 1, 2005 through December 31, 2005;” and

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

“(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2906 of the Defense Base Closure and Realignment Act of 2013.”.

(b) REQUESTS BY PUBLIC AGENCIES FOR PROPERTY FOR PUBLIC AIRPORTS.—Section 47151(g) of title 49, United States Code, is amended by striking “section 2687 of title 10, section 201 of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note), or section 2905 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is defined in section 101(a)(17) of title 10,”.

(c) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking “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 inserting “a base closure law, as that term is defined in section 101(a)(17) of title 10,”.