AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

[**ERRATUM**]

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
ONE HUNDRED THIRTEENTH CONGRESS
OF THE UNITED STATES OF AMERICA

2013

AND

PROCLAMATIONS

VOLUME 127

IN ONE PART



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 2020

[ERRATUM]

An error was made in the Contents page. It is missing line entries for the Concurrent Resolutions and Proclamations. A corrected page for the Contents is printed on the opposite page.

CONTENTS

	Page
LIST OF BILLS ENACTED INTO PUBLIC LAW	v
LIST OF PUBLIC LAWS	vii
LIST OF CONCURRENT RESOLUTIONS	xi
LIST OF PROCLAMATIONS	xiii
PUBLIC LAWS	3
CONCURRENT RESOLUTIONS	1215
PROCLAMATIONS	1233
POPULAR NAME INDEX	A1
SUBJECT INDEX	B1

LIST OF BILLS ENACTED INTO PUBLIC LAW

THE ONE HUNDRED THIRTEENTH CONGRESS OF THE UNITED STATES

FIRST SESSION, 2013

BILL	*PUBLIC LAW*
H.R. 41	113–1
H.R. 152	113–2
H.R. 185	113–58
H.R. 251	113–19
H.R. 254	113–20
H.R. 258	113–12
H.R. 267	113–23
H.R. 307	113–5
H.R. 324	113–16
H.R. 325	113–3
H.R. 360	113–11
H.R. 475	113–15
H.R. 527	113–40
H.R. 588	113–21
H.R. 623	113–68
H.R. 678	113–24
H.R. 767	113–69
H.R. 933	113–6
H.R. 1071	113–10
H.R. 1092	113–25
H.R. 1151	113–17
H.R. 1171	113–26
H.R. 1246	113–8
H.R. 1344	113–27
H.R. 1402	113–59
H.R. 1412	113–37
H.R. 1765	113–9
H.R. 1848	113–53
H.R. 1911	113–28
H.R. 2094	113–48
H.R. 2167	113–29
H.R. 2251	113–60
H.R. 2289	113–22
H.R. 2319	113–70
H.R. 2383	113–18
H.R. 2576	113–30
H.R. 2611	113–31
H.R. 2747	113–50
H.R. 2775	113–46
H.R. 2871	113–61
H.R. 2922	113–62
H.R. 3092	113–38
H.R. 3095	113–45
H.R. 3190	113–47
H.R. 3204	113–54
H.R. 3210	113–39
H.R. 3233	113–42
H.R. 3302	113–49
H.R. 3304	113–66
H.R. 3343	113–71
H.R. 3458	113–63
H.R. 3487	113–72
H.R. 3588	113–64
H.R. 3626	113–57
H.J. Res. 59	113–67
H.J. Res. 91	113–44
S. 47	113–4
S. 130	113–32
S. 157	113–33
S. 252	113–55
S. 256	113–34
S. 304	113–35
S. 330	113–51
S. 459	113–36
S. 622	113–14
S. 716	113–7
S. 793	113–41
S. 893	113–52
S. 982	113–13
S. 1348	113–43
S. 1471	113–65
S. 1545	113–56
S. 1614	113–74

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

PUBLIC LAW		DATE	PAGE
113–1	To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.	Jan. 6, 2013	3
113–2	Making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.	Jan. 29, 2013	4
113–3	No Budget, No Pay Act of 2013	Feb. 4, 2013	51
113–4	Violence Against Women Reauthorization Act of 2013	Mar. 7, 2013	54
113–5	Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.	Mar. 13, 2013	161
113–6	Consolidated and Further Continuing Appropriations Act, 2013.	Mar. 26, 2013	198
113–7	To modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.	Apr. 15, 2013	438
113–8	District of Columbia Chief Financial Officer Vacancy Act	May 1, 2013	441
113–9	Reducing Flight Delays Act of 2013	May 1, 2013	443
113–10	To specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.	May 17, 2013	445
113–11	To award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.	May 24, 2013	446
113–12	Stolen Valor Act of 2013	June 3, 2013	448
113–13	Freedom to Fish Act	June 3, 2013	449
113–14	Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013.	June 13, 2013	451
113–15	To amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.	June 25, 2013	476
113–16	To grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.	July 12, 2013	477
113–17	To direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.	July 12, 2013	480
113–18	To designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the "Stan Musial Veterans Memorial Bridge".	July 12, 2013	484
113–19	South Utah Valley Electric Conveyance Act	July 18, 2013	485
113–20	Bonneville Unit Clean Hydropower Facilitation Act	July 18, 2013	488

PUBLIC LAW		DATE	PAGE
113–21	Vietnam Veterans Donor Acknowledgment Act of 2013	July 18, 2013	490
113–22	To rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA.	July 25, 2013	492
113–23	Hydropower Regulatory Efficiency Act of 2013	Aug. 9, 2013	493
113–24	Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.	Aug. 9, 2013	498
113–25	To designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center".	Aug. 9, 2013	501
113–26	Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013.	Aug. 9, 2013	502
113–27	Helping Heroes Fly Act	Aug. 9, 2013	503
113–28	Bipartisan Student Loan Certainty Act of 2013	Aug. 9, 2013	506
113–29	Reverse Mortgage Stabilization Act of 2013	Aug. 9, 2013	509
113–30	To amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes.	Aug. 9, 2013	510
113–31	To designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the "Douglas A. Munro Coast Guard Headquarters Building", and for other purposes.	Aug. 9, 2013	511
113–32	Powell Shooting Range Land Conveyance Act	Sept. 18, 2013	512
113–33	Denali National Park Improvement Act	Sept. 18, 2013	514
113–34	To amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.	Sept. 18, 2013	518
113–35	Natchez Trace Parkway Land Conveyance Act of 2013	Sept. 18, 2013	519
113–36	Minuteman Missile National Historic Site Boundary Modification Act.	Sept. 18, 2013	521
113–37	Department of Veterans Affairs Expiring Authorities Act of 2013.	Sept. 30, 2013	523
113–38	E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013.	Sept. 30, 2013	527
113–39	Pay Our Military Act	Sept. 30, 2013	532
113–40	Helium Stewardship Act of 2013	Oct. 2, 2013	534
113–41	Organization of American States Revitalization and Reform Act of 2013.	Oct. 2, 2013	548
113–42	To extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas.	Oct. 4, 2013	552
113–43	Congressional Award Program Reauthorization Act of 2013.	Oct. 4, 2013	554
113–44	Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014.	Oct. 10, 2013	555
113–45	To ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding, and for other purposes.	Oct. 15, 2013	557
113–46	Continuing Appropriations Act, 2014	Oct. 17, 2013	558
113–47	United States Parole Commission Extension Act of 2013	Oct. 31, 2013	572
113–48	School Access to Emergency Epinephrine Act	Nov. 13, 2013	575
113–49	To name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the "C.W. Bill Young Department of Veterans Affairs Medical Center".	Nov. 13, 2013	577
113–50	Streamlining Claims Processing for Federal Contractor Employees Act.	Nov. 21, 2013	578

PUBLIC LAW		DATE	PAGE
113–51	HIV Organ Policy Equity Act	Nov. 21, 2013	579
113–52	Veterans' Compensation Cost-of-Living Adjustment Act of 2013.	Nov. 21, 2013	582
113–53	Small Airplane Revitalization Act of 2013	Nov. 27, 2013	584
113–54	Drug Quality and Security Act	Nov. 27, 2013	587
113–55	To reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and for other purposes.	Nov. 27, 2013	641
113–56	PEPFAR Stewardship and Oversight Act of 2013	Dec. 2, 2013	648
113–57	To extend the Undetectable Firearms Act of 1988 for 10 years.	Dec. 9, 2013	656
113–58	To designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse".	Dec. 20, 2013	657
113–59	VA Expiring Authorities Extension Act of 2013	Dec. 20, 2013	658
113–60	To designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the "Edward J. Devitt United States Courthouse and Federal Building".	Dec. 20, 2013	664
113–61	To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.	Dec. 20, 2013	665
113–62	To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.	Dec. 20, 2013	666
113–63	Fallen Firefighters Assistance Tax Clarification Act of 2013.	Dec. 20, 2013	667
113–64	Community Fire Safety Act of 2013	Dec. 20, 2013	668
113–65	Alicia Dawn Koehl Respect for National Cemeteries Act ...	Dec. 20, 2013	669
113–66	National Defense Authorization Act for Fiscal Year 2014	Dec. 26, 2013	672
113–67	Making continuing appropriations for fiscal year 2014, and for other purposes.	Dec. 26, 2013	1165
113–68	Alaska Native Tribal Health Consortium Land Transfer Act.	Dec. 26, 2013	1205
113–69	To amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.	Dec. 26, 2013	1207
113–70	Native American Veterans' Memorial Amendments Act of 2013.	Dec. 26, 2013	1208
113–71	To amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.	Dec. 26, 2013	1209
113–72[1]	To amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.	Dec. 26, 2013	1210
113–74	Accuracy for Adoptees Act	Jan. 16, 2014	1212

[1]For Public Law 113–73, see Volume 128 for the 113th Congress, Second Session.

LIST OF CONCURRENT RESOLUTIONS

CONTAINED IN THIS VOLUME

CONCURRENT RESOLUTION		*DATE*	*PAGE*
S. Con. Res. 1	Joint Session—Electoral vote count	Jan. 3, 2013	1215
S. Con. Res. 2	Joint Congressional Committee on Inaugural Ceremonies—Reauthorization and Capitol authorizations.	Jan. 3, 2013	1215
S. Con. Res. 3	Adjournment—Senate and House of Representatives.	Jan. 4, 2013	1216
H. Con. Res. 11	Joint Session	Feb. 7, 2013	1216
H. Con. Res. 15	Adjournment—House of Representatives and Senate.	Feb. 15, 2013	1216
H. Con. Res. 14	Holocaust days of remembrance ceremony—Capitol rotunda authorization.	Mar. 11, 2013	1217
H. Con. Res. 20	Congressional Gold Medal ceremony—Capitol rotunda authorization.	Mar. 11, 2013	1217
H. Con. Res. 18	National Peace Officers' Memorial Service—Capitol grounds authorization.	Mar. 21, 2013	1218
H. Con. Res. 19	Soap box derby races—Capitol grounds authorization.	Mar. 21, 2013	1218
S. Con. Res. 11	Adjournment—Senate and House of Representatives.	Mar. 25, 2013	1219
H. Con. Res. 32	National Honor Guard and Pipe Band Exhibition—Capitol grounds authorization.	May 8, 2013	1220
S. Con. Res. 10	King Kamehameha—Birthday celebration—Emancipation Hall authorization.	May 14, 2013	1221
S. Con. Res. 16	Frederick Douglass statue—Emancipation Hall authorization.	May 21, 2013	1221
S. Con. Res. 17	Adjournment—Senate and House of Representatives.	May 24, 2013	1221
S. Con. Res. 18	Frank R. Lautenberg—Funeral services—Catafalque authorization.	June 4, 2013	1222
S. Con. Res. 19	Adjournment—Senate and House of Representatives.	June 27, 2013	1222
H. Con. Res. 43	Nelson Mandela's birth—95th anniversary—Emancipation Hall authorization.	July 11, 2013	1223
H. Con. Res. 44	2013 District of Columbia Special Olympics Law Enforcement Torch Run—Capitol grounds authorization.	July 30, 2013	1223
H. Con. Res. 41	Korean War—Armistice Agreement—60th anniversary.	Aug. 1, 2013	1224
S. Con. Res. 22	Adjournment—Senate and House of Representatives.	Aug. 2, 2013	1226
H. Con. Res. 58	Armed Forces—Religious services and clergy—Support.	Oct. 16, 2013	1226
S. Con. Res. 24	Adjournment—Senate and House of Representatives.	Oct. 16, 2013	1227
H. Con. Res. 62	Adjournment—House of Representatives and Senate.	Oct. 30, 2013	1227

CONCURRENT RESOLUTION		*DATE*	*PAGE*
S. Con. Res. 25	Congressional Gold Medal ceremony—Emancipation Hall authorization.	Nov. 18, 2013	1228
S. Con. Res. 28	Adjournment—Senate and House of Representatives.	Nov. 22, 2013	1228
H. Con. Res. 71	Enrollment corrections—H.R. 3304	Dec. 20, 2013	1229
S. Con. Res. 30	Adjournment—Senate and House of Representatives.	Dec. 26, 2013	1229

LIST OF PROCLAMATIONS

CONTAINED IN THIS VOLUME

PROCLAMATION		*DATE*	*PAGE*
8926	Religious Freedom Day, 2013	Jan. 16, 2013	1233
8927	Martin Luther King, Jr., Federal Holiday, 2013	Jan. 18, 2013	1234
8928	National Day of Hope and Resolve, 2013	Jan. 21, 2013	1235
8929	American Heart Month, 2013	Jan. 31, 2013	1236
8930	National African American History Month, 2013	Jan. 31, 2013	1237
8931	National Teen Dating Violence Awareness and Prevention Month, 2013.	Jan. 31, 2013	1238
8932	100th Anniversary of the Birth of Rosa Parks	Feb. 1, 2013	1239
8933	American Red Cross Month, 2013	Feb. 28, 2013	1240
8934	Irish-American Heritage Month, 2013	Feb. 28, 2013	1241
8935	Women's History Month, 2013	Feb. 28, 2013	1242
8936	Read Across America Day, 2013	Feb. 28, 2013	1243
8937	National Consumer Protection Week, 2013	Mar. 1, 2013	1244
8938	10th Anniversary of the United States Department of Homeland Security.	Mar. 1, 2013	1245
8939	100th Anniversary of the United States Department of Labor.	Mar. 1, 2013	1246
8940	National Poison Prevention Week, 2013	Mar. 15, 2013	1247
8941	Education and Sharing Day, U.S.A., 2013	Mar. 21, 2013	1248
8942	Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2013.	Mar. 22, 2013	1249
8943	Establishment of the Harriet Tubman—Underground Railroad National Monument.	Mar. 25, 2013	1249
8944	Establishment of the First State National Monument	Mar. 25, 2013	1254
8945	Establishment of the Charles Young Buffalo Soldiers National Monument.	Mar. 25, 2013	1262
8946	Establishment of the Rio Grande del Norte National Monument.	Mar. 25, 2013	1268
8947	Establishment of the San Juan Islands National Monument.	Mar. 25, 2013	1273
8948	National Cancer Control Month, 2013	Mar. 29, 2013	1277
8949	National Child Abuse Prevention Month, 2013	Mar. 29, 2013	1279
8950	National Donate Life Month, 2013	Mar. 29, 2013	1280
8951	National Financial Capability Month, 2013	Mar. 29, 2013	1280
8952	National Sexual Assault Awareness and Prevention Month, 2013.	Mar. 29, 2013	1281
8953	Cesar Chavez Day, 2013	Mar. 29, 2013	1283
8954	World Autism Awareness Day, 2013	Apr. 1, 2013	1284
8955	National Equal Pay Day, 2013	Apr. 8, 2013	1285
8956	National Former Prisoner of War Recognition Day, 2013.	Apr. 8, 2013	1286
8957	Pan American Day and Pan American Week, 2013	Apr. 12, 2013	1287
8958	Honoring the Victims of the Tragedy in Boston, Massachusetts.	Apr. 16, 2013	1288
8959	National Crime Victims' Rights Week, 2013	Apr. 19, 2013	1289

PROCLAMATION		DATE	PAGE
8960	National Volunteer Week, 2013	Apr. 19, 2013	1290
8961	National Park Week, 2013	Apr. 19, 2013	1291
8962	Earth Day, 2013	Apr. 19, 2013	1292
8963	Honoring the Victims of the Explosion in West, Texas	Apr. 24, 2013	1293
8964	Workers Memorial Day, 2013	Apr. 26, 2013	1294
8965	Asian American and Pacific Islander Heritage Month, 2013.	Apr. 30, 2013	1295
8966	Jewish American Heritage Month, 2013	Apr. 30, 2013	1296
8967	National Building Safety Month, 2013	Apr. 30, 2013	1297
8968	National Foster Care Month, 2013	Apr. 30, 2013	1298
8969	National Mental Health Awareness Month, 2013	Apr. 30, 2013	1299
8970	National Physical Fitness and Sports Month, 2013	Apr. 30, 2013	1300
8971	Older Americans Month, 2013	Apr. 30, 2013	1301
8972	Law Day, U.S.A., 2013	Apr. 30, 2013	1302
8973	Loyalty Day, 2013	Apr. 30, 2013	1303
8974	National Day of Prayer, 2013	May 1, 2013	1304
8975	National Charter Schools Week, 2013	May 3, 2013	1305
8976	Military Spouse Appreciation Day, 2013	May 9, 2013	1306
8977	National Defense Transportation Day and National Transportation Week, 2013.	May 10, 2013	1307
8978	National Women's Health Week, 2013	May 10, 2013	1308
8979	Peace Officers Memorial Day and Police Week, 2013	May 10, 2012	1309
8980	Mother's Day, 2013	May 10, 2013	1310
8981	National Safe Boating Week, 2013	May 17, 2013	1311
8982	Emergency Medical Services Week, 2013	May 17, 2013	1312
8983	World Trade Week, 2013	May 17, 2013	1313
8984	Armed Forces Day, 2013	May 17, 2013	1314
8985	National Maritime Day, 2013	May 21, 2013	1315
8986	National Hurricane Preparedness Week, 2013	May 24, 2013	1316
8987	Prayer for Peace, Memorial Day, 2013	May 24, 2013	1317
8988	Great Outdoors Month, 2013	May 31, 2013	1318
8989	Lesbian, Gay, Bisexual, and Transgender Pride Month, 2013.	May 31, 2013	1319
8990	National Caribbean-American Heritage Month, 2013	May 31, 2013	1321
8991	National Oceans Month, 2013	May 31, 2013	1322
8992	African-American Music Appreciation Month, 2013	May 31, 2013	1322
8993	Flag Day and National Flag Week, 2013	June 7, 2013	1323
8994	National Small Business Week, 2013	June 14, 2013	1324
8995	World Elder Abuse Awareness Day, 2013	June 14, 2013	1325
8996	Father's Day, 2013	June 14, 2013	1326
8997	To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes.	June 27, 2013	1327
8998	Captive Nations Week, 2013	July 19, 2013	1334
8999	Anniversary of the Americans With Disabilities Act, 2013.	July 25, 2013	1336
9000	National Korean War Veterans Armistice Day, 2013	July 25, 2013	1337
9001	World Hepatitis Day, 2013	July 25, 2013	1338
9002	National Health Center Week, 2013	Aug. 9, 2013	1339
9003	Women's Equality Day, 2013	Aug. 23, 2013	1340
9004	50th Anniversary of the March on Washington for Jobs and Freedom.	Aug. 23, 2013	1341
9005	National Alcohol and Drug Addiction Recovery Month, 2013.	Aug. 30, 2013	1342
9006	National Childhood Cancer Awareness Month, 2013	Aug. 30, 2013	1343
9007	National Childhood Obesity Awareness Month, 2013	Aug. 30, 2013	1344

PROCLAMATION		DATE	PAGE
9008	National Ovarian Cancer Awareness Month, 2013	Aug. 30, 2013	1345
9009	National Preparedness Month, 2013	Aug. 30, 2013	1346
9010	National Prostate Cancer Awareness Month, 2013	Aug. 30, 2013	1347
9011	National Wilderness Month, 2013	Aug. 30, 2013	1348
9012	Labor Day, 2013	Aug. 30, 2012	1349
9013	National Grandparents Day, 2013	Sept. 6, 2013	1350
9014	National Days of Prayer and Remembrance, 2013	Sept. 6, 2013	1351
9015	Patriot Day and National Day of Service and Remembrance, 2013.	Sept. 10, 2013	1352
9016	National Hispanic Heritage Month, 2013	Sept. 13, 2013	1354
9017	National Farm Safety and Health Week, 2013	Sept. 13, 2013	1355
9018	National Hispanic-Serving Institutions Week, 2013	Sept. 13, 2013	1356
9019	Constitution Day and Citizenship Day, Constitution Week, 2013.	Sept. 16, 2013	1357
9020	Honoring the Victims of the Tragedy at the Washington Navy Yard.	Sept. 16, 2013	1358
9021	National POW/MIA Recognition Day, 2013	Sept. 19, 2013	1358
9022	National Employer Support of the Guard and Reserve Week, 2013.	Sept. 20, 2013	1359
9023	National Historically Black Colleges and Universities Week, 2013.	Sept. 20, 2013	1360
9024	National Public Lands Day, 2013	Sept. 26, 2013	1361
9025	Gold Star Mother's and Family's Day, 2013	Sept. 26, 2013	1362
9026	National Hunting and Fishing Day, 2013	Sept. 27, 2013	1363
9027	National Arts and Humanities Month, 2013	Sept. 30, 2013	1364
9028	National Breast Cancer Awareness Month, 2013	Sept. 30, 2013	1365
9029	National Cybersecurity Awareness Month, 2013	Sept. 30, 2013	1366
9030	National Disability Employment Awareness Month, 2013.	Sept. 30, 2013	1367
9031	National Domestic Violence Awareness Month, 2013	Sept. 30, 2013	1369
9032	National Energy Action Month, 2013	Sept. 30, 2013	1370
9033	National Substance Abuse Prevention Month, 2013	Sept. 30, 2013	1371
9034	Fire Prevention Week, 2013	Oct. 4, 2013	1372
9035	German-American Day, 2013	Oct. 4, 2013	1373
9036	Child Health Day, 2013	Oct. 4, 2013	1374
9037	Leif Erikson Day, 2013	Oct. 8, 2013	1375
9038	General Pulaski Memorial Day, 2013	Oct. 10, 2013	1376
9039	International Day of the Girl, 2013	Oct. 10, 2013	1377
9040	National School Lunch Week, 2013	Oct. 11, 2013	1378
9041	Columbus Day, 2013	Oct. 11, 2013	1379
9042	Blind Americans Equality Day, 2013	Oct. 11, 2013	1380
9043	National Character Counts Week, 2013	Oct. 18, 2013	1382
9044	National Forest Products Week, 2013	Oct. 18, 2013	1383
9045	United Nations Day, 2013	Oct. 23, 2013	1384
9046	Death of Thomas S. Foley Former Speaker of the House of Representatives.	Oct. 28, 2013	1385
9047	Critical Infrastructure Security and Resilience Month, 2013.	Oct. 31, 2013	1385
9048	Military Family Month, 2013	Oct. 31, 2013	1386
9049	National Adoption Month, 2013	Oct. 31, 2013	1388
9050	National Alzheimer's Disease Awareness Month, 2013	Oct. 31, 2013	1389
9051	National Diabetes Month, 2013	Oct. 31, 2013	1390
9052	National Entrepreneurship Month, 2013	Oct. 31, 2013	1391
9053	National Family Caregivers Month, 2013	Oct. 31, 2013	1393
9054	National Native American Heritage Month, 2013	Oct. 31, 2013	1394
9055	Veterans Day, 2013	Nov. 5, 2013	1395

PROCLAMATION		*DATE*	*PAGE*
9056	World Freedom Day, 2013	Nov. 8, 2013	1396
9057	America Recycles Day, 2013	Nov. 14, 2013	1397
9058	American Education Week, 2013	Nov. 15, 2013	1398
9059	National Child's Day, 2013	Nov. 19, 2013	1399
9060	Day of Remembrance for President John F. Kennedy	Nov. 21, 2013	1400
9061	National Family Week, 2013	Nov. 22, 2013	1401
9062	Minority Enterprise Development Week, 2013	Nov. 26, 2013	1402
9063	Thanksgiving Day, 2013	Nov. 26, 2013	1403
9064	World AIDS Day, 2013	Nov. 27, 2013	1404
9065	National Impaired Driving Prevention Month, 2013	Nov. 29, 2013	1405
9066	International Day of Persons With Disabilities, 2013	Dec. 2, 2013	1406
9067	Death of Nelson Mandela	Dec. 5, 2013	1407
9068	National Pearl Harbor Remembrance Day, 2013	Dec. 5, 2013	1408
9069	Human Rights Day and Human Rights Week, 2013	Dec. 9, 2013	1409
9070	Bill of Rights Day, 2013	Dec. 13, 2013	1410
9071	Wright Brothers Day, 2013	Dec. 16, 2013	1411
9072	To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes.	Dec. 23, 2013	1412
9073	National Mentoring Month, 2014	Dec. 31, 2013	1441
9074	National Slavery and Human Trafficking Prevention Month, 2014.	Dec. 31, 2013	1442
9075	National Stalking Awareness Month, 2014	Dec. 31, 2013	1443

PUBLIC LAWS

ENACTED DURING

FIRST SESSION OF THE ONE HUNDRED THIRTEENTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Thursday, January 3, 2013, adjourned sine die on Friday, January 3, 2014. BARACK H. OBAMA, *President;* JOSEPH R. BIDEN, JR., *Vice President;* JOHN A. BOEHNER, *Speaker of the House of Representatives.*

Public Law 113–1
113th Congress

An Act

To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

Jan. 6, 2013
[H.R. 41]

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

SECTION 1. TEMPORARY INCREASE IN BORROWING AUTHORITY FOR NATIONAL FLOOD INSURANCE PROGRAM.

(a) Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking "$20,725,000,000" and inserting "$30,425,000,000".

(b) The amount provided by this section is designated by the Congress as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and as an emergency pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

Approved January 6, 2013.

LEGISLATIVE HISTORY—H.R. 41:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Jan. 4, considered and passed House and Senate.

Public Law 113–2
113th Congress

An Act

Jan. 29, 2013
[H.R. 152]

Making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, and for other purposes, namely:

Disaster Relief Appropriations Act, 2013.

DIVISION A—DISASTER RELIEF APPROPRIATIONS ACT, 2013

TITLE I

DEPARTMENT OF AGRICULTURE

DOMESTIC FOOD PROGRAMS

FOOD AND NUTRITION SERVICE

COMMODITY ASSISTANCE PROGRAM

For an additional amount for "Commodity Assistance Program" for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), $6,000,000: *Provided*, That notwithstanding any other provisions of the Emergency Food Assistance Act of 1983, the Secretary of Agriculture may allocate additional foods and funds for administrative expenses from resources specifically appropriated, transferred, or reprogrammed to restore to States resources used to assist families and individuals displaced by Hurricane Sandy among the States without regard to sections 204 and 214 of such Act (7 U.S.C. 7508, 7515): *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for "Investigations" for necessary expenses related to the consequences of Hurricane Sandy, $20,000,000, to remain available until expended to conduct studies of flood and storm damage reduction related to natural disasters: *Provided,* That using $19,500,000 of the funds provided herein, the Secretary of the Army shall conduct, at full Federal expense, a comprehensive study to address the flood risks of vulnerable coastal populations in areas impacted by Hurricane Sandy within the boundaries of the North Atlantic Division of the United States Army Corps of Engineers: *Provided further,* That an interim report with an assessment of authorized Corps projects for reducing flooding and storm risks in the affected area that have been constructed or are under construction, including construction cost estimates, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than March 1, 2013: *Provided further,* That an interim report identifying any previously authorized but unconstructed Corps project and any project under study by the Corps for reducing flooding and storm damage risks in the affected area, including updated construction cost estimates, that are, or would be, consistent with the comprehensive study shall be submitted to the appropriate congressional committees not later than May 1, 2013: *Provided further,* That a final report shall be submitted to the appropriate congressional committees not later than 24 months after the date of enactment of this division: *Provided further,* That as a part of the study, the Secretary shall identify those activities that warrant additional analysis by the Corps, as well as institutional and other barriers to providing protection to the affected coastal areas: *Provided further,* That the Secretary shall conduct the study in coordination with other Federal agencies, and State, local, and Tribal officials to ensure consistency with other plans to be developed, as appropriate: *Provided further,* That using $500,000 of the funds provided herein, the Secretary shall conduct, at full Federal expense, an evaluation of the performance of existing projects constructed by the Corps and damaged as a consequence of Hurricane Sandy for the purposes of determining their effectiveness and making recommendations for improvements to such projects: *Provided further,* That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

Study.

Reports.
Assessment.
Cost estimates.
Deadline.

Reports.
Deadline.

Reports.
Deadline.

Evaluation.
Recommendations.

Deadlines.
Reports.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Sandy, $9,000,000, to remain available until expended for repairs to projects that were under construction and damaged as a consequence of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines.
Reports.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance" for necessary expenses related to the consequences of Hurricane Sandy, $742,000,000, to remain available until expended to dredge Federal navigation channels, and repair damage to Corps projects: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines.
Reports.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies" for necessary expenses related to the consequences of Hurricane Sandy, $582,000,000, to remain available until expended to support emergency operations, repairs, and other activities, as authorized by law: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines.
Reports.

TITLE III

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $10,000,000 for grants to or cooperative agreements with organizations to provide technical assistance related to disaster recovery, response, and long term resiliency to small businesses that are

recovering from Hurricane Sandy: *Provided,* That the Small Business Administration shall expedite the delivery of assistance in disaster-affected areas: *Provided further,* That the Administrator of the Small Business Administration may waive the matching requirements under section 21(a)(4)(A) and 29(c) of the Small Business Act for any grant made using funds made available under this heading: *Provided further,* That no later than 30 days after the date of enactment of this division, or no less than 7 days prior to obligation of funds, whichever occurs earlier, the Administrator of the Small Business Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Waiver authority. Grants.

Deadlines. Expenditure plan.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General" for necessary expenses related to the consequences of Hurricane Sandy, $1,000,000, to remain available until September 30, 2014: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, for necessary expenses related to the consequences of Hurricane Sandy, $100,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That in addition, for direct administrative expenses of loan making and servicing to carry out the direct loan program authorized by section 7(b) of the Small Business Act in response to Hurricane Sandy, an additional $50,000,000, to remain available until expended, which may be transferred to and merged with the appropriations for Salaries and Expenses: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

DEPARTMENT OF HOMELAND SECURITY

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Acquisition, Construction, and Improvements" for necessary expenses related to the consequences of Hurricane Sandy, $143,899,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That notwithstanding the transfer limitation contained in section 503 of division D of Public Law 112–74, such funding may be transferred to other Coast Guard appropriations after notification as required in accordance with such section: *Provided further*, That a description of all facilities and property to be reconstructed and restored, with associated costs and time lines, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this division.

Submission.
Deadline.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Disaster Relief Fund" for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $5,379,000,000, to remain available until expended, of which $3,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That such amount is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Administrator of the Federal Emergency Management Agency shall publish on the Agency's website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) that is in excess of $1,000,000, the specifics of each such grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of a mission assignment or task order in excess of $1,000,000, the Administrator shall publish on the Agency's website the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order

Web posting.
Deadline.

Deadline.
Web posting.

Deadline.

is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricane Sandy, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this division, and shall publish on the Agency's website not later than 10 days after the first day of each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month beginning after the date of enactment of this division, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 112–74.

Deadlines.
Effective date.
Web posting.
Cost estimate.

Deadline.
Effective date.
Web posting.
Reports.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations", for necessary expenses related to the consequences of Hurricane Sandy, $585,000, to remain available until September 30, 2013: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DOMESTIC NUCLEAR DETECTION OFFICE

SYSTEMS ACQUISITION

For an additional amount for "Systems Acquisition", for necessary expenses related to the consequences of Hurricane Sandy, $3,869,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 401. Funds made available by Public Law 109–88 for carrying out activities authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) may be used until expended to provide assistance under section 417 of that Act to local governments in areas eligible to receive such assistance pursuant to a major disaster declaration by the President for Hurricane Sandy.

TITLE V

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Sandy, $49,875,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Sandy, $234,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OIL SPILL RESEARCH

For an additional amount for "Oil Spill Research" for necessary expenses related to the consequences of Hurricane Sandy, $3,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" for disaster response and recovery, and other expenses directly related to Hurricane Sandy, including making payments under the Head Start Act and additional payments for distribution as provided for under the "Social Services Block Grant Program", $100,000,000, to remain available until September 30, 2014: *Provided,* That not less than $25,000,000 shall be transferred to "Children and Families Services Programs" for the Head Start program for the purposes provided herein: *Provided further,* That not less than $25,000,000 shall be transferred to "Social Services Block Grant" for the purposes provided herein: *Provided further,*

That not less than $2,000,000 shall be transferred to the Department of Health and Human Services ("HHS") "Office of Inspector General" to perform oversight, accountability, and evaluation of programs, projects, or activities supported with the funds provided for the purposes provided herein: *Provided further,* That notwithstanding any other provision of law, the distribution of any amount shall be limited to the States of New York and New Jersey, except that funds provided to "Substance Abuse and Mental Health Services Administration" may be distributed to other States, but only if such funds are for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, and other related helplines, and for other similar programs to provide support to dislocated residents of New York and New Jersey: *Provided further,* That none of the funds appropriated in this paragraph shall be included in the calculation of the "base grant" in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of the Head Start Act: *Provided further,* That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further,* That funds appropriated in this paragraph are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: *Provided further,* That funds appropriated in this paragraph may be transferred by the Secretary of HHS ("Secretary") to accounts within HHS, and shall be available only for the purposes provided in this paragraph: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act for fiscal year 2013: *Provided further,* That 15 days prior to the transfer of funds appropriated in this paragraph, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: *Provided further,* That obligations incurred for the purposes provided herein prior to the date of enactment of this division may be charged to funds appropriated by this paragraph: *Provided further,* That funds appropriated in this paragraph and transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricane Sandy shall be used to award grants or contracts for such purpose under section 404I of the Public Health Service Act: *Provided further,* That section 481A(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: *Provided further,* That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

New York.
New Jersey.

Time period.
Notification.

Grants.
Contracts.

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Limitation on Administrative Expenses", $2,000,000, for expenses directly related to Hurricane Sandy, which shall be derived from the unobligated balances that remain available under such heading for the Social Security Administration for information technology and telecommunications hardware and software infrastructure: *Provided,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VII

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for "Military Construction, Army National Guard" for necessary expenses related to the consequences of Hurricane Sandy, $24,235,000, to remain available until September 30, 2017: *Provided*, That none of the funds made available to the Army National Guard for recovery efforts related to Hurricane Sandy in this division shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That notwithstanding any other provision of law, such funds may be obligated to carry out military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Obligation availability.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for "Medical Services" for necessary expenses related to the consequences of Hurricane Sandy, $21,000,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL FACILITIES

For an additional amount for "Medical Facilities" for necessary expenses related to the consequences of Hurricane Sandy,

$6,000,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL CEMETERY ADMINISTRATION

For an additional amount for "National Cemetery Administration" for necessary expenses related to the consequences of Hurricane Sandy, $1,100,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL ADMINISTRATION

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for "Information Technology Systems" for necessary expenses related to the consequences of Hurricane Sandy, $531,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for "Construction, Major Projects", $207,000,000, to remain available until September 30, 2017, for renovations and repairs as a consequence of damage caused by Hurricane Sandy: *Provided*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and major medical facility construction not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Obligation availability. Expenditure plan.

TITLE VIII

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for "Facilities and Equipment", $14,600,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL RAILROAD ADMINISTRATION

OPERATING SUBSIDY GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for "Operating Subsidy Grants to the National Railroad Passenger Corporation" for the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for necessary expenses related to the consequences of Hurricane Sandy, $32,000,000, to remain available until expended: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the "Public Transportation Emergency Relief Program" as authorized under section 5324 of title 49, United States Code, $5,400,000,000, to remain available until expended, for transit systems affected by Hurricane Sandy: *Provided*, That not more than $2,000,000,000 shall be made available not later than 60 days after the date of enactment of this division: *Provided further,* That the remainder of the funds shall be made available only after the Federal Transit Administration and the Federal Emergency Management Agency sign the memorandum of agreement required by section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141) and the Federal Transit Administration publishes interim regulations for the Public Transportation Emergency Relief Program: *Provided further,* That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under 49 U.S.C. 5334 and 5338(i)(2) and shall be in addition to any other appropriations for such purpose: *Provided further,* That of the funds made available under this heading, $3,000,000 shall be transferred to the Office of Inspector General to support the oversight of activities under this heading: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Deadline.

Memorandum. Publication. Regulations.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Community Development Fund", $3,850,000,000, to remain available until September 30, 2017, for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Sandy, for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That funds shall be allocated directly to States and units of general local government at the discretion of the Secretary of Housing and Urban Development: *Provided further,* That within 60 days after the enactment of this division, the Secretary shall allocate to grantees all funds provided under this heading based on the best available data: *Provided further,* That as a condition of eligibility for receipt of such funds, a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of such funds will address long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas: *Provided further,* That the Secretary shall, by notice issued within 45 days of enactment of this division, specify criteria for approval of plans, and, if the Secretary determines that a plan does not meet such criteria, the Secretary shall disapprove the plan: *Provided further,* That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further,* That funds provided under this heading may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further,* That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a grantee may use up to 5 percent of its overall allocation for administrative costs: *Provided further,* That a grantee shall administer grant funds provided under this heading in accordance with all applicable laws and regulations and may not delegate, by contract or otherwise, the responsibility for administering such grant funds: *Provided further,* That the Secretary shall provide grantees with technical assistance on contracting and procurement processes and shall require grantees, in contracting or procuring these funds, to incorporate performance

Deadline.
Grants.
Plans.
Criteria.
Notice.
Deadline.
Criteria.
Plans.
Determination.
Grants.
Certification.
Contracts.

Public information. Web posting. Grants. Contracts. Waiver authority. Determination.

requirements and penalties into any such contracts or agreements: *Provided further,* That the Secretary shall require grantees to maintain on a public website information accounting for how all grant funds are used, including details of all contracts and ongoing procurement processes: *Provided further,* That, in administering the funds under this heading, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use of these funds by a grantee (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) upon a request by a grantee explaining why such waiver is required to facilitate the use of such funds and pursuant to a determination by the Secretary that good cause exists for the waiver or alternative requirement and that such action is not inconsistent with the overall purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) or this heading: *Provided further,* That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit under section 104(g)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(1)): *Provided further,* That, notwithstanding section 104(g)(2) of such Act (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further,* That a waiver granted by the Secretary may not reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income to less than 50 percent, unless the Secretary specifically finds that there is compelling need to further reduce the percentage requirement: *Provided further,* That the Secretary shall publish in the Federal Register any waiver or alternative requirement made by the Secretary with respect to any statute or regulation no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further,* That, of the funds made available under this heading, up to $4,000,000 may be transferred to Program Office Salaries and Expenses, Community Planning and Development for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: *Provided further,* That, of the funds made available under this heading, $4,000,000 shall be transferred to Office of the Inspector General for necessary costs of overseeing and auditing funds made available under this heading: *Provided further,* That funds provided under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Federal Register, publication. Waiver. Requirement. Deadline.

ADMINISTRATIVE PROVISION—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 801. For fiscal year 2013, upon request by a public housing agency and supported by documentation as required by the Secretary of Housing and Urban Development that demonstrates that the need for the adjustment is due to the disaster, the Secretary may make temporary adjustments to the Section 8 housing choice voucher annual renewal funding allocations and administrative fee eligibility determinations for public housing agencies in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), to avoid significant adverse funding impacts that would otherwise result from the disaster.

TITLE IX

GENERAL PROVISIONS—THIS DIVISION

SEC. 901. Each amount appropriated or made available in this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 902. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress. President. Designations.

SEC. 903. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein. Obligation availability.

SEC. 904. (a)(1) Not later than March 31, 2013, in accordance with criteria to be established by the Director of the Office of Management and Budget (referred to in this section as "OMB"), each Federal agency shall submit to OMB, the Government Accountability Office, the respective Inspector General of each agency, and the Committees on Appropriations of the House of Representatives and the Senate internal control plans for funds provided by this division. Deadlines. Criteria. Plans.

(2) Not later than June 30, 2013, the Government Accountability Office shall review for the Committees on Appropriations of the House of Representatives and the Senate the design of the internal control plans required by paragraph (1). Review.

(b) All programs and activities receiving funds under this division shall be deemed to be "susceptible to significant improper payments" for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), notwithstanding section 2(a) of such Act.

(c) Funds for grants provided by this division shall be expended by the grantees within the 24-month period following the agency's obligation of funds for the grant, unless, in accordance with guidance to be issued by the Director of OMB, the Director waives this requirement for a particular grant program and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate. In the case of such grants, the agency shall include a term in the grant that requires the grantee to return to the agency any funds not expended within the 24-month period. Grants. Time period. Guidance. Waiver authority. Submission.

Time period.

(d) Through September 30, 2015, the Recovery Accountability and Transparency Board shall develop and use information technology resources and oversight mechanisms to detect and remediate waste, fraud, and abuse in the obligation and expenditure of funds appropriated in this or any other Act for any fiscal year of such period for purposes related to the impact of Hurricane Sandy: *Provided*, That the Board shall coordinate its oversight efforts with the Director of OMB, the head of each Federal agency receiving appropriations related to the impact of Hurricane Sandy, and the respective Inspector General of each such agency: *Provided further*, That the Board shall submit quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate on its activities related to funds appropriated for the impact of Hurricane Sandy.

Deadline.
Reports.

TITLE X

ADDITIONAL DISASTER ASSISTANCE

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

EMERGENCY CONSERVATION ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount, to remain available until expended, for the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.) for necessary expenses related to the consequences of Hurricane Sandy and resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $218,000,000, of which $15,000,000 shall be available for payments under sections 401 and 402 of the Agriculture Credit Act of 1978 (16 U.S.C. 2201, 2202), $180,000,000 shall be available for activities under section 403 of such Act (Emergency Watershed Protection Program; 16 U.S.C. 2203), and $23,000,000 shall be available for activities under section 407 of such Act (Emergency Forest Restoration Program; 16 U.S.C. 2206): *Provided*, That the Secretary of Agriculture shall transfer these funds to the Farm Service Agency and the Natural Resources Conservation Service: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS CHAPTER

SEC. 1011. The Office of Inspector General of the Department of Agriculture shall use unobligated disaster assistance oversight funds provided to such office in division B of Public Law 110–329 (122 Stat. 3585) for continued oversight of Department of Agriculture disaster- and emergency-related activities.

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities", $290,000,000 (reduced by $150,000,000) to remain available until September 30, 2014, as follows:

(1) $50,000,000 for mapping, charting, geodesy services and marine debris surveys for coastal States impacted by Hurricane Sandy;

(2) $7,000,000 to repair and replace ocean observing and coastal monitoring assets damaged by Hurricane Sandy;

(3) $3,000,000 to provide technical assistance to support State assessments of coastal impacts of Hurricane Sandy;

(4) $25,000,000 to improve weather forecasting and hurricane intensity forecasting capabilities, to include data assimilation from ocean observing platforms and satellites;

(5) $50,000,000 for laboratories and cooperative institutes research activities associated with sustained observations weather research programs, and ocean and coastal research; and

(6) $5,000,000 for necessary expenses related to fishery disasters during calendar year 2012 that were declared by the Secretary of Commerce as a direct result of impacts from Hurricane Sandy:

Provided, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this division: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Spending plan. Deadline.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction", $186,000,000, to remain available until September 30, 2015, as follows:

(1) $9,000,000 to repair National Oceanic and Atmospheric Administration (NOAA) facilities damaged by Hurricane Sandy;

(2) $44,500,000 for repairs and upgrades to NOAA hurricane reconnaissance aircraft;

(3) $8,500,000 for improvements to weather forecasting equipment and supercomputer infrastructure;

(4) $13,000,000 to accelerate the National Weather Service ground readiness project; and

(5) $111,000,000 for a weather satellite data mitigation gap reserve fund:

Provided, That NOAA shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this division: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

Spending plan. Deadline.

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $10,020,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $1,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $230,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities" for necessary expenses related to the consequences of Hurricane Sandy, $10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for "Construction and Environmental Compliance and Restoration" for repair at National Aeronautics and Space Administration facilities damaged by Hurricane Sandy,

$15,000,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for "Payment to the Legal Services Corporation" to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricane Sandy, $1,000,000: *Provided*, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricane Sandy: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively, and except that sections 501 and 503 of Public Law 104–134 (referenced by Public Law 105–119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

CHAPTER 3

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $5,370,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $40,015,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $8,500,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $3,165,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $5,775,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $1,310,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $24,200,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 4

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for "Investigations" for necessary expenses related to the consequences of Hurricane Sandy, $50,000,000, to remain available until expended to expedite at full Federal expense studies of flood and storm damage reduction: *Provided,* That using $29,500,000 of the funds provided herein, the Secretary of the Army shall expedite and complete ongoing flood and storm damage reduction studies in areas that were impacted by Hurricane Sandy in the North Atlantic Division of the United States Army Corps of Engineers: *Provided further,* That using up to $20,000,000 of the funds provided herein, the Secretary shall conduct a comprehensive study to address the flood risks of vulnerable coastal populations in areas that were affected by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further,* That an interim report with an assessment of authorized Corps projects for reducing flooding and storm risks in the affected area that have been constructed or are under construction, including construction cost estimates, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than March 1, 2013: *Provided further,* That an interim report identifying any previously authorized but unconstructed Corps project and any project under study by the Corps for reducing flooding and storm damage risks in the affected area, including updated construction cost estimates, that are, or would be, consistent with the comprehensive study shall be submitted to the appropriate congressional committees by May 1, 2013: *Provided further,* That a final report shall be submitted to the appropriate congressional committees within 24 months of the date of enactment of this division: *Provided further,* That as a part of the study, the Secretary shall identify those activities warranting additional analysis by the Corps, as well as institutional and other barriers to providing protection to the affected coastal areas: *Provided further,* That the Secretary shall conduct the study in coordination with other Federal agencies, and State, local and Tribal officials to ensure consistency with other plans to be developed, as appropriate: *Provided further,* That using $500,000 of the funds provided herein, the Secretary shall conduct an evaluation of the performance of existing projects constructed by the Corps and impacted by Hurricane Sandy for the purposes of determining their effectiveness and making recommendations for improvements thereto: *Provided further,* That as a part of the study, the Secretary shall identify institutional and other barriers to providing comprehensive protection to affected coastal areas and shall provide this report to the Committees on Appropriations of the House of Representatives and the Senate within 120 days of enactment of this division: *Provided further,*

Study.

Reports.
Assessment.
Cost estimate.
Deadline.

Reports.
Cost estimates.
Deadline.

Reports.
Deadline.

Evaluation.
Determination.
Recommendations.

Reports.
Deadline.

That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines.
Reports.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Sandy, $3,461,000,000, to remain available until expended to rehabilitate, repair and construct United States Army Corps of Engineers projects: *Provided,* That $2,902,000,000 of the funds provided under this heading shall be used to reduce future flood risk in ways that will support the long-term sustainability of the coastal ecosystem and communities and reduce the economic costs and risks associated with large-scale flood and storm events in areas along the Atlantic Coast within the boundaries of the North Atlantic Division of the Corps that were affected by Hurricane Sandy: *Provided further,* That $858,000,000 of such funds shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading "Investigations" to be submitted not later than March 1, 2013, and $2,044,000,000 shall be made available not earlier than 14 days after the Secretary submits the report required under the heading "Investigations" to be submitted not later than May 1, 2013: *Provided further,* That efforts using these funds shall incorporate current science and engineering standards in constructing previously authorized Corps projects designed to reduce flood and storm damage risks and modifying existing Corps projects that do not meet these standards, with such modifications as the Secretary determines are necessary to incorporate these standards or to meet the goal of providing sustainable reduction to flooding and storm damage risks: *Provided further,* That upon approval of the Committees on Appropriations of the House of Representatives and the Senate these funds may be used to construct any project under study by the Corps for reducing flooding and storm damage risks in areas along the Atlantic Coast within the North Atlantic Division of the Corps that were affected by Hurricane Sandy that the Secretary determines is technically feasible, economically justified, and environmentally acceptable: *Provided further,* That the completion of ongoing construction projects receiving funds provided by this division shall be at full Federal expense with respect to such funds: *Provided further,* That the non-Federal cash contribution for projects using these funds shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: *Provided further,* That for these projects, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further,* That up to $51,000,000 of the funds provided under this heading shall be used to expedite continuing authorities projects to reduce the risk of flooding along the coastal areas in States impacted by Hurricane

Time period.
Reports.
Deadlines.

Determination.

Time period.

Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further,* That $9,000,000 of the funds provided under this heading shall be used for repairs to projects that were under construction and damaged by the impacts of Hurricane Sandy: *Provided further,* That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall submit to the Committees on Appropriations of the House of Representatives and the Senate a monthly report detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of the enactment of this division.

Contracts.

Deadlines.
Reports.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance" for necessary expenses related to the consequences of Hurricane Sandy, $821,000,000, to remain available until expended to dredge Federal navigation channels and repair damage to United States Army Corps of Engineers projects: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines.
Reports.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies" for necessary expenses related to the consequences of Hurricane Sandy, $1,008,000,000, to remain available until expended to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs and other activities as authorized by law: *Provided,* That $430,000,000 of the funds provided herein shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading "Investigations" to be submitted not later than March 1, 2013, and shall be utilized by the United States Army Corps of Engineers to restore projects impacted by Hurricane Sandy in the North Atlantic Division of the Corps to design profiles of the authorized projects: *Provided further,* That the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to funds provided under this heading: *Provided further,* That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives

Time period.
Reports.
Deadlines.

Deadlines.
Reports.

and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

EXPENSES

For an additional amount for "Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $10,000,000, to remain available until expended to oversee emergency response and recovery activities: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this division.

Deadlines. Reports.

GENERAL PROVISION—THIS CHAPTER

Applicability.

SEC. 1041. This chapter shall apply in place of title II of this division, and such title shall have no force or effect.

CHAPTER 5

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

For an additional amount to be deposited in the "Federal Buildings Fund", $7,000,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy, for basic repair and alteration of buildings under the custody and control of the Administrator of General Services, and real property management and related activities not otherwise provided for: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

Applicability.

The provisions under this heading in title III of this division shall be applied by substituting "$20,000,000" for "$10,000,000".

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $5,000,000, to remain available until expended: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous

Applicability.

provisions under this heading in title III of this division, and such previous provisions shall have no force or effect.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, $520,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That in addition, for administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, an additional $260,000,000 to remain available until expended, of which $250,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses, and of which $10,000,000 is for indirect administrative expenses for the direct loan program, which may to be transferred to and merged with appropriations for Salaries and Expenses: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title III of this division, and such previous provisions shall have no force or effect. Applicability.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $1,667,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this division. Submission. Deadline.

UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $855,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property Submission. Deadline.

to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this division.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $300,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this division.

Submission. Deadline.

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

Applicability.

The provisions under this heading in title IV of this division shall be applied by substituting "$274,233,000" for "$143,899,000".

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Disaster Relief Fund" in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $11,487,735,000, to remain available until expended: *Provided*, That of the total amount provided, $5,379,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That of the total amount provided, $6,108,735,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 which shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That of the total amount provided, $3,000,000 shall be transferred to the Department of Homeland Security "Office of Inspector General" for audits and investigations related to disasters: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency's website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and

Web posting. Deadline. Grants.

Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's website the following: the name of the impacted state and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricane Sandy, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this division, and shall publish on the Agency's website not later than 10 days after the first day of each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month beginning after the date of enactment of this division, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 112–74: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title IV of this division, and such previous provisions shall have no force or effect.

Deadline.
Web posting.

Deadline.
Cost estimate.

Deadlines.
Effective date.
Web posting.
Cost estimate.

Deadline.
Effective date.
Web posting.
Reports.

Applicability.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for "Disaster Assistance Direct Loan Program Account" for the cost of direct loans, $300,000,000, to remain available until expended, as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), of which up to $4,000,000 is for administrative expenses to carry out the direct loan program: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $400,000,000: *Provided further*, That these amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

The provisions under this heading in title IV of this division shall be applied by substituting "$3,249,000" and "September 30, 2014" for "$585,000" and "September 30, 2013", respectively.

Applicability.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

CONSTRUCTION

Applicability.

The provisions under this heading in title V of this division shall be applied by substituting "$78,000,000 (reduced by $9,800,000)" for "$49,875,000": *Provided*, That none of the funds made available under such heading in title V may be used to repair seawalls or buildings on islands in the Stewart B. McKinney National Wildlife Refuge.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Sandy, $50,000,000, to remain available until September 30, 2015, including costs to States necessary to complete compliance activities required by section 106 of the National Historic Preservation Act and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

Applicability.

The provisions under this heading in title V of this division shall be applied by substituting "$348,000,000" for "$234,000,000".

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Departmental Operations" and any Department of the Interior component bureau or office for necessary expenses related to the consequences of Hurricane Sandy, $360,000,000, to remain available until expended: *Provided*, That funds appropriated herein shall be used to restore and rebuild national parks, national wildlife refuges, and other Federal public assets; increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That the Secretary of the Interior may transfer these funds to any other account in the Department and may expend such funds by direct expenditure, grants, or cooperative agreements, including grants to or cooperative agreements with States, Tribes, and municipalities, to

carry out the purposes provided herein: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan for the amounts provided herein within 60 days of enactment of this division: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Spending plan. Deadline.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for "Environmental Programs and Management" for necessary expenses related to the consequences of Hurricane Sandy, $725,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for "Hazardous Substance Superfund" for necessary expenses related to the consequences of Hurricane Sandy, $2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK FUND

For an additional amount for "Leaking Underground Storage Tank Fund" for necessary expenses related to the consequences of Hurricane Sandy, $5,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for "State and Tribal Assistance Grants", $600,000,000, to remain available until expended, of which $500,000,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which $100,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States in EPA Region 2 for wastewater and drinking water treatment works and facilities impacted by Hurricane Sandy: *Provided further*, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act, for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent of the amount of its capitalization grants to provide

additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the funds appropriated herein shall only be used for eligible projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to $1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for "Capital Improvement and Maintenance" for necessary expenses related to the consequences of Hurricane Sandy, $4,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER RELATED AGENCY

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, $2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 8

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFERS OF FUNDS)

Time period.

For an additional amount for "Training and Employment Services", $25,000,000, for the dislocated workers assistance national

reserve for necessary expenses directly related to Hurricane Sandy, which shall be available from the date of enactment of this division through September 30, 2013: *Provided,* That the Secretary of Labor may transfer up to $3,500,000 of such funds to any other Department of Labor account for other Hurricane Sandy reconstruction and recovery needs, including worker protection activities: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" for disaster response and recovery, and other expenses directly related to Hurricane Sandy, including making payments under the Head Start Act and additional payments for distribution as provided for under the "Social Services Block Grant Program", $800,000,000, to remain available until September 30, 2015: *Provided,* That $100,000,000 shall be transferred to "Children and Families Services Programs" for the Head Start program for the purposes provided herein: *Provided further,* That $500,000,000 shall be transferred to "Social Services Block Grant" for the purposes provided herein: *Provided further,* That section 2002(c) of the Social Security Act shall be applied to funds appropriated in the preceding proviso by substituting "succeeding 2 fiscal years" for "succeeding fiscal year": *Provided further,* That not less than $5,000,000 shall be transferred to the Department of Health and Human Services ("HHS") "Office of Inspector General" to perform oversight, accountability, and evaluation of programs, projects, or activities supported with the funds provided for the purposes provided herein: *Provided further,* That notwithstanding any other provision of law, the distribution of any amount shall be limited to the States directly affected by Hurricane Sandy and which have been declared by the President as a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Hurricane Sandy: *Provided further,* That none of the funds appropriated in this paragraph shall be included in the calculation of the "base grant" in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of the Head Start Act: *Provided further,* That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further,* That funds appropriated in this paragraph for the Social Services Block Grant are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: *Provided further,* That in addition to other uses permitted by title XX of the Social Security Act, funds appropriated in this paragraph for the Social Services Block Grant may be used for health services (including mental health services), and for costs of renovating, repairing, or rebuilding health care facilities, child care facilities, or other social services facilities:

Applicability.

Provided further, That the remaining $195,000,000 appropriated in this paragraph may be transferred by the Secretary of HHS ("Secretary") to accounts within HHS, and shall be available only for the purposes provided in this paragraph: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act: *Provided further,* That 15 days prior to the transfer of funds appropriated in this paragraph, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: *Provided further,* That obligations incurred for the purposes provided herein prior to the date of enactment of this division may be charged to funds appropriated by this paragraph: *Provided further,* That funds appropriated in this paragraph and transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricane Sandy shall be used to award grants or contracts for such purpose under section 404I of the Public Health Service Act: *Provided further,* That section 481A(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: *Provided further,* That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title VI of this division, and such previous provisions shall have no force or effect.

Time period. Notification.

Grants. Contracts.

Applicability.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for "Facilities and Equipment", $30,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of Hurricane Sandy: *Provided,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for the "Emergency Relief Program" as authorized under section 125 of title 23, United States Code, $2,022,000,000, to remain available until expended: *Provided*, That

the obligations for projects under this section resulting from a single natural disaster or a single catastrophic failure in a State shall not exceed $100,000,000, and the total obligations for projects under this section in any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not exceed $20,000,000: *Provided further,* That notwithstanding the preceding proviso, the Secretary of Transportation may obligate more than $100,000,000, but not more than $500,000,000, for a single natural disaster event in a State for emergency relief projects arising from damage caused in calendar year 2012 by Hurricane Sandy: *Provided further,* That no funds provided in this division shall be used for section 125(g) of such title: *Provided further,* That the amount provided under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for "Grants to the National Railroad Passenger Corporation" for the Secretary of Transportation to make capital and debt service grants to the National Railroad Passenger Corporation to advance capital projects that address Northeast Corridor infrastructure recovery and resiliency in the affected areas, $86,000,000, to remain available until expended: *Provided*, That none of the funds may be used to subsidize operating losses of the Corporation: *Provided further,* That as a condition of eligibility for receipt of such funds, the Corporation shall not, after the enactment of this division, use any funds provided for Capital and Debt Service Grants to the National Railroad Passenger Corporation in this division or any other Act for operating expenses, which includes temporary transfers of such funds: *Provided further*, That the Administrator of the Federal Railroad Administration may retain up to one-half of 1 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading: *Provided further,* That for an additional amount for the Secretary to make operating subsidy grants to the National Railroad Passenger Corporation for necessary repairs related to the consequences of Hurricane Sandy, $32,000,000, to remain available until expended: *Provided further,* That each amount under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the "Public Transportation Emergency Relief Program" as authorized under section 5324 of title 49, United States Code, $10,900,000,000, to remain available until expended, for recovery and relief efforts in the areas most affected by Hurricane Sandy:

Deadline.

Provided, That not more than $2,000,000,000 shall be made available not later than 60 days after the enactment of this division: *Provided further,* That the remainder of the funds shall be made available only after the Federal Transit Administration and the Federal Emergency Management Agency sign the Memorandum of Agreement required by section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141) and the Federal Transit Administration publishes interim regulations for the Public Transportation Emergency Relief Program: *Provided further,* That of the funds provided under this heading, the Secretary of Transportation may transfer up to $5,383,000,000 to the appropriate agencies to fund programs authorized under titles 23 and 49, United States Code, in order to carry out projects related to reducing risk of damage from future disasters in areas impacted by Hurricane Sandy: *Provided further,* That the Committees on Appropriations of the House of Representatives and the Senate shall be notified at least 15 days in advance of any such transfer: *Provided further,* That up to three-quarters of 1 percent of the funds retained for public transportation emergency relief shall be available for the purposes of administrative expenses and ongoing program management oversight as authorized under 49 U.S.C. 5334 and 5338(i)(2) and shall be in addition to any other appropriations for such purposes: *Provided further,* That, of the funds made available under this heading, $6,000,000 shall be transferred to the Office of Inspector General to support the oversight of activities funded under this heading: *Provided further,* That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Memorandum.
Publication.
Regulations.

Notification.
Time period.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Community Development Fund", $16,000,000,000, to remain available until September 30, 2017, for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013, for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided,* That funds shall be awarded directly to the State or unit of general local government as a grantee at the discretion of the Secretary of Housing and Urban Development: *Provided further,* That the Secretary shall allocate to grantees not less than 33 percent of the funds provided under this heading within 60 days after the enactment of this division based on the best available data: *Provided further,* That prior to the obligation of funds, a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery

Grants.

Grants.
Deadline.

Plans.
Criteria.

and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further,* That the Secretary shall by notice specify the criteria for approval of such plans within 45 days of enactment of this division: *Provided further,* That if the Secretary determines that a plan does not meet such criteria, the Secretary shall disapprove the plan: *Provided further,* That funds provided under this heading may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further,* That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further,* That a grantee may use up to 5 percent of its allocation for administrative costs: *Provided further,* That a grantee shall administer grant funds provided under this heading in accordance with all applicable laws and regulations and may not delegate, by contract or otherwise, the responsibility for administering such grant funds: *Provided further,* That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further,* That the Secretary shall provide grantees with technical assistance on contracting and procurement processes and shall require grantees, in contracting or procuring these funds, to incorporate performance requirements and penalties into any such contracts or agreements: *Provided further,* That the Secretary shall require grantees to maintain on a public website information accounting for how all grant funds are used, including details of all contracts and ongoing procurement processes: *Provided further,* That, in administering the funds under this heading, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) pursuant to a determination by the Secretary that good cause exists for the waiver or alternative requirement and that such action is not inconsistent with the overall purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided further,* That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further,* That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release

Notice.
Deadline.
Determination.
Grants.
Grants.
Certification.
Contracts.
Public information.
Web posting.
Grants.
Contracts.
Waiver authority.

of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further,* That a waiver granted by the Secretary may not reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income to less than 50 percent, unless the Secretary specifically finds that there is a compelling need to further reduce or eliminate the percentage requirement: *Provided further,* That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further,* That, of the funds made available under this heading, up to $10,000,000 may be transferred to "Program Office Salaries and Expenses, Community Planning and Development" for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: *Provided further,* That of the funds made available under this heading, $10,000,000 shall be transferred to "Office of the Inspector General" for necessary costs of overseeing and auditing funds made available under this heading: *Provided further,* That the amounts provided under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Federal Register, publication. Waiver. Deadline.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1091. For fiscal year 2013, upon request by a public housing agency and supported by documentation as required by the Secretary of Housing and Urban Development that demonstrates that the need for the adjustment is due to the disaster, the Secretary may make temporary adjustments to the section 8 housing choice voucher annual renewal funding allocations and administrative fee eligibility determinations for public housing agencies in an area for which the President declared a disaster during such fiscal year under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), to avoid significant adverse funding impacts that would otherwise result from the disaster.

SEC. 1092. The Departments of Transportation and Housing and Urban Development shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of the enactment of this division a plan for implementing the provisions in this chapter, and updates to such plan on a biannual basis thereafter.

Deadlines. Plan.

SEC. 1093. None of the funds provided in this chapter to the Department of Transportation or the Department of Housing and Urban Development may be used to make a grant unless the Secretary of such Department notifies the Committees on Appropriations of the House of Representatives and the Senate not less than 3 full business days before any project, State or locality is selected to receive a grant award totaling $1,000,000 or more is announced by either Department or a modal administration.

Grants. Notification. Time period.

SEC. 1094. This chapter shall apply in place of title VIII of this division, and such title shall have no force or effect. Applicability.

SEC. 1095. The amounts otherwise provided by this division are revised by reducing the amount made available for "Small Business Administration—Disaster Loans Program Account" for administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act (and within such amount, the amount made available for direct administrative expenses of loan making and servicing to carry out such program), and increasing the amount made available for "Department of Veterans Affairs—National Cemetery Administration", by $1,000,000.

SEC. 1096. None of the funds provided in this division shall be used for land acquisition by the Secretary of the Interior or the Secretary of Agriculture.

This division may be cited as the "Disaster Relief Appropriations Act, 2013".

DIVISION B—SANDY RECOVERY IMPROVEMENT ACT OF 2013

Sandy Recovery Improvement Act of 2013.

SEC. 1101. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Sandy Recovery Improvement Act of 2013". 42 USC 5121 note.

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

Sec. 1101. Short title; table of contents.
Sec. 1102. Public assistance program alternative procedures.
Sec. 1103. Federal assistance to individuals and households.
Sec. 1104. Hazard mitigation.
Sec. 1105. Dispute resolution pilot program.
Sec. 1106. Unified Federal review.
Sec. 1107. Simplified procedures.
Sec. 1108. Essential assistance.
Sec. 1109. Individual assistance factors.
Sec. 1110. Tribal requests for a major disaster or emergency declaration under the Stafford Act.
Sec. 1111. Recommendations for reducing costs of future disasters.

SEC. 1102. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) by redesignating the second section 425 (relating to essential service providers) as section 427; and 42 USC 5189e.

(2) by adding at the end the following:

"SEC. 428. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES. 42 USC 5189f.

"(a) APPROVAL OF PROJECTS.—The President, acting through the Administrator of the Federal Emergency Management Agency, may approve projects under the alternative procedures adopted under this section for any major disaster or emergency declared on or after the date of enactment of this section. The Administrator may also apply the alternate procedures adopted under this section to a major disaster or emergency declared before enactment of this Act for which construction has not begun as of the date of enactment of this Act.

"(b) ADOPTION.—The Administrator, in coordination with States, tribal and local governments, and owners or operators of private nonprofit facilities, may adopt alternative procedures to administer assistance provided under sections 403(a)(3)(A), 406, 407, and 502(a)(5).

"(c) GOALS OF PROCEDURES.—The alternative procedures adopted under subsection (a) shall further the goals of—

"(1) reducing the costs to the Federal Government of providing such assistance;

"(2) increasing flexibility in the administration of such assistance;

"(3) expediting the provision of such assistance to a State, tribal or local government, or owner or operator of a private nonprofit facility; and

"(4) providing financial incentives and disincentives for a State, tribal or local government, or owner or operator of a private nonprofit facility for the timely and cost-effective completion of projects with such assistance.

"(d) PARTICIPATION.—Participation in the alternative procedures adopted under this section shall be at the election of a State, tribal or local government, or owner or operator of a private nonprofit facility consistent with procedures determined by the Administrator.

"(e) MINIMUM PROCEDURES.—The alternative procedures adopted under this section shall include the following:

"(1) For repair, restoration, and replacement of damaged facilities under section 406—

"(A) making grants on the basis of fixed estimates, if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible for any actual costs that exceed the estimate;

"(B) providing an option for a State, tribal or local government, or owner or operator of a private nonprofit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of—

"(i) the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal or local government or owner or operator of a private nonprofit facility; and

"(ii) management expenses;

"(C) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal or local government, or owner or operator of a private nonprofit facility as a single project based upon the estimates adopted under the procedures;

"(D) if the actual costs of a project completed under the procedures are less than the estimated costs thereof, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

"(i) cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster; and

"(ii) other activities to improve future Public Assistance operations or planning;

"(E) in determining eligible costs under section 406, the Administrator shall make available, at an applicant's request and where the Administrator or the certified cost

estimate prepared by the applicant's professionally licensed engineers has estimated an eligible Federal share for a project of at least $5,000,000, an independent expert panel to validate the estimated eligible cost consistent with applicable regulations and policies implementing this section; and

"(F) in determining eligible costs under section 406, the Administrator shall, at the applicant's request, consider properly conducted and certified cost estimates prepared by professionally licensed engineers (mutually agreed upon by the Administrator and the applicant), to the extent that such estimates comply with applicable regulations, policy, and guidance.

"(2) For debris removal under sections 403(a)(3)(A), 407, and 502(a)(5)—

"(A) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost-effective completion if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

"(B) using a sliding scale for determining the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

"(C) allowing use of program income from recycled debris without offset to the grant amount;

"(D) reimbursing base and overtime wages for employees and extra hires of a State, tribal or local government, or owner or operator of a private nonprofit facility performing or administering debris and wreckage removal;

"(E) providing incentives to a State or tribal or local government to have a debris management plan approved by the Administrator and have pre-qualified 1 or more debris and wreckage removal contractors before the date of declaration of the major disaster; and

"(F) if the actual costs of projects under subparagraph (A) are less than the estimated costs of the project, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

"(i) debris management planning;

"(ii) acquisition of debris management equipment for current or future use; and

"(iii) other activities to improve future debris removal operations, as determined by the Administrator.

"(f) WAIVER AUTHORITY.—Until such time as the Administrator promulgates regulations to implement this section, the Administrator may—

"(1) waive notice and comment rulemaking, if the Administrator determines the waiver is necessary to expeditiously implement this section; and Determination.

"(2) carry out the alternative procedures under this section as a pilot program.

"(g) OVERTIME PAYMENTS.—The guidelines for reimbursement for costs under subsection (e)(2)(D) shall ensure that no State or local government is denied reimbursement for overtime payments Guidelines.

that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

"(h) REPORT.—

"(1) IN GENERAL.—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this section, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the alternative procedures for the repair, restoration, and replacement of damaged facilities under section 406 authorized under this section.

"(2) CONTENTS.—The report shall contain an assessment of the effectiveness of the alternative procedures, including—

"(A) whether the alternative procedures helped to improve the general speed of disaster recovery;

"(B) the accuracy of the estimates relied upon;

"(C) whether the financial incentives and disincentives were effective;

"(D) whether the alternative procedures were cost effective;

"(E) whether the independent expert panel described in subsection (e)(1)(E) was effective; and

"(F) recommendations for whether the alternative procedures should be continued and any recommendations for changes to the alternative procedures.".

SEC. 1103. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)) is amended—

(1) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(2) by inserting after clause (i) the following:

"(ii) LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.—

President. Determination.

"(I) IN GENERAL.—The President, to the extent the President determines it would be a cost-effective alternative to other temporary housing options, may—

"(aa) enter into lease agreements with owners of multifamily rental property located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and

"(bb) make repairs or improvements to properties under such lease agreements, to the extent necessary to serve as safe and adequate temporary housing.

"(II) IMPROVEMENTS OR REPAIRS.—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs—

"(aa) shall be deducted from the value of the lease agreement; and

"(bb) may not exceed the value of the lease agreement."; and

(3) in clause (iv) (as so redesignated) by striking "clause (ii)" and inserting "clause (iii)".

SEC. 1104. HAZARD MITIGATION.

(a) STREAMLINED PROCEDURES; ADVANCE ASSISTANCE.—Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

"(d) STREAMLINED PROCEDURES.—

"(1) IN GENERAL.—For the purpose of providing assistance under this section, the President shall ensure that— President.

"(A) adequate resources are devoted to ensure that applicable environmental reviews under the National Environmental Policy Act of 1969 and historic preservation reviews under the National Historic Preservation Act are completed on an expeditious basis; and

"(B) the shortest existing applicable process under the National Environmental Policy Act of 1969 and the National Historic Preservation Act is utilized.

"(2) AUTHORITY FOR OTHER EXPEDITED PROCEDURES.—The President may utilize expedited procedures in addition to those required under paragraph (1) for the purpose of providing assistance under this section, such as procedures under the Prototype Programmatic Agreement of the Federal Emergency Management Agency, for the consideration of multiple structures as a group and for an analysis of the cost-effectiveness and fulfillment of cost-share requirements for proposed hazard mitigation measures.

"(e) ADVANCE ASSISTANCE.—The President may provide not more than 25 percent of the amount of the estimated cost of hazard mitigation measures to a State grantee eligible for a grant under this section before eligible costs are incurred.".

(b) ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.—Section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(c)(2)) is amended by inserting after "applications submitted under paragraph (1)." the following: "Until such time as the Administrator promulgates regulations to implement this paragraph, the Administrator may waive notice and comment rulemaking, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program.". Regulations. Waiver authority. Determination.

(c) APPLICABILITY.—The authority under the amendments made by this section shall apply to— 42 USC 5170c note.

(1) any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after the date of enactment of this division; and

(2) a major disaster or emergency declared under that Act before the date of enactment of this division for which the period for processing requests for assistance has not ended as of the date of enactment of this division.

SEC. 1105. DISPUTE RESOLUTION PILOT PROGRAM.

(a) DEFINITIONS.—In this section, the following definitions apply: 42 USC 5189a note.

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(2) ELIGIBLE ASSISTANCE.—The term "eligible assistance" means assistance—

(A) under section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173);

(B) for which the legitimate amount in dispute is not less than $1,000,000, which sum the Administrator shall adjust annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor;

(C) for which the applicant has a non-Federal share; and

(D) for which the applicant has received a decision on a first appeal.

(b) PROCEDURES.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, and in order to facilitate an efficient recovery from major disasters, the Administrator shall establish procedures under which an applicant may request the use of alternative dispute resolution, including arbitration by an independent review panel, to resolve disputes relating to eligible assistance.

(2) BINDING EFFECT.—A decision by an independent review panel under this section shall be binding upon the parties to the dispute.

(3) CONSIDERATIONS.—The procedures established under this section shall—

(A) allow a party of a dispute relating to eligible assistance to request an independent review panel for the review;

(B) require a party requesting an independent review panel as described in subparagraph (A) to agree to forgo rights to any further appeal of the dispute relating to any eligible assistance;

(C) require that the sponsor of an independent review panel for any alternative dispute resolution under this section be—

(i) an individual or entity unaffiliated with the dispute (which may include a Federal agency, an administrative law judge, or a reemployed annuitant who was an employee of the Federal Government) selected by the Administrator; and

(ii) responsible for identifying and maintaining an adequate number of independent experts qualified to review and resolve disputes under this section;

(D) require an independent review panel to—

(i) resolve any remaining disputed issue in accordance with all applicable laws, regulations, and Agency interpretations of those laws through its published policies and guidance;

(ii) consider only evidence contained in the administrative record, as it existed at the time at which the Agency made its initial decision;

(iii) only set aside a decision of the Agency found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; and

(iv) in the case of a finding of material fact adverse to the claimant made on first appeal, only set aside

or reverse such finding if the finding is clearly erroneous;

(E) require an independent review panel to expeditiously issue a written decision for any alternative dispute resolution under this section; and

(F) direct that if an independent review panel for any alternative dispute resolution under this section determines that the basis upon which a party submits a request for alternative dispute resolution is frivolous, the independent review panel shall direct the party to pay the reasonable costs to the Federal Emergency Management Agency relating to the review by the independent review panel. Any funds received by the Federal Emergency Management Agency under the authority of this section shall be deposited to the credit of the appropriation or appropriations available for the eligible assistance in dispute on the date on which the funds are received.

(c) SUNSET.—A request for review by an independent review panel under this section may not be made after December 31, 2015.

(d) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the termination of authority under this section under subsection (c), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report analyzing the effectiveness of the program under this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) a determination of the availability of data required to complete the report;

(B) an assessment of the effectiveness of the program under this section, including an assessment of whether the program expedited or delayed the disaster recovery process;

(C) an assessment of whether the program increased or decreased costs to administer section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(D) an assessment of the procedures and safeguards that the independent review panels established to ensure objectivity and accuracy, and the extent to which they followed those procedures and safeguards;

(E) a recommendation as to whether any aspect of the program under this section should be made a permanent authority; and

(F) recommendations for any modifications to the authority or the administration of the authority under this section in order to improve the disaster recovery process.

SEC. 1106. UNIFIED FEDERAL REVIEW.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by this division) is further amended by adding at the end the following:

42 USC 5189g.

"SEC. 429. UNIFIED FEDERAL REVIEW.

Deadline. Consultation. President.

"(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, and in consultation with the Council on Environmental Quality and the Advisory Council on Historic Preservation, the President shall establish an expedited and unified interagency review process to ensure compliance with environmental and historic requirements under Federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.

"(b) CONTENTS.—The review process established under this section shall include mechanisms to expeditiously address delays that may occur during the recovery from a major disaster and be updated, as appropriate, consistent with applicable law.".

SEC. 1107. SIMPLIFIED PROCEDURES.

Section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189) is amended—

(1) by striking "If the Federal estimate" and inserting "(a) IN GENERAL.—If the Federal estimate";

(2) by inserting "(or, if the Administrator has established a threshold under subsection (b), the amount established under subsection (b))" after "$35,000" the first place it appears;

(3) by inserting "or, if applicable, the amount established under subsection (b)," after "$35,000 amount" the second place it appears; and

(4) by adding at the end the following:

President.

"(b) THRESHOLD.—

"(1) REPORT.—Not later than 1 year after the date of enactment of this subsection, the President, acting through the Administrator of the Federal Emergency Management Agency (in this section referred to as the 'Administrator'), shall—

Analysis.

"(A) complete an analysis to determine whether an increase in the threshold for eligibility under subsection (a) is appropriate, which shall include consideration of cost-effectiveness, speed of recovery, capacity of grantees, past performance, and accountability measures; and

"(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the analysis conducted under subparagraph (A).

Deadlines.

"(2) AMOUNT.—After the Administrator submits the report required under paragraph (1), the President shall direct the Administrator to—

"(A) immediately establish a threshold for eligibility under this section in an appropriate amount, without regard to chapter 5 of title 5, United States Code; and

"(B) adjust the threshold annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor.

"(3) REVIEW.—Not later than 3 years after the date on which the Administrator establishes a threshold under paragraph (2), and every 3 years thereafter, the President, acting through the Administrator, shall review the threshold for eligibility under this section.".

SEC. 1108. ESSENTIAL ASSISTANCE.

(a) OTHER NEEDS ASSISTANCE.—Section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)) is amended—

(1) in the paragraph heading by inserting "CHILD CARE," after "DENTAL,"; and

(2) by inserting "child care," after "dental,".

(b) SALARIES AND BENEFITS.—Section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b) is amended by adding at the end the following:

"(d) SALARIES AND BENEFITS.—

"(1) IN GENERAL.—If the President declares a major disaster or emergency for an area within the jurisdiction of a State, tribal, or local government, the President may reimburse the State, tribal, or local government for costs relating to—

"(A) basic pay and benefits for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section, if—

"(i) the work is not typically performed by the employees; and

"(ii) the type of work may otherwise be carried out by contract or agreement with private organizations, firms, or individuals.; or

"(B) overtime and hazardous duty compensation for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section.

"(2) OVERTIME.—The guidelines for reimbursement for costs under paragraph (1) shall ensure that no State, tribal, or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.). Guidelines.

"(3) NO EFFECT ON MUTUAL AID PACTS.—Nothing in this subsection shall affect the ability of the President to reimburse labor force expenses provided pursuant to an authorized mutual aid pact.".

SEC. 1109. INDIVIDUAL ASSISTANCE FACTORS.

Deadline. Review. Regulations. 42 USC 5170 note.

In order to provide more objective criteria for evaluating the need for assistance to individuals, to clarify the threshold for eligibility and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this division, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

SEC. 1110. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) MAJOR DISASTER REQUESTS.—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking "All requests for a declaration" and inserting "(a) IN GENERAL.—All requests for a declaration"; and

(2) by adding at the end the following:

"(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

"(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

"(2) REFERENCES.—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

"(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

President.

"(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.—

Waiver authority.

"(1) IN GENERAL.—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

"(A) the President has the authority to waive or adjust the payment under another provision of this title; and

"(B) the President determines that the waiver or adjustment is necessary and appropriate.

"(2) CRITERIA FOR MAKING DETERMINATIONS.—The President shall establish criteria for making determinations under paragraph (1)(B).".

(b) EMERGENCY REQUESTS.—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

"(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

"(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

"(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

"(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.".

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking "; and" and inserting ", that is not an Indian tribal government as defined in paragraph (6); and";

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

"(6) INDIAN TRIBAL GOVERNMENT.—The term 'Indian tribal government' means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).''; and

(4) by adding at the end the following:

"(12) CHIEF EXECUTIVE.—The term 'Chief Executive' means the person who is the Chief, Chairman, Governor, President, or similar executive official of an Indian tribal government.".

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following:

"SEC. 103. REFERENCES. 42 USC 5123.

"Except as otherwise specifically provided, any reference in this Act to 'State and local', 'State or local', 'State, and local', 'State, or local', or 'State, local' (including plurals) with respect to governments or officials and any reference to a 'local government' in sections 406(d)(3) and 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.".

(e) REGULATIONS.— President. 42 USC 5122 note.

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.

SEC. 1111. RECOMMENDATIONS FOR REDUCING COSTS OF FUTURE DISASTERS.

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this division, the Administrator of the Federal Emergency Management Agency shall submit to Congress recommendations for the development of a national strategy for reducing future costs, loss of life, and injuries associated with extreme disaster events in vulnerable areas of the United States.

(b) NATIONAL STRATEGY.—The national strategy should—

(1) respect the constitutional role and responsibilities of Federal, State, and local governments and the private sector;

(2) consider the vulnerability of the United States to damage from flooding, severe weather events, and other hazards;

(3) analyze gaps and duplication of emergency preparedness, response, recovery, and mitigation measures provided by Federal, State, and local entities; and

(4) include recommendations on how to improve the resiliency of local communities and States for the purpose of lowering future costs of disaster response and recovery.

Approved January 29, 2013.

LEGISLATIVE HISTORY—H.R. 152:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Jan. 15, considered and passed House.
Jan. 28, considered and passed Senate.

Public Law 113–3
113th Congress

An Act

To ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Feb. 4, 2013
[H.R. 325]

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

No Budget, No Pay Act of 2013.
2 USC 31 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Budget, No Pay Act of 2013".

31 USC 3101 note.
Time period.

SEC. 2. TEMPORARY SUSPENSION OF DEBT CEILING.

(a) SUSPENSION.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on May 18, 2013.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING SUSPENSION PERIOD.—Effective May 19, 2013, the limitation in section 3101(b) of title 31, United States Code, as increased by section 3101A of such title, is increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on May 19, 2013, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

An obligation shall not be taken into account under paragraph (1) unless the issuance of such obligation was necessary to fund a commitment incurred by the Federal Government that required payment before May 19, 2013.

2 USC 31 note.

SEC. 3. HOLDING SALARIES OF MEMBERS OF CONGRESS IN ESCROW UPON FAILURE TO AGREE TO BUDGET RESOLUTION.

(a) HOLDING SALARIES IN ESCROW.—

Deadline.

(1) IN GENERAL.—If by April 15, 2013, a House of Congress has not agreed to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974, during the period described in paragraph (2) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(2) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this paragraph is the period which begins on April 16, 2013, and ends on the earlier of—

(A) the day on which the House of Congress agrees to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974; or

(B) the last day of the One Hundred Thirteenth Congress.

(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator shall provide for the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) that would apply to the payment if the payment were not subject to paragraph (1).

(4) RELEASE OF AMOUNTS AT END OF THE CONGRESS.—In order to ensure that this section is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the twenty-seventh article of amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Thirteenth Congress.

(5) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this section.

(b) TREATMENT OF DELEGATES AS MEMBERS.—In this section, the term "Member" includes a Delegate or Resident Commissioner to the Congress.

(c) PAYROLL ADMINISTRATOR DEFINED.—In this section, the "payroll administrator" of a House of Congress means—

(1) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section; and

(2) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section.

Approved February 4, 2013.

LEGISLATIVE HISTORY—H.R. 325:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Jan. 23, considered and passed House.
Jan. 31, considered and passed Senate.

Public Law 113–4
113th Congress

An Act

Mar. 7, 2013
[S. 47]

To reauthorize the Violence Against Women Act of 1994.

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

Violence Against Women Reauthorization Act of 2013.
42 USC 13701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.
Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.
Sec. 802. Annual report on immigration applications made by victims of abuse.
Sec. 803. Protection for children of VAWA self-petitioners.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
Sec. 910. Special rule for the State of Alaska.

TITLE X—SAFER ACT

Sec. 1001. Short title.
Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.
Sec. 1003. Reports to Congress.
Sec. 1004. Reducing the rape kit backlog.
Sec. 1005. Oversight and accountability.
Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

Sec. 1101. Sexual abuse in custodial settings.
Sec. 1102. Anonymous online harassment.
Sec. 1103. Stalker database.
Sec. 1104. Federal victim assistants reauthorization.
Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

Sec. 1201. Regional strategies for combating trafficking in persons.
Sec. 1202. Partnerships against significant trafficking in persons.
Sec. 1203. Protection and assistance for victims of trafficking.

Sec. 1204. Minimum standards for the elimination of trafficking.
Sec. 1205. Best practices in trafficking in persons eradication.
Sec. 1206. Protections for domestic workers and other nonimmigrants.
Sec. 1207. Prevention of child marriage.
Sec. 1208. Child soldiers.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

Sec. 1211. Criminal trafficking offenses.
Sec. 1212. Civil remedies; clarifying definition.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

Sec. 1221. Protections for trafficking victims who cooperate with law enforcement.
Sec. 1222. Protection against fraud in foreign labor contracting.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

Sec. 1231. Reporting requirements for the Attorney General.
Sec. 1232. Reporting requirements for the Secretary of Labor.
Sec. 1233. Information sharing to combat child labor and slave labor.
Sec. 1234. Government training efforts to include the Department of Labor.
Sec. 1235. GAO report on the use of foreign labor contractors.
Sec. 1236. Accountability.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

Sec. 1241. Assistance for domestic minor sex trafficking victims.
Sec. 1242. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
Sec. 1243. Model State criminal law protection for child trafficking victims and survivors.

Subtitle C—Authorization of Appropriations

Sec. 1251. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.
Sec. 1252. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

Subtitle D—Unaccompanied Alien Children

Sec. 1261. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
Sec. 1262. Appointment of child advocates for unaccompanied minors.
Sec. 1263. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.
Sec. 1264. GAO study of the effectiveness of border screenings.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;

(B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;

(D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;

(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

"(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).";

(4) in paragraph (3), as redesignated, by striking "serious harm." and inserting "serious harm to an unemancipated minor.";

(5) in paragraph (4), as redesignated, by striking "The term" through "that—" and inserting "The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—";

(6) by inserting after paragraph (5), as redesignated, the following:

"(6) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).

"(7) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.";

(7) in paragraph (8), as redesignated, by inserting "or intimate partner" after "former spouse" and "as a spouse";

(8) by inserting after paragraph (11), as redesignated, the following:

"(12) HOMELESS.—The term 'homeless' has the meaning provided in section 41403(6).";

(9) in paragraph (18), as redesignated, by inserting "or Village Public Safety Officers" after "governmental victim services programs";

(10) in paragraph (19), as redesignated, by inserting at the end the following:

"Intake or referral, by itself, does not constitute legal assistance.";

(11) by inserting after paragraph (19), as redesignated, the following:

"(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

"(A) a first and last name;

"(B) a home or other physical address;

"(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

"(D) a social security number, driver license number, passport number, or student identification number; and

"(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

"(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

"(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.";

(12) in paragraph (23), as redesignated, by striking "services" and inserting "assistance";

(13) by inserting after paragraph (24), as redesignated, the following:

"(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.";

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking "or" after the semicolon;

(B) in subparagraph (B), by striking the period and inserting "; or"; and

(C) by inserting at the end the following:

"(C) any federally recognized Indian tribe.";

(15) in paragraph (27), as redesignated—

(A) by striking "52" and inserting "57"; and

(B) by striking "150,000" and inserting "250,000";

(16) by inserting after paragraph (27), as redesignated, the following:

"(28) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

"(29) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.";

(17) by inserting after paragraph (34), as redesignated, the following:

"(35) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

"(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

"(B) is comprised of board and general members that are representative of—

"(i) the member service providers described in subparagraph (A); and

"(ii) the tribal communities in which the services are being provided.";

(18) by inserting after paragraph (38), as redesignated, the following:

"(39) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

"(40) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State."; and

(19) by inserting after paragraph (42), as redesignated, the following:

"(43) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

"(44) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

"(45) YOUTH.—The term 'youth' means a person who is 11 to 24 years old.".

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

"(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

"(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.";

(B) by amending subparagraph (D), to read as follows:

"(D) INFORMATION SHARING.—

"(i) Grantees and subgrantees may share—

"(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

"(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

"(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

"(ii) In no circumstances may—

"(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

"(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.";

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

"(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved."; and

(E) by inserting after subparagraph (F), as redesignated, the following:

"(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.";

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

"(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.";

(3) in paragraph (7), by inserting at the end the following: "Final reports of such evaluations shall be made available to the public via the agency's website."; and

Reports. Public information. Web posting.

(4) by inserting after paragraph (11) the following:

"(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

"(13) CIVIL RIGHTS.—

"(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

"(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

"(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

"(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

"(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

"(15) CONFERRAL.—

"(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

"(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

"(i) the administration of grants;

"(ii) unmet needs;

"(iii) promising practices in the field; and

"(iv) emerging trends.

Deadline.

"(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

"(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

"(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

Public information. Web posting.

"(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

"(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

Time periods. Effective date.

"(A) AUDIT REQUIREMENT.—

"(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.

"(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized

grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

"(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

"(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

"(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

"(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

"(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

"(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

"(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

"(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

"(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

Public information.

"(C) CONFERENCE EXPENDITURES.—

"(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any

individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

"(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

"(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

"(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

"(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

"(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

"(iii) all reimbursements required under subparagraph (A)(v) have been made; and

"(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.".

18 USC 2261 note.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking "$225,000,000 for each of fiscal years 2007 through 2011" and inserting "$222,000,000 for each of fiscal years 2014 through 2018";

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

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

(i) by striking "equipment" and inserting "resources"; and

(ii) by inserting "for the protection and safety of victims," after "women,";

(B) in paragraph (1), by striking "sexual assault" and all that follows through "dating violence" and inserting "domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))";

(C) in paragraph (2), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking";

(D) in paragraph (3), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims";

(E) in paragraph (4)—

(i) by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking"; and

(ii) by inserting ", classifying," after "identifying";

(F) in paragraph (5)—

(i) by inserting "and legal assistance" after "victim services";

(ii) by striking "domestic violence and dating violence" and inserting "domestic violence, dating violence, and stalking"; and

(iii) by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking";

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking";

(I) in paragraph (7), as redesignated by subparagraph (G), by striking "and dating violence" and inserting "dating violence, and stalking";

(J) in paragraph (9), as redesignated by subparagraph (G), by striking "domestic violence or sexual assault" and inserting " domestic violence, dating violence, sexual assault, or stalking";

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking "triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized" and inserting "the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases"; and

(ii) by striking "and" at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking "to provide" and inserting "providing";

(ii) by striking "nonprofit nongovernmental";

(iii) by striking the comma after "local governments";

(iv) in the matter following subparagraph (C), by striking "paragraph (14)" and inserting "paragraph (13)"; and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

"(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

"(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

"(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

"(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

"(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

"(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

"(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.";

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking "nonprofit nongovernmental victim service programs" and inserting "victim service providers";

(B) in subsection (b)(6), by striking "(not including populations of Indian tribes)";

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

Plans. Consultation.

"(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

"(A) the State sexual assault coalition;

"(B) the State domestic violence coalition;
"(C) the law enforcement entities within the State;
"(D) prosecution offices;
"(E) State and local courts;
"(F) Tribal governments in those States with State or federally recognized Indian tribes;
"(G) representatives from underserved populations, including culturally specific populations;
"(H) victim service providers;
"(I) population specific organizations; and
"(J) other entities that the State or the Attorney General identifies as needed for the planning process;";

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

"(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).";

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking "and not less than 25 percent shall be allocated for prosecutors";

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

"(B) not less than 25 percent shall be allocated for prosecutors;"; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking "for" and inserting "to"; and

(v) by adding at the end the following:

"(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship."; Deadlines.

(D) by striking subsection (d) and inserting the following:

"(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

"(1) the certifications of qualification required under subsection (c);

"(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

"(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

"(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

"(5) an implementation plan required under subsection (i); and

"(6) any other documentation that the Attorney General may require.";

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking "domestic violence and sexual assault" and inserting "domestic violence, dating violence, sexual assault, and stalking"; and

(II) in subparagraph (D), by striking "linguistically and"; and

(ii) by adding at the end the following:

"(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.";

(F) in subsection (f), by striking the period at the end and inserting ", except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects."; and

(G) by adding at the end the following:

"(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

"(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

"(2) submit to the Attorney General—

"(A) the implementation plan developed under paragraph (1);

"(B) documentation from each member of the planning committee as to their participation in the planning process;

"(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

"(i) the need for the grant funds;

"(ii) the intended use of the grant funds;

"(iii) the expected result of the grant funds; and

"(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

"(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed

to promote the safety, confidentiality, and economic independence of victims;

"(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

"(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

"(G) goals and objectives for reducing domestic violence-related homicides within the State; and

"(H) any other information requested by the Attorney General.

"(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

"(1) funds from a subgrant awarded under this part are returned to the State; or

"(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)";

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

"(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

"(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.";

Notification.

(B) in subsection (b)—

(i) in paragraph (1), by inserting "or" after the semicolon;

(ii) in paragraph (2), by striking "; or" and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

"(d) NONCOOPERATION.—

"(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

Compliance.

"(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section."; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting "modification, enforcement, dismissal, withdrawal" after "registration," each place it appears;

(B) by inserting ", dating violence, sexual assault, or stalking" after "felony domestic violence"; and

(C) by striking "victim of domestic violence" and all that follows through "sexual assault" and inserting "victim of domestic violence, dating violence, sexual assault, or stalking".

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking "States," and all that follows through "units of local government" and inserting "grantees";

(ii) in paragraph (1), by inserting "and enforcement of protection orders across State and tribal lines" before the period;

(iii) in paragraph (2), by striking "and training in police departments to improve tracking of cases" and inserting "data collection systems, and training in police departments to improve tracking of cases and classification of complaints";

(iv) in paragraph (4), by inserting "and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking" after "computer tracking systems";

(v) in paragraph (5), by inserting "and other victim services" after "legal advocacy service programs";

(vi) in paragraph (6), by striking "judges" and inserting "Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel";

(vii) in paragraph (8), by striking "and sexual assault" and inserting "dating violence, sexual assault, and stalking";

(viii) in paragraph (10), by striking "non-profit, non-governmental victim services organizations," and inserting "victim service providers, staff from population specific organizations,"; and

(ix) by adding at the end the following:

"(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

"(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

"(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual

assault, and stalking, including the appropriate treatment of victims.

"(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

"(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

"(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

"(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

"(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

"(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

"(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

"(B) identifying and managing high-risk offenders; and

"(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.";

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting "except for a court," before "certify"; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting "except for a court," before "demonstrate";

(iii) in paragraph (3)—

(I) by striking "spouses" each place it appears and inserting "parties"; and

(II) by striking "spouse" and inserting "party";

(iv) in paragraph (4)—

(I) by inserting ", dating violence, sexual assault, or stalking" after "felony domestic violence";

(II) by inserting "modification, enforcement, dismissal," after "registration," each place it appears;

(III) by inserting "dating violence," after "victim of domestic violence,"; and

(IV) by striking "and" at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking ", not later than 3 years after January 5, 2006";

(II) by inserting ", trial of, or sentencing for" after "investigation of" each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking "subparagraph (A)" and inserting "clause (i)"; and

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

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking "grantees are States" and inserting the following: "grantees are—

"(1) States"; and

(viii) by adding at the end the following:

"(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).";

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ", policy," after "law"; and

(II) in subparagraph (A), by inserting "and the defendant is in custody or has been served with the information or indictment" before the semicolon; and

(ii) in paragraph (2), by striking "it" and inserting "its"; and

(D) by adding at the end the following:

"(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

"(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship."; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting "court," after "tribal government,"; and

(B) in paragraph (4), by striking "nonprofit, private sexual assault and domestic violence programs" and inserting "victim service providers and, as appropriate, population specific organizations".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking "$75,000,000" and all that follows through "2011." and inserting "$73,000,000 for each of fiscal years 2014 through 2018."; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking "arising as a consequence of" and inserting "relating to or arising out of"; and

(B) in the second sentence, by inserting "or arising out of" after "relating to";

(2) in subsection (b)—

(A) in the heading, by inserting "AND GRANT CONDITIONS" after "DEFINITIONS"; and

(B) by inserting "and grant conditions" after "definitions";

(3) in subsection (c)—

(A) in paragraph (1), by striking "victims services organizations" and inserting "victim service providers"; and

(B) by striking paragraph (3) and inserting the following:

"(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.";

(4) in subsection (d)—

(A) in paragraph (1), by striking "this section has completed" and all that follows and inserting the following: "this section—"

"(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

"(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

"(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;"; and

(B) in paragraph (2), by striking "stalking organization" and inserting "stalking victim service provider"; and

(5) in subsection (f) in paragraph (1), by striking "this section" and all that follows and inserting the following: "this section $57,000,000 for each of fiscal years 2014 through 2018.".

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386;

114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

42 USC 10420.

"SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

"(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

"(b) USE OF FUNDS.—A grant under this section may be used to—

"(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

"(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

"(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

"(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

"(5) enable courts or court-based or court-related programs to develop or enhance—

"(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

"(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

"(C) offender management, monitoring, and accountability programs;

"(D) safe and confidential information-storage and information-sharing databases within and between court systems;

"(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

"(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

"(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

"(A) victims of domestic violence; and

"(B) nonoffending parents in matters—

"(i) that involve allegations of child sexual abuse;

"(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

"(iii) in which the other parent is represented by counsel;

"(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

"(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

"(c) CONSIDERATIONS.—

"(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

"(A) the number of families to be served by the proposed programs and services;

"(B) the extent to which the proposed programs and services serve underserved populations;

"(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

"(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

"(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

"(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that— Certifications.

"(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

"(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

"(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

"(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

"(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

"(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

"(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

"(f) ALLOTMENT FOR INDIAN TRIBES.—

"(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

"(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).".

Repeal.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

42 USC 13701 note, 14043–14043a–3.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking "$5,000,000" and all that follows and inserting "$5,000,000 for each of fiscal years 2014 through 2018.".

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking "January 1, 2010" and inserting "January 1, 2015";

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking "Code of Ethics" in section (c)(2) and inserting "Standards for Programs"; and

(B) by adding at the end the following:

"(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system."; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking "fiscal years 2007 through 2011" and inserting "fiscal years 2014 through 2018".

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting "is present" after "Indian Country or"; and

(2) by inserting "or presence" after "as a result of such travel";

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

"§ 2261A. Stalking

"Whoever—

"(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

"(A) places that person in reasonable fear of the death of, or serious bodily injury to—

"(i) that person;

"(ii) an immediate family member (as defined in section 115) of that person; or

"(iii) a spouse or intimate partner of that person; or

"(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

"(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

"(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

"(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.".

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting "is present" after "Indian Country or".

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

"SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

"(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

"(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

"(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

"(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

"(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

"(2) victim service providers offering population specific services for a specific underserved population; or

"(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

"(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

"(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

"(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations; Assessment.

"(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

"(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program. Plans.

"(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

"(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

"(2) strengthening the capacity of underserved populations to provide population specific services;

"(3) strengthening the capacity of traditional victim service providers to provide population specific services;

"(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

"(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

"(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

"(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence

Against Women a report that describes the activities carried out with grant funds.

"(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

Applicability.

"(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.".

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking "**AND LINGUISTICALLY**";

(2) by striking "and linguistically" each place it appears;

(3) by striking "and linguistic" each place it appears;

(4) by striking subsection (a)(2) and inserting:

"(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

"(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

"(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

"(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

"(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

"(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).";

(5) in subsection (g), by striking "linguistic and".

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking "other programs" and all that follows and inserting "other nongovernmental or tribal programs and projects to assist individuals who have been

victimized by sexual assault, without regard to the age of the individual.";

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting "or tribal programs and activities" after "nongovernmental organizations"; and

(B) in subparagraph (C)(v), by striking "linguistically and"; and

(3) in paragraph (4)—

(A) by inserting "(including the District of Columbia and Puerto Rico)" after "The Attorney General shall allocate to each State";

(B) by striking "the District of Columbia, Puerto Rico," after "Guam";

(C) by striking "0.125 percent" and inserting "0.25 percent"; and

(D) by striking "The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking "$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011" and inserting "$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018".

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting ", including sexual assault forensic examiners" before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "victim advocacy groups" and inserting "victim service providers"; and

(ii) by inserting ", including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides" before the semicolon;

(B) in paragraph (2)—

(i) by striking "and other long- and short-term assistance" and inserting "legal assistance, and other long-term and short-term victim and population specific services"; and

(ii) by striking "and" at the end;

(C) in paragraph (3), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

"(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence,

sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs."; and

(3) in subsection (e)(1), by striking "$55,000,000 for each of the fiscal years 2007 through 2011" and inserting "$50,000,000 for each of fiscal years 2014 through 2018".

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting "(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)" after "risk reduction";

(B) in paragraph (4), by striking "victim service organizations" and inserting "victim service providers"; and

(C) in paragraph (5), by striking "victim services organizations" and inserting "victim service providers";

(2) in subsection (c)(1)(D), by striking "nonprofit and nongovernmental victim services organization, such as a State" and inserting "victim service provider, such as a State or tribal"; and

(3) in subsection (e), by striking "$10,000,000 for each of the fiscal years 2007 through 2011" and inserting "$9,000,000 for each of fiscal years 2014 through 2018".

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

42 USC 14041–14041b.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

"Subtitle H—Enhanced Training and Services To End Abuse Later in Life

"SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

"(a) DEFINITIONS.—In this section—

"(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

"(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

"(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

"(b) GRANT PROGRAM.—

"(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

"(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

"(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

"(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

"(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

"(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

"(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

"(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

"(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

"(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

"(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community. Determination.

"(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

"(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

"(A) the entity is—

"(i) a State;

"(ii) a unit of local government;

"(iii) a tribal government or tribal organization;

"(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

"(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

"(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

"(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

"(i) a law enforcement agency;

"(ii) a prosecutor's office;

"(iii) a victim service provider; and

"(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

"(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

"(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2014 through 2018.".

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ", territorial or tribal" after "crisis centers, State"; and

(B) in paragraph (6), by inserting "and alcohol" after "about drugs"; and

(2) in subsection (c)—

(A) in paragraph (1), by striking "$80,000,000 for each of fiscal years 2007 through 2011" and inserting "$50,000,000 for each of fiscal years 2014 through 2018"; and

(B) by adding at the end the following:

"(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.".

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

"SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH'). 42 USC 14043c.

"(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

"(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

"(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

"(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

"(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

"(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

"(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

"(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

"(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating

domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

"(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

"(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

"(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

"(c) ELIGIBLE APPLICANTS.—

"(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

"(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

"(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

"(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

"(2) PARTNERSHIPS.—

"(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

"(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

"(i) a State, tribe, unit of local government, or territory;

"(ii) a population specific or community-based organization;

"(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

"(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

"(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that— Procedures.

"(1) require and include appropriate referral systems for child and youth victims;

"(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

"(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

"(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply. Applicability.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018.

"(g) ALLOTMENT.—

"(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

"(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

"(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.".

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "stalking on campuses, and" and inserting "stalking on campuses,";

(ii) by striking "crimes against women on" and inserting "crimes on"; and

(iii) by inserting ", and to develop and strengthen prevention education and awareness programs" before the period; and

(B) in paragraph (2), by striking "$500,000" and inserting "$300,000";

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ", strengthen," after "To develop"; and

(ii) by inserting "including the use of technology to commit these crimes," after "sexual assault and stalking,";

(B) in paragraph (4)—

(i) by inserting "and population specific services" after "strengthen victim services programs";

(ii) by striking "entities carrying out" and all that follows through "stalking victim services programs" and inserting "victim service providers"; and

(iii) by inserting ", regardless of whether the services are provided by the institution or in coordination with community victim service providers" before the period at the end; and

(C) by adding at the end the following:

"(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

"(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.";

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking "any nonprofit" and all that follows through "victim services programs" and inserting "victim service providers";

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

"(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;"; and

(B) in paragraph (3), by striking "2007 through 2011" and inserting "2014 through 2018";

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

Compliance.

"(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

"(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

"(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

"(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

"(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking."; and

(5) in subsection (e), by striking "there are" and all that follows through the period and inserting "there is authorized to be appropriated $12,000,000 for each of fiscal years 2014 through 2018.".

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting ", when the victim of such crime elects or is unable to make such a report."; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking "and" after the semicolon;

(ii) in clause (ii)—

(I) by striking "sexual orientation" and inserting " national origin, sexual orientation, gender identity,"; and

(II) by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.";

(2) in paragraph (3), by inserting ", that withholds the names of victims as confidential," after "that is timely";

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

"(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))."; and Definitions.

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

"(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation."; Definition.

(4) in paragraph (7)—

(A) by striking "paragraph (1)(F)" and inserting "clauses (i) and (ii) of paragraph (1)(F)"; and

(B) by inserting after "Hate Crime Statistics Act." the following: "For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))."; Statistics.

(5) by striking paragraph (8) and inserting the following:

"(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

"(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

"(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

Notifications.

"(B) The policy described in subparagraph (A) shall address the following areas:

"(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

"(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

"(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

"(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

"(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

"(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

"(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

"(ff) the information described in clauses (ii) through (vii); and

"(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

"(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

"(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

"(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

"(II) to whom the alleged offense should be reported;

"(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

"(aa) notify proper law enforcement authorities, including on-campus and local police;

"(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

"(cc) decline to notify such authorities; and

"(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

"(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

"(I) such proceedings shall—

"(aa) provide a prompt, fair, and impartial investigation and resolution; and

"(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

"(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

"(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

"(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

"(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

"(cc) of any change to the results that occurs prior to the time that such results become final; and

"(dd) when such results become final.

"(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

"(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

"(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

"(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided Notification.

with a written explanation of the student or employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).";

(6) in paragraph (9), by striking "The Secretary" and inserting "The Secretary, in consultation with the Attorney General of the United States,";

(7) by striking paragraph (16) and inserting the following:

"(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

"(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements."; and

(8) by striking paragraph (17) and inserting the following:

"(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.".

20 USC 1092 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking "$2,000,000 for each of the fiscal years 2007 through 2011" and inserting "$1,000,000 for each of the fiscal years 2014 through 2018".

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

"SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

Consultation.

"(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses

on youth, children exposed to violence, and men as leaders and influencers of social norms.

"(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

"(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

"(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

"(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

"(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

"(D) policy development targeted to prevention, including school-based policies and protocols.

"(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

"(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

"(B) training and coordination for educational, afterschool, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

"(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

"(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

"(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

"(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

"(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

"(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

"(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

"(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

"(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

"(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

"(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

"(d) GRANTEE REQUIREMENTS.—

"(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

"(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

"(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

"(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context

of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

"(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

"(D) document how prevention programs are coordinated with service programs in the community.

"(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

"(A) include outcome-based evaluation; and

"(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

"(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply. Applicability.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

"(g) ALLOTMENT.—

"(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

"(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.".

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

"SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

"(a) IN GENERAL.—The Secretary shall award grants for—

"(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

"(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

"(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

"(b) USE OF FUNDS.—

"(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

"(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

"(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

"(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse,

and include the primacy of victim safety and confidentiality;

"(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

"(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

"(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

"(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

"(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

"(2) PERMISSIBLE USES.—

"(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

"(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students

and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

"(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

"(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

"(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

"(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

"(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

"(c) REQUIREMENTS FOR GRANTEES.—

"(1) CONFIDENTIALITY AND SAFETY.—

"(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

Consultation.

"(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

"(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

"(3) APPLICATION.—

"(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to

applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

"(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

"(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

"(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

"(II) a health care facility or system; or

"(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

"(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

"(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

"(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

"(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

"(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

"(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

"(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

"(d) ELIGIBLE ENTITIES.—

"(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

"(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

"(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

"(C) a health care provider membership or professional organization, or a health care system; or

"(D) a State, tribal, territorial, or local entity.

"(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

"(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

"(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

"(e) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

Public information.

"(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

"(3) REPORTING.—The Secretary shall publish a biennial report on—

"(A) the distribution of funds under this section; and

"(B) the programs and activities supported by such funds.

"(f) RESEARCH AND EVALUATION.—

"(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use

not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

"(A) grants awarded under this section; and

"(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

"(2) RESEARCH.—Research authorized in paragraph (1) may include—

"(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

"(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

"(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

"(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2014 through 2018.

"(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.".

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

"CHAPTER 1—GRANT PROGRAMS";

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking "subtitle" and inserting "chapter";

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking "subtitle" and inserting "chapter"; and

(4) by adding at the end the following:

"CHAPTER 2—HOUSING RIGHTS

42 USC 14043e–11.

"SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

"(a) DEFINITIONS.—In this chapter:

"(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

"(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

"(B) any individual, tenant, or lawful occupant living in the household of that individual.

"(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

"(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

"(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

"(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

"(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

"(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

"(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

"(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

"(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

"(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

"(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

"(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

"(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

"(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

"(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

"(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

"(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

"(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

"(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

"(B) BIFURCATION.—

"(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

"(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing

agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

"(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

"(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

"(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

"(II) the distribution or possession of property among members of a household in a case;

"(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

"(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

"(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

"(c) DOCUMENTATION.—

"(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

"(2) FAILURE TO PROVIDE CERTIFICATION.—

Deadline.

"(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may

be construed to limit the authority of the public housing agency or owner or manager to—

"(i) deny admission by the applicant or tenant to the covered program;

"(ii) deny assistance under the covered program to the applicant or tenant;

"(iii) terminate the participation of the applicant or tenant in the covered program; or

"(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

"(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

"(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

"(A) a certification form approved by the appropriate agency that—

"(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

"(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

"(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

"(B) a document that—

"(i) is signed by—

"(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

"(II) the applicant or tenant; and

"(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

"(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

"(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

"(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared

database or disclosed to any other entity or individual, except to the extent that the disclosure is—

"(A) requested or consented to by the individual in writing;

"(B) required for use in an eviction proceeding under subsection (b); or

"(C) otherwise required by applicable law.

"(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

"(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

"(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

"(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

"(d) NOTIFICATION.—

"(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

"(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

"(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

"(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

"(C) with any notification of eviction or notification of termination of assistance; and

"(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development

in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

"(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that— Plans.

"(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

"(A) the tenant expressly requests the transfer; and

"(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

"(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and Time period.

"(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

"(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

"(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.". Applicability.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

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

(B) in subsection (l)—

(i) in paragraph (5), by striking ", and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence"; and

(ii) in paragraph (6), by striking "; except that" and all that follows through "stalking."; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking "and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission"; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ", and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence"; and

(II) in clause (iii), by striking ", except that:" and all that follows through "stalking.";

(C) in subsection (f)—

(i) in paragraph (6), by adding "and" at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking "and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence"; and

(II) in subparagraph (D), by striking "; except that" and all that follows through "stalking."; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

42 USC 1437d note.

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low

income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking "**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**" and inserting "**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**"; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking "**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**" and inserting "**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**";

(B) in subsection (a)(1), by striking "fleeing";

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking " and" at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

"(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and"; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking " employment counseling,"; and

(D) in subsection (g)—

(i) in paragraph (1), by striking "$40,000,000 for each of fiscal years 2007 through 2011" and inserting "$35,000,000 for each of fiscal years 2014 through 2018"; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking "eligible" and inserting "qualified"; and

(II) by adding at the end the following:

"(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

"(i) has been submitted by an eligible applicant;

"(ii) does not propose any activities that may compromise victim safety, including—

"(I) background checks of victims; or

"(II) clinical evaluations to determine eligibility for services;

"(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

"(iv) does not propose prohibited activities, including mandatory services for victims.".

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking "$10,000,000 for each of fiscal years 2007 through 2011" and inserting "$4,000,000 for each of fiscal years 2014 through 2018"; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking "$10,000,000 for each of fiscal years 2007 through 2011" and inserting "$4,000,000 for each of fiscal years 2014 through 2018".

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking "fiscal years 2007 through 2011" and inserting "fiscal years 2014 through 2018".

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting "stalking;" after "sexual exploitation;".

8 USC 1101 note.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking "or" at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

"(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or".

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

"(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

"(i) is a VAWA self-petitioner;

"(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

"(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).".

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

"(7) AGE DETERMINATIONS.—

"(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

"(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464). 8 USC 1184 note.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking "(1), or" and inserting "(1); or";

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and "or"; and

(4) by inserting after subparagraph (C) the following:

"(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).".

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking "The Attorney General, in the Attorney General's" and inserting "The Secretary of Homeland Security, in the Secretary's"; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking "Attorney General" and inserting "Secretary of Homeland Security";

(B) in the second sentence, by striking "Attorney General" and inserting "Secretary";

(C) in the third sentence, by striking "Attorney General." and inserting "Secretary."; and

(D) in the fourth sentence, by striking "Attorney General" and inserting "Secretary".

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking "crime." and inserting "crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).";

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking "a consular officer" and inserting "the Secretary of Homeland Security"; and

(ii) by striking "the officer" and inserting "the Secretary"; and

(C) in paragraph (3)(B)(i), by striking "abuse, and stalking." and inserting "abuse, stalking, or an attempt to commit any such crime."; and

(2) in subsection (r)—

(A) in paragraph (1), by striking "crime." and inserting "crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).."; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

"(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i))."; and Notification.

(3) in paragraph (5)(B)(i), by striking "abuse, and stalking." and inserting "abuse, stalking, or an attempt to commit any such crime.".

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking "State any" and inserting "State, for inclusion in the mailing described in clause (i), any"; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

"(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check— Background check.

"(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

"(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

"(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

"(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

"(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

"(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214."; and

(2) in subsection (b)(1)(A), by striking "or" after "orders" and inserting "and".

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking "Federal and State sex offender public registries" and inserting "the National Sex Offender Public Website".

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

"(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

"(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

"(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

"(ii) indicate on such certificate or document the date it was received by the international marriage broker;

"(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

"(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.";

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking "REGISTRIES.—" and inserting "WEBSITE.—"; and

(ii) by striking "Registry or State sex offender public registry," and inserting "Website,"; and

(B) in subparagraph (B)(ii), by striking "or stalking." and inserting "stalking, or an attempt to commit any such crime.";

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking "Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years," and inserting "Website"; and

(ii) in clause (iii)(II), by striking "background information collected by the international marriage broker under paragraph (2)(B);" and inserting "signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);"; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking "A penalty may be imposed under clause (i) by the Attorney General only" and inserting "At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General";

(B) by amending subparagraph (B) to read as follows:

"(B) FEDERAL CRIMINAL PENALTIES.—

"(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

"(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

"(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

"(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

"(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person

who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

"(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

"(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order."; and

(C) in subparagraph (C), by striking the period at the end and inserting "including equitable remedies.";

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

"(6) ENFORCEMENT.—

"(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

"(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.".

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking "STUDY AND REPORT.—" and inserting "STUDIES AND REPORTS.—"; and

(2) by adding at the end the following:

"(4) CONTINUING IMPACT STUDY AND REPORT.—

"(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

"(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

"(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).".

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking "except that," and all that follows through the end, and inserting the following: "except that—

"(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

"(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.".

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting "Secretary of Homeland Security or the" before "Attorney General may"; and

(B) by inserting "Secretary's or the" before "Attorney General's discretion";

(2) in paragraph (2)—

(A) by inserting "Secretary of Homeland Security or the" before "Attorney General may";

(B) by inserting "Secretary or the" before "Attorney General for"; and

(C) by inserting "in a manner that protects the confidentiality of such information" after "law enforcement purpose";

(3) in paragraph (5), by striking "Attorney General is" and inserting "Secretary of Homeland Security and the Attorney General are"; and

(4) by adding at the end a new paragraph as follows:

"(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to

national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.".

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting ", Secretary of State," after "The Attorney General";

(2) by inserting ", Department of State," after "Department of Justice"; and

(3) by inserting "and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))" after "domestic violence".

Deadline. Guidance. 8 USC 1367 note.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

8 USC 1367.

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking "241(a)(2)" in the matter following subparagraph (F) and inserting "237(a)(2)".

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting "sex trafficking," after "sexual assault,";

(2) in paragraph (4), by inserting "sex trafficking," after "sexual assault,";

(3) in paragraph (5), by striking "and stalking" and all that follows and inserting "sexual assault, sex trafficking, and stalking;";

(4) in paragraph (7)—

(A) by inserting "sex trafficking," after "sexual assault," each place it appears; and

(B) by striking "and" at the end;

(5) in paragraph (8)—

(A) by inserting "sex trafficking," after "stalking,"; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

"(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

"(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.".

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

"(d) TRIBAL COALITION GRANTS.—

"(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

"(A) increasing awareness of domestic violence and sexual assault against Indian women;

"(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

"(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

"(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

"(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

"(A) each tribal coalition that—

"(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

"(ii) is recognized by the Office on Violence Against Women; and

"(iii) provides services to Indian tribes; and

"(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

"(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

"(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply; Applicability.

"(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

"(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

"(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.".

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking "and the Violence Against Women Act of 2000" and inserting ", the Violence Against Women Act of 2000"; and

(B) by inserting ", and the Violence Against Women Reauthorization Act of 2013" before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "Secretary of the Department of Health and Human Services" and inserting "Secretary of Health and Human Services, the Secretary of the Interior,"; and

(B) in paragraph (2), by striking "and stalking" and inserting "stalking, and sex trafficking"; and

(3) by adding at the end the following:

"(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

"(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

"(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

"(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

Deadline. "(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.".

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the "Indian Civil Rights Act of 1968") is amended by adding at the end the following:

25 USC 1304. **"SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.**

"(a) DEFINITIONS.—In this section:

"(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

"(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence

laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

"(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

"(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

"(5) PROTECTION ORDER.—The term 'protection order'—

"(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

"(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

"(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term 'special domestic violence criminal jurisdiction' means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

"(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.

"(b) NATURE OF THE CRIMINAL JURISDICTION.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

"(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

"(3) APPLICABILITY.—Nothing in this section—

"(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

"(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

"(4) EXCEPTIONS.—

"(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

"(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

"(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection

order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

"(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

"(i) resides in the Indian country of the participating tribe;

"(ii) is employed in the Indian country of the participating tribe; or

"(iii) is a spouse, intimate partner, or dating partner of—

"(I) a member of the participating tribe; or

"(II) an Indian who resides in the Indian country of the participating tribe.

"(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

"(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

"(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

"(A) occurs in the Indian country of the participating tribe; and

"(B) violates the portion of a protection order that—

"(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

"(ii) was issued against the defendant;

"(iii) is enforceable by the participating tribe; and

"(iv) is consistent with section 2265(b) of title 18, United States Code.

"(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

"(1) all applicable rights under this Act;

"(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

"(3) the right to a trial by an impartial jury that is drawn from sources that—

"(A) reflect a fair cross section of the community; and

"(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

"(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

"(e) PETITIONS TO STAY DETENTION.—

"(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

"(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

"(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

"(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

"(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

"(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

"(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

"(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

"(B) prosecution;

"(C) trial and appellate courts;

"(D) probation systems;

"(E) detention and correctional facilities;

"(F) alternative rehabilitation centers;

"(G) culturally appropriate services and assistance for victims and their families; and

"(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

"(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

"(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

"(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

"(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.".

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

"(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.".

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

"(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.";

(B) in paragraph (2), by striking "felony under chapter 109A" and inserting "violation of section 2241 or 2242";

(C) in paragraph (3) by striking "and without just cause or excuse,";

(D) in paragraph (4), by striking "six months" and inserting "1 year";

(E) in paragraph (7)—

(i) by striking "substantial bodily injury to an individual who has not attained the age of 16 years" and inserting "substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years"; and

(ii) by striking "fine" and inserting "a fine"; and

(F) by adding at the end the following:

"(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both."; and

(2) in subsection (b)—

(A) by striking "(b) As used in this subsection—" and inserting the following:

"(b) DEFINITIONS.—In this section—";

(B) in paragraph (1)(B), by striking "and" at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

"(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

"(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by

covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.".

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking "assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)" and inserting "a felony assault under section 113".

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting "or tribal" after "State".

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking "The National" and inserting "Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National"; and

(B) by inserting "and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))" before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking "and" at the end;

(B) in clause (v), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(vi) sex trafficking.";

(3) in paragraph (4), by striking "this Act" and inserting "the Violence Against Women Reauthorization Act of 2013"; and

(4) in paragraph (5), by striking "this section $1,000,000 for each of fiscal years 2007 and 2008" and inserting "this subsection $1,000,000 for each of fiscal years 2014 and 2015".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking "fiscal years 2007 through 2011" and inserting "fiscal years 2014 through 2018".

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

25 USC 1304 note.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe

Time period.

as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

Consultation. Deadline.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking "2 years" and inserting "3 years".

Consultation.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

18 USC 2265 note. Applicability.

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) EXPANDED JURISDICTION.—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) RETAINED JURISDICTION.—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) SAVINGS PROVISION.—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—SAFER ACT

Sexual Assault Forensic Evidence Reporting Act of 2013. Grants. 42 USC 13701 note.

SEC. 1001. SHORT TITLE.

This title may be cited as the "Sexual Assault Forensic Evidence Reporting Act of 2013" or the "SAFER Act of 2013".

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

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

"(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

"(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).";

(2) in subsection (c), by adding at the end the following new paragraph:

"(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3)."; and

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

"(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

"(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

"(A) submits a plan for performing the audit of samples described in such subsection; and Plans.

"(B) includes in such plan a good-faith estimate of the number of such samples.

"(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

"(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

"(B) shall—

"(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; Deadline.

Deadline.

"(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

"(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

"(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

"(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

"(iv) provide that—

"(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

"(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

Compliance.

"(v) comply with all grantee reporting requirements described in paragraph (4).

"(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

"(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

"(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

"(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

"(i) The name of the State or unit of local government filing the report.

"(ii) The period of dates covered by the report.

"(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

"(I) are in the possession of the State or unit of local government at the reporting period;

"(II) are awaiting testing; and

"(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

"(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

"(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

"(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

"(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

"(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

"(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website. Web posting.

"(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

"(E) OPTIONAL REPORTING.—The Attorney General shall—

"(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

"(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required

to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

"(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

"(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

"(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

"(5) DEFINITIONS.—In this subsection:

"(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

"(i) the sample has been collected and is in the possession of a State or unit of local government;

"(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

"(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

"(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

"(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

"(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

"(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

"(C) POSSESSION.—

"(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

"(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

"(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

Deadline. Consultation. Publication.

"(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence,

including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

"(A) how to determine—

"(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

"(ii) the preferred order in which evidence from the same case is to be tested; and

"(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

"(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

"(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

"(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

"(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

"(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

"(3) DEFINITIONS.—In this subsection, the terms 'awaiting testing' and 'possession' have the meanings given those terms in subsection (n).".

SEC. 1003. REPORTS TO CONGRESS.

42 USC 14135 note.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking "2014" and inserting "2018"; and

(b) by adding at the end the following:

"(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).".

42 USC 14135 note.

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

Effective date.

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.

Time period.
Effective date.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

Time period.

(3) PRIORITY.—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

Time period.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

Time period.
Effective date.

(5) DEFINED TERM.—In this section, the term "unresolved audit finding" means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term "'nonprofit organization'" means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in off-shore accounts for the purpose of avoiding paying the tax

described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

Public information.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

Determination.

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

42 USC 14135 note. Repeal.

SEC. 1006. SUNSET.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: "or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)".

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: "or the commission of a sexual act (as defined in section 2246 of title 18)".

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

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

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

"(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

Deadline. Publication. Regulations.

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

"(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

"(3) COMPLIANCE.—The Secretary of Homeland Security shall—

Assessment.

"(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

"(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

"(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

"(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

"(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))). Deadline. Publication. Regulation.

"(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

"(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

"(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and Assessment.

"(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

"(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).".

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking "annoy,";

(2) in subparagraph (C)—

(A) by striking "annoy,"; and

(B) by striking "harass any person at the called number or who receives the communication" and inserting "harass any specific person"; and

(3) in subparagraph (E), by striking "harass any person at the called number or who receives the communication" and inserting "harass any specific person".

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking "$3,000,000" and all that follows and inserting "$3,000,000 for fiscal years 2014 through 2018.".

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking "fiscal years 2007 through 2011" and inserting "fiscal years 2014 through 2018".

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking "$2,300,000" and all that follows and inserting "$2,300,000 for each of fiscal years 2014 through 2018.".

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking "section 105(f) of this division" and inserting "subsection (g)";

(2) in subsection (e)(2)—

(A) by striking "(2) **COORDINATION OF CERTAIN ACTIVITIES.**—" and all that follows through "exploitation.";

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

"(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.". Lists.

SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

22 USC 7103a.

"SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

"(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

"(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

"(2) between foreign governments and civil society actors; and

"(3) between the United States Government and private sector entities.

"(b) PARTNERSHIPS.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the

United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

"(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

"(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

"(c) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

"(d) CHILD PROTECTION COMPACTS.—

"(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that— Consultation.

"(A) prevent and respond to violence, exploitation, and abuse against children; and

"(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

"(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe— Plans.

"(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

"(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

"(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

"(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

"(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

"(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

"(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

"(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

Consultation.

"(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

"(A) the selection criteria set forth in paragraph (5); and

"(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

"(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

"(A) a documented high prevalence of trafficking in persons within the country; and

"(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

"(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

"(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

"(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

"(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

"(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

Determination.

"(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).".

SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting ", and make reasonable efforts to distribute information to enable all relevant Federal Government agencies

to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States" before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting "and shall brief Congress annually on such efforts" before the period at the end.

SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking "peacekeeping" and inserting "diplomatic, peacekeeping,";

(B) by striking ", and measures" and inserting ", a transparent system for remediating or punishing such public officials as a deterrent, measures"; and

(C) by inserting ", effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting" before the period at the end;

(2) in paragraph (4), by inserting "and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries" before the period at the end;

(3) in paragraph (7)—

(A) by inserting ", including diplomats and soldiers," after "public officials";

(B) by striking "peacekeeping" and inserting "diplomatic, peacekeeping,"; and

(C) by inserting "A government's failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria." after "such trafficking.";

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

"(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

"(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government's efforts to prevent trafficking, protect victims, and punish traffickers; or

"(B) the United States toward agreed goals and objectives in the collective fight against trafficking.".

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking "with respect to the status of severe forms of trafficking in persons that shall include—" and inserting "describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—";

(B) in subparagraph (E), by striking "; and" and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting "; and"; and

(D) by inserting at the end the following:

"(G) a section entitled 'Promising Practices in the Eradication of Trafficking in Persons' to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.";

(2) by striking paragraph (2);

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

(4) in paragraph (2), as redesignated, by adding at the end the following:

Deadline. Determination. Web posting.

"(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.".

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting "AND VIDEO FOR CONSULAR WAITING ROOMS" after "INFORMATION PAMPHLET"; and

(B) in paragraph (1)—

(i) by inserting "and video" after "information pamphlet"; and

(ii) by adding at the end the following: "The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based nonimmigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.";

(2) in subsection (b), by inserting "and video" after "information pamphlet";

(3) in subsection (c)—

(A) in paragraph (1), by inserting "and produce or dub the video" after "information pamphlet"; and

(B) in paragraph (2), by inserting "and the video produced or dubbed" after "translated"; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting "and video" after "information pamphlet";

(B) in paragraph (2), by inserting "and video" after "information pamphlet"; and

(C) by adding at the end the following:

"(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).".

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

"(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

"(1) to prevent child marriage;

"(2) to promote the empowerment of girls at risk of child marriage in developing countries;

"(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

"(4) that targets areas in developing countries with high prevalence of child marriage; and

"(5) that includes diplomatic and programmatic initiatives.".

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

"(g) CHILD MARRIAGE STATUS.—

"(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

"(2) DEFINED TERM.—In this subsection, the term 'child marriage' means the marriage of a girl or boy who is—

"(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

"(B) younger than 18 years of age, if no such law exists."; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

"(i) CHILD MARRIAGE STATUS.—

"(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

"(2) DEFINED TERM.—In this subsection, the term 'child marriage' means the marriage of a girl or boy who is—

"(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

"(B) younger than 18 years of age, if no such law exists.".

SEC. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c–1) is amended—

(1) in subsection (a), by striking "(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)" and inserting "(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)"; and

(2) by adding at the end the following:

"(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.".

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting "section 1351 (relating to fraud in foreign labor contracting)," before "section 1425".

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting "or resides, either temporarily or permanently, in a foreign country" after "commerce".

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

"§ 1597. Unlawful conduct with respect to immigration documents

"(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

"(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

"(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

"(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

"(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

"(c) OBSTRUCTION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).".

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

"1597. Unlawful conduct with respect to immigration documents.".

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "section 2241(c)" and inserting "section 1589, 1590, 1591, 2241(c)"; and

(2) in subsection (b), by striking "six years" and inserting "10 years".

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

"(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term 'abuse or threatened abuse of the legal process' means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.";

(C) in paragraph (14), as redesignated, by striking "paragraph (8)" and inserting "paragraph (9)"; and

(D) in paragraph (15), as redesignated, by striking "paragraph (8) or (9)" and inserting "paragraph (9) or (10)".

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et eq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking "section 103(7)(A)" and inserting "section 103(8)(A)"; and

(II) by striking "section 103(7)(B)" and inserting "section 103(8)(B)"; and

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking "section 103(8)(A)" and inserting "section 103(9)(A)".

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking "section 103(14)" and inserting "section 103(15)".

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking "section 103(8)" and inserting "section 103(9)";

(ii) in paragraph (2), by striking "section 103(9)" and inserting "section 103(10)"; and

(iii) in paragraph (3), by striking "section 103(3)" and inserting "section 103(4)".

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking "paragraph (8)" and inserting "paragraph (9)".

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III) is amended by inserting ", or any adult or minor children of a derivative beneficiary of the alien, as" after "age".

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting "fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);" after "perjury;".

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

"(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time

while ensuring the safe and competent processing of the applications;

"(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

"(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

"(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

"(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

"(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

"(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;";

(3) in subparagraph (N)(iii), as redesignated, by striking "and" at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting "; and"; and

(5) by adding at the end the following:

"(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

"(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

"(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

"(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

"(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

"(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

"(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or

(U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

"(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.".

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

"(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.".

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

"(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).".

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting "the Department of Labor, the Equal Employment Opportunity Commission," before "and the Department"; and

(2) in the second sentence, by inserting ", in consultation with the Secretary of Labor," before "shall provide".

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses. Recommendations.

SEC. 1236. ACCOUNTABILITY. 22 USC 7113.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions: Grants.

(1) AUDIT REQUIREMENT.— Effective dates. Time periods.

(A) DEFINITION.—In this paragraph, the term "unresolved audit finding" means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year. Determination.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term "nonprofit organization" means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

Public information.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this

title or an Act amended by this title, to host or support any expenditure for conferences that uses more than $20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether— Effective date.

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

"SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

"(a) DEFINITIONS.—In this section:

"(1) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

"(2) ASSISTANT ATTORNEY GENERAL.—The term 'Assistant Attorney General' means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

"(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or unit of local government that—

"(A) has significant criminal activity involving sex trafficking of minors;

"(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

"(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

"(i) building or establishing a residential care facility for minor victims of sex trafficking;

"(ii) the provision of rehabilitative care to minor victims of sex trafficking;

"(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

"(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

"(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

"(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

"(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

"(4) MINOR VICTIM OF SEX TRAFFICKING.—The term 'minor victim of sex trafficking' means an individual who—

"(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

"(B)(i) is not younger than 18 years of age nor older than 20 years of age;

"(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

"(iii) was receiving shelter or services as a minor victim of sex trafficking.

"(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term 'qualified nongovernmental organization' means an organization that—

"(A) is not a State or unit of local government, or an agency of a State or unit of local government;

"(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

"(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

"(6) SEX TRAFFICKING OF A MINOR.—The term 'sex trafficking of a minor' means an offense described in section 1591(a)

of title 18, United States Code, or a comparable State law, against a minor.

"(b) SEX TRAFFICKING BLOCK GRANTS.—

"(1) GRANTS AUTHORIZED.—

"(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors. Consultation.

"(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

"(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than $1,500,000 and not greater than $2,000,000.

"(D) DURATION.—

"(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

"(ii) RENEWAL.—

"(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

"(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

"(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

"(i) evaluations of grant recipients under paragraph (4);

"(ii) avoiding unintentional duplication of grants; and

"(iii) any other areas of shared concern.

"(2) USE OF FUNDS.—

"(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

"(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

"(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

"(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

"(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

"(iv) case management services for minor victims of sex trafficking;

"(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

"(vi) legal services for minor victims of sex trafficking;

"(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

"(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

"(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

"(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

"(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

"(x) screening and referral of minor victims of severe forms of trafficking in persons.

"(3) APPLICATION.—

"(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

"(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

"(i) describe the activities for which assistance under this section is sought; and

"(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

Contracts.

"(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

Time period.

"(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

"(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

"(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

"(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

"(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

"(1) 15 percent of the grant during the first year;

"(2) 25 percent of the grant during the first renewal period;

"(3) 40 percent of the grant during the second renewal period; and

"(4) 50 percent of the grant during the third renewal period.

"(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

"(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains— Deadline. Reports.

"(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

"(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.". Recommendations.

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act. Time period. 42 USC 14044a note.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking ", which involve United States citizens, or aliens admitted for permanent residence, and";

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

"(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;"; and

(D) in subparagraph (C), as redesignated, by inserting "and prioritize the investigations and prosecutions of those cases involving minor victims" after "sex acts";

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

"(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.";

(4) in subsection (e), as redesignated, by striking "$20,000,000 for each of the fiscal years 2008 through 2011" and inserting "$10,000,000 for each of the fiscal years 2014 through 2017"; and

(5) by adding at the end the following:

Study.

"(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

"(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

Recommendations.

"(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).".

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking "and" at the end;

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

(3) by inserting after paragraph (1) the following:

"(2) protects children exploited through prostitution by including safe harbor provisions that—

"(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

"(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

"(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

"(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph;".

Subtitle C—Authorization of Appropriations

SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking "$2,000,000" and inserting "$1,000,000"; and

(B) by striking "2008 through 2011" and inserting "2014 through 2017"; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking "$5,500,000 for each of the fiscal years 2008 through 2011" each place it appears and inserting "$2,000,000 for each of the fiscal years 2014 through 2017";

(ii) by inserting ", including regional trafficking in persons officers," after "for additional personnel,"; and

(iii) by striking ", and $3,000 for official reception and representation expenses";

(B) in subsection (b)—

(i) in paragraph (1), by striking "$12,500,000 for each of the fiscal years 2008 through 2011" and inserting "$14,500,000 for each of the fiscal years 2014 through 2017"; and

(ii) in paragraph (2), by striking "to the Secretary of Health and Human Services" and all that follows and inserting "$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.";

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking "2008 through 2011" each place it appears and inserting "2014 through 2017";

(ii) in subparagraph (B)—

(I) by striking "$15,000,000 for fiscal year 2003 and $10,000,000 for each of the fiscal years 2008 through 2011" and inserting "$10,000,000 for each of the fiscal years 2014 through 2017"; and

(II) by striking "2008 through 2011" and inserting "2014 through 2017"; and

(iii) in subparagraph (C), by striking "2008 through 2011" and inserting "2014 through 2017";

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking "$10,000,000 for each of the fiscal years 2008 through 2011" and inserting "$11,000,000 for each of the fiscal years 2014 through 2017"; and

(iii) in paragraph (3), as redesignated, by striking "to the Attorney General" and all that follows and

inserting "$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.";

(E) in subsection (e)—

(i) in paragraph (1), by striking "$15,000,000 for each of the fiscal years 2008 through 2011" and inserting "$7,500,000 for each of the fiscal years 2014 through 2017"; and

(ii) in paragraph (2), by striking "$15,000,000 for each of the fiscal years 2008 through 2011" and inserting "$7,500,000 for each of the fiscal years 2014 through 2017";

(F) in subsection (f), by striking "$10,000,000 for each of the fiscal years 2008 through 2011" and inserting "$5,000,000 for each of the fiscal years 2014 through 2017"; and

(G) in subsection (i), by striking "$18,000,000 for each of the fiscal years 2008 through 2011" and inserting "$10,000,000 for each of the fiscal years 2014 through 2017".

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) is amended—

22 USC 7105.
42 USC 14044.

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking "$1,000,000 for each of the fiscal years 2008 through 2011" and inserting "$250,000 for each of the fiscal years 2014 through 2017".

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking "Subject to" and inserting the following:

"(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to"; and

(2) by adding at the end the following:

"(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien's danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.".

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking "The Secretary" and inserting the following:
"(A) IN GENERAL.—The Secretary"; and

(2) by striking "and criminal"; and

(3) by adding at the end the following:
"(B) APPOINTMENT OF CHILD ADVOCATES.—
"(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children. Deadline.
"(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites. Deadline.
"(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—
"(I) the largest number of unaccompanied alien children; and
"(II) the most vulnerable populations of unaccompanied children.
"(C) RESTRICTIONS.—
"(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more that 10 percent of the Federal funds received under this section for administrative expenses.
"(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.
"(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.
"(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken

by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

"(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

Study.

"(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

Evaluation.

"(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

"(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

"(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

"(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

"(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

Recommendations.

"(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

"(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

"(I) the Committee on the Judiciary of the Senate;

"(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

"(III) the Committee on the Judiciary of the House of Representatives; and

"(IV) the Committee on Education and the Workforce of the House of Representatives.

"(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

"(i) $1,000,000 for each of the fiscal years 2014 and 2015; and

"(ii) $2,000,000 for each of the fiscal years 2016 and 2017.".

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking "either";

(B) by striking "or who" and inserting a comma; and

(C) by inserting ", or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U))," before ", shall be eligible"; and

(2) in subparagraph (B), by inserting ", or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U))," after "(8 U.S.C. 1101(a)(27)(J))".

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

Determination.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

Approved March 7, 2013.

LEGISLATIVE HISTORY—S. 47:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Feb. 7, 11, 12, considered and passed Senate.
Feb. 28, considered and passed House.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2013):
Mar. 7, Presidential remarks.

Public Law 113–5
113th Congress

An Act

To reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

Mar. 13, 2013
[H.R. 307]

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

Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.
42 USC 201 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Pandemic and All-Hazards Preparedness Reauthorization Act of 2013".

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

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.
Sec. 102. Assistant Secretary for Preparedness and Response.
Sec. 103. National Advisory Committee on Children and Disasters.
Sec. 104. Modernization of the National Disaster Medical System.
Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary reassignment of State and local personnel during a public health emergency.
Sec. 202. Improving State and local public health security.
Sec. 203. Hospital preparedness and medical surge capacity.
Sec. 204. Enhancing situational awareness and biosurveillance.
Sec. 205. Eliminating duplicative Project Bioshield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.
Sec. 302. Authorization for medical products for use in emergencies.
Sec. 303. Definitions.
Sec. 304. Enhancing medical countermeasure activities.
Sec. 305. Regulatory management plans.
Sec. 306. Report.
Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.
Sec. 402. Biomedical Advanced Research and Development Authority.
Sec. 403. Strategic National Stockpile.
Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) IN GENERAL.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh–1) is amended—

(1) in subsection (a)(1), by striking "2009" and inserting "2014"; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting ", including drills and exercises to ensure medical surge capacity for events without notice" after "exercises"; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking "facilities), and trauma care" and inserting "and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,"; and

(II) by inserting "(including related availability, accessibility, and coordination)" after "public health emergencies";

(ii) in subparagraph (A), by inserting "and trauma" after "medical";

(iii) in subparagraph (B), by striking "Medical evacuation and fatality management" and inserting "Fatality management";

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following the new subparagraph:

"(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.";

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting "(which may include such dental health assets)" after "medical assets"; and

(vii) by adding at the end the following:

"(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.";

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting ", including the unique needs and considerations of individuals with disabilities," after "medical needs of at-risk individuals"; and

(ii) in subparagraph (B), by inserting "the" before "purpose of this section"; and

(D) by adding at the end the following:

"(7) COUNTERMEASURES.—

"(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological,

or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

"(B) For purposes of this paragraph, the term 'countermeasures' has the same meaning as the terms 'qualified countermeasures' under section 319F–1, 'qualified pandemic and epidemic products' under section 319F–3, and 'security countermeasures' under section 319F–2. Definition.

"(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

"(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

"(B) promoting familiarity with local medical and public health systems.".

(b) AT-RISK INDIVIDUALS.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh–16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking "2811(b)(3)(B)" and inserting "2802(b)(4)(B)";

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

"(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;";

(5) by amending paragraph (2) (as so redesignated) to read as follows:

"(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);"; and

(6) by inserting after paragraph (6), the following:

"(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

"(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.".

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) IN GENERAL.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting ", security countermeasures (as defined in section 319F–2)," after "qualified countermeasures (as defined in section 319F–1)";

(B) in paragraph (4), by adding at the end the following:

"(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

"(E) IDENTIFICATION OF INEFFICIENCIES.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

Consultation.

"(F) COORDINATION OF GRANTS AND AGREEMENTS.—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

"(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

"(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

"(G) DRILL AND OPERATIONAL EXERCISES.—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

"(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

"(ii) unknown threats for which no countermeasures are available.

Consultation.

"(H) NATIONAL SECURITY PRIORITY.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures."; and

(C) by adding at the end the following:

"(7) COUNTERMEASURES BUDGET PLAN.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

"(A) include consideration of the entire medical countermeasures enterprise, including—

"(i) basic research and advanced research and development;

"(ii) approval, clearance, licensure, and authorized uses of products; and

"(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

"(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

"(C) identify medical countermeasure life-cycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F–2; and

"(D) be made available to the appropriate committees of Congress upon request.";

(2) by striking subsection (c) and inserting the following:

"(c) FUNCTIONS.—The Assistant Secretary for Preparedness and Response shall—

"(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

"(2) have authority over and responsibility for—

"(A) the National Disaster Medical System pursuant to section 2812;

"(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C–2;

"(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

"(D) the Medical Reserve Corps pursuant to section 2813;

"(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

"(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

"(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

"(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C–1;

"(B) the Strategic National Stockpile pursuant to section 319F–2; and

"(C) the Cities Readiness Initiative; and

"(4) assume other duties as determined appropriate by the Secretary."; and

(3) by adding at the end the following:

"(d) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan

Deadline.

for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the 'Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan'.

"(2) REQUIREMENTS.—The plan under paragraph (1) shall—

"(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), or qualified pandemic or epidemic products (as defined in section 319F–3) for each threat;

Evaluation.

"(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

"(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

"(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

"(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

"(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

"(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M;

Evaluation.

"(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

Reports.

"(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F–2(h) and the impact this funding will have on meeting the requirements under section 319F–2;

"(H) incorporate input from Federal, State, local, and tribal stakeholders;

"(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National

Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

"(i) a list of such countermeasures and products necessary to address the needs of pediatric populations; Lists.

"(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

"(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

"(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C); Evaluation.

"(J) identify the use of authority and activities undertaken pursuant to sections 319F–1(b)(1), 319F–1(b)(2), 319F–1(b)(3), 319F–1(c), 319F–1(d), 319F–1(e), 319F–2(c)(7)(C)(iii), 319F–2(c)(7)(C)(iv), and 319F–2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

"(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

"(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

"(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

"(iv) whether, with respect to each procurement that is approved by the President under section 319F–2(c)(6), a contract was entered into within one year after such approval by the President; and

"(v) with respect to section 319F–1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling $100,000 or greater and the number of persons who were paid amounts totaling at least $50,000 but less than $100,000; and

"(K) be made publicly available. Public information.

"(3) GAO REPORT.—

"(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Evaluation.

Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

"(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

"(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

"(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

"(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

"(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.".

42 USC 300hh–10 note.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

42 USC 300hh–10a.

"SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Consultation.

"(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the 'National Advisory Committee on Children and Disasters' (referred to in this section as the 'Advisory Committee').

"(b) DUTIES.—The Advisory Committee shall—

"(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

"(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

"(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

"(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

"(d) MEMBERSHIP.—

"(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number. Consultation.

"(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

"(A) the Assistant Secretary for Preparedness and Response;

"(B) the Director of the Biomedical Advanced Research and Development Authority;

"(C) the Director of the Centers for Disease Control and Prevention;

"(D) the Commissioner of Food and Drugs;

"(E) the Director of the National Institutes of Health;

"(F) the Assistant Secretary of the Administration for Children and Families;

"(G) the Administrator of the Federal Emergency Management Agency;

"(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

"(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

"(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

"(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

"(f) SUNSET.—The Advisory Committee shall terminate on September 30, 2018.".

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting ", including at-risk individuals as applicable" after "victims of a public health emergency";

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

(C) by inserting after subparagraph (B), the following:

"(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.".

"(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement."; and

(2) in subsection (g), by striking "such sums as may be necessary for each of the fiscal years 2007 through 2011" and inserting "$52,700,000 for each of fiscal years 2014 through 2018".

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking "such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011" and inserting "$155,300,000 for each of fiscal years 2014 through 2018 to carry out this section".

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

"(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

"(1) EMERGENCY REASSIGNMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or a tribal organization or such Governor or tribal organization's designee, the Secretary may authorize the requesting State or Indian tribe to temporarily reassign, for purposes of immediately addressing a public health emergency in the State or Indian tribe, State and local public health department or agency personnel funded in whole or in part through programs authorized under this Act, as appropriate.

"(2) ACTIVATION OF EMERGENCY REASSIGNMENT.—

"(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary reassignment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

"(B) CONTENTS OF REQUEST.—To seek authority for a temporary reassignment of personnel under paragraph (1), the Governor of a State or a tribal organization shall submit to the Secretary a request for such reassignment flexibility and shall include in the request each of the following:

"(i) An assurance that the public health emergency in the geographic area of the requesting State or Indian tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

"(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary reassignment of State and local personnel described in paragraph (1).

"(iii) An assurance that the requested temporary reassignment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C–1.

"(iv) An identification of—

"(I) each Federal program from which personnel would be temporarily reassigned pursuant to the requested authority; and

"(II) the number of personnel who would be so reassigned from each such program.

"(v) Such other information and assurances upon which the Secretary and Governor of a State or tribal organization agree.

"(C) CONSIDERATION.—In reviewing a request for temporary reassignment under paragraph (1), the Secretary shall consider the degree to which the program or programs funded in whole or in part by programs authorized under this Act would be adversely affected by the reassignment.

"(D) TERMINATION AND EXTENSION.—

"(i) TERMINATION.—A State or Indian tribe's temporary reassignment of personnel under paragraph (1) shall terminate upon the earlier of the following:

"(I) The Secretary's determination that the public health emergency no longer exists. Determination.

"(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or Indian tribe's request for such reassignment flexibility. Time period.

"(ii) EXTENSION OF REASSIGNMENT FLEXIBILITY.—The Secretary may extend reassignment flexibility of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

"(I) the State or Indian tribe that submitted the initial request for a temporary reassignment

of personnel submits a request for an extension of such temporary reassignment; and

"(II) the request for an extension contains the same information and assurances necessary for the approval of an initial request for such temporary reassignment pursuant to subparagraph (B).

"(3) VOLUNTARY NATURE OF TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL.—

"(A) IN GENERAL.—Unless otherwise provided under the law or regulation of the State or Indian tribe that receives authorization for temporary reassignment of personnel under paragraph (1), personnel eligible for reassignment pursuant to such authorization—

"(i) shall have the opportunity to volunteer for temporary reassignment; and

"(ii) shall not be required to agree to a temporary reassignment.

"(B) PROHIBITION ON CONDITIONING FEDERAL AWARDS.—The Secretary may not condition the award of a grant, contract, or cooperative agreement under this Act on the requirement that a State or Indian tribe require that personnel eligible for reassignment pursuant to an authorization under paragraph (1) agree to such reassignment.

"(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

"(A) any initial request for temporary reassignment of personnel; and

"(B) any request for an extension of such temporary reassignment.

"(5) GUIDANCE.—The Secretary shall—

"(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary reassignment of personnel under this subsection; and

"(B) after providing notice and a 60-day period for public comment, finalize such guidance.

"(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on temporary reassignment under this subsection, including—

"(A) a description of how, and under what circumstances, such temporary reassignment has been used by States and Indian tribes;

"(B) an analysis of how such temporary reassignment has assisted States and Indian tribes in responding to public health emergencies;

"(C) an evaluation of how such temporary reassignment has improved operational efficiencies in responding to public health emergencies;

"(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily reassigned have been adversely affected by the reassignment; and

"(E) recommendations on how medical surge capacity could be improved in responding to public health emergencies and the impact of the reassignment flexibility under this section on such surge capacity. Recommendations.

"(7) DEFINITIONS.—In this subsection—

"(A) the terms 'Indian tribe' and 'tribal organization' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act; and

"(B) the term 'State' includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

"(8) SUNSET.—This subsection shall terminate on September 30, 2018.".

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C–1 of the Public Health Service Act (42 U.S.C. 247d–3a) is amended—

(1) in subsection (b)(1)(C), by striking "consortium of entities described in subparagraph (A)" and inserting "consortium of States";

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

"(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

"(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);";

(ii) in clause (iv), by striking "and" at the end; and

(iii) by adding at the end the following:

"(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

"(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

"(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and

response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

"(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;"; and

(B) in subparagraph (C), by inserting ", including addressing the needs of at-risk individuals," after "capabilities of such entity";

(3) in subsection (f)—

(A) in paragraph (2), by adding "and" at the end;

(B) in paragraph (3), by striking "; and" and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

"(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and"; and

Criteria.

(B) in paragraph (2)(A), by adding at the end the following: "The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).";

(5) by striking subsection (h);

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

(7) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking "$824,000,000 for fiscal year 2007, of which $35,000,000 shall be used to carry out subsection (h)," and inserting "$641,900,000 for fiscal year 2014"; and

(II) by striking "such sums as may be necessary for each of fiscal years 2008 through 2011" and inserting "$641,900,000 for each of fiscal years 2015 through 2018";

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking "subparagraph (C)" and inserting "subparagraph (B)";

(B) in subparagraphs (C) and (D) of paragraph (3), by striking "(1)(A)(i)(I)" each place it appears and inserting "(1)(A)";

(C) in paragraph (4)(B), by striking "subsection (c)" and inserting "subsection (b)"; and

(D) by adding at the end the following:

"(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

"(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

"(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).";

and

(8) in subsection (i), as so redesignated—

(A) in paragraph (1)(E), by striking "subsection (k)" and inserting "subsection (j)";

(B) by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d–1(e)) is amended by striking "such sums for each of fiscal years 2007 through 2011" and inserting "$30,800,000 for each of fiscal years 2014 through 2018".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 319C–1(b)(1)(B) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(1)(B)) is amended by striking "subsection (i)(4)" and inserting "subsection (h)(4)".

(2) Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(A) in subsection (i), by striking "(j), and (k)" and inserting "(i), and (j)"; and

(B) in subsection (j)(3), by striking "319C–1(i)" and inserting "319C–1(h)".

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d–6(a)(5)(B)) is amended by striking "public health or medical" and inserting "public health, medical, or dental".

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d–7b(k)) is amended by striking "$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011" and inserting "$5,000,000 for each of fiscal years 2014 through 2018".

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh–15) is amended—

(A) in subsection (d)(2), by adding at the end the following: "Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency."; and

(B) in subsection (i), by striking "$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011" and inserting "$11,200,000 for each of fiscal years 2014 through 2018".

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a), by inserting ", including, as appropriate, capacity and preparedness to address the needs of children and other at-risk individuals" before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking "centers, primary" and inserting "centers, community health centers, primary";

(3) by striking subsection (c) and inserting the following:

"(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.";

(4) by striking subsection (g) and inserting the following:

"(g) COORDINATION.—

"(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

"(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).";

(5) in subsection (i)—

(A) by striking "The requirements of" and inserting the following:

"(1) IN GENERAL.—The requirements of"; and

(B) by adding at the end the following:

"(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802."; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

Appropriation authorization.

"(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated $374,700,000 for each of fiscal years 2014 through 2018."; and

(B) by adding at the end the following:

"(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

"(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

"(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon

such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).".

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

(a) IN GENERAL.—Section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting "poison control centers," after "hospitals,";

(B) in paragraph (2), by inserting before the period at the end the following: ", allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort"; and

(C) in paragraph (3), by inserting before the period at the end the following: "and update such standards as necessary";

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively;

(4) in subsection (c), as so redesignated—

(A) in the subsection heading, by striking "PUBLIC HEALTH SITUATIONAL AWARENESS" and inserting "MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE";

(B) in paragraph (1)—

(i) by striking "Pandemic and All-Hazards Preparedness Act" and inserting "Pandemic and All-Hazards Preparedness Reauthorization Act of 2013"; and

(ii) by inserting ", novel emerging threats," after "disease outbreaks";

(C) by striking paragraph (2) and inserting the following:

"(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to— Deadline.

"(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

"(B) modernize and enhance biosurveillance activities; and

"(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.";

(D) in paragraph (3)(D), by inserting "community health centers, health centers" after "poison control,";

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

"(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Determination. Consultation.

Office of the National Coordinator for Health Information Technology, through a joint public and private sector process;"; and

(F) by adding at the end the following:

"(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall— Guidance. Recommendations.

"(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

"(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

"(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities."; Coordination.

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking "subsection (d)" and inserting "subsection (c)";

(B) in paragraph (4)(B), by striking "subsection (d)" and inserting "subsection (c)"; and

(C) in paragraph (5)—

(i) by striking "4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act" and inserting "3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013"; and

(ii) by striking "subsection (d)" and inserting "subsection (c)";

(6) in subsection (f), as so redesignated, by striking "such sums as may be necessary in each of fiscal years 2007 through 2011" and inserting "$138,300,000 for each of fiscal years 2014 through 2018"; and

(7) by adding at the end the following:

"(g) DEFINITION.—For purposes of this section the term 'biosurveillance' means the process of gathering near real-time

biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 319C–1(b)(2)(D) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(2)(D)) is amended by striking "section 319D(d)(3)" and inserting "section 319D(c)(3)".

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d–6c) is repealed. Repeal.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking "size of clinical trials intended" and all that follows through ". The sponsor or applicant" and inserting the following: "size—

"(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

"(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

"(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies.

The sponsor or applicant".

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "sections 505, 510(k), and 515 of this Act" and inserting "any provision of this Act";

(B) in paragraph (2)(A), by striking "under a provision of law referred to in such paragraph" and inserting "under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act"; and

(C) in paragraph (3), by striking "a provision of law referred to in such paragraph" and inserting "a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)";

(2) in subsection (b)—

(A) in the subsection heading, by striking "EMERGENCY" and inserting "EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "may declare an emergency" and inserting "may make a declaration that the circumstances exist";

(ii) in subparagraph (A), by striking "specified";

(iii) in subparagraph (B)—

(I) by striking "specified"; and

(II) by striking "; or" and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

Determination.

"(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or"; and

(v) by adding at the end the following:

"(D) the identification of a material threat pursuant to section 319F–2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.";

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

"(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.";

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking "advance notice of termination, and renewal under this subsection." and inserting ", and advance notice of termination under this subsection."; and

(E) by adding at the end the following:

"(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.";

(3) in subsection (c)—

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

(i) by inserting "the Assistant Secretary for Preparedness and Response," after "consultation with";

(ii) by striking "Health and" and inserting "Health, and"; and

(iii) by striking "circumstances of the emergency involved" and inserting "applicable circumstances described in subsection (b)(1)";

(B) in paragraph (1), by striking "specified" and inserting "referred to"; and

(C) in paragraph (2)(B), by inserting ", taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable" after "risks of the product";

(4) in subsection (d)(3), by inserting ", to the extent practicable given the circumstances of the emergency," after "including";

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking "circumstances of the emergency" and inserting "applicable circumstances described in subsection (b)(1)";

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

"(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.";

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "manufacturer of the product" and inserting "person";

(II) by striking "circumstances of the emergency" and inserting "applicable circumstances described in subsection (b)(1)"; and

(III) by inserting at the end before the period "or in paragraph (1)(B)";

(ii) in subparagraph (B)(i), by inserting before the period at the end ", except as provided in section 564A with respect to authorized changes to the product expiration date"; and

(iii) by amending subparagraph (C) to read as follows:

"(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use."; and

(D) by amending paragraph (3) to read as follows:

"(3) GOOD MANUFACTURING PRACTICE; PRESCRIPTION.—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)— Waiver. Limitations.

"(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

"(B) requirements established under section 503(b); and

"(C) requirements established under section 520(e).";

(6) in subsection (g)—

(A) in the subsection heading, by inserting "REVIEW AND" before "REVOCATION";

Review.

(B) in paragraph (1), by inserting after the period at the end the following: "As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

"(A) an unapproved product for which an authorization was issued under this section; or

"(B) an unapproved use of an approved product for which an authorization was issued under this section."; and

(C) by amending paragraph (2) to read as follows:

"(2) REVISION AND REVOCATION.—The Secretary may revise or revoke an authorization under this section if—

"(A) the circumstances described under subsection (b)(1) no longer exist;

"(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

"(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.";

Web posting.

(7) in subsection (h)(1), by adding after the period at the end the following: "The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.";

(8) by adding at the end of subsection (j) the following:

"(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued."; and

(9) by adding at the end the following:

"(m) CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.—

Determination.

"(1) IN GENERAL.—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

"(A) such categorization would be beneficial to protecting the public health; and

"(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

"(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

"(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).".

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

"SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

21 USC 360bbb–3a.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE PRODUCT.—The term 'eligible product' means a product that—

"(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

"(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

"(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

"(C) is intended for use during the circumstances under which—

"(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

"(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.

"(2) PRODUCT.—The term 'product' means a drug, device, or biological product.

"(b) EXPIRATION DATING.—

"(1) IN GENERAL.—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

"(A) the expiration date extension is intended to support the United States ability to protect—

"(i) the public health; or

"(ii) military preparedness and effectiveness; and

"(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

"(2) REQUIREMENTS AND CONDITIONS.—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

"(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

"(B) the duration of the extension; and

"(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, record-keeping, periodic testing or retesting, or product disposition.

"(3) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall

not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

Definition.

"(4) EXPIRATION DATE.—For purposes of this subsection, the term 'expiration date' means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

"(c) CURRENT GOOD MANUFACTURING PRACTICE.—

"(1) IN GENERAL.—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

"(2) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

"(d) EMERGENCY DISPENSING.—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

"(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

"(2) such dispensing without an individual prescription occurs—

"(A) as permitted under the law of the State in which the product is dispensed; or

"(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

"(e) EMERGENCY USE INSTRUCTIONS.—

"(1) IN GENERAL.—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product's approved, licensed, or cleared conditions of use.

"(2) EFFECT.—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the

issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

"(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

"(B) by a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.".

(c) RISK EVALUATION AND MITIGATION STRATEGIES.—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

"(k) WAIVER IN PUBLIC HEALTH EMERGENCIES.—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F–1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which— Determination.

"(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

"(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.".

(d) PRODUCTS HELD FOR EMERGENCY USE.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

"SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE. 21 USC 360bbb–3b.

"It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

"(1) is intended to be held and not used; and

"(2) is held and not used, unless and until that product—

"(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

"(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

"(C) is authorized for use under section 564.".

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) is amended by striking "The Secretary, in consultation" and inserting the following:

"(a) DEFINITIONS.—In this section—

"(1) the term 'countermeasure' means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

"(2) the term 'qualified countermeasure' has the meaning given such term in section 319F–1 of the Public Health Service Act;

"(3) the term 'security countermeasure' has the meaning given such term in section 319F–2 of such Act; and

"(4) the term 'qualified pandemic or epidemic product' means a product that meets the definition given such term in section 319F–3 of the Public Health Service Act and—

"(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

"(B) is included under this paragraph pursuant to a determination by the Secretary.

"(b) GENERAL DUTIES.—The Secretary, in consultation".

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 303, is further amended—

(1) in the section heading, by striking "**TECHNICAL ASSISTANCE**" and inserting "**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**";

(2) in subsection (b), by striking the subsection enumerator and all that follows through "shall establish" and inserting the following:

Consultations.

"(b) GENERAL DUTIES.—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

"(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F–1, 319F–2, 319F–3, 319L, and 2811 of the Public Health Service Act;

"(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

"(3) promote countermeasure expertise within the Food and Drug Administration by—

"(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F–2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

"(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

"(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

"(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

"(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

"(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

"(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

"(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

"(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

"(5) establish"; and

(3) by adding at the end the following:

"(c) FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.—

"(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible. Deadline.

"(2) AUTHORITY TO EXTEND DEADLINE.—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Reports.

"(d) DEVELOPMENT AND ANIMAL MODELING PROCEDURES.—

"(1) AVAILABILITY OF ANIMAL MODEL MEETINGS.—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive— Deadline.

"(A) a meeting to discuss proposed animal model development activities; and

"(B) a meeting prior to initiating pivotal animal studies.

"(2) PEDIATRIC MODELS.—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

"(e) REVIEW AND APPROVAL OF COUNTERMEASURES.—

"(1) MATERIAL THREAT.—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F–2 of the Public Health Service Act for which the countermeasure under review is intended.

"(2) REVIEW EXPERTISE.—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).".

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 304, is further amended by adding at the end the following:

"(f) REGULATORY MANAGEMENT PLAN.—

"(1) DEFINITION.—In this subsection, the term 'eligible countermeasure' means—

"(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F–2(c) of the Public Health Service Act; or

"(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

Consultation.

"(2) REGULATORY MANAGEMENT PLAN PROCESS.—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligible countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

"(3) SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.—

"(A) IN GENERAL.—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

"(B) TIMING OF SUBMISSION.—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

"(C) RESPONSE BY SECRETARY.—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

Time period.

Determination.

"(4) PLAN.—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

"(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

"(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

"(C) an agreement on how the plan shall be modified, if needed.

"(5) MILESTONES AND PERFORMANCE TARGETS.—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

"(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

"(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

"(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

"(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

"(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

"(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

"(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would

not delay authorization under section 564, approval, licensure, or clearance for adults.

"(6) PRIORITIZATION.—

"(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

Determination.

"(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.".

Consultation.
Prioritization.

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 305, is further amended by adding at the end the following:

Public information.
Web posting.

"(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

"(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

"(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

"(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

"(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

"(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

"(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

"(C) explanations for any failure to meet such performance targets and goals;

"(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number

of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

"(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

"(A) Center-specific objectives and accomplishments; and

"(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

"(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

"(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

"(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

"(A) sponsors of a countermeasure as defined in subsection (a); or

"(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.".

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

"(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section."; and

(2) in subsection (n)(1), by adding at the end the following:

"(C) For a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric

Notification.

studies in the written request issued by the Commissioner of Food and Drugs.".

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

"(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

"(A) shall consider—

"(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

"(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

"(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

Consultation.

"(B) may consider the availability of qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), and qualified pandemic or epidemic products (as defined in section 319F–3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section."; and

(2) in subsection (b), by striking "subsection (a)" and inserting "paragraphs (1) and (2)(A) of subsection (a)".

42 USC 284m–1.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting "; and"; and

(2) by adding at the end the following:

"(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.".

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F–2(c) of the Public Health Service Act (42 U.S.C. 247d–6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking "eight years" and inserting "10 years";

(2) in paragraph (2)(C), by striking "the designated congressional committees (as defined in paragraph (10))" and inserting "the appropriate committees of Congress";

(3) in paragraph (5)(B)(ii), by striking "eight years" and inserting "10 years";

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking "DESIGNATED CONGRESSIONAL COMMITTEES" and inserting "APPROPRIATE CONGRESSIONAL COMMITTEES"; and

(B) by striking "the designated congressional committees" and inserting "the appropriate congressional committees"; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting "including advanced research and development," after "as may reasonably be required,";

(B) in clause (ii)—

(i) in subclause (III), by striking "eight years" and inserting "10 years"; and

(ii) by striking subclause (IX) and inserting the following:

"(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

"(aa) may specify—

"(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

"(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

"(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

"(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).''; and

(C) by adding at the end the following:

"(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.''.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (c)—

(A) by striking "special reserve fund under paragraph (10)" each place it appears and inserting "special reserve fund as defined in subsection (h)"; and

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

"(g) SPECIAL RESERVE FUND.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), $2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

"(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

"(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

Determination. Procurement.

"(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than $1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

"(A) in meeting the security countermeasure needs identified under this section; and

"(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

"(h) DEFINITIONS.—In this section:

"(1) The term 'advanced research and development' has the meaning given such term in section 319L(a).

"(2) The term 'special reserve fund' means the 'Biodefense Countermeasures' appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).".

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting "(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)" after "development"; and

(2) in subparagraph (D)(iii), by striking "and vaccine manufacturing technologies" and inserting "vaccine-manufacturing

technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies".

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)) is amended by adding at the end the following:

"(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.".

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d–7e(d)(2)) is amended to read as follows:

"(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund $415,000,000 for each of fiscal years 2014 through 2018, such amounts to remain available until expended.".

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(C)) is amended by striking "7 years" and inserting "12 years".

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d–6a note) is amended by striking "6-year" and inserting "12-year".

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012. 42 USC 247d–6a note.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) is amended by adding at the end the following:

"(f) INDEPENDENT EVALUATION.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section. Deadline.

"(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess— Review. Assessment.

"(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

"(B) the activities supported by flexible manufacturing initiatives; and

"(C) the ability of flexible manufacturing activities carried out under this section to—

"(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

"(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.".

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F–1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d–6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking "to—" and inserting "—";

(B) in clause (i)—

(i) by striking "diagnose" and inserting "to diagnose"; and

(ii) by striking "; or" and inserting a semicolon;

(C) in clause (ii)—

(i) by striking "diagnose" and inserting "to diagnose"; and

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

(D) by adding at the end the following:

"(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).".

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F–3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d–6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking "; or" and inserting ";";

(B) in clause (ii), by striking "; and" and inserting "; or"; and

(C) by adding at the end the following:

"(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and".

(3) TECHNICAL AMENDMENTS.—Section 319F–3(i) of the Public Health Service Act (42 U.S.C. 247d–6d(i)) is amended—

(A) in paragraph (1)(C), by inserting ", 564A, or 564B" after "564"; and

(B) in paragraph (7)(B)(iii), by inserting ", 564A, or 564B" after "564".

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting "consistent with section 2811" before "by the Secretary to be appropriate"; and

(ii) by inserting before the period at the end of the second sentence the following: "and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security"; and

Review. Deadline.

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: "and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment"; and

(2) in subsection (f)(1), by striking "$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of

fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A)." and inserting "$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).".

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d–f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking "and" at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

"(iii) one such member shall be an individual with pediatric subject matter expertise; and

"(iv) one such member shall be a State, tribal, territorial, or local public health official."; and

(B) by adding at the end the following flush sentence: "Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D)."; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.".

Approved March 13, 2013.

LEGISLATIVE HISTORY—H.R. 307:

CONGRESSIONAL RECORD, Vol. 159 (2013):

Jan. 22, considered and passed House.

Feb. 27, considered and passed Senate, amended.

Mar. 4, House concurred in Senate amendment.

Public Law 113–6
113th Congress

An Act

Mar. 26, 2013
[H.R. 933]

Making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013, and for other purposes.

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

Consolidated and Further Continuing Appropriations Act, 2013.

SHORT TITLE

SECTION 1. This Act may be cited as the "Consolidated and Further Continuing Appropriations Act, 2013".

TABLE OF CONTENTS

SEC. 2. The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Explanatory statement.
Sec. 5. Availability of funds.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Title I—Agricultural Programs
Title II—Conservation Programs
Title III—Rural Development Programs
Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agency and Food and Drug Administration
Title VII—General provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Title I—Department of Commerce
Title II—Department of Justice
Title III—Science
Title IV—Related agencies
Title V—General provisions

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs
Title VII—Related agencies
Title VIII—General provisions
Title IX—Overseas contingency operations

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

Title I—Departmental management and operations

Title II—Security, enforcement, and investigations
Title III—Protection, preparedness, response, and recovery
Title IV—Research and development, training, and services
Title V—General provisions

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related agencies
Title IV—Overseas contingency operations
Title V—General provisions

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

Title I—General Provisions
Title II—Energy and Water Development
Title III—Financial Services and General Government
Title IV—Interior, Environment, and Related Agencies
Title V—Labor, Health and Human Services, and Education, and Related Agencies
Title VI—Legislative Branch
Title VII—Department of State, Foreign Operations, and Related Programs
Title VIII—Transportation and Housing and Urban Development, and Related Agencies

DIVISION G—OTHER MATTERS

REFERENCES

SEC. 3. Except as expressly provided otherwise, any reference to "this Act" contained in division A, B, C, D, or E of this Act shall be treated as referring only to the provisions of that division. 1 USC 1 note.

EXPLANATORY STATEMENT

SEC. 4. The explanatory statement regarding this Act printed in the Senate section of the Congressional Record on or about March 11, 2013, by the Chairwoman of the Committee on Appropriations of the Senate shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

AVAILABILITY OF FUNDS

SEC. 5. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress. President.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013.

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,388,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $498,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,422,000 shall be available for the Office of Advocacy and Outreach; not to exceed $25,046,000 shall be available for the Office of the Assistant Secretary for Administration, of which $24,242,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $9,006,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

Obligation availability. Deadline. Notification.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $16,008,000, of which $4,000,000 shall be for grants or cooperative

Deadline.

agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $14,225,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,049,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $44,031,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,247,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out. Reports.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $893,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $22,692,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $271,336,000, to remain available until expended, of which $175,694,000 shall be available for payments to the General Services Administration for rent; of which $13,473,000 is for payments to the Department of Homeland Security for building security activities; and of which $82,169,000 is for buildings operations and maintenance expenses:

Provided, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,992,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $89,016,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,074,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $3,405,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, $893,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $77,397,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $179,477,000, of which up to $62,500,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,101,853,000: *Provided*, That 7 USC 2254.
appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further,* That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That section 732(b) of division A of Public Law 112–55 (125 Stat. 587) is amended by adding at the end the following new sentence: "The conveyance authority provided by this subsection expires September 30, 2013, and all conveyances under this subsection must be completed by that date.": *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

Maryland.

Easements.

Easements.

Expiration date.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $738,638,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further,* That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further,* That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further,* That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $475,854,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further,* That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $21,482,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2014.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $893,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $821,851,000, of which $1,500,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $15,970,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $36,858,000, to remain available until expended, shall be for Animal Health Technical Services; of which $696,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $52,000,000, to remain available until expended, shall be used to support avian health; of which $4,335,000, to remain available until expended, shall be for information technology infrastructure; of which $153,950,000, to remain available until expended, shall be for specialty crop pests; of which, $9,068,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $56,638,000, to remain available until expended, shall be for tree and wood pests; of which $2,750,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,971,000 shall remain available until expended: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7

U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees.

In fiscal year 2013, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $78,863,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,592,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

Notification.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY
(SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program

expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,331,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $40,261,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress. Notification.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $811,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,001,427,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2013 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Employment positions.

Public Law 110–246: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $893,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,208,290,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $5,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating

(7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $1,500,000,000 for guaranteed farm ownership loans and $475,000,000 for farm ownership direct loans; $1,500,000,000 for unsubsidized guaranteed operating loans and $1,050,090,000 for direct operating loans; emergency loans, $34,658,000; Indian tribe land acquisition loans, $2,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

Pink Bollworm.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, $20,140,000 for direct loans; farm operating loans, $58,490,000 for direct operating loans, $17,850,000 for unsubsidized guaranteed operating loans, emergency loans, $1,317,000, to remain available until expended; and Indian highly fractionated land loans, $173,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $312,897,000, of which $304,977,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

Notification. Deadline.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, $74,900,000: *Provided*, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further,* That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

Contracts.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $893,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests

therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $830,998,000, to remain available until September 30, 2014: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $14,700,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $893,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $206,857,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $27,952,000 for section 504 housing repair loans; $31,277,000 for section 515 rental housing; $150,000,000 for section 538 guaranteed

multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $53,730,000 shall be for direct loans; section 504 housing repair loans, $3,821,000; and repair, rehabilitation, and new construction of section 515 rental housing, $11,000,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further,* That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2013.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $16,526,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $410,627,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $907,128,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than $3,000,000 is available for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That any unexpended balances remaining at the end of such 1-year agreements

Time period.

may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2013 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

Time period.

Applicability.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

Vouchers.
Loans.

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $27,782,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $10,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $17,782,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a

Contracts.

restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multifamily rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $33,136,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $57,481,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,880,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $28,428,000, to remain available until expended: *Provided*, That $6,121,000 of the amount appropriated under this heading shall be available

for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,938,000 Grants.
of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $3,369,000 Grants.
of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further,* That of the total amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, $85,904,000, to remain available until expended: *Provided*, That Grants.
of the amount appropriated under this heading, not to exceed $1,000,000 shall be made available for two grants to qualified national organizations to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That Grants.
$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further,* That of the total amount appropriated under this heading, the amount

equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $18,889,000.

For the cost of direct loans, $6,052,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $900,000 shall be available through June 30, 2013, for Federally Recognized Native American Tribes; and of which $2,000,000 shall be available through June 30, 2013, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,438,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $180,000,000 shall not be obligated and $180,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $27,706,000, of which $2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,456,000 shall be for grants for cooperative development centers, individual

cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $3,400,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $524,466,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $5,750,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in

Loans.
Grants.
Hawaii.

Grants.
Determination.

working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $3,400,000 shall be for solid waste management grants: *Provided further,* That of the total amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2012, shall be available through June 30, 2013, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

Contracts.

Grants.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section, for projects whose features include agricultural water supply benefits, groundwater protection, environmental enhancement and flood control, $40,000,000: *Provided*, That such loans shall be made by the Rural Utilities Service.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $6,500,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; cost of money rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,467,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $42,239,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $24,950,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: *Provided further*, That $3,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies. Grants.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,000,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, $811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $19,916,436,000, to remain available through September 30, 2014, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and

Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $16,504,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further,* That of the total amount available, $35,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

Grants.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $7,046,000,000, to remain available through September 30, 2014: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, $14,000,000 shall be used for infrastructure, and $35,000,000 shall be used for management information systems: *Provided further*, That funds made available for the purposes specified in section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of funds in the contingency reserve that are without fiscal year limitation: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

Determination.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $77,290,160,000, of which $3,000,000,000, to remain available through September 30, 2014, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related

Workfare.

to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $253,952,000, to remain available through September 30, 2014: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2013 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2014: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $143,505,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $176,789,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to

$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,806,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

Notification.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,435,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $184,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $6,806,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,452,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,223,295,000: *Provided*, That of the amount provided under this heading, $718,669,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2014 but collected in fiscal year 2013; $97,722,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $299,000,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $20,242,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $23,848,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $6,031,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $505,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; $12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; $15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2013 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2013

Fees.

Fees.

received during fiscal year 2013, including any such fees assessed prior to fiscal year 2013 but credited for fiscal year 2013, shall be subject to the fiscal year 2013 limitations: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $887,162,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,261,369,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $329,708,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $167,576,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $393,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $59,429,000 shall be for the National Center for Toxicological Research; (7) $482,398,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $168,971,000 shall be for Rent and Related activities, of which $61,713,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $213,352,000 shall be for payments to the General Services Administration for rent; and (10) $259,342,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further,* That the Secretary may, prior to the due date for such fees, accept payment of prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts payment in fiscal year 2013 shall not be included in amounts provided under this heading: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used

by the Food and Drug Administration, where not otherwise provided, $5,320,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $63,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles of which 170 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances of the Department of Agriculture that are remaining available at the end of the fiscal year, to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 726 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement

Notification.

Notification.

or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

Notification.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. Funds made available by this Act under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

Notification.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2014, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

Waiver authority.

SEC. 715. Notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

SEC. 716. None of the funds made available in fiscal year 2013 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for

the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 717. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 718. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 719. For an additional amount for "Food and Drug Administration, Salaries and Expenses", $50,000,000, to remain available until expended, of which $40,000,000 is for one-time activities directly related to implementation of the Food Safety Modernization Act, and of which $10,000,000 is for one-time activities directly related to improving the safety of the human drug supply.

SEC. 720. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 721. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,400,000,000;

(3) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb–1)) in excess of $73,000,000; and

(4) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of $2,500,000 for the Natural Resources Conservation Service.

SEC. 722. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246 in excess of $981,000,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School

Lunch Act as amended by section 4304 of Public Law 110–246 in excess of $41,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2013: *Provided further*, That $117,000,000 made available on October 1, 2013, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 shall be excluded from the limitation described in subsection (b)(2)(A)(vi) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(v) of section 14222 of Public Law 110–246, $150,000,000 are hereby rescinded. Rescission.

SEC. 723. Subject to authorizing legislation by the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry, the Secretary may reserve, through April 1, 2013, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural economic development program; rural microenterprise program; biorefinery assistance program; rural energy for America program; value-added producer grants; broadband program; water and waste program; and rural community facilities program.

SEC. 724. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 725. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2014 appropriations Act.

SEC. 726. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Notifications. Deadlines.

Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 727. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business

and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 728. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

News stories.

SEC. 729. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 730. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 731. Notwithstanding any other provision of law, any area eligible for rural housing programs of the Rural Housing Service on September 30, 2012, shall remain eligible for such programs until September 30, 2013.

SEC. 732. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 733. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 734. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 735. In the event that a determination of non-regulated status made pursuant to section 411 of the Plant Protection Act

is or has been invalidated or vacated, the Secretary of Agriculture shall, notwithstanding any other provision of law, upon request by a farmer, grower, farm operator, or producer, immediately grant temporary permit(s) or temporary deregulation in part, subject to necessary and appropriate conditions consistent with section 411(a) or 412(c) of the Plant Protection Act, which interim conditions shall authorize the movement, introduction, continued cultivation, commercialization and other specifically enumerated activities and requirements, including measures designed to mitigate or minimize potential adverse environmental effects, if any, relevant to the Secretary's evaluation of the petition for non-regulated status, while ensuring that growers or other users are able to move, plant, cultivate, introduce into commerce and carry out other authorized activities in a timely manner: *Provided*, That all such conditions shall be applicable only for the interim period necessary for the Secretary to complete any required analyses or consultations related to the petition for non-regulated status: *Provided further*, That nothing in this section shall be construed as limiting the Secretary's authority under section 411, 412 and 414 of the Plant Protection Act.

SEC. 736. None of the funds made available by this or any other Act may be used to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

Rescission.

SEC. 737. Of the unobligated balance of funds available to the Department of Agriculture for the cost of broadband loans under the heading "Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program" in prior appropriation Acts, $25,320,000 is rescinded.

Rescission.

SEC. 738. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104), $28,045,000 are hereby rescinded.

SEC. 739. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

Deadline.
Spending plan.

SEC. 740. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 741. There is hereby appropriated for the "Emergency Conservation Program", $11,100,000, to remain available until expended; for the "Emergency Forestry Restoration Program", $14,200,000, to remain available until expended; and for the "Emergency Watershed Protection Program", $65,454,000, to remain available until expended: *Provided,* That not less than $48,257,000 made available for the Emergency Watershed Protection Program under this general provision are provided for necessary expenses for a major disaster declaration issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.).

Regulations. Deadlines.

SEC. 742. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed $100,000,000 or such rules have already been published in compliance with Section 721 of the Consolidated and Further Continuing Appropriations Act, 2012, Public Law 112–55: *Provided*, That no funds made available by this or any other Act be used to publish a final or interim final rule in furtherance of, or otherwise to implement, proposed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)): *Provided further*, That none of the funds made available by this or any other Act may be used to implement such rules until 60 days from the publication date of such rules: *Provided further*, That none of the funds made available by this Act may be used to enforce or to take regulatory action based on or in furtherance of sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations, as they exist at the time this Act is passed, or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria embodied in these sections: *Provided further*, That the Secretary of Agriculture shall, within 60 days, rescind sections 201.2(o), 201.3(a), or 201.215(a), of Title 9 of the Code of Federal Regulations.

SEC. 743. Notwithstanding any other provision of this Act—

(1) the amount made available for buildings operations and maintenance expenses in the matter before the first proviso under the heading "AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS" under the heading "AGRICULTURAL PROGRAMS" in title I shall be $52,169,000;

(2) the amount made available for necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act in the matter before the first proviso under the heading "FOOD SAFETY AND INSPECTION SERVICE" under the heading "AGRICULTURAL PROGRAMS" in title I shall be $1,056,427,000; and

(3) the amount made available to provide competitive grants to State agencies in the second proviso under the heading "CHILD NUTRITION PROGRAMS" under the heading "FOOD AND NUTRITION SERVICE" under the heading "DOMESTIC FOOD PROGRAMS" in title IV shall be $10,000,000.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013".

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013.

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the

fiscal year ending September 30, 2013, and for other purposes, namely:

Department of Commerce Appropriations Act, 2013.

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $482,538,000, to remain available until September 30, 2014, of which $11,360,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title

28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $101,796,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

Applicability.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees authorized by section 27 (15 U.S.C. 3722) of such Act, $187,300,000, to remain available until expended; of which $5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which $5,000,000 shall be for loan guarantees under section 26; and of which up to $5,000,000 shall be for loan guarantees under section 27: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such sections 26 and 27 combined are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $70,000,000.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,500,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise,

including expenses of grants, contracts, and other agreements with public or private organizations, $28,689,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,228,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $256,255,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, $667,953,000, to remain available until September 30, 2014: *Provided*, That $649,953,000 is appropriated from the general fund and $18,000,000 is derived from available unobligated balances from the Census Working Capital Fund: *Provided further,* That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $45,994,000, to remain available until September 30, 2014: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $2,933,241,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2013, should the total amount of such offsetting collections be less than $2,933,241,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2013 for official reception and representation expenses: *Provided further*, That in fiscal year 2013 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements,

Spending plan.

where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), $621,173,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further,* That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $143,000,000, to remain available until expended, of which $128,500,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $14,500,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $60,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

Budget estimate.
15 USC 1513b note.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants,

contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,112,614,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $119,064,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,246,678,000 provided for in direct obligations under this heading $3,112,614,000 is appropriated from the general fund, $119,064,000 is provided by transfer and $15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $212,664,000: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: *Provided further,* That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

Grants.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,926,036,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $1,941,036,000 provided for in direct obligations under this heading, $1,926,036,000 is appropriated from the general fund and $15,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric

Budget estimate.

Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further,* That, within the amounts appropriated, $1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2014: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

Guidelines.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $56,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an

Task force.
Reports.
15 USC 1543.

annual report on related incentive strategies, implementation plans and program results.

RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of Department of Commerce facilities, $2,040,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $28,753,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest. Certification.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce. Notification. Deadline.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

33 USC 878a.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55) is amended—

(1) by striking "paragraph (2)" and inserting "subsection (e)(2)"; and

(2) by striking "this subsection" and inserting "subsection (e)".

Incorporation by reference.
33 USC 878a note.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

Deadline.
Reports.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

125 Stat. 603.

SEC. 110. Section 113(b)(3) of division B of Public Law 112–55 is amended by striking "2012" and inserting "2013".

This title may be cited as the "Department of Commerce Appropriations Act, 2013".

Department of Justice Appropriations Act, 2013.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $110,822,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $313,438,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $85,985,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $881,000,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of

Determination.

the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,170,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at $47,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,969,687,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking: *Provided further,* That of the total amount appropriated, $10,000,000 shall only be available after the Attorney General certifies that each United States Attorney is participating in a United States Attorney-led task force on human trafficking.

Human trafficking.

Certification.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That not less than $1,500,000 shall be for debtor audits:

Provided further, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $10,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $12,036,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Determination.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,196,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,647,383,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $90,039,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Determination.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug

trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $521,793,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,185,007,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That $500,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States. Review.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $80,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,050,904,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in

connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,153,345,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $15,000,000 shall remain available until expended: *Provided*, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of "Curios or relics" in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

18 USC 921 note.

18 USC 923 note.

18 USC 923 note.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 835, of which 808 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,820,217,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and

42 USC 250a.

correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2014: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: *Provided further,* That of the amount provided under this heading, not less than $99,496,000 shall be for activation of newly constructed prisons in Berlin, New Hampshire, Aliceville, Alabama, Yazoo City, Mississippi, and Hazelton, West Virginia, as requested in the Department's fiscal year 2013 budget.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $90,000,000, to remain available until expended, of which not less than $66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

Contracts.

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); and for related victims services, $416,500,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

Grants.

(1) $189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) $10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs

to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided,* That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: *Provided further,* That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $25,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $15,500,000 is for a grant program to support families in the justice system, including for the purposes described in the safe havens for children program, as authorized by section 1301 of the 2000 Act, and the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(12) $5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) $500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing

Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); and other programs, $127,000,000, to remain available until expended, of which—

(1) $48,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which $36,000,000 is for the administration and redesign of the National Crime Victimization Survey;

(2) $43,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act: *Provided,* That of the amounts provided under this paragraph, $5,000,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the National Institute of Justice for research, testing and evaluation programs;

(3) $1,000,000 is for an evaluation clearinghouse program; and

(4) $35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); and other programs, $1,140,418,000, to remain available until expended as follows—

(1) $392,418,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, $4,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, $5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), $6,000,000 is for a criminal justice reform and recidivism reduction program, and $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) $255,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided,* That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $5,000,000 for a border prosecutor initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) $19,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(5) $13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, and for programs authorized under Public Law 109–164;

(6) $41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(7) $9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(8) $12,500,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) $3,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(10) $9,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(11) $4,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(12) $20,000,000 for implementation of the Adam Walsh Act and related activities;

(13) $13,000,000 for an initiative relating to children exposed to violence;

(14) $18,000,000 for an Edward Byrne Memorial criminal justice innovation program;

(15) $21,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided,* That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(16) $1,000,000 for the National Sex Offender Public Website;

(17) $5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(18) $12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(19) $6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(20) $12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(21) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108–405;

(22) $6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(23) $38,000,000 for assistance to Indian tribes;

(24) $68,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), of which not to exceed $5,000,000 is for a program to improve State, local, and tribal probation supervision efforts and strategies;

(25) $4,000,000 for a veterans treatment courts program;

(26) $1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(27) $7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(28) $12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(29) $3,500,000 for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98–473); and

(30) $2,750,000 to establish and operate a National Center for Campus Public Safety:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); and other juvenile justice programs, $279,500,000, to remain available until expended as follows—

(1) $44,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $90,000,000 for youth mentoring grants;

(3) $20,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; and

(C) $5,000,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(4) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $25,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(6) $11,000,000 for community-based violence prevention initiatives;

(7) $67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act);

(8) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(9) $2,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention: *Provided*, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (6), (8) and (9) may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Determination.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"), $222,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further,* That of the amount provided—

(1) $12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) $190,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided,* That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further,* That within the amounts appropriated, $15,000,000 shall be transferred to the Tribal Resources Grant Program: *Provided further,* That of the amounts appropriated under this paragraph, $10,000,000 is for community policing development activities in furtherance of the purposes in section 1701. Waiver authority.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void. Abortion.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion. Abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons. Abortion.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered. Project extension. 5 USC 3104 note.

Investigations.
Applicability.
28 USC 533 note.

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102–395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

Prisons and prisoners.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

Prisons and prisoners.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

Certification.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

Applicability.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs, and of such amounts, $1,300,000 shall be transferred to the Bureau of Prisons for Federal inmate research and evaluation purposes.

Waiver authority.

SEC. 215. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated by this or any other Act making appropriations for fiscal years 2010 through 2013 for the following programs, waive the following requirements:

(1) For the Adult and Juvenile Offender State and Local Reentry Demonstration Projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and Local Reentry Courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the Prosecution Drug Treatment Alternatives to Prison Program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For Grants to Protect Inmates and Safeguard Communities under the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

Firearms.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2013.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat.

784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2013, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2013, $154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

Spending plan. Deadline.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2013.

Termination date.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2013.

This title may be cited as the "Department of Justice Appropriations Act, 2013".

Science Appropriations Act, 2013.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,850,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,144,000,000, to remain available until September 30, 2014, of which up to $14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of re-establishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: *Provided*, That $75,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey: *Provided further*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

Determination. Notification.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire

of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $570,000,000, to remain available until September 30, 2014.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $642,000,000, to remain available until September 30, 2014.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,887,000,000, to remain available until September 30, 2014: *Provided*, That not less than $1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, $1,454,200,000 shall be for launch vehicle development and $402,800,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: *Provided further,* That $525,000,000 shall be for commercial spaceflight activities: *Provided further,* That $308,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor

vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,953,000,000, to remain available until September 30, 2014.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $125,000,000, to remain available until September 30, 2014, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,823,000,000, to remain available until September 30, 2014: *Provided*, That not less than $39,100,000 shall be available for independent verification and validation activities.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $680,000,000, to remain available until September 30, 2018: *Provided*, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: *Provided further*, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed $3,791,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

Contracts.
51 USC 20145 note.

Time period.

Deadline.
Budget estimate.
51 USC 30103 note.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $38,000,000, of which $500,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Spending plan.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3) by striking the period at the end inserting "; and"; and

(3) by adding at the end the following:

"(4) refunds or rebates received on an on-going basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs.".

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,983,280,000, to remain available until September 30, 2014, of which not to exceed $500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further,* That not less than

$158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $196,170,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $895,610,000, to remain available until September 30, 2014: *Provided*, That not less than $54,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $299,400,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,440,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $14,200,000, of which $400,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2013".

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,400,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further,* That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further,* That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: *Provided further,* That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: *Provided further,* That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: *Provided further,* That the Inspector General may waive any statutorily required reporting requirement (with the exception of the semiannual report required by section 5 of the Inspector General Act of 1978) upon a certification to the Committees on Appropriations of the House of Representatives and the Senate that such report is not necessary

5 USC app. 8G.

Waiver authority. Certification.

for effective oversight of the Commission: *Provided further,* That of the amounts made available in this paragraph, $450,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $370,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further,* That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

Notification.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $365,000,000, of which $339,400,000 is for basic field programs and required independent audits; $4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $17,000,000 is for management and grants oversight; $3,400,000 is for client self-help and information technology; and $1,000,000 is for loan

repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this division, and section 3003 of division G, the Legal Services Corporation shall be considered an agency of the United States Government.

Applicability.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134) is amended by striking "on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code" and inserting "triennially by the Bureau of the Census, except that, with respect to fiscal year 2013, the change in allocation resulting from the amendment made to this subparagraph by the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 shall only be half of the change which would otherwise result from that amendment in order to phase in the change over a 2 year period".

110 Stat. 1321–51.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,081,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $51,251,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2014: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Contracts.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Notifications. Deadlines.

SEC. 505. (a) Subject to subsections (b) and (c), none of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved

by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act to any agency of the Department of Justice, or provided under previous appropriations Acts to any agency of the Department of Justice that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 45 days in advance of such reprogramming of funds.

Termination date.

(c) Subsection (b) of this section shall sunset on September 30, 2013.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

Definition.

(2) The term "promotional items" has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

Deadlines. Reports.

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013,

and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Transfer authority.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

Tobacco and tobacco products.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601) in any fiscal year in excess of $730,000,000 shall not be available for obligation until the following fiscal year.

42 USC 10601 note.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

Discrimination.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

Firearm traces. 18 USC 923 note.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not

all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

Audits. Reports. Deadlines.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

Public information. Web posting.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

Certification.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

Effective date. Consultation. Determination. Applicability.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

Consultation. Assessment. China.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments

of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

Determination. Reports.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

Torture.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

Exports and imports. Firearms. Canada.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in

subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

President. Determination. Federal Register, publication.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

Termination.

Firearms. Ammunition.

SEC. 519. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

National security letters.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

Notifications.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

Deadline.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites— Web link. 5 USC app. 8M note.

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding. Contracts. Grants. Certification.

(RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts— Deadlines.

(1) "Working Capital Fund", $26,000,000;

(2) "Legal Activities, Assets Forfeiture Fund", $722,697,000;

(3) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program", $1,028,000;

(4) "Federal Prison System, Buildings and Facilities", $64,700,000;

(5) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", $12,000,000;

(6) "State and Local Law Enforcement Activities, Office of Justice Programs", $43,000,000; and

(7) "State and Local Law Enforcement Activities, Community Oriented Policing Services", $12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013, specifying the amount of each rescission made pursuant to subsection (a). Reports.

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with

respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including anti-dumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 529. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

Khalid Sheikh Mohammed. Detainees. Cuba.

SEC. 530. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

Cuba.

SEC. 531. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

ACORN.

SEC. 532. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

Light bulbs.

SEC. 533. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 534. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

China.

SEC. 535. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

Applicability.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

Certification.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

Deadline.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 536. None of the funds made available in this Act may be used to relocate the Bureau of the Census or employees from

the Department of Commerce to the jurisdiction of the Executive Office of the President.

Spending plans. Deadline.

SEC. 537. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

Firearms.

SEC. 538. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Pornography.

SEC. 539. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

Corporations.

SEC. 540. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Corporations.

SEC. 541. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 542. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

SEC. 543. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States. Certification.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation. Web posting.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate those being funded by other Federal agencies.

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013".

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

Department of Defense Appropriations Act, 2013.

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,199,263,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,902,346,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,531,549,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,052,826,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,456,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,874,023,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified

in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $658,251,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,722,425,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,981,577,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,153,990,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and

extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $35,409,260,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $41,614,453,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $6,034,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $34,780,406,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $31,862,980,000: *Provided*, That not more than $30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may

be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,182,923,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,256,347,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $277,377,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,261,324,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in

compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,154,161,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,494,326,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,516,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

Determination.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste,

Determination.

removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

Determination.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

Determination.

Determination.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

Determination.

Determination.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

Determination.

For the Department of the Army, $287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

Determination.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $50,198,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $6,028,754,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,535,433,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,857,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,

and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,641,306,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,741,664,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $17,382,152,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,036,871,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United

States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $659,897,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $565,371,000;
Virginia Class Submarine, $3,217,601,000;
Virginia Class Submarine (AP), $1,652,557,000;
CVN Refuelings, $1,613,392,000;
CVN Refuelings (AP), $70,010,000;
DDG–1000 Program, $669,222,000;
DDG–51 Destroyer, $4,036,628,000;
DDG–51 Destroyer (AP), $466,283,000;
Littoral Combat Ship, $1,784,959,000;
LPD–17 (AP), $263,255,000;
Joint High Speed Vessel, $189,196,000;
Moored Training Ship, $307,300,000;
LCAC Service Life Extension Program, $85,830,000; and
For outfitting, post delivery, conversions, and first destination transportation, $290,035,000.
Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,584,212,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein,

may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,955,078,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,411,411,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,774,019,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,962,376,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United

States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $594,694,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,082,508,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,878,985,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $223,531,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $8,676,627,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $16,963,398,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,432,738,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,631,946,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, $250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

Deadline.
Notification.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

Contracts.

Contracts.

Waiver authority.
Certification.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,715,304,000; of which $30,885,165,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to $15,934,952,000 may be available for contracts entered into under the TRICARE program; of which $521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which $1,308,377,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided to develop

Expenditure plan.

a joint Department of Defense—Department of Veterans Affairs (DOD–VA) integrated Electronic Health Record, not more than 25 percent may be obligated until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than $53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for activities on military installations and $31,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,159,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

Determination.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $350,321,000, of which $347,621,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $2,700,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $534,421,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

10 USC 1584 note.

Pay rates. Foreign nationals.

Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

Determination.

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

Notification.

Reprogramming requests.

Deadline.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

Applicability.

Deadline.
Reports.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application

of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement. Certification.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation. Notification. Notification.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees. Notification. Deadline.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any Contracts. Notifications. Deadlines. 10 USC 2306b note.

systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

Deadline. Notification.

Budget request.

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A–18E, F/A–18F, and EA–18G aircraft; up to 10 DDG–51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN–774 Virginia class submarine and government-furnished equipment; CH–47 Chinook helicopter; and V–22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern

Reports.

Humanitarian assistance. Territories.

Determination.

Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014. Budget request. Effective date.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress. Lobbying.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army. Applicability.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That Anchor and mooring chain. Definition. Waiver authority. Certification.

when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

Arms and munitions. Certification.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

Waiver authority. Certification.

Contracts.

SEC. 8019. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

Applicability.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

Kuwait.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than $38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,404,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $9,298,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) $932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*; That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

Reports.

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

Contracts.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under

Applicability.

the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

Waiver authority. Certification.

Definition.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

Certification.

Determination. Contracts. Rescission. 41 USC 8304 note.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

Memorandum.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

Reports.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

Housing. Native Americans. State listing.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

Definition.

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

Budget request.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other

area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

50 USC 403u note.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

Determination. Labeling. Fraud. Debarment.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

Contracts. Determination.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

Waiver authority. Determination. Certification.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

Contracts.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance

of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Shipbuilding and Conversion, Navy, 2007/ 2018": DDG–51 Destroyer, $98,400,000;

"Shipbuilding and Conversion, Navy, 2007/ 2018": DDG–51 Destroyer Advance Procurement, $2,500,000;

"Shipbuilding and Conversion, Navy, 2007/ 2018": CVN Refueling Overhaul, $14,100,000;

"Procurement of Ammunition, Army, 2011/ 2013", $14,862,000;

"Other Procurement, Army, 2011/2013", $108,098,000;

"Aircraft Procurement, Navy, 2011/2013", $43,860,000;

"Shipbuilding and Conversion, Navy, 2011/ 2015": DDG–51 Destroyer, $215,300,000;

"Weapons Procurement, Navy, 2011/2013", $22,000,000;

"Aircraft Procurement, Air Force, 2011/2013", $93,400,000;

"Other Procurement, Air Force, 2011/2013", $9,500,000;

"Operation and Maintenance, Defense-Wide, 2012/XXXX", $21,000,000;

"Aircraft Procurement, Army, 2012/2014", $47,400,000;

"Other Procurement, Army, 2012/2014", $179,608,000;

"Aircraft Procurement, Navy, 2012/2014", $19,040,000;

"Shipbuilding and Conversion, Navy, 2012/ 2016": Littoral Combat Ship, $28,800,000;

"Shipbuilding and Conversion, Navy, 2012/ 2016": DDG–51 Destroyer, $83,000,000;

"Weapons Procurement, Navy, 2012/2014", $36,467,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014", $16,300,000;

"Procurement, Marine Corps, 2012/2014", $132,555,000;

"Aircraft Procurement, Air Force, 2012/2014", $394,299,000;

"Missile Procurement, Air Force, 2012/2014", $52,898,000;

"Other Procurement, Air Force, 2012/2014", $55,800,000;

"Procurement, Defense-Wide, 2012/2014", $16,000,000;

"Research, Development, Test and Evaluation, Army, 2012/2013", $41,000,000;

"Research, Development, Test and Evaluation, Navy, 2012/2013", $246,800,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", $149,460,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

North Korea.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense

Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

Waiver authority.
Certification.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

Drugs and drug abuse.
10 USC 374 note.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

50 USC 403f note.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

Ball and roller bearings.
Waiver authority.
Certification.
Applicability.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

Supercomputer.
Certification.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

Salaries.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the

Notification.
Deadline.

current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

Applicability.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

Contracts.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be

charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

Reimbursement.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

Germany.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

Anthracite.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the

Waiver authority.
Certification.

House of Representatives and the Senate that it is in the national security interest to do so.

Waiver authority. Determination.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

Applicability. Contracts.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

Human rights.

SEC. 8057. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

Consultation.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

Waiver authority. Determination.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

Deadline. Reports.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

Deadline. Reports.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

Waiver authority. Certification.

Classified information. Deadlines. Reports. Effective date.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

Waiver authority. Certification.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

Arms and munitions.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API–T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

Waiver authority. Time period.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d)

of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

Alcohol and alcoholic beverages.

SEC. 8065. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

Applicability.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", $133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

Contracts.
Real property.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

Applicability.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed $200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees

Deadline.
Notification.

in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

Determination. Grants. Fisher House Foundation, Inc.

SEC. 8069. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

Israel.

SEC. 8070. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", $479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, $74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8071. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C–130 and KC–135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", $372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy, 2007/2013": LHA Replacement Program $156,685,000;

(2) Under the heading "Shipbuilding and Conversion, Navy, 2008/2013": LPD–17 Amphibious Transport Dock Program $80,888,000; and

(3) Under the heading "Shipbuilding and Conversion, Navy, 2009/2013": CVN Refueling Overhauls Program $135,000,000.

SEC. 8073. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

Notification.

SEC. 8074. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

10 USC 221 note.

SEC. 8075. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8076. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

Determination.
Grants.

SEC. 8077. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the

national interest, he shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

53rd Weather Reconnaissance Squadron.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

Foreign intelligence.

SEC. 8079. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

Notification. Deployment.

SEC. 8080. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

Waiver authority. Determination.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8081. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

Deadline. Reports.

SEC. 8082. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

Tactical unmanned aerial vehicles.

SEC. 8083. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition,

or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8084. Up to $15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8085. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

Applicability.

SEC. 8086. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

50 USC 415a–2 note.

SEC. 8087. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $10,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $5,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Program; R–2, Research, Development, Test and Evaluation Budget Item Justification; R–3, Research, Development, Test and Evaluation Project Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

Deadline. Reports.

SEC. 8088. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

Certification.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

Notification.
Deadlines.

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

Submission.
50 USC 415a–9 note.

SEC. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate. Definition.

SEC. 8093. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005. Reports. Deadlines.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8096. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest. Web posting. Reports.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days. Time period.

SEC. 8097. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to— Contracts.

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

Certification.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

Waiver authority. Determination.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

Public information. Deadline.

ACORN.

SEC. 8098. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated 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 as described by

section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate. Notification.

SEC. 8100. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8101. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8102. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the "Ship Modernization, Operations and Sustainment Fund". There is appropriated $2,382,100,000, for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer. Deadline. Notification.

SEC. 8104. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Waiver authority. Certification. Time periods. Notification. Deadline.

Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

Deadlines. Reports.

SEC. 8105. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume quarterly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8106. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

Determination.

SEC. 8107. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

Reprogramming request. Deadline.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. In addition to amounts provided elsewhere in the Act, there is appropriated $270,000,000 for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

Grants. Contracts.

Determination.

Khalid Sheikh Mohammed. Detainees. Cuba.

SEC. 8109. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

Cuba. Certification. Deadline.

SEC. 8110. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

Notification.

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

Consultation.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if

applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

Notification.

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

Waiver authority. Certification. Determination.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

Deadline. Submissions.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section: Definitions.

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "individual detained at Guantánamo" means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8111. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8112. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government. Corporations. Tax liability. Determination.

Corporations.
Criminal violation.
Determination.

SEC. 8113. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8114. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

Country listing.
Child soldiers.

SEC. 8115. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Authorization Act for Fiscal year 2006 (Public Law 109–163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1).

SEC. 8116. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8117. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve: *Provided*, That this section shall not apply to actions affecting C–5, C–17, or E–8 aircraft, or the units associated with such aircraft: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2013 for military activities of the Department of Defense.

Extension date.

SEC. 8118. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ–4B Global Hawk and C–27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8119. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

SEC. 8120. None of the funds made available by this Act shall be used to retire C–23 Sherpa aircraft.

SEC. 8121. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by $72,718,000.

Contracts.

SEC. 8122. None of the funds made available by this Act may be used to enter into a contract for UH–60 Leak Proof Drip Pans

using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

SEC. 8123. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1244 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1646; 22 U.S.C. 5952 note) or any provision of an Act authorizing appropriations for the Department of Defense for fiscal year 2013 relating to sharing classified ballistic missile defense information with Russia.

SEC. 8124. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8125. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8126. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

Rosoboronexport.

SEC. 8127. None of the funds made available by this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboronexport: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

Waiver.
Certification.

SEC. 8128. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

SEC. 8129. (a) REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.—The Secretaries of the military departments shall carry out tuition assistance programs for members of the Armed Forces during the remainder of fiscal year 2013 using amounts specified in subsection (b).

(b) AMOUNTS.—The minimum amount used by the Secretary of a military department for tuition assistance for members of an Armed Force under the jurisdiction of that Secretary pursuant to subsection (a) shall be not less than—

(1) the amount appropriated or otherwise made available by this Act for tuition assistance programs for members of that Armed Force, minus

(2) an amount that is not more than the percentage of the reduction required to the Operation and Maintenance account for that Armed Force for fiscal year 2013 by the budget sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $774,225,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $1,425,156,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War

on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $28,452,018,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $5,839,934,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $4,116,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $9,249,736,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", $7,714,079,000: *Provided*, That of the funds provided under this heading, not to exceed $1,650,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Consultation.
Determination.
Time period.
Notification.

Notification.
Time period.

Deadlines.
Reports.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $157,887,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", $25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $60,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $392,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $34,500,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $582,884,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds

Notification. Deadline.

Determination.

transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", $325,000,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the "appropriate committees of Congress" are the Committees on Armed

Determination.

Deadline.
Notification.

Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", $5,124,167,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Notification.

Deadline.
Notification.

Notification.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $550,700,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas

Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", $15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $338,493,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $1,740,157,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $215,698,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", $22,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $283,059,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", $98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $822,054,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $305,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", $34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", $116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $2,680,270,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $188,099,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas

Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,500,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Deadline.
Assessment.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $29,660,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $243,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $1,622,614,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Deadline.
Notification.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

Determination.

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

Notification.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

Deadlines.

SEC. 9005. Not to exceed $200,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the

Reports.

Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

Data submissions.

Deadline. Notification.

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

Plans.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

Deadlines. Reports.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

Iraq. Afghanistan.

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed

thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of $5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

Certification.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

Determination.

SEC. 9011. Notwithstanding any other provision of law, up to $93,000,000 of funds made available in this title under the heading "Operation and Maintenance, Army" may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

Deadline.
Notification.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to $508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the

Secretary of State, include non-operational training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

Deadline. Plans.

Deadline. Notification.

(RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

"Retroactive Stop Loss Special Pay Program, 2009/XXXX", $127,200,000;

"Afghanistan Security Forces Fund, 2012/2013", $1,000,000,000;

"Other Procurement, Army, 2012/2014", $207,600,000;

"Procurement of Ammunition, Navy and Marine Corps, 2012/2014", $32,176,000;

"Procurement, Marine Corps, 2012/2014", $2,776,000;

"Mine Resistant Ambush Protected Vehicle Fund, 2012/2013", $400,000,000;

"Research, Development, Test and Evaluation, Air Force, 2012/2013", $50,000,000;

"Joint Improvised Explosive Device Defeat Fund, 2012/2014", $40,300,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance, Defense-Wide" for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

Pakistan. Certification.

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from

basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

Waiver authority.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

Reports.

This division may be cited as the "Department of Defense Appropriations Act, 2013".

Department of Homeland Security Appropriations Act, 2013.

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $130,000,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid

from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, expenditure plans for the Office of Policy, the Office for Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer.

Deadline. Expenditure plan.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $218,511,000, of which not to exceed $2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $9,680,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112–331, submit to the Committees on Appropriations of the Senate and the House of Representatives with the President's budget proposal for fiscal year 2014, submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading "Office of the Under Secretary for Management" under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

Reports. Deadline.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $51,500,000, of which $5,000,000 shall remain available until September 30, 2014, for financial systems modernization efforts.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $243,732,000; of which $118,000,000 shall be available for salaries and expenses; and of which $125,732,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security: *Provided*, That the Department of Homeland Security Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted each year under section

Deadline. Plans.

1105(a) of title 31, United States Code, a multi-year investment and management plan, to include each of fiscal years 2013 through 2016, for all information technology acquisition projects funded under this heading or funded by multiple components of the Department of Homeland Security through reimbursable agreements, that includes—

(1) the proposed appropriations included for each project and activity tied to mission requirements, program management capabilities, performance levels, and specific capabilities and services to be delivered;

(2) the total estimated cost and projected timeline of completion for all multi-year enhancements, modernizations, and new capabilities that are proposed in such budget or underway;

(3) a detailed accounting of operations and maintenance and contractor services costs; and

(4) a current acquisition program baseline for each project, that—

(A) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline;

(B) aligns the acquisition programs covered by the baseline to mission requirements by defining existing capabilities, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how each increment will address such known capability gaps; and

(C) defines life-cycle costs for such programs.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $322,280,000; of which not to exceed $3,825 shall be for official reception and representation expenses; and of which $94,359,000 shall remain available until September 30, 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $121,164,000, of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and

transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,293,351,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed $34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2013, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $719,866,000; of which $325,526,000 shall remain available until September 30, 2015; and of which not less than $138,794,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $324,099,000, to remain available until September 30, 2015.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses and operational training and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland

Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $799,006,000; of which $283,570,000 shall be available for salaries and expenses; and of which $515,436,000 shall remain available until September 30, 2015: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2013 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112–74.

Notification.

Reports.
Deadline.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, $233,563,000, to remain available until September 30, 2017: *Provided*, That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2014.

Deadline.
Inventory.
Plans.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,394,402,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $11,475 shall be for official reception and representation expenses; of which not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which

not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which $138,249,000 shall be for completion of Secure Communities deployment: *Provided further*, That the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso and the funds obligated during that quarter to make such progress: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2013: *Provided further*, That of the total amount provided, not less than $2,753,610,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the total amount provided, $10,300,000 shall remain available until September 30, 2014, for the Visa Security Program: *Provided further*, That not less than $10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime.

Waiver authority.

Reports.
Deadlines.

Aliens.

Detention beds.

Determination.

Contracts.

AUTOMATION MODERNIZATION

(INCLUDING TRANSFER OF FUNDS)

For expenses of immigration and customs enforcement automated systems, $33,500,000, to remain available until September 30, 2015: *Provided*, That of the total amount provided, up to $1,000,000 may be transferred to the Department of Justice Executive Office of Immigration Review to improve case management and electronic communication with U.S. Immigration and Customs Enforcement: *Provided further*, That no transfer described in the previous proviso shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

Deadline. Notification.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $5,000,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,052,620,000, to remain available until September 30, 2014, of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed $3,975,517,000 shall be for screening operations, of which $408,930,000 shall be available for explosives detection systems; $115,204,000 shall be for checkpoint support; and not to exceed $1,077,103,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for explosives detection systems, $99,930,000 shall be available for the purchase and installation of these systems: *Provided further*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2013 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $2,982,620,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2014: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2013, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49,

Explosives detection systems.

Fees.

United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on— Deadline. Reports.

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That the Administrator of the Transportation Security Administration shall, within 270 days of the date of enactment of this Act, establish procedures allowing members of cabin flight crews of air carriers to participate in the Known Crewmember pilot program, unless the Administrator determines that meeting the requirement within this timeline is not practicable and informs the Committees on Appropriations of the Senate and House of Representatives of the basis for that determination and the new timeline for implementing the requirement: *Provided further*, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening. Deadline. Procedures. Determination. Notification. 49 USC 44903 note.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $124,418,000, to remain available until September 30, 2014.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $192,424,000, to remain available until September 30, 2014.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $954,277,000, to remain available until September 30, 2014: *Provided*, That of the funds appropriated under this heading, $20,000,000 may not be obligated for headquarters administration until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2013: *Provided further*, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

Expenditure plans.

Deadline.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, $907,757,000: *Provided*, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

Deadline.
Plans.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,074,782,000; of which $594,000,000 shall be for defense-related activities, of which $254,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That of the funds provided under this heading, $75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates

until a revised future-years capital investment plan for fiscal years 2014 through 2018, as specified under the heading Coast Guard "Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,151,000, to remain available until September 30, 2017.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $132,528,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment; as authorized by law; $1,545,393,000; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $10,000,000 shall remain available until September 30, 2017, for military family housing, of which not more than $6,828,691 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which $1,082,800,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which $190,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which $64,000,000 shall be available until September 30, 2017, for other acquisition programs; of which $84,411,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which $113,682,000 shall be available for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the sixth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of

Contracts.

Contracts.

Deadline.
Investment plan.
14 USC 663 note.

Representatives, at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects,

and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110–28 shall apply with respect to the amounts made available under this heading.

Applicability.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $19,690,000, to remain available until September 30, 2017, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,423,000,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations;

and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,555,913,000; of which not to exceed $19,125 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2014; and of which $4,000,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That up to $18,000,000 for protective travel shall remain available until September 30, 2014: *Provided further*, That $4,500,000 for National Special Security Events shall remain available until September 30, 2014: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That for purposes of section 503(b) of this Act, $15,000,000 or 10 percent, whichever is less, may be transferred between "Protection of persons and facilities" and "Domestic field operations".

Waiver authority.

Notification.
Deadline.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $56,750,000; of which $4,430,000, to remain available until September 30, 2017, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which $52,320,000, to remain available until September 30, 2015, shall be for information integration and technology transformation execution: *Provided*, That the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time that the President's

Deadline.
Plans.

budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, a multi-year investment and management plan for its Information Integration and Technology Transformation program that describes funding for the current fiscal year and the following 3 fiscal years, with associated plans for systems acquisition and technology deployment.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, $50,220,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $1,157,529,000, of which $200,000,000, shall remain available until September 30, 2014: *Provided*, That of the total amount provided for the "Infrastructure security compliance" program, project, and activity, $20,000,000 shall not be available for obligation until the Under Secretary for the National Protection and Programs Directorate submits to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for the Chemical Facility Anti-Terrorism Standards program that includes the number of facilities covered by the program, inspectors onboard, inspections pending, and inspections projected to be completed by September 30, 2013.

Expenditure plan. Deadline.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives not later than May 1, 2013, that the operations of the Federal Protective Service will be fully funded in fiscal year 2013 through revenues and collection of security fees, and shall adjust the fees to ensure fee collections are sufficient to ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff"): *Provided further*, That the Director of the Federal

Certification. Deadline.

Strategic plan.

Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $232,422,000: *Provided*, That of the total amount made available under this heading, $113,956,000 shall remain available until September 30, 2015: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget is submitted each year under section 1105(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management program, to include each fiscal year starting with the current fiscal year and the 3 subsequent fiscal years, that provides—

Deadline. Expenditure plan.

Deadline. Plans.

(1) the proposed appropriation for each activity tied to mission requirements and outcomes, program management capabilities, performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and new capabilities proposed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal years expenditure or investment and management plan for United States Visitor and Immigrant Status Indicator Technology; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services:

Provided further, That amounts obligated under Public Law 112–175 for National Protection and Programs Directorate, "United States Visitor and Immigrant Status Indicator Technology" shall be charged to the appropriate successor account of the following: National Protection and Programs Directorate, "Office of Biometric Identity Management"; U.S. Customs and Border Protection, "Salaries and Expenses"; or U.S. Immigration and Customs Enforcement, "Salaries and Expenses".

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $132,499,000; of which $26,702,000 is for salaries and expenses;

and of which $85,390,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $20,407,000 shall remain available until September 30, 2014, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed $2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $973,118,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That for fiscal year 2013 and thereafter, for purposes of planning, coordination, execution, and decision making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of the Homeland Security Act of 2002 (Public Law 107–296): *Provided further*, That of the total amount made available under this heading, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, $22,000,000 shall remain available until September 30, 2014, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available under this heading, $5,000,000 shall remain available until September 30, 2014, for expenses related to modernization of automated systems: *Provided further*, That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

Disaster evacuation. West Virginia. Pennsylvania. 6 USC 462 note.

Consultation. Expenditure plan.

STATE AND LOCAL PROGRAMS

For grants contracts, cooperative agreements, and other activities, $1,466,082,000, which shall be allocated as follows:

(1) Not less than $346,600,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than $46,600,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

Puerto Rico.

(2) Not less than $500,376,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than $10,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) Not less than $97,500,000 shall be for Public Transportation Security Assistance and Railroad Security Assistance under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135 and 1163), of which not less than $10,000,000 shall be for Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

Security assistance.

(4) Not less than $97,500,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) Notwithstanding section 503 of this Act, $188,932,000 shall be distributed, according to threat, vulnerability, and consequence, at the discretion of the Secretary of Homeland Security based on the following authorities:

(A) The State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605): *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2013, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

Puerto Rico.

(B) Operation Stonegarden.

(C) The Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604).

(D) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(E) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135 and 1163), including Amtrak security: *Provided*, That such public transportation

Security assistance.

security assistance shall be provided directly to public transportation agencies.

(F) Port Security Grants in accordance with 46 U.S.C. 70107.

(G) Over-the-Road Bus Security Assistance under section 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1182).

(H) The Metropolitan Medical Response System under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

(I) The Citizen Corps Program.

(J) The Driver's License Security Grants Program in accordance with section 204 of the REAL ID Act of 2005 (49 U.S.C. 30301 note).

(K) The Interoperable Emergency Communications Grant Program under section 1809 of the Homeland Security Act of 2002 (6 U.S.C. 579).

(L) Emergency Operations Centers under section 614 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196c).

(M) The Buffer Zone Protection Program Grants.

(N) Regional Catastrophic Preparedness Grants.

(6) $235,174,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $157,991,000 shall be for training of State, local, and tribal emergency response providers:

Grants. Deadlines.

Provided, That for grants under paragraphs (1) through (5), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That in fiscal year 2013 and thereafter: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to

Reports. Determination.

6 USC 763a.

employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $675,000,000, to remain available until September 30, 2014, of which $337,500,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $337,500,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2013, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2013, and remain available until September 30, 2015.

Fees.

Effective date.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $7,007,926,000, to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the

Expenditure plan.
Deadline.

Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

Deadlines.
Reports.

Reports.

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget is submitted each year under section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99–177);

Deadlines.

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event; and

(D) the date on which funds appropriated will be exhausted:

Provided further, That of the amount provided under this heading, $6,400,000,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917), $95,329,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 917), $171,000,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed $22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than $149,000,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2014: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2013, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) $132,000,000 for operating expenses;

(2) $1,056,602,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $120,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c):

Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $25,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

United States Citizenship and Immigration Services

For necessary expenses for citizenship and immigration services, $111,924,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

Federal Law Enforcement Training Center

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct

of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $228,467,000; of which up to $44,758,000 shall remain available until September 30, 2014, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed $9,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended by Public Law 112–74, is further amended by striking "December 31, 2014" and inserting "December 31, 2015": *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $28,385,000, to remain available until September 30, 2017: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $132,000,000: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $703,471,000; of which $538,539,000 shall remain available until September 30, 2015; and of which $164,932,000 shall remain available until September 30, 2017, solely for operation and construction of laboratory facilities.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, $39,650,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

Deadline.
Strategic plan.

(1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2013 and planned for fiscal year 2014 to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2013 and 2014.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $226,830,000, to remain available until September 30, 2014.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $51,455,000, to remain available until September 30, 2015.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

Notifications.
Deadlines.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts. Applicability.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2013: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2013 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2013 from appropriations for salaries and expenses for fiscal year 2013 in this Act shall remain available through September 30, 2014, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act. Approval request.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to— Grants. Contracts. Notifications. Deadlines.

(1) make or award a grant allocation, grant, contract, other transaction agreement, task or delivery order on a Department

of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

Waiver authority.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

Determination.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; type of contract; and the account and each program, project, and activity from which the funds are being drawn.

Briefing.
Deadline.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under "State and Local Programs".

Contracts.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

Applicability.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Deadlines. Budget. Reports.

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

Explosives detection systems.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

Deadlines. Reports.

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 517. Any funds appropriated to Coast Guard "Acquisition, Construction, and Improvements" for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking "2012" and inserting "2013".

Classified information.

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

Grants. Contracts.

SEC. 520. (a) Except as provided in subsection (b), none of the funds appropriated in this or any other Act to the "Office of the Secretary and Executive Management", the "Office of the

Under Secretary for Management", or the "Office of the Chief Financial Officer", may be obligated for a grant or contract funded under such headings by any means other than full and open competition.

(b) Subsection (a) does not apply to obligation of funds for a contract awarded—

(1) by a means that is required by a Federal statute, including obligation for a purchase made under a mandated preferential program, including the AbilityOne Program, that is authorized under chapter 85 of title 41, United States Code;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.);

(3) in an amount less than the simplified acquisition threshold described under section 3101 (b) of title 41, United States Code; or

(4) by another Federal agency using funds provided through an interagency agreement.

Waiver authority.

(c)(1) Subject to paragraph (2), the Secretary of Homeland Security may waive the application of this section for the award of a contract in the interest of national security or if failure to do so would pose a substantial risk to human health or welfare.

Deadline. Notification.

(2) Not later than 5 days after the date on which the Secretary of Homeland Security issues a waiver under this subsection, the Secretary shall submit notification of that waiver to the Committees on Appropriations of the Senate and the House of Representatives, including a description of the applicable contract to which the waiver applies and an explanation of why the waiver authority was used: *Provided*, That the Secretary may not delegate the authority to grant such a waiver.

Reviews. 5 USC app. 8I note.

(d) In addition to the requirements established by subsections (a), (b), and (c) of this section, the Inspector General of the Department of Homeland Security shall review departmental contracts awarded through means other than a full and open competition to assess departmental compliance with applicable laws and regulations: *Provided*, That the Inspector General shall review selected contracts awarded in the previous 3 fiscal years through means other than a full and open competition: *Provided further*, That in selecting which contracts to review, the Inspector General shall consider the cost and complexity of the goods and services to be provided under the contract, the criticality of the contract to fulfilling Department missions, past performance problems on similar contracts or by the selected vendor, complaints received about the award process or contractor performance, and such other factors as the Inspector General deems relevant: *Provided further*, That the Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives no later than February 4, 2015, and every 3 years thereafter.

Reports. Deadlines.

Deadlines.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C.

319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and Notification.

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section. Reports.

SEC. 522. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 523. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 524. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 525. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking "Until September 30, 2012," and inserting "Until September 30, 2013,";

(2) in subsection (c)(1), by striking "September 30, 2012," and inserting "September 30, 2013,".

SEC. 526. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance). Contracts. Fees.

SEC. 527. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries Consultation.

of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

Notification.
Deadline.

SEC. 528. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 529. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 530. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

Drugs and drug abuse.
Canada.

Applicability.

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 531. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 532. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

Consultation.
Notification.

SEC. 533. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

National identification card.

SEC. 534. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to

Determination.
Certification.

the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

Deadline. President. Determination. Web posting. Reports.

SEC. 535. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

Definitions.

(c) In this section—

(1) the term "Administrator" means the Administrator of the Federal Emergency Management Agency; and

(2) the term "major disaster" has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 536. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 537. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note), as amended by section 550 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), is further amended by striking "on October 4, 2012" and inserting "on October 4, 2013".

Khalid Sheikh Mohammed. Detainees. Cuba.

SEC. 538. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 539. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

6 USC 416.

SEC. 540. None of the funds made available in this or any other Act for fiscal year 2013 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 541. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

Privacy.

SEC. 542. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled "Risk Management Guide for Information Technology Systems";

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled "Recommended Security Controls for Federal Information Systems and Organizations"; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the "Administrator").

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the "Sponsoring Entity".

Deadline.
Certification.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

Contracts.

SEC. 543. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

Deadline.
Reports.

SEC. 544. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

Certification.

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

Reports.
Deadline.
Certification.

SEC. 545. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 546. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $7,500,000 shall be allocated by United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for "United States Citizenship and Immigration Services" for the purpose of providing immigrant integration grants, $2,500,000.

(c) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 547. For an additional amount for necessary expenses for reimbursement of the actual costs to State and local governments for providing emergency management, public safety, and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, $5,000,000, to remain available until September 30, 2014.

SEC. 548. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

Notification.
Deadline.

SEC. 549. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

Contracts.

SEC. 550. (a) For an additional amount for data center migration, $55,000,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

Deadline.
Notification.

SEC. 551. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers

Determination.
Detention facilities.
Real property.

or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

Notification.
Deadline.

SEC. 552. For an additional amount for the "Office of the Under Secretary for Management", $29,000,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of this Act detailing the allocation of these funds.

Expenditure plan.
Deadline.

SEC. 553. In making grants under the heading "Firefighter Assistance Grants", the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

ACORN.

SEC. 554. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

Deadlines.
Plans.

SEC. 555. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2013, 2014, 2015, and 2016, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, "Salaries and Expenses" under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology" under such title, and section 568 of such Act.

SEC. 556. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

Contracts.
14 USC 577 note.

SEC. 557. (a) Notwithstanding Office of Management and Budget Circular A–11, funds made available in fiscal year 2013, or any fiscal year thereafter, under Department of Homeland Security, Coast Guard, "Acquisition, Construction, and Improvements" for—

(1) long lead time materials, components, and designs of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for production, outfitting, post-delivery activities, and spare or repair parts; and

(2) production of a vessel of the Coast Guard shall be immediately available and allotted to make a contract award notwithstanding the availability of funds for outfitting, post-delivery activities, and spare or repair parts.

(b) The Secretary of Homeland Security shall develop fiscal policy that prescribes Coast Guard budgetary policies, procedures and technical direction necessary to comply with subsection (a) of this section and consistent with the Department of Defense Financial Management Regulation (Volume 2A, Chapter 1 C. Procedures for Full Funding) to include the costs associated with outfitting and post-delivery activities; spare and repair parts; and long lead time materials. The requirement set forth in this section shall not preclude the immediate availability or allotment of funds for fiscal year 2013, pursuant to subsection (a).

Definitions.

(c) In this section—

(1) the term "long lead time items" means components, parts, material, or effort which must be procured in advance of the production award in order to maintain the production schedule;

(2) the term "outfitting" means procurement or installation of onboard repair parts, other secondary items, equipage, and recreation items; precommissioning crew support; general use consumables furnished to the shipbuilder; the fitting out activity to fill a vessel's initial allowances; and contractor-furnished spares; and

(3) the term "post-delivery activities" means design, planning, Government-furnished material, and related labor for non-production and non-long lead time items contract activities and other work, including certifications, full operational capability activities and other equipment installation; spares, logistics, technical analysis, and support; correction of Government-responsible defects and deficiencies identified during builders trials, acceptance trials, and testing during the post-delivery period; costs of all work required to correct defects or deficiencies identified during the post-delivery period; and costs of all work required to correct trial card deficiencies on a vessel of a particular class, as well as on subsequent vessels of that class (whether or not delivered) until the corrective action for that cutter class is completed.

Deadlines.
44 USC 3541 note.

SEC. 558. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, "Infrastructure Protection and Information Security", $202,000,000 for the "Federal Network Security" program, project, and activity shall be used to deploy on Federal systems technology to improve the information

security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That not later than April 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

Reports.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

Expenditure plans.

(d) Not later than October 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as required by section 3606 of title 44, United States Code.

Reports.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

Applicability.

SEC. 559. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

Pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 560. (a) Notwithstanding sections 58c(e) and 1451 of title 19, United States Code, upon the request of any persons, the Commissioner of U.S. Customs and Border Protection may enter into reimbursable fee agreements for a period of up to 5 years

Contracts.
Time period.

with such persons for the provision of U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services. Such requests may include additional U.S. Customs and Border Protection services at existing U.S. Customs and Border Protection-serviced facilities (including but not limited to payment for overtime), the provision of U.S. Customs and Border Protection services at new facilities, and expanded U.S. Customs and Border Protection services at land border facilities.

Deadline.

(1) By December 31, 2013, the Commissioner may enter into not more than 5 agreements under this section.

(2) The Commissioner shall not enter into such an agreement if it would unduly and permanently impact services funded in this or any other appropriations Acts, or provided from any accounts in the Treasury of the United States derived by the collection of fees.

(b) Funds collected pursuant to any agreement entered into under this section shall be deposited in a newly established account as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(c) The amount of the fee to be charged pursuant to an agreement authorized under subsection (a) of this section shall be paid by each person requesting U.S. Customs and Border Protection services and shall include, but shall not be limited to, the salaries and expenses of individuals employed by U.S. Customs and Border Protection to provide such U.S. Customs and Border Protection services and other costs incurred by U.S. Customs and Border Protection relating to those services, such as temporary placement or permanent relocation of those individuals.

Termination.
Notification.

(d) U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Commissioner that a fee imposed under subsection (a) is due, fails to pay the fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current U.S. Treasury borrowing rates. Additionally, any person who, after notice and demand for payment of any fee charged under subsection (a) of this section, fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of the fee. Any amount collected pursuant to any agreement entered into under this subsection shall be deposited into the account specified under subsection (b) of this section and shall be available as described therein.

(e) Each facility at which such U.S. Customs and Border Protection services are performed shall provide, maintain, and equip, without cost to the Government, facilities in accordance with U.S. Customs and Border Protection specifications.

(f) The authority found in this section may not be used to enter into agreements to expand or begin to provide U.S. Customs and Border Protection services outside of the United States.

(g) The authority found in this section may not be used at existing U.S. Customs and Border Protection-serviced air facilities to enter into agreements for costs other than payment of overtime.

Notification. Deadline. Records.

(h) The Commissioner shall notify the appropriate Committees of Congress 15 days prior to entering into any agreement under the authority of this section and shall provide a copy of the agreement to the appropriate Committees of Congress.

Definitions.

(i) For purposes of this section the terms:

(1) U.S. Customs and Border Protection "services" means any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs and immigration inspection-related matters.

(2) "Person" means any natural person or any corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(3) "Appropriate Committees of Congress" means the Committees on Appropriations; Finance; Judiciary; and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations; Judiciary; Ways and Means; and Homeland Security of the House of Representatives.

Firearms.

SEC. 561. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

Obligation availability. Deadline.

SEC. 562. Twenty percent of each of the appropriations provided in this Act for the "Office of the Secretary and Executive Management", the "Office of the Under Secretary for Management", and the "Office of the Chief Financial Officer" shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before May 1, 2013, are received by the Committees on Appropriations of the Senate and the House of Representatives.

Time period. 8 USC 1154 note.

SEC. 563. Notwithstanding any other provision of this Act or any other provision of law, during the period beginning on October 1, 2013, and ending on September 30, 2014, section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

> "(iv) Each petition to compete for consideration for a visa under section 1153(c) of this title shall be accompanied by a fee equal to $30. All amounts collected under this clause shall be deposited into the Treasury as miscellaneous receipts.":

Consultation. Reports. Deadline.

Provided, That the Department of State, in consultation with the Department of Homeland Security, shall report to the Committees on Appropriations of the Senate and the House of Representatives not later than 90 days after the date of enactment of this Act on the steps being taken to implement the recommendations of GAO–07–1174.

Cancellation. Loans.

SEC. 564. The Administrator of the Federal Emergency Management Agency shall cancel the liquidated balances of all remaining uncancelled or partially cancelled loans disbursed under the Community Disaster Loan Act of 2005 (Public Law 109–88) and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), as amended by section 4502 of the U.S. Troop Readiness,

Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) to the extent that revenues of the local government during the period following the major disaster are insufficient to meet the budget of the local government, including additional disaster-related expenses of a municipal character. In calculating a community's revenues while determining cancellation, the Administrator shall exclude revenues for special districts and any other revenues that are required by law to be disbursed to other units of local government or used for specific purposes more limited than the scope allowed by the General Fund. In calculating a community's expenses, the Administrator shall include disaster-related capital expenses for which the community has not been reimbursed by Federal or insurance proceeds, debt service expenses, and accrued but unpaid uncompensated absences (vacation and sick pay). In calculating the operating deficit of the local government, the Administrator shall also consider all interfund transfers. When considering the period following the disaster, the Administrator may consider a period of 3, 5, or 7 full fiscal years after the disaster, beginning on the date of the declaration, in determining eligibility for cancellation. The criteria for cancellation do not apply to those loans already cancelled in full. Applicants shall submit supplemental documentation in support of their applications for cancellation on or before April 30, 2014, and the Administrator shall issue determinations and resolve any appeals on or before April 30, 2015. Loans not cancelled in full shall be repaid not later than September 30, 2035. The Administrator may use funds provided under Public Law 109–88 to reimburse those communities that have repaid all or a portion of loans, including interest, provided as Special Community Disaster Loans under Public Law 109–88 or Public Law 109–234, as amended by section 4502 of Public Law 110–28. Further, the Administrator may use funds provided under Public Law 109–88 for necessary expenses to carry out this provision.

Deadlines.
Determinations.
Appeals.

Deadline.

SEC. 565. The Inspector General shall review the applications for public assistance provided through the Disaster Relief Fund with a project cost that exceeds $10,000,000 and the resulting decisions issued by the Federal Emergency Management Agency for category A debris removal for DR–1786 upon receipt of a request from an applicant made no earlier than 90 days after filing an appeal with the Federal Emergency Management Agency without regard to whether the Administrator of the Federal Emergency Management Agency has issued a final agency determination on the application for assistance: *Provided,* That not later than 180 days after the date of such request, the Inspector General shall determine whether the Federal Emergency Management Agency correctly applied its rules and regulations to determine eligibility of the applicant's claim: *Provided further,* That if the Inspector General finds that the Federal Emergency Management Agency determinations related to eligibility and cost involved a misapplication of its rules and regulations, the applicant may submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111–5 not later than 15 days after the date of issuance of the Inspector General's finding in the previous proviso: *Provided further,* That if the Inspector General finds that the Federal Emergency Management Agency provided unauthorized funding, that the Federal Emergency Management Agency shall take corrective action.

Review.
Deadline.

Deadline.
Determination.
Claims.

Deadline.

SEC. 566. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 567. None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

SEC. 568. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

Determination. Notification. Deadline.

SEC. 569. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

Definition.

(RESCISSIONS)

SEC. 570. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

(1) $1,800,000 from Public Law 112–74 under the heading "Analysis and Operations";

(2) $73,232,000 from funds made available in Public Law 112–10 and Public Law 112–74 under the heading U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology";

(3) $3,108,311 from unobligated prior year balances from U.S. Immigration and Customs Enforcement, "Construction";

(4) $25,000,000 from Public Law 110–329 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(5) $43,000,000 from Public Law 111–83 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(6) $63,500,000 from Public Law 112–10 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(7) $23,000,000 from Public Law 112–74 under the heading Coast Guard "Acquisition, Construction, and Improvements"; and

(8) $21,667,000 from Public Law 112–74 under the heading Transportation Security Administration, "Surface Transportation Security".

(RESCISSION)

SEC. 571. Of the funds provided in Public Law 110–161, Public Law 110–329, and Public Law 111–83, under the heading "National Predisaster Mitigation Fund" for congressionally directed spending items, $12,000,000 are rescinded from projects for which no applications were submitted or from projects which were completed for an amount less than that appropriated.

(RESCISSIONS)

SEC. 572. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $199,657 from "Operations";

(2) $445,328 from U.S. Customs and Border Protection "Salaries and Expenses";

(3) $63,045 from U.S. Customs and Border Protection "Violent Crime Reduction Programs";

(4) $86,597 from U.S. Immigration and Customs Enforcement "Violent Crime Reduction Programs";

(5) $1,739 from Coast Guard "Acquisition, Construction, and Improvements";

(6) $1,329,239 from Federal Emergency Management Agency "Office of Domestic Preparedness";

(7) $3,262,677 from Federal Emergency Management Agency "National Predisaster Mitigation Fund"; and

(8) $2,291,844 from Transportation Security Administration "Administration".

(RESCISSIONS)

SEC. 573. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 984) are rescinded:

(1) $314,674 from "Office of the Secretary and Executive Management";

(2) $185,813 from "Office of the Under Secretary for Management";

(3) $114,391 from "Office of the Chief Financial Officer";

(4) $59,507 from "Office of the Chief Information Officer";

(5) $568,188 from "Analysis and Operations";

(6) $45,525 from "Office of Inspector General";

(7) $568,480 from U.S. Customs and Border Protection "Salaries and Expenses";

(8) $3,581,483 from U.S. Immigration and Customs Enforcement "Salaries and Expenses";

(9) $1,075,942 from Transportation Security Administration "Federal Air Marshals";

(10) $18,142,454 from Coast Guard "Operating Expenses";

(11) $991,520 from Coast Guard "Reserve Training";

(12) $1,033,599 from Coast Guard "Acquisition, Construction, and Improvements";

(13) $2,371,377 from United States Secret Service "Salaries and Expenses";

(14) $82,084 from National Protection and Programs Directorate "Management and Administration";

(15) $1,683,470 from National Protection and Programs Directorate "Infrastructure Protection and Information Security";

(16) $184,583 from National Protection and Programs Directorate "United States Visitor and Immigrant Status Indicator Technology";

(17) $259,874 from Federal Emergency Management Agency "Salaries and Expenses";

(18) $206,722 from Federal Emergency Management Agency "State and Local Programs";

(19) $450,017 from Office of Health Affairs;

(20) $205,799 from United States Citizenship and Immigration Services;

(21) $512,660 from Federal Law Enforcement Training Center "Salaries and Expenses";

(22) $244,553 from Science and Technology "Management and Administration"; and

(23) $128,565 from Domestic Nuclear Detection Office "Management and Administration".

Deadline. Reports.

SEC. 574. Fourteen days after the Secretary of Homeland Security submits a report required under this division to the Committees on Appropriations of the Senate and the House of Representatives, the Secretary shall submit a copy of that report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

This division may be cited as the "Department of Homeland Security Appropriations Act, 2013".

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013.

DIVISION E—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,684,323,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines

Determination. Notification.

that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,549,164,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $322,543,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $3,582,423,000, to remain available until September 30, 2017: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $315,562,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, $26,969,000 shall be available for payments to the North Atlantic

Determination.
Notification.

Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $613,799,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $42,386,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $305,846,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $49,532,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized

Determination.
Notification.

by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $10,979,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

Determination.
Notification.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $254,163,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $4,641,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $530,051,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $102,182,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing,

minor construction, principal and interest charges, and insurance premiums, as authorized by law, $378,230,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $83,824,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $497,829,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $52,238,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile 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 for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $151,000,000, to remain available until September 30, 2017, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $409,396,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $126,697,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating

Notification. Deadline.

an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or $2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor. Contracts.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense. Certification.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress. Notification.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement. Steel.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

Notification.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

Contracts.
Japan.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

Contracts.
Kwajalein Atoll.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

Notification.
Military exercise.
Deadline.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

Deadline. Notification.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general

10 USC 2821 note.

Deadline. Notification.

or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

Reports.
Deadline.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

Certification.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under 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), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

Notification.
Deadline.

(INCLUDING TRANSFER OF FUNDS)

Time period.
Determination.

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for

obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,500 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

Waiver authority.
Certification.
Time period.
Notification.
Deadline.

SEC. 126. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

Colorado.

SEC. 127. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 128. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

Certification.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available to the Department of Defense for military construction in this or any other Act, may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts, $20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Department of Defense Base Closure Account 2005", from prior appropriations Acts, $132,513,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 132. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer $10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $60,599,855,000, to remain available until expended: *Provided*, That not to exceed $9,204,000 of the amount appropriated under this heading shall

be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, $12,023,458,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $104,600,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2013, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $157,814,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $19,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $346,000, which may be paid to the

appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,089,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $155,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2012; and in addition, $43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

Priorities.

Priorities.

Drugs and drug abuse. Requirements.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $6,033,000,000, plus reimbursements, shall

become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $582,674,000, plus reimbursements, shall remain available until September 30, 2014.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $258,284,000, of which not to exceed $25,828,000 shall remain available until September 30, 2014: *Provided*, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: *Provided further*, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery

Strategy.
Urban and rural areas.

which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: *Provided further*, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above: *Provided further*, That this strategy shall be submitted no later than 180 days after the date of enactment of this Act: *Provided further*, That the Secretary of Veterans Affairs shall issue guidelines on committal services held at cemeteries under the jurisdiction of the National Cemetery Administration to ensure that: (1) veterans' families may arrange to hold committal services with any religious or secular content they desire; (2) the choice by a family of an honor guard and the content and presentation of military honors may not be interfered with; and (3) attendance at committal services by outside organizations dedicated to the support of veterans will not be constrained except at the request of family members: *Provided further*, That the Department shall not edit, control, or exercise prior restraints on the content of religious speech and expression by speakers at events at veterans national cemeteries except as provided in section 2413 of title 38, United States Code: *Provided further*, That actions permitted by the foregoing provisos shall be subject to compliance with Department security, safety, and law enforcement regulations.

Review.

Deadline.
Guidelines.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $424,737,000, of which not to exceed $20,837,000 shall remain available until September 30, 2014: *Provided*, That the Board of Veterans Appeals shall be funded at not less than $86,006,000: *Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)): *Provided further*, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,164,074,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed $113,000,000 shall remain available until September 30, 2014. Determination.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,327,444,000, plus reimbursements: *Provided*, That $1,021,000,000 shall be for pay and associated costs, of which not to exceed $30,630,000 shall remain available until September 30, 2014: *Provided further*, That $1,812,045,000 shall be for operations and maintenance, of which not to exceed $126,000,000 shall remain available until September 30, 2014: *Provided further*, That $494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three sub-accounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses Certification. Time period.

Expenditure plan.

of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That of the funds provided for information technology systems development, modernization, and enhancement for the development of a joint Department of Defense—Department of Veterans Affairs (DOD–VA) integrated electronic health record (iEHR), not more than 25 percent may be obligated until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost baseline for development of the integrated Electronic Health Record; (2) identifies the deployment timeline for the system for both Agencies; (3) breaks out annual and total spending for each Department; (4) relays detailed cost-sharing business rules; (5) establishes data standardization schedules between the Departments; (6) has been submitted to the Government Accountability Office for review; and (7) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $115,000,000, of which $6,000,000 shall remain available until September 30, 2014.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $532,470,000, of which $502,470,000 shall remain available until September 30, 2017, and of which $30,000,000 shall remain available until expended: *Provided*, That $5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: *Provided further*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance

planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

Contracts. Deadlines.

Reports.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized

by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

Authority request. Time period.

(INCLUDING TRANSFER OF FUNDS)

Authority requests.

Notification.

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made

to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

Reimbursement.

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

Determination.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $42,904,000 for the Office of Resolution Management and $3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be

credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

Contracts. Reports. Deadline.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

Contracts. Native Americans.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations,

Requirements. Regulations.

as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough. Definition.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration. Deadlines. Reports.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National Cemetery Administration" accounts for fiscal year 2013, may be transferred to or from the "Information technology systems" account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued. Authority request.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the "Medical facilities" account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress. Waiver authority. Notification.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2013 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to $247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

Notification.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of $15,000,000, shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", $1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", $200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) "Department of Veterans Affairs, Medical services", $1,500,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", $200,000,000.

(3) "Department of Veterans Affairs, Medical facilities", $250,000,000.

Notifications. Contracts. Deadlines.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

Deadlines. Notification.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

Reprogramming request.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2013, the funding allocated for a medical care initiative identified in the fiscal year 2013 expenditure plan is adjusted by more than $25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

Time period.

Contracts.

SEC. 231. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

SEC. 232. Funds made available under the heading "Medical services" in title II of division H of Public Law 112–74 may be used to carry out section 1787 of title 38, United States Code.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $62,929,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $32,481,000: *Provided*, That $2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $65,800,000, of which not to exceed $27,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, $103,000,000, to remain available until September 30, 2017, of which, $84,000,000 shall be for planning and design and construction associated with the Millennium Project at Arlington National Cemetery; and $19,000,000 shall be for study, planning, design, and architect and engineer services for future expansion of burial space at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $67,590,000, of which $2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading, "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", $150,768,000, to remain available until September 30, 2013: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112–10 and division H in title IV of Public Law 112–74, $150,768,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

Lobbying.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

Submissions.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

Web posting.
Public information.
Reports.
Determination.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

Time period.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

Pornography.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless

such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

ACORN.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

Detainees. Cuba.

SEC. 511. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 512. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

Contracts.

SEC. 513. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

Corporations. Criminal violation. Determination.

SEC. 514. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Corporations. Tax liability. Determination.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment

of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Pay raises.

SEC. 516. Such sums as may be necessary for fiscal year 2013 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

Reports. Deadline.

SEC. 517. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency that are stationed within the United States at any single conference occurring outside a state of the United States, except for employees of the Department of Veterans Affairs stationed in the Philippines, unless the relevant Secretary reports to the Committees on Appropriations of both Houses of Congress at least 5 days in advance that such attendance is important to the national interest.

This division may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013".

Full-Year Continuing Appropriations Act, 2013.

DIVISION F—FURTHER CONTINUING APPROPRIATIONS ACT, 2013

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2013, and for other purposes, namely:

TITLE I

GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2012, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Energy and Water Development and Related Agencies Appropriations Act, 2012 (division B of Public Law 112–74).

(2) The Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74).

(3) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74).

(4) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2012 (division F of Public Law 112–74).

(5) The Legislative Branch Appropriations Act, 2012 (division G of Public Law 112–74).

(6) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74).

(7) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55), except for the appropriations designated by the Congress as being for disaster relief under the heading

"Department of Transportation, Federal Highway Administration, Emergency Relief" and in the last proviso of section 239 of such Act.

(8) The Disaster Relief Appropriations Act, 2012 (Public Law 112–77), except for appropriations under the heading "Corps of Engineers—Civil".

Definition.

(b) For purposes of this division, the term "level" means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that such level shall be calculated without regard to any rescission or cancellation of funds or contract authority, other than—

(1) the 0.16 percent across-the-board rescission in section 436 of division E of Public Law 112–74 (relating to the Department of the Interior, Environment, and Related Agencies); and

(2) the 0.189 percent across-the-board rescission in section 527 of division F of Public Law 112–74, (relating to the Departments of Labor, Health and Human Services, and Education, and Related Agencies).

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2012, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2012.

SEC. 1105. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101 shall continue in effect through the date specified in section 1106.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2013.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Resolution, 2013 (Public Law 112–175) shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2012, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2012.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2014:

(1) "Department of Labor, Office of Workers' Compensation Programs, Special Benefits for Disabled Coal Miners", for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, $40,000,000, to remain available until expended.

(2) "Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid", for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, $106,335,631,000, to remain available until expended.

(3) "Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs", for payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $1,100,000,000, to remain available until expended.

(4) "Department of Health and Human Services, Administration for Children and Families, Payments for Foster Care and Permanency", for payments to States or other non-Federal entities under title IV–E of the Social Security Act, $2,200,000,000.

(5) "Social Security Administration, Supplemental Security Income Program", for benefit payments under title XVI of the Social Security Act, $19,300,000,000, to remain available until expended.

SEC. 1110. Each amount made available in this division by reference to an appropriation that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

SEC. 1111. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2013 or 2014 in an appropriations Act for fiscal year 2012, in addition to amounts otherwise made available by this division, advance appropriations are provided in the same amount for fiscal year 2014 or 2015, respectively, with a comparable period of availability.

SEC. 1112. (a) Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242), as added by section 1(a)(2) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 111–322; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after "ending on" and before "shall be made" and inserting "December 31, 2013,"; and

(2) in subsection (c), by striking the matter after "ending on" and before "no senior executive" and inserting "December 31, 2013,".

(b) Section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note) is repealed. Repeal.

SEC. 1113. (a) Not later than 30 days after the date of the enactment of this division, each department and agency in subsection (c) shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2013— Deadline. Plans.

(1) at the program, project, or activity level (or, for foreign assistance programs funded in titles III, IV and VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act, at the country, regional, and central program level, and for any international organization); or

(2) as applicable, at any greater level of detail required for funds covered by such a plan in an appropriations Act referred to in section 1101, in the joint explanatory statement accompanying such Act, or in committee report language incorporated by reference in such joint explanatory statement.

(b) If a sequestration is ordered by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, the spending, expenditure, or operating plan required by this section shall reflect such sequestration.

(c) The departments and agencies to which this section applies are as follows: Applicability.

(1) The Department of Agriculture.
(2) The Department of Commerce.
(3) The Department of Education.
(4) The Department of Energy.
(5) The Department of Health and Human Services.
(6) The Department of Homeland Security.
(7) The Department of Housing and Urban Development.
(8) The Department of the Interior.
(9) The Department of Justice.
(10) The Department of Labor.
(11) The Department of State and United States Agency for International Development.
(12) The Department of Transportation.
(13) The Department of the Treasury.
(14) The National Aeronautics and Space Administration.
(15) The National Science Foundation.
(16) The Judiciary.
(17) With respect to amounts made available under the heading "Executive Office of the President and Funds Appropriated to the President", agencies funded under such heading.
(18) The Federal Communications Commission.
(19) The General Services Administration.
(20) The Office of Personnel Management.
(21) The National Archives and Records Administration.
(22) The Securities and Exchange Commission.
(23) The Small Business Administration.
(24) The Environmental Protection Agency.
(25) The Indian Health Service.
(26) The Smithsonian Institution.
(27) The Social Security Administration.
(28) The Corporation for National and Community Service.
(29) The Corporation for Public Broadcasting.
(30) The Food and Drug Administration.
(31) The Commodity Futures Trading Commission.

Deadlines.
Reports.

SEC. 1114. Not later than May 15, 2013, and each month thereafter through November 1, 2013, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on all obligations incurred in fiscal year 2013, by each department and agency, using funds made available by this division. Such report shall—

(1) set forth obligations by account; and

(2) compare the obligations incurred in the period covered by the report to the obligations incurred in the same period in fiscal year 2012.

This division may be cited as the "Full-Year Continuing Appropriations Act, 2013".

TITLE II

ENERGY AND WATER DEVELOPMENT

SEC. 1201. The amounts available for "Corps of Engineers—Civil, Department of the Army, Corps of Engineers—Civil, Construction" are hereby reduced by $20,000,000.

SEC. 1202. Notwithstanding section 1101, the level for "Department of the Interior, Central Utah Project, Central Utah Project Completion Account" shall be $19,700,000, of which, $1,200,000 shall be deposited into the "Utah Reclamation Mitigation and Conservation Account" for use by the Utah Reclamation Mitigation and Conservation Commission. In addition $1,300,000 is provided for necessary expenses incurred in carrying out the responsibilities of the Secretary of the Interior.

SEC. 1203. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Department of Energy, Energy Efficiency and Renewable Energy", $1,814,091,000; "Department of Energy, Nuclear Energy", $759,000,000; "Department of Energy, Science", $4,876,000,000; "Department of Energy, Advanced Research Projects Agency—Energy", $265,000,000, to remain available until expended.

SEC. 1204. Notwithstanding section 1101, of the unobligated balances from prior year appropriations available under "Department of Energy, Northeast Home Heating Oil Reserve" $6,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1205. (a) Notwithstanding section 1101, the level for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities" shall be $7,577,341,000.

(b) Section 301(c) of division B of Public Law 112–274 shall not apply to amounts made available by this section.

SEC. 1206. In addition to amounts otherwise made available by this division, $110,000,000 is appropriated for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation" for domestic uranium enrichment research, development, and demonstration.

SEC. 1207. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this division by substituting the date specified in section 1106 of this division for "October 1, 2012". Applicability.

TITLE III

FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1301. (a) Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 6020 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2013 Budget Request Act of 2012 (D.C. Act 19–381), as modified as of the date of the enactment of this division.

(b) Section 803(b) of the Financial Services and General Government Appropriations Act, 2012 (division C of Public Law 112–74; 125 Stat. 940) is amended by striking "November 1, 2012" and inserting "November 1, 2013".

SEC. 1302. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment for Emergency Planning and Security Costs in the District of Columbia" shall be $24,700,000, of which not less than $9,800,000 shall be used for costs associated with the Presidential Inauguration.

SEC. 1303. Notwithstanding section 1101, the fifth proviso under the heading "Federal Communications Commission, Salaries and Expenses" in division C of Public Law 112–74 shall be applied by substituting "$98,739,000" for "$85,000,000". Applicability.

SEC. 1304. Notwithstanding any other provision of this division, amounts made available by section 1101 for "Department of the Treasury, Departmental Offices, Salaries and Expenses" and "Department of the Treasury, Office of Inspector General, Salaries and Expenses" may be used for activities in connection with section 1602(e) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (subtitle F of title I of division A of Public Law 112–141).

SEC. 1305. Notwithstanding section 1101, the level for "Office of Government Ethics, Salaries and Expenses" shall be $18,664,000, of which $5,000,000 shall be for development and deployment of the centralized, publicly accessible database required in section 11(b) of the STOCK Act (Public Law 112–105).

SEC. 1306. Notwithstanding section 1101, the level for "Small Business Administration, Business Loans Program Account" for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act and section 503 of the Small Business Investment Act of 1958 shall be $333,600,000.

SEC. 1307. Of the unobligated balances available for "Department of the Treasury, Treasury Forfeiture Fund", $950,000,000 are rescinded. Rescission.

SEC. 1308. Notwithstanding section 1101, the Community Development Financial Institutions Fund is authorized during Fiscal Year 2013 to guarantee bonds and notes pursuant section 114A of the Riegle Community Development and Regulatory

Improvement Act of 1994 (12 U.S.C. 4701 et seq.): *Provided,* That no funds appropriated by this Act for "Department of the Treasury—Community Development Financial Institutions Fund Program Account" shall be available for the cost, if any, of guaranteed loans (as defined in section 502 of the Congressional Budget Act of 1974) pursuant to section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) to subsidize total loan principal not to exceed $500,000,000.

SEC. 1309. Sections 9503(a), 9504(a) and (b), and 9505(a) of title 5, United States Code, are amended by striking "Before July 23, 2013" each place it occurs and inserting "Before September 30, 2013".

SEC. 1310. Notwithstanding section 1101, the level for "Executive Office of The President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation" shall be $0.

SEC. 1311. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" shall be $1,040,000,000.

SEC. 1312. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), as amended, is amended—

(1) in the third sentence (relating to the district of Kansas), by striking "21 years or more" and inserting "22 years and 6 months or more"; and

(2) in the seventh sentence (relating to the district of Hawaii), by striking "18 years or more" and inserting "19 years and 6 months or more".

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, The Judiciary, The District of Columbia, and Independent Agencies Appropriations Act of 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern district of Missouri) by inserting "and 6 months" after "20 years".

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note) is amended—

(1) by inserting after "authorized by this subsection" the following: ", except in the case of the central district of California and the western district of North Carolina";

(2) by striking "10 years" and inserting "11 years"; and

(3) by adding at the end the following: "The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.".

Applicability.

SEC. 1313. Notwithstanding section 1101 of this division or division A, the level for the "Commodity Futures Trading Commission" shall be the level specified under Public Law 112–55 and the authorities and conditions, including comparable periods of availability, provided under such Public Law shall apply to such appropriation.

SEC. 1314. Notwithstanding section 1101, the level for "Federal Deposit Insurance Corporation, Office of the Inspector General" shall be $34,568,000.

TITLE IV

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1401. Notwithstanding section 1101, the levels for the following appropriations of the Department of the Interior shall be:

(a) $950,757,000 for "Bureau of Land Management, Management of Lands and Resources": *Provided*, That the amounts included under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "$950,757,000" for "$961,900,000" the second place it appears; Applicability.

(b) $0 for "Bureau of Land Management, Construction";

(c) $1,213,915,000 for "United States Fish and Wildlife Service, Resource Management";

(d) $19,136,000 for "United States Fish and Wildlife Service, Construction";

(e) $2,214,202,000 for "National Park Service, Operation of the National Park Service";

(f) $131,173,000 for "National Park Service, Construction";

(g) $105,910,000 for "Bureau of Indian Affairs, Construction";

(h) $84,946,000 for "Insular Affairs, Assistance to Territories": *Provided*, That the matter under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting "$75,684,000" for "$78,517,000"; and by substituting "$9,262,000" for "$9,480,000"; Applicability.

(i) $146,000,000 for "Office of the Special Trustee for American Indians, Federal Trust Programs"; and

(j) $726,473,000 for "Department-wide Programs, Wildland Fire Management": *Provided*, That of the amounts made available by section 140(b) of Public Law 112–175 (126 Stat. 1321), $7,500,000 are rescinded. Rescission.

SEC. 1402. The contract authority provided for fiscal year 2013 by 16 U.S.C. 460l–10a is rescinded.

SEC. 1403. Section 10101(a) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)), as amended by section 430 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (division E of Public Law 112–74; 125 Stat. 1047), is further amended—

(1) in paragraph (1) in the first sentence, by striking "on" the first place it appears and inserting "before, on,"; and

(2) in paragraph (2)—

(A) by striking "located" the second place it appears;

(B) by inserting at the end of the following: "Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28 to 28e) and the related filing requirements contained in section 314(a) and (c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a) and (c)).''; and

(C) by striking "(a)" in the first sentence and inserting "(a)(1)".

SEC. 1404. (a) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking "2012" and inserting "2013".

Effective date.

(b) Effective on October 12, 2012, section 7 of Public Law 99–647, as amended by section 702(d) of Public Law 109–338 and section 1767 of Public Law 112–10, is further amended by striking "the date" and all that follows and inserting "September 30, 2013".

16 USC 461 note.

(c) Section 12 of Public Law 100–692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking "2012" and inserting "2013"; and

(2) in subsection (d), by striking "the date that is 5 years after the date of enactment of this sub section" and inserting "September 30, 2013".

(d) Section 108 of Public Law 106–278 (16 U.S.C. 461 note) is amended by striking "2012" and inserting "2013".

SEC. 1405. Notwithstanding section 1101, the levels for the following appropriations of the Environmental Protection Agency shall be:

(a) $785,291,000 for "Science and Technology";

(b) $2,651,440,000 for "Environmental Programs and Management";

Applicability.

(c) $1,176,431,000 for "Hazardous Substance Superfund": *Provided*, That the matter under such heading in division E of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting "$1,176,431,000" for "$1,215,753,000" the second place it appears; and by substituting "September 30, 2012" for "September 30, 2011"; and

Applicability.

(d) $3,579,094,000 for "State and Tribal Assistance Grants": *Provided*, That the amounts included under such hearing in division E of Public Law 112–74 shall be applied to fund appropriated by this division as follows: by substituting "$1,451,791,000" for "$1,468,806,000"; by substituting "$908,713,000" for "$919,363,000"; and by substituting "$19,952,000" for "$30,000,000".

Rescissions.

SEC. 1406. (a) Of the unobligated balances available to the Environmental Protection Agency under the following headings from prior appropriation Acts, the following amounts are rescinded:

(1) "Hazardous Substance Superfund", $15,000,000.

(2) "State and Tribal Assistance Grants", $35,000,000, as follows:

(A) $10,000,000 from unobligated Brownfields balances.

(B) $5,000,000 from unobligated categorical grant balances.

(C) $10,000,000 from unobligated Drinking Water State Revolving Funds balances.

(D) $10,000,000 from unobligated Clean Water State Revolving Funds balances.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1407. Notwithstanding subsection (d)(2) of section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8), the Administrator of the Environmental Protection Agency may assess pesticide registration service fees under such section for fiscal year 2013.

SEC. 1408. Notwithstanding section 1101, the levels for the following appropriations of the Department of Agriculture shall be:

(a) $1,536,596,000 for "Forest Service, National Forest System";

(b) $369,800,000 for "Forest Service, Capital Improvement and Maintenance"; and

(c) $1,971,390,000 for "Forest Service, Wildland Fire Management".

SEC. 1409. Notwithstanding section 1101, the levels for the following appropriations of the Department of Health and Human Services shall be:

(a) $3,914,599,000 for "Indian Health Service, Indian Health Services"; and

(b) $441,605,000 for "Indian Health Service, Indian Health Facilities".

SEC. 1410. Notwithstanding section 1101, the level for "Smithsonian Institution, Salaries and Expenses" shall be $640,512,000.

SEC. 1411. Notwithstanding section 1101, the level for "Advisory Council on Historic Preservation, Salaries and Expenses" shall be $7,023,000: *Provided,* That of the funds appropriated herein, $1,300,000, to remain available until expended, may be used for expenses related to the relocation from the Old Post Office Building.

SEC. 1412. Notwithstanding section 1101, the level for "Presidio Trust, Presidio Trust Fund" shall be $0.

SEC. 1413. Notwithstanding section 1101, the level for "Dwight D. Eisenhower Memorial Commission, Salaries and Expenses" shall be $1,050,000 and the level for "Dwight D. Eisenhower Memorial Commission, Capital Construction" shall be $0: *Provided,* That section 8162(m) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as added by section 8120 (a) of Public Law 107–117 (115 Stat. 2273), is amended by adding at the end the following:

40 USC 8903 note.

"(3) EXPIRATION.—Any reference in section 8903(e) of title 40, U.S.C. to the expiration at the end of, or extension beyond, a 7-year period shall be considered to be a reference to an expiration on, or extension beyond, September 30, 2013.".

SEC. 1414. Notwithstanding section 1101, section 408 of division E of Public Law 112–74 (125 Stat. 1038) shall be applied to funds appropriated by this division by substituting "112–10, and 112–74" for "112–10" and by substituting "2012" for "2011".

Applicability.

SEC. 1415. The authority provided by section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted by reference in section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note) shall continue in effect through the date specified in section 1106 of this division.

Extension.

SEC. 1416. No funds made available under this Act shall be used for a 180-day period beginning on date of enactment of this Act to enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

Time period. Effective date.

TITLE V

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

(INCLUDING TRANSFER OF FUNDS)

SEC. 1501. Of the funds available to the Department of Labor, Employment and Training Administration in this or any other Act making appropriations that remain unobligated as of the date of enactment of this Act, up to $30,000,000 may be transferred to "Department of Labor, Employment and Training Administration, Office of Job Corps" for Job Corps operations for program years 2012 and 2013 and shall be in addition to any other amounts available to the Office of Job Corps for such purposes: *Provided,* That not less than $10,000,000 shall be transferred within 30 days of enactment of this Act to support Job Corps operations for the program year ending June 30, 2013: *Provided further,* That not later than 15 days after any transfer has been made under the authority of this section, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate that details the source of the transferred funds, the specific programs, projects, or activities for which such funds will be used, provides a detailed explanation of the need for such transfer, and itemizes the cost saving measures implemented by the Office of the Job Corps during Program Years 2012 and 2013 and the savings gained by implementing each initiative.

Deadline.

Deadline.
Reports.

SEC. 1502. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account of the Unemployment Trust Fund for administrative expenses of "Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations" shall be $3,940,865,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which $3,115,142,000 shall be for grants to the States for the administration of State unemployment insurance laws under paragraph (1). For the purposes of this section, the first proviso under this heading in Public Law 112–74 shall be applied by substituting "2013" and "4,585,000" for "2012" and "4,832,000", respectively.

Grants.

Applicability.

SEC. 1503. Notwithstanding section 1101, language under the heading "Department of Labor, Mine Safety and Health Administration, Salaries and Expenses" in Public Law 112–74 shall be applied to funds appropriated by this Act by substituting "is authorized to collect and retain up to $2,499,000" for "may retain up to $1,499,000".

Applicability.

SEC. 1504. Notwithstanding section 1101, the level for "Department of Labor, Veterans Employment and Training" shall be $264,436,000, of which $226,251,000 shall be derived from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided,* That the level provided under such heading for Veterans Workforce Investment Program grants shall be used for the Transition Assistance Program and activities authorized by the VOW to Hire Heroes Act of 2011, shall be available through September 30, 2013, and shall be in addition to any other funds available for those purposes: *Provided further,* That of the

level provided under such heading, not less than $14,000,000 shall be for the Transition Assistance Program, and $3,414,000 shall be for the National Veterans' Employment and Training Services Institute.

SEC. 1505. All funds provided for the Health Centers program, as defined by section 330 of the Public Health Service Act, by this Act or any other Act providing appropriations for fiscal year 2013 shall be obligated by the Secretary of Health and Human Services by September 30, 2013, of which $48,000,000 shall be awarded for base grant adjustments.

Notification. Deadlines. Reports.

SEC. 1506. The Director of the Centers for Disease Control and Prevention (hereafter referred to in this division as "CDC") may detail CDC staff without reimbursement for up to 30 days to support an activation of the CDC Emergency Operations Center, so long as the Director provides notification within 15 days of the use of this authority and a full report to the Committees on Appropriations of the House of Representatives and the Senate within 30 days after the use of this authority, which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided*, That the annual reimbursement cannot exceed $3,000,000 across CDC.

(INCLUDING TRANSFER OF FUNDS)

42 USC 247d–4 note.

SEC. 1507. To facilitate the implementation of the permanent Working Capital Fund ("WCF") authorized in Public Law 112–74, on or after October 1, 2013, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: *Provided*, That on or after October 1, 2013, the CDC shall transfer other amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: *Provided further,* That assets purchased with funds appropriated for or reimbursed to business services in this or any other Act may be transferred to the WCF and customers billed for depreciation of those assets: *Provided further,* That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activity funding: *Provided further,* That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfer made under the authority provided in this section.

Effective date.

Notification. Deadline.

(INCLUDING TRANSFER OF FUNDS)

Applicability.

Deadline. Cost estimate.

SEC. 1508. Notwithstanding section 1101, the level for "Department of Health and Human Services, National Institutes of Health, Office of the Director" shall be $1,528,181,000: *Provided,* That the fourth proviso under such heading shall be applied to funds appropriated by this Act by substituting the following: ": *Provided further,* That $165,000,000 shall be for the National Children's Study (NCS), except that not later than July 15, 2013 the Director shall estimate the amount needed for the NCS during fiscal year 2013, taking into account the succeeding proviso, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers of NIH in proportion to their shares of total NIH appropriations made by this Act:

Contracts.
Deadline.
Review.
Reports.

Provided further, That the Director shall contract with the National Academy of Sciences within 60 days of enactment of this Act to appoint an expert Institute of Medicine/National Research Council (IOM/NRC) panel to conduct a comprehensive review and issue a report regarding proposed methodologies for the NCS Main Study, including whether such methodologies are likely to produce scientifically sound results that are generalizable to the United States population and appropriate sub-populations: *Provided further,* That no contracts shall be awarded for conducting the Main Study until at least 60 days after the IOM/NRC report has been available to the public:".

Contracts.
Deadline.

SEC. 1509. Notwithstanding section 1101, the level for "Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance" shall be $1,016,000,000.

SEC. 1510. Notwithstanding section 1101, the level for "Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant" shall be $2,328,313,000: *Provided,* That in addition to the amounts required to be reserved by the States under section 658G of the Child Care and Development Block Grant Act, $297,078,000 shall be reserved by the States for activities authorized under section 658G of such Act, of which $108,950,000 shall be for activities that improve the quality of infant and toddler care.

SEC. 1511. In addition to amounts otherwise made available by section 1101, $33,500,000 is appropriated for "Department of Health and Human Services, Administration for Children and Families, Children and Families Services" for making payments under the Head Start Act: *Provided*, That notwithstanding section 640 of such Act, up to $25,000,000 of such funds shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further,* That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act.

SEC. 1512. Notwithstanding section 1101, the level for "Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund" shall be increased by $17,000,000 for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of the Department of Health and Human Services, including relocation and fit-out costs, to remain available until expended.

SEC. 1513. Of the amount provided by section 1101 for "Department of Education, Safe Schools and Citizenship Education" for subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, $3,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis.

Applicability.

SEC. 1514. Notwithstanding section 1101, the provisos under the heading "Department of Education—Special Education" shall be applicable as if the following four provisos were inserted after the first proviso: ": *Provided further,* That the Secretary shall distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), in accordance with section 611(d)(3)(A)(i)(II) and (III) without regard to section 611(d)(3)(A)(i)(I) and section 611(d)(3)(B): *Provided further,* That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further,* That the States shall allocate such funds distributed under the second preceding proviso to local educational agencies in accordance with section 611(f): *Provided further,* That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos from funds appropriated for fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years:".

SEC. 1515. Of the amount provided by section 1101 for "Department of Education, Higher Education" for subpart 2 of part A of title VII of the Higher Education Act of 1965, up to $4,451,000 shall be available to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of such act.

SEC. 1516. Notwithstanding section 1101, the level for "Railroad Retirement Board, Limitation on Administration" shall be $111,149,000.

SEC. 1517. Notwithstanding section 1101, the level for "Social Security Administration, Supplemental Security Income Program" for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act shall be $17,000,000.

SEC. 1518. Of the funds made available by section 1101 for "Social Security Administration, Limitation on Administrative Expenses", $23,000,000 shall be for section 1149 of the Social Security Act and $7,000,000 shall be for section 1150 of the Social Security Act.

SEC. 1519. Of the funds made available by section 1101 for "Social Security Administration, Limitation on Administrative Expenses" for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $483,052,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

Rescission.

SEC. 1520. Of the funds made available for the Community-Based Care Transitions Program under section 3026 of Public Law 111–148, $200,000,000 are hereby rescinded.

Rescissions.

SEC. 1521. Notwithstanding section 1101, the rescissions made in sections 522 and 525 of division F of Public Law 112–74 shall be repeated in this Act with respect to funds available for fiscal year 2013.

126 Stat. 1322.
Extension date.

SEC. 1522. Section 148 of Public Law 112–175 is amended to read as follows: "Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b) of such Act) shall continue through September 30, 2013, in the manner authorized for fiscal year 2012, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.".

TITLE VI

LEGISLATIVE BRANCH

Irene Hirano Inouye.

SEC. 1601. Notwithstanding any other provision of this Act, for a payment to Irene Hirano Inouye, widow of Daniel K. Inouye, late a Senator from Hawaii, $193,400.

SEC. 1602. Notwithstanding section 1101, the level for "Joint Congressional Committee On Inaugural Ceremonies of 2013" shall be $0.

SEC. 1603. Notwithstanding section 1101, the level for "Capitol Police, General Expenses" shall be $62,004,000.

SEC. 1604. Notwithstanding section 1101, the level of funding for "Architect of the Capitol, General Administration" shall be $97,340,000.

SEC. 1605. (a) Notwithstanding section 1104, of the amounts made available by section 1101 for accounts under the heading "Architect of the Capitol", the Architect of the Capitol may transfer an aggregate amount of not more than $61,247,000 to "Architect of the Capitol, Capitol Building", solely for expenses related to the rehabilitation of the United States Capitol Dome.

(b) The transfer of amounts under the authority of subsection (a) shall be subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(c) Any amounts transferred under the authority of subsection (a) shall remain available until expended.

2 USC 1871.

SEC. 1606. (a) Notwithstanding section 1101, available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5, United States Code.

Applicability.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2013 and each year thereafter.

SEC. 1607. Notwithstanding section 1101, the level for "Library of Congress, Copyright Office, Salaries and Expenses" shall be $737,000 under the first proviso, and shall be $34,250,000 under the fourth proviso.

SEC. 1608. Notwithstanding section 1101, the level for "Government Printing Office, Congressional Printing and Binding" shall be $83,632,000; "Government Printing Office, Government Printing Office Revolving Fund" shall be $4,000,000.

Applicability.

SEC. 1609. Notwithstanding section 1101, the level for "Government Printing Office, Office of Superintendent of Documents, Salaries and Expenses" shall be $31,500,000 and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2011 and 2012.

SEC. 1610. Notwithstanding section 1101, the level for "Government Accountability Office, Salaries and Expenses" shall be $506,282,000, the amount applicable under the first proviso under that heading shall be $26,404,000.

SEC. 1611. (a) IN GENERAL.—Available balances of expired Government Accountability Office appropriations shall be available to the Government Accountability Office to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5 United States Code. 31 USC 711 note.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2013 and each fiscal year thereafter. Applicability.

SEC. 1612. Notwithstanding section 1101, the level for "Open World Leadership Center Trust Fund" shall be $8,000,000.

TITLE VII

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 1701. (a) Notwithstanding section 1101, the amounts included under the heading "Embassy Security, Construction, and Maintenance" under title I in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting "$938,125,000" for "$762,000,000" in the first paragraph; and by substituting "$688,499,000" for "$775,000,000" in the second paragraph.

(b) Notwithstanding section 1101, the levels for the following accounts under title I in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: "Contributions for International Peacekeeping Activities", $2,006,499,000; "International Boundary and Water Commission, United States and Mexico, Salaries and Expenses", $43,499,000; "International Boundary and Water Commission, United States and Mexico, Construction", $27,675,000; "American Sections, International Commissions", $11,923,000; "International Fisheries Commissions", $34,617,000; "Commission for the Preservation of America's Heritage Abroad, Salaries and Expenses", $606,000; "United States Commission on International Religious Freedom, Salaries and Expenses", $2,932,000; "Commission on Security and Cooperation in Europe, Salaries and Expenses", $2,443,000; "Congressional-Executive Commission on the People's Republic of China, Salaries and Expenses", $1,906,000; and "United States-China Economic and Security Review Commission, Salaries and Expenses", $3,312,000. Applicability.

SEC. 1702. (a) Notwithstanding section 1101, the amounts included under the heading "Global Health Programs" under title III in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting in the first sentence in the first paragraph "$2,755,950,000" for "$2,625,000,000"; by substituting in the first sentence in the second paragraph "$5,720,499,000" for "$5,542,860,000"; and by substituting in the second proviso in the second paragraph "$1,650,000,000" for "$1,050,000,000". Applicability.

(b) Notwithstanding section 1101, the amounts included under the heading "Economic Support Fund" under title III in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting after the tenth proviso and before Applicability.

the period the following: ": *Provided further,* That not less than $325,400,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated under the heading 'Development Assistance' in this Act".

Applicability.

SEC. 1703. (a) Notwithstanding section 1101, the sixth proviso under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs" in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting the following: "*Provided further,* That funds made available for demining, conventional weapons destruction, and related activities, in addition to funds otherwise made available for such purposes, may be used for administrative expenses related to the operation and management of demining, conventional weapons destruction, and related programs".

(b) Notwithstanding section 1101, the first sentence under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs" in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting "to remain available until September 30, 2014," after "$590,113,000,".

(c) Notwithstanding section 1101, the third proviso under the heading "International Security Assistance, Department of State, Peacekeeping Operations" in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "$161,000,000" for "$91,818,000" and "2014" for "2013".

(d) Notwithstanding section 1101, the amounts included in the first paragraph under the heading "Foreign Military Financing Program" under title IV in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting in the second proviso "$3,100,000,000" for "$3,075,000,000" and by substituting in the fourth proviso "$815,300,000" for "$808,725,000".

SEC. 1704. (a) Notwithstanding section 1101, the levels for the following accounts under title V in division I of Public Law 112–74 shall be as follows: "Global Environment Facility", $129,400,000; "Contribution to the International Bank for Reconstruction and Development", $186,957,000; "Contribution to the Enterprise for the Americas Multilateral Investment Fund", $15,000,000; and in the first paragraph under "Contribution to the International Development Association", $1,358,500,000; and "Contribution to the Inter-American Development Bank", $111,153,000.

(b) Notwithstanding section 1101, the level for the following accounts shall be $0: "Multilateral Assistance, International Financial Institutions, European Bank for Reconstruction and Development, Limitation on Callable Capital Subscriptions"; "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia"; and "International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund".

(c) Notwithstanding section 1101, the level for the second paragraphs for the following accounts under title V in division I of Public Law 112–74 shall be $0: "Contribution to the International Development Association"; "Contribution to the Inter-American Development Bank"; and "Contribution to the African Development Fund".

(d) Section 70 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.), is amended in subsection (b) by adding at the end the following: 22 USC 286vv.

"(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation, $4,639,501,466 for payment by the Secretary of the Treasury.

"(4) Of the amount authorized to be appropriated under paragraph (3), $278,370,088 shall be for paid in shares of the Bank, and $4,361,131,378 shall be for callable shares of the Bank.".

SEC. 1705. Of the unexpended balances available under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $400,000,000 are rescinded. Rescission.

SEC. 1706. (a) Notwithstanding section 1101, section 7006 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "Afghanistan, Pakistan, and other hostile or high-risk areas" for "Afghanistan, and Pakistan". Applicability.

(b) Notwithstanding section 1101, the amount included in section 7034(f) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "$100,000,000" for "$50,000,000".

(c) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting before the period in paragraph (2) "; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions".

(d) Notwithstanding section 1101, section 7054(b) in division I of Public Law 112–74 shall be applied for purposes of this division by inserting before the period in paragraph (2) "; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions".

(e) Notwithstanding section 1101, section 7063 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "September 30, 2014" for "September 30, 2013".

(f) Notwithstanding section 1101, sections 7070(a) and 7072(a) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting "headings" for "heading" and substituting "'Global Health Programs', 'Economic Support Fund', and 'International Narcotics Control and Law Enforcement' for 'Assistance for Europe, Eurasia and Central Asia'".

(g) Notwithstanding section 1101, section 7070 in division I of Public Law 112–74 shall be applied to funds appropriated by this division by adding the following:

"(d) Funds appropriated by this division under the heading 'Economic Support Fund' may be made available, not withstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 3 of the FREEDOM Support Act (Public Law 102–511) and may be used to carry out the provisions of those Acts: *Provided,* That such assistance and related programs from funds Consultation.

appropriated by this Act under the headings 'Global Health Programs', 'Economic Support Fund', and 'International Narcotics Control and Law Enforcement' shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511), and shall be made available in amounts consistent with the amounts made available under the heading 'Assistance for Europe, Eurasia and Central Asia' in fiscal year 2012, in consultation with the Committees on Appropriations.".

(h) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "and 2012" and inserting "2012, and 2013"; and

(B) in subsection (e), by striking "2012" each place it appears and inserting "2013"; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2012" and inserting "2013".

Syria.
Consultation.

(i) Notwithstanding section 1101, section 7041(h) in division I of Public Law 112–74 shall be applied to funds appropriated by this division by including the following before the period: "*Provided,* That prior to obligating funds made available by this Act for assistance for Syria, the Secretary of State shall consult with the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further,* That such funds shall be subject to the regular notification procedures of the Committees on Appropriations".

Notification.

(j) Notwithstanding section 1101, the fifth proviso under the heading "Economic Support Fund" in division I of Public Law 112–74 shall be applied to funds appropriated by this division by substituting: "*Provided further,* That funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan and" for "*Provided further,* That up to $30,000,000 of the funds appropriated for fiscal year 2011 under this heading in Public Law 112–10, division B, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for".

SEC. 1707. (a) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112–74 shall be as follows: "Diplomatic and Consular Programs", $3,210,650,000, of which $918,435,000 is for Worldwide Security Protection (to remain available until expended); and "Embassy Security, Construction, and Maintenance", $1,272,200,000, of which $1,261,400,000 is for the costs of worldwide security upgrades, acquisition, and construction, as authorized: *Provided,* That funds made available under this subsection shall be used for operations at high threat posts, security programs to protect personnel and property under Chief of Mission authority, preventing the compromise of classified United States Government information and equipment, and security construction or upgrade requirements at Department of State facilities worldwide, including for Worldwide Security Upgrades.

(b) Of the unobligated balances from funds appropriated under title VIII in division I of Public Law 112–74 under the heading "Diplomatic and Consular Programs" and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, $1,109,700,000 are rescinded. Rescission.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations providing an assessment of security requirements at United States diplomatic facilities worldwide, including those facilities considered expeditionary in nature; a comprehensive plan for addressing such requirements; and a detailed description of Embassy security improvements to be supported from funds made available by this section: *Provided,* That such report shall be submitted in unclassified form, but may include a classified annex. Deadline. Reports. Plans.

(d) Notwithstanding section 1101, the amounts included under the heading "Office of Inspector General" under title VIII in division I of Public Law 112–74 shall be applied to funds appropriated by this division as follows: by substituting "$59,151,000" for "$67,182,000", and by substituting "$6,000,000" for "$19,545,000" for the Special Inspector General for Iraq Reconstruction; and by substituting "$49,901,000" for "$44,387,000" for the Special Inspector General for Afghanistan Reconstruction.

(e) Notwithstanding section 1101, the levels for the following accounts under title VIII in division I of Public Law 112–74 shall be as follows: "International Disaster Assistance", $774,661,000; "Migration and Refugee Assistance", $1,152,850,000; and "Economic Support Fund", $3,119,896,000.

SEC. 1708. Notwithstanding section 1101, title VIII of division I of Public Law 112–74 shall be applied to funds appropriated by this division by inserting the following at the end of section 8004: Applicability.

"SEC. 8005. Funds appropriated by this title under the headings 'Diplomatic and Consular Programs', 'Embassy Security, Construction, and Maintenance', and 'Educational and Cultural Exchange Programs' may be transferred to, and merged with, funds appropriated by this title under such headings: *Provided,* That such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the transfer authority in this section is in addition to any transfer authority otherwise available under any other provision of law. Notification.

"SEC. 8006. Funds appropriated by this title shall be made available for assistance for Jordan, in addition to amounts otherwise made available by this Act.".

TITLE VIII

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding sections 1101 and 1104, the level for limitations on obligation and liquidation of contract authority shall be available in the following accounts equal to the level of the contract authority subject to such limitation appropriated out of the Highway Trust Fund in Sections 1101, 1105, 1107, 1110, 1121, 31101, 32603, and 51001 of Public Law 112–141 for fiscal year 2013:

(1) "Department of Transportation—Federal Highway Administration—Limitation on Administrative Expenses";

(2) "Department of Transportation—Federal Highway Administration—Federal-Aid Highways—(Limitation on Obligations)—(Highway Trust Fund)—(Liquidation of Contract Authorization)—(Highway Trust Fund)";

(3) "Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Operations and Programs—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)";

(4) "Department of Transportation—Federal Motor Carrier Safety Administration—Motor Carrier Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)"; *Provided,* Section 131 of Division C of Public Law 112–55 is hereby deleted; and

125 Stat. 656.

(5) "Department of Transportation—National Highway Traffic Safety Administration—Operations and Research—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)".

(b) Section 120 of division C of Public Law 112–55 shall not apply to amounts made available by this division.

Applicability.

(c) During the period covered by this division, section 1102 of Public Law 112–141 shall be applied—

(1) in subsection (b)(10), as if the limitation applicable through fiscal year 2011 applied through fiscal year 2012; and

(2) in subsection (c)(5), by treating the reference to section 204 of title 23, United States Code, as a reference to sections 202 and 204 of such title.

Applicability.

SEC. 1802. Notwithstanding sections 1101 and 1104, the language under the heading "Department of Transportation—National Highway Traffic Safety Administration—Highway Traffic Safety Grants—(Liquidation of Contract Authorization)—(Limitation on Obligations)—(Highway Trust Fund)" shall be applied to funds made available by this Act as if the language read as follows: "For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), and section 31101(a)(6) of Public Law 112–141, $554,500,000, to remain available until expended, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2013, are in excess of $554,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), and section 31101(a)(6) of Public Law 112–141, of which $235,000,000 shall be for 'Highway Safety Programs' under 23 U.S.C. 402, $29,000,000 shall be for 'High Visibility Enforcement Program' under section 2009 of Public Law 109–59 (as amended by section 31106 of Public Law 112–141), $265,000,000 shall be for 'National Priority Safety Programs' under 23 U.S.C. 405, and $25,500,000 shall be for 'Administrative Expenses' under section 31101(a)(6) of Public Law 112–141: *Provided further,* That not to exceed $500,000 of the funds made available for 23 U.S.C. 405 for 'Impaired Driving Countermeasures' (as described in subsection (d) of such section) shall be available for technical assistance to the States."

SEC. 1803. (a) Amounts provided by section 1101 for "Department of Transportation—Federal Transit Administration—Formula and Bus Grants—(Liquidation of Contract Authority)—(Limitation on Obligations)—(Highway Trust Fund)" are available for payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340 (as amended by Public Law 112–141), and 20005(b) of Public Law 112–141: *Provided,* That, notwithstanding sections 1101 and 1104, the proviso under such heading shall be applied to funds provided by this Act as if the proviso read as follows: "*Provided,* That funds available for the implementation or execution of programs authorized by 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141; and 20005(b) of Public Law 112–141 shall not exceed obligations of $8,478,000,000.". Applicability.

(b) Notwithstanding sections 1101 and 1104, for necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, as amended by Public Law 112–141, $102,713,000, to remain available until expended, of which $4,000,000 shall be available to carry out 49 U.S.C. 5329.

(c) Notwithstanding sections 1101 and 1104, amounts provided for "Department of Transportation—Federal Transit Administration—Research and University Research Centers" shall be available for necessary expenses to carry out 49 U.S.C. 5312–5314 and 5322, as amended by Public Law 112–141: *Provided*, That, of the amount provided under this heading, not less than $35,000,000 shall be available to carry out the provisions of 49 U.S.C. 5312.

(d) Notwithstanding section 1101, the language under the heading "Department of Transportation—Federal Transit Administration—Capital Investment Grants" in division C of Public Law 112–55 shall be applied to funds appropriated by this Act as if the language: ", of which $35,481,000" and all that follows through the end of the first proviso were deleted.

(e) Section 601(e)(1)(B) of division B of Public Law 110–432 shall be applied by substituting the date specified in section 1106 of this division for "4 years after such date".

SEC. 1804. Section 112 of division C of Public Law 112–55 shall be applied to funds appropriated by this division by treating such section as if it were amended by striking "49 U.S.C. 41742(b) shall not apply, and". Applicability.

SEC. 1805. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants" shall be $2,033,000,000: *Provided,* That the level for project-based rental assistance with rehabilitation projects with 10-year grant terms shall be $0, and any unobligated amounts appropriated under such heading for such purpose in fiscal year 2012 or in any prior Act shall be applied in fiscal year 2013 by making any such amounts available for any purpose under such heading: *Provided further,* That the first proviso shall be applied by striking "$250,000,000" and inserting "$200,000,000". Applicability.

SEC. 1806. Notwithstanding sections 1101 and 1104, the level for "Department of Housing and Urban Development, Public and Indian Housing, Indian Housing Loan Guarantee Fund Program

Applicability.

Account" shall be $12,200,000: *Provided,* the second proviso under such heading in division C of Public Law 112–55 shall be applied to funds appropriated by this division by substituting "$976,000,000" for "$360,000,000"; *Provided further,* section 184(d) of the Housing and Community Development Act of 1992 is amended to read as follows:

42 USC 1715z–13a.

"(d) GUARANTEE FEE.—The Secretary shall establish and collect, at the time of issuance of the guarantee, a fee for the guarantee of loans under this section, in an amount not exceeding 3 percent of the principal obligation of the loan. The Secretary may also establish and collect annual premium payments in an amount not exceeding 1 percent of the remaining guaranteed balance (excluding the portion of the remaining balance attributable to the fee collected at the time of issuance of the guarantee). The Secretary shall establish the amount of the fees and premiums by publishing a notice in the Federal Register. The Secretary shall deposit any fees and premiums collected under this subsection in the Indian Housing Loan Guarantee Fund established under subsection (i).".

Notice.
Federal Register, publication.

SEC. 1807. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance" shall be $14,939,369,000, to remain available until expended, which shall be available on October 1, 2012 (in addition to the $4,000,000,000 previously appropriated under such heading that became available on October 1, 2012), and, notwithstanding section 1111, an additional $4,000,000,000, to remain available until expended, shall be available on October 1, 2013: *Provided,* That of the amounts available for such heading, $1,375,000,000 shall be for activities specified in paragraph (3) under such heading in title II of division C of Public Law 112–55: *Provided further,* That in applying paragraph 1 under such heading in such Public Law to 2013, under the penultimate proviso strike "(4) for incremental" and all that follows up to the colon and insert "(4) for PHAs, that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate participating families from the program due to insufficient funds".

Applicability.

125 Stat. 677.

Applicability.

SEC. 1808. The heading "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC AND INDIAN HOUSING, HOUSING CERTIFICATE FUND (RESCISSION)" in division C of Public Law 112–55 shall be applied by striking "(RESCISSION)" in the heading and by replacing all of the language under such heading with the language under such heading in division A of Public Law 111–117 and by striking "2010" in such replacement language and inserting "2013".

125 Stat. 679.

Applicability.
125 Stat. 680.

SEC. 1809. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund" shall be $4,262,010,000: *Provided,* That such heading shall be applied in fiscal year 2013 by striking ", of which" and all that follows up to the period.

Applicability.
125 Stat. 698.

SEC. 1810. Section 216 in division C of Public Law 112–55 shall be applied in fiscal year 2013 by striking "September 30, 2012" and inserting "September 30, 2013".

DIVISION G—OTHER MATTERS

Rescission.

SEC. 3001. (a) There is hereby rescinded the applicable percentage (as specified in subsection (b)) of the budget authority provided

(or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through E of this Act; and

(b) For purposes of subsection (a), the applicable percentage shall be— Applicability.

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, in—

(A) divisions A and E, 2.513. percent; and

(B) division B, 1.877 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0.1 percent.

(c) Any rescission made by subsection (a) shall be applied proportionately— Applicability.

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(d) This section shall not apply to amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; and

(e) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section. Deadline. Reports.

SEC. 3002. Notwithstanding any other provision of this Act, if, on or after the date of enactment of this Act, a sequestration order issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is in effect, the reductions in each discretionary account under such order shall apply to the amounts provided in this Act consistent with section 253(f) of that Act, and shall be in addition to any reductions required by section 251(a) of that Act. Sequestration. Applicability.

SEC. 3003. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2013 for which the cost to the United States Government was more than $100,000. Reports.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

Deadline. Notification.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2013 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act to an Executive branch agency may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012.

SEC. 3004. (a) If, for fiscal year 2013, the amount of new budget authority provided in appropriation Acts exceeds the discretionary spending limits set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act on new budget authority for any category due to estimating differences with the Congressional Budget Office, the Director of the Office of Management and Budget shall increase the applicable percentage in subsection (c) with respect to that category by such amount as is necessary to eliminate the amount of the excess in that category.

Rescission.

(b) Subject to subsection (a), there is hereby rescinded the applicable percentage (as specified in subsection (c)) of—

(1) the budget authority provided (or obligation limit imposed) for fiscal year 2013 for any discretionary account in divisions A through F of this Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program subject to limitation incorporated or otherwise contained in divisions A through F of this Act.

Applicability.

(c) For purposes of subsection (b), the applicable percentage shall be—

(1) for budget authority in the nonsecurity category (as defined in section 250(c)(4)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent; and

(2) for budget authority in the security category (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985), 0 percent.

(d) Any rescission made by subsection (b) shall be applied proportionately— Applicability.

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the applicable appropriation Act or accompanying reports covering such account or item).

(e) This section shall not apply to—

(1) amounts designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act; or

(2) the amount made available by division F of this Act for "Social Security Administration, Limitation on Administrative Expenses" for continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act.

(f) Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section. Deadline. Reports.

Approved March 26, 2013.

LEGISLATIVE HISTORY—H.R. 933:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Mar. 6, considered and passed House.
Mar. 13, 14, 18–20, considered and passed Senate, amended.
Mar. 21, House concurred in Senate amendments.

Public Law 113–7
113th Congress

An Act

Apr. 15, 2013
[S. 716]

To modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

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

SECTION 1. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN FINANCIAL DISCLOSURE STATEMENTS AND RELATED FORMS.

5 USC app. 105 note.

(a) PUBLIC, ONLINE DISCLOSURE OF FINANCIAL DISCLOSURE FORMS.—

(1) IN GENERAL.—Except with respect to financial disclosure forms filed by officers and employees referred to in paragraph (2), section 8(a) and section 11(a) of the STOCK Act (5 U.S.C. App. 105 note) shall not be effective.

(2) EXEMPTED OFFICERS AND EMPLOYEES.—The officer and employees referred to in paragraph (1) are the following:

(A) The President.

(B) The Vice President.

(C) Any Member of Congress.

(D) Any candidate for Congress.

(E) Any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position.

Repeal.

(3) CONFORMING AMENDMENT.—Section 1 of the Act entitled "An Act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes" is repealed.

(b) ELECTRONIC FILING AND ONLINE AVAILABILITY.—

(1) FOR MEMBERS OF CONGRESS AND CANDIDATES.—Section 8(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking ", OFFICERS OF THE HOUSE AND SENATE, AND CONGRESSIONAL STAFF";

(B) in paragraph (1)—

(i) by striking "18 months after the date of enactment of this Act" and inserting "January 1, 2014";

(ii) by amending subparagraph (B) to read as follows:

"(B) public access to—

"(i) financial disclosure reports filed by Members of Congress and candidates for Congress,

"(ii) reports filed by Members of Congress and candidates for Congress of a transaction disclosure

required by section 103(l) of the Ethics in Government Act of 1978, and

"(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official websites of the House of Representatives and the Senate.";

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking "under this section" and inserting "under paragraph (1)(B)";

(D) in paragraph (3), by striking "under this subsection" and inserting "under paragraph (1)(B)";

(E) in paragraph (4), by inserting "be able to" after "shall"; and

(F) in paragraph (5), by striking "under this subsection" and inserting "under paragraph (1)(B)".

(2) FOR EXECUTIVE BRANCH OFFICIALS.—Section 11(b) of the STOCK Act (5 U.S.C. App. 105 note) is amended—

(A) in the heading, by striking "EMPLOYEES" and inserting "OFFICIALS" ;

(B) in paragraph (1)—

(i) by striking "18 months after the date of enactment of this Act" and inserting "January 1, 2014";

(ii) by amending subparagraph (B) to read as follows:

"(B) public access to—

"(i) financial disclosure reports filed by the President, the Vice President, and any officer occupying a position listed in section 5312 or section 5313 of title 5, United States Code, having been nominated by the President and confirmed by the Senate to that position,

"(ii) reports filed by any individual described in clause (i) of a transaction disclosure required by section 103(l) of the Ethics in Government Act of 1978, and

"(iii) notices of extensions, amendments, and blind trusts, with respect to financial disclosure reports described in clauses (i) and (ii),

pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.), through databases that are maintained on the official website of the Office of Government Ethics.";

(C) in paragraph (2)—

(i) by striking the first two sentences; and

(ii) in the last sentence, by striking "under this section" and inserting "under paragraph (1)(B)";

(D) in paragraph (3), by striking "under this subsection" and inserting "under paragraph (1)(B)";

(E) in paragraph (4), by inserting "be able to" after "shall"; and

(F) in paragraph (5), by striking "under this subsection" and inserting "under paragraph (1)(B)".

Approved April 15, 2013.

LEGISLATIVE HISTORY—S. 716:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 11, considered and passed Senate.
Apr. 12, considered and passed House.

Public Law 113–8
113th Congress

An Act

To amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

May 1, 2013
[H.R. 1246]

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

District of Columbia Chief Financial Officer Vacancy Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Chief Financial Officer Vacancy Act".

SEC. 2. AUTHORIZING DISTRICT OF COLUMBIA TREASURER OR DEPUTY CHIEF FINANCIAL OFFICER OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA TO SERVE AS ACTING CHIEF FINANCIAL OFFICER IN EVENT OF VACANCY IN OFFICE.

(a) AUTHORIZING SERVICE IN ACTING CAPACITY IN EVENT OF VACANCY IN OFFICE.—Section 424(b) of the District of Columbia Home Rule Act (sec. 1–204.24(b), D.C. Official Code) is amended by adding at the end the following new paragraph:

"(3) AUTHORIZING TREASURER OR DEPUTY CFO TO PERFORM DUTIES IN ACTING CAPACITY IN EVENT OF VACANCY IN OFFICE.—

"(A) SERVICE AS CFO.—

"(i) IN GENERAL.—Except as provided in clause (ii), if there is a vacancy in the Office of Chief Financial Officer because the Chief Financial Officer has died, resigned, or is otherwise unable to perform the functions and duties of the Office—

"(I) the District of Columbia Treasurer shall serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B); or

"(II) the Mayor may direct one of the Deputy Chief Financial Officers of the Office referred to in subparagraphs (A) through (D) of subsection (a)(3) to serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B).

"(ii) EXCLUSION OF CERTAIN INDIVIDUALS.—Notwithstanding clause (i), an individual may not serve as the Chief Financial Officer under such clause if the individual did not serve as the District of Columbia Treasurer or as one of such Deputy Chief Financial

Officers of the Office of the Chief Financial Officer (as the case may be) for at least 90 days during the 1-year period which ends on the date the vacancy occurs.

"(B) TIME LIMITATION.—A vacancy in the Office of the Chief Financial Officer may not be filled by the service of any individual in an acting capacity under subparagraph (A) after the expiration of the 210-day period which begins on the date the vacancy occurs.".

(b) CONFORMING AMENDMENT.—Section 424(b)(2)(D) of such Act (sec. 1–204.24(b)(2)(D), D.C. Official Code) is amended by striking "Any vacancy" and inserting "Subject to paragraph (3), any vacancy".

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to vacancies occurring on or after the date of the enactment of this Act.

Approved May 1, 2013.

LEGISLATIVE HISTORY—H.R. 1246:

HOUSE REPORTS: No. 113–37 (Comm. on Oversight and Government Reform).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 15, considered and passed House.
Apr. 18, considered and passed Senate.

Public Law 113–9
113th Congress

An Act

To provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

May 1, 2013
[H.R. 1765]

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

Reducing Flight Delays Act of 2013.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing Flight Delays Act of 2013".

SEC. 2. AUTHORIZATION TO TRANSFER CERTAIN FUNDS TO PREVENT REDUCED OPERATIONS AND STAFFING OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6), any other provision of law, or a sequestration order issued or to be issued by the President pursuant to section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(7)(A)), the Secretary of Transportation may transfer during fiscal year 2013 an amount equal to the amount specified in subsection (c) to the appropriations accounts providing for the operations of the Federal Aviation Administration, for any activity or activities funded by that account, from—

(1) the amount made available for obligation in that fiscal year as discretionary grants-in-aid for airports pursuant to section 47117(f) of title 49, United States Code; or

(2) any other program or account of the Federal Aviation Administration.

(b) AVAILABILITY AND OBLIGATION OF TRANSFERRED AMOUNTS.—An amount transferred under subsection (a)(1) shall—

(1) be available immediately for obligation and expenditure as directly appropriated budget authority; and

(2) be deemed as obligated for grants-in-aid for airports under part B of subtitle VII of title 49, United States Code, for purposes of complying with the limitation on incurring obligations during that fiscal year under the heading "GRANTS-IN-AID FOR AIRPORTS" under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112–55; 125 Stat. 647), and made applicable to fiscal year 2013 by division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6).

Applicability.

(c) AMOUNT SPECIFIED.—The amount specified in this subsection is the amount, not to exceed $253,000,000, that the Secretary

Notification. Deadline.

of Transportation determines to be necessary to prevent reduced operations and staffing of the Federal Aviation Administration during fiscal year 2013 to ensure a safe and efficient air transportation system; and provided that none of the funds transferred under this subsection may be obligated unless the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 5 days in advance of such transfer.

Approved May 1, 2013.

LEGISLATIVE HISTORY—H.R. 1765 (S. 853):

CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 26, considered and passed House.
Apr. 30, considered and passed Senate pursuant to S. 853.

Public Law 113–10
113th Congress

An Act

To specify the size of the precious-metal blanks that will be used in the production of the National Baseball Hall of Fame commemorative coins.

May 17, 2013
[H.R. 1071]

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

SECTION 1. SIZE OF PRECIOUS-METAL BLANKS.

Section 3(a) of the National Baseball Hall of Fame Commemorative Coin Act (Public Law 112–152) is amended— 31 USC 5112 note.

(1) in paragraph (1)(B), by striking "have" and inserting "be struck on a planchet having a"; and

(2) in paragraph (2)(B), by striking "have a" and inserting "be struck on a planchet having a".

Approved May 17, 2013.

LEGISLATIVE HISTORY—H.R. 1071:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 24, considered and passed House.
May 7, considered and passed Senate.

Public Law 113–11
113th Congress

An Act

To award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley to commemorate the lives they lost 50 years ago in the bombing of the Sixteenth Street Baptist Church, where these 4 little Black girls' ultimate sacrifice served as a catalyst for the Civil Rights Movement.

May 24, 2013
[H.R. 360]

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

31 USC 5111 note.

SECTION 1. FINDINGS.

The Congress Finds the following:

(1) September 15, 2013, will mark 50 years since the lives of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley were suddenly taken by a bomb planted in the Sixteenth Street Baptist Church in Birmingham, Alabama.

(2) The senseless and premature death of these 4 little Black girls sparked "The Movement that Changed the World".

(3) On that tragic Sunday in September of 1963, the world took notice of the violence inflicted in the struggle for equal rights.

(4) The fact that 4 innocent children lost their lives as they prepared for Sunday School shook the world's conscience.

(5) This tragedy galvanized the Civil Rights Movement and sparked a surge of momentum that helped secure the passage of the Civil Rights Act of 1964 and later the Voting Rights Act of 1965 by President Lyndon B. Johnson.

(6) Justice was delayed for these 4 little Black girls and their families until 2002, 39 years after the bombing, when the last of the 4 Klansmen responsible for the bombing was charged and convicted of the crime.

(7) The 4 little Black girls are emblematic of so many who have lost their lives for the cause of freedom and equality, including Virgil Ware and James Johnny Robinson who were children also killed within hours of the 1963 church bombing.

(8) The legacy that these 4 little Black girls left will live on in the minds and hearts of us all for generations to come.

(9) Their extraordinary sacrifice sparked real and lasting change as Congress began to aggressively pass legislation that ensured equality.

(10) Sixteenth Street Baptist Church remains a powerful symbol of the movement for civil and human rights and will host the 50th anniversary ceremony on Sunday, September 15, 2013.

(11) It is befitting that Congress bestow the highest civilian honor, the Congressional Gold Medal, in 2013 to the 4 little

Black girls, Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, posthumously in recognition of the 50th commemoration of the historical significance of the bombing of the Sixteenth Street Baptist Church.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design to commemorate the lives of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal described in subsection (a), the medal shall be given to the Birmingham Civil Rights Institute in Birmingham, AL, where it shall be available for display or temporary loan to be displayed elsewhere, as appropriate.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medal, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

Approved May 24, 2013.

LEGISLATIVE HISTORY—H.R. 360:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 24, considered and passed House.
May 9, considered and passed Senate.

Public Law 113–12
113th Congress

An Act

June 3, 2013
[H.R. 258]

To amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

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

Stolen Valor Act of 2013.
18 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stolen Valor Act of 2013".

SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) IN GENERAL.—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "wears,"; and

(2) so that subsection (b) reads as follows:

Penalties.

"(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both.".

(b) ADDITION OF CERTAIN OTHER MEDALS.—Section 704(d) of title 18, United States Code, is amended—

(1) by striking "If a decoration" and inserting the following:
"(1) IN GENERAL.—If a decoration";

(2) by inserting "a combat badge," after "1129 of title 10,"; and

(3) by adding at the end the following:
"(2) COMBAT BADGE DEFINED.—In this subsection, the term 'combat badge' means a Combat Infantryman's Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal.".

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking "or (b)".

Approved June 3, 2013.

LEGISLATIVE HISTORY—H.R. 258:

HOUSE REPORTS: No. 113–84 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 159 (2013):
May 20, considered and passed House.
May 22, considered and passed Senate.

Public Law 113–13
113th Congress

An Act

To prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

June 3, 2013
[S. 982]

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

Freedom to Fish Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to Fish Act".

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term "restricted area" means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled "Project Operations: Navigation and Dredging Operations and Maintenance Policies", published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXISTING RESTRICTED AREA.—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall— Time period.

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and Effective date.

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) ESTABLISHING NEW RESTRICTED AREA.—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area; Publication. Public comment.

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and Effective date.

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (16 U.S.C. 460d).

Approved June 3, 2013.

LEGISLATIVE HISTORY—S. 982:

CONGRESSIONAL RECORD, Vol. 159 (2013):
May 16, considered and passed Senate.
May 21, considered and passed House.

Public Law 113–14
113th Congress

An Act

To amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

June 13, 2013
[S. 622]

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

SECTION 1. SHORT TITLE.

Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013.
21 USC 301 note.

This Act may be cited as the "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS; REFERENCES IN ACT.

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

Sec. 1. Short title.
Sec. 2. Table of contents; references in Act.

TITLE I—FEES RELATING TO ANIMAL DRUGS

Sec. 101. Short title; finding.
Sec. 102. Definitions.
Sec. 103. Authority to assess and use animal drug fees.
Sec. 104. Reauthorization; reporting requirements.
Sec. 105. Savings clause.
Sec. 106. Effective date.
Sec. 107. Sunset dates.

TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

Sec. 201. Short title; finding.
Sec. 202. Authority to assess and use generic new animal drug fees.
Sec. 203. Reauthorization; reporting requirements.
Sec. 204. Savings clause.
Sec. 205. Effective date.
Sec. 206. Sunset dates.

(b) REFERENCES IN ACT.—Except as otherwise specified, amendments made by this Act to a section or other provision of law are amendments to such section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

TITLE I—FEES RELATING TO ANIMAL DRUGS

Animal Drug User Fee Amendments of 2013.

SEC. 101. SHORT TITLE; FINDING.

21 USC 301 note.

(a) SHORT TITLE.—This title may be cited as the "Animal Drug User Fee Amendments of 2013".

21 USC 379j–11 note.

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this title will be dedicated toward expediting the animal drug development process and the review of new and

supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 102. DEFINITIONS.

Section 739 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11) is amended to read as follows:

"SEC. 739. DEFINITIONS.

"For purposes of this part:

"(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.

"(2) The term 'supplemental animal drug application' means—

"(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or

"(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

"(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal drug application or a supplemental animal drug application has been approved.

"(4) The term 'animal drug establishment' means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at which one or more animal drug products are manufactured in final dosage form.

"(5) The term 'investigational animal drug submission' means—

"(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application; or

"(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

"(6) The term 'animal drug sponsor' means either an applicant named in an animal drug application that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

"(7) The term 'final dosage form' means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.

"(8) The term 'process for the review of animal drug applications' means the following activities of the Secretary with respect to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions:

"(A) The activities necessary for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(B) The issuance of action letters which approve animal drug applications or supplemental animal drug applications or which set forth in detail the specific deficiencies in animal drug applications, supplemental animal drug applications, or investigational animal drug submissions and, where appropriate, the actions necessary to place such applications, supplements or submissions in condition for approval.

"(C) The inspection of animal drug establishments and other facilities undertaken as part of the Secretary's review of pending animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(D) Monitoring of research conducted in connection with the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(E) The development of regulations and policy related to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(F) Development of standards for products subject to review.

"(G) Meetings between the agency and the animal drug sponsor.

"(H) Review of advertising and labeling prior to approval of an animal drug application or supplemental animal drug application, but not after such application has been approved.

"(9) The term 'costs of resources allocated for the process for the review of animal drug applications' means the expenses in connection with the process for the review of animal drug applications for—

"(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific animal drug applications, supplemental animal drug applications, or investigational animal drug submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

"(B) management of information and the acquisition, maintenance, and repair of computer resources;

"(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

"(D) collecting fees under section 740 and accounting for resources allocated for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(10) The term 'adjustment factor' applicable to a fiscal year refers to the formula set forth in section 735(8) with the base or comparator month being October 2002.

"(11) The term 'person' includes an affiliate thereof.

"(12) The term 'affiliate' refers to the definition set forth in section 735(11).".

SEC. 103. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12) is amended to read as follows:

"SEC. 740. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

Effective date.

"(a) TYPES OF FEES.—Beginning in fiscal year 2004, the Secretary shall assess and collect fees in accordance with this section as follows:

"(1) ANIMAL DRUG APPLICATION AND SUPPLEMENT FEE.—

"(A) IN GENERAL.—Each person that submits, on or after September 1, 2003, an animal drug application or a supplemental animal drug application shall be subject to a fee as follows:

"(i) A fee established in subsection (c) for an animal drug application, except an animal drug application subject to the criteria set forth in section 512(d)(4).

"(ii) A fee established in subsection (c), in an amount that is equal to 50 percent of the amount of the fee under clause (i), for—

"(I) a supplemental animal drug application for which safety or effectiveness data are required; and

"(II) an animal drug application subject to the criteria set forth in section 512(d)(4).

"(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the animal drug application or supplemental animal drug application.

"(C) EXCEPTION FOR PREVIOUSLY FILED APPLICATION OR SUPPLEMENT.—If an animal drug application or a supplemental animal drug application was submitted by a person that paid the fee for such application or supplement, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an animal drug application or a supplemental animal drug application for the same product by the same person (or the person's licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

"(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any animal drug application or supplemental animal drug application which is refused for filing.

"(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an animal drug application or a supplemental animal drug application is withdrawn after the application or supplement was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application or supplement after the application or supplement was filed. The Secretary shall have the sole discretion to refund the fee under this paragraph. A determination by the Secretary concerning a refund under this paragraph shall not be reviewable.

"(2) ANIMAL DRUG PRODUCT FEE.—

"(A) IN GENERAL.—Each person—

"(i) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

"(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application,

shall pay for each such animal drug product the annual fee established in subsection (c).

"(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

"(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

"(ii) January 31 of each year.

"(C) LIMITATION.—Such fee shall be paid only once for each animal drug product for a fiscal year in which the fee is payable.

"(3) ANIMAL DRUG ESTABLISHMENT FEE.—

"(A) IN GENERAL.—Each person—

"(i) who owns or operates, directly or through an affiliate, an animal drug establishment;

"(ii) who is named as the applicant in an animal drug application or supplemental animal drug application for an animal drug product which has been submitted for listing under section 510; and

"(iii) who, after September 1, 2003, had pending before the Secretary an animal drug application or supplemental animal drug application, Deadline.

shall be assessed an annual establishment fee as established in subsection (c) for each animal drug establishment listed in its approved animal drug application as an establishment that manufactures the animal drug product named in the application.

"(B) PAYMENT; FEE DUE DATE.—The annual establishment fee shall be assessed in each fiscal year in which the animal drug product named in the application is

assessed a fee under paragraph (2) unless the animal drug establishment listed in the application does not engage in the manufacture of the animal drug product during the fiscal year. The fee under this paragraph for a fiscal year shall be due upon the later of—

"(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

"(ii) January 31 of each year.

"(C) LIMITATION.—

"(i) IN GENERAL.—An establishment shall be assessed only one fee per fiscal year under this section, subject to clause (ii).

"(ii) CERTAIN MANUFACTURERS.—If a single establishment manufactures both animal drug products and prescription drug products, as defined in section 735(3), such establishment shall be assessed both the animal drug establishment fee and the prescription drug establishment fee, as set forth in section 736(a)(2), within a single fiscal year.

"(4) ANIMAL DRUG SPONSOR FEE.—

"(A) IN GENERAL.—Each person—

"(i) who meets the definition of an animal drug sponsor within a fiscal year; and

Deadline.

"(ii) who, after September 1, 2003, had pending before the Secretary an animal drug application, a supplemental animal drug application, or an investigational animal drug submission,

shall be assessed an annual sponsor fee as established under subsection (c).

"(B) PAYMENT; FEE DUE DATE.—The fee under this paragraph for a fiscal year shall be due upon the later of—

"(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

"(ii) January 31 of each year.

"(C) LIMITATION.—Each animal drug sponsor shall pay only one such fee each fiscal year.

"(b) FEE REVENUE AMOUNTS.—

"(1) IN GENERAL.—Subject to subsections (c), (d), (f), and (g)—

"(A) for fiscal year 2014, the fees required under subsection (a) shall be established to generate a total revenue amount of $23,600,000; and

"(B) for each of fiscal years 2015 through 2018, the fees required under subsection (a) shall be established to generate a total revenue amount of $21,600,000.

"(2) TYPES OF FEES.—Of the total revenue amount determined for a fiscal year under paragraph (1)—

"(A) 20 percent shall be derived from fees under subsection (a)(1) (relating to animal drug applications and supplements);

"(B) 27 percent shall be derived from fees under subsection (a)(2) (relating to animal drug products);

"(C) 26 percent shall be derived from fees under subsection (a)(3) (relating to animal drug establishments); and

"(D) 27 percent shall be derived from fees under subsection (a)(4) (relating to animal drug sponsors).

"(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

"(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2003, for that fiscal year, animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

"(2) INFLATION ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, the revenue amounts established in subsection (b) shall be adjusted by the Secretary by notice, published in the Federal Register, for a fiscal year, by an amount equal to the sum of— Notice. Federal Register, publication.

"(A) one;

"(B) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 of the preceding 4 fiscal years for which data are available, multiplied by the average proportion of personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available; and

"(C) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; not seasonally adjusted; all items less food and energy; annual index) for the first 3 years of the preceding 4 years for which data are available multiplied by the average proportion of all costs other than personnel compensation and benefits costs to total Food and Drug Administration costs for the first 3 years of the preceding 4 fiscal years for which data are available.

The adjustment made each fiscal year under this paragraph shall be added on a compounded basis to the sum of all adjustments made each fiscal year after fiscal year 2014 under this paragraph.

"(3) WORKLOAD ADJUSTMENT.—For fiscal year 2015 and subsequent fiscal years, after the revenue amounts established in subsection (b) are adjusted for inflation in accordance with paragraph (2), the revenue amounts shall be further adjusted for such fiscal year to reflect changes in the workload of the Secretary for the process for the review of animal drug applications. With respect to such adjustment—

"(A) such adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of animal drug applications, supplemental animal drug applications for which data with respect to safety or effectiveness are required, manufacturing supplemental animal drug applications, investigational animal drug study submissions, and investigational animal drug protocol submissions submitted to the Secretary; Determination.

Federal Register, publication.

"(B) the Secretary shall publish in the Federal Register the fees resulting from such adjustment and the supporting methodologies; and

"(C) under no circumstances shall such adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b), as adjusted for inflation under paragraph (2).

"(4) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of animal drug applications for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of animal drug applications in excess of 3 months of such operating reserves, then this adjustment will not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.

Notice.

"(5) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of animal drug applications.

"(d) FEE WAIVER OR REDUCTION.—

"(1) IN GENERAL.—The Secretary shall grant a waiver from or a reduction of one or more fees assessed under subsection (a) where the Secretary finds that—

"(A) the assessment of the fee would present a significant barrier to innovation because of limited resources available to such person or other circumstances;

"(B) the fees to be paid by such person will exceed the anticipated present and future costs incurred by the Secretary in conducting the process for the review of animal drug applications for such person;

"(C) the animal drug application or supplemental animal drug application is intended solely to provide for use of the animal drug in—

"(i) a Type B medicated feed (as defined in section 558.3(b)(3) of title 21, Code of Federal Regulations (or any successor regulation)) intended for use in the manufacture of Type C free-choice medicated feeds; or

"(ii) a Type C free-choice medicated feed (as defined in section 558.3(b)(4) of title 21, Code of Federal Regulations (or any successor regulation));

"(D) the animal drug application or supplemental animal drug application is intended solely to provide for a minor use or minor species indication; or

"(E) the sponsor involved is a small business submitting its first animal drug application to the Secretary for review.

"(2) USE OF STANDARD COSTS.—In making the finding in paragraph (1)(B), the Secretary may use standard costs.

"(3) RULES FOR SMALL BUSINESSES.—

"(A) DEFINITION.—In paragraph (1)(E), the term 'small business' means an entity that has fewer than 500 employees, including employees of affiliates.

"(B) WAIVER OF APPLICATION FEE.—The Secretary shall waive under paragraph (1)(E) the application fee for the first animal drug application that a small business or its affiliate submits to the Secretary for review. After a small business or its affiliate is granted such a waiver, the small business or its affiliate shall pay application fees for all subsequent animal drug applications and supplemental animal drug applications for which safety or effectiveness data are required in the same manner as an entity that does not qualify as a small business.

"(C) CERTIFICATION.—The Secretary shall require any person who applies for a waiver under paragraph (1)(E) to certify their qualification for the waiver. The Secretary shall periodically publish in the Federal Register a list of persons making such certifications.

Federal Register, publication. Lists.

"(e) EFFECT OF FAILURE TO PAY FEES.—An animal drug application or supplemental animal drug application submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational animal drug submission under section 739(5)(B) that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any animal drug application, supplemental animal drug application or investigational animal drug submission from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

Deadline.

"(f) ASSESSMENT OF FEES.—

"(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2003 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

"(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for animal drug applications, supplemental animal drug applications, investigational animal drug submissions, animal drug sponsors, animal drug establishments and animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

"(g) CREDITING AND AVAILABILITY OF FEES.—

"(1) IN GENERAL.—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for

Appropriation authorization.

obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of animal drug applications.

"(2) COLLECTIONS AND APPROPRIATION ACTS.—

"(A) IN GENERAL.—The fees authorized by this section—

"(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year, and

"(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of animal drug applications (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2003 multiplied by the adjustment factor.

"(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of animal drug applications—

"(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

"(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

"(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

"(C) PROVISION FOR EARLY PAYMENTS.—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

"(3) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2014 through 2018, there is authorized to be appropriated for fees under this section an amount equal to the total revenue amount determined under subsection (b) for the fiscal year, as adjusted or otherwise affected under subsection (c) and paragraph (4).

"(4) OFFSET OF OVERCOLLECTIONS; RECOVERY OF COLLECTION SHORTFALLS.—

"(A) OFFSET OF OVERCOLLECTIONS.—If the sum of the cumulative amount of fees collected under this section for fiscal years 2014 through 2016 and the amount of fees

estimated to be collected under this section for fiscal year 2017 (including any increased fee collections attributable to subparagraph (B)), exceeds the cumulative amount appropriated pursuant to paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

"(B) RECOVERY OF COLLECTION SHORTFALLS.—

"(i) FISCAL YEAR 2016.—For fiscal year 2016, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2014 falls below the amount of fees authorized for fiscal year 2014 under paragraph (3).

"(ii) FISCAL YEAR 2017.—For fiscal year 2017, the amount of fees otherwise authorized to be collected under this section shall be increased by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2015 falls below the amount of fees authorized for fiscal year 2015 under paragraph (3).

"(iii) FISCAL YEAR 2018.—For fiscal year 2018, the amount of fees otherwise authorized to be collected under this section (including any reduction in the authorized amount under subparagraph (A)), shall be increased by the cumulative amount, if any, by which the amount collected under this section and appropriated for fiscal years 2016 and 2017 (including estimated collections for fiscal year 2017) falls below the cumulative amount of fees authorized under paragraph (3) for fiscal years 2016 and 2017.

"(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code. Deadline.

"(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due. Deadline.

"(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of animal drug applications, be reduced to offset the number of officers, employees, and advisory committees so engaged.

"(k) ABBREVIATED NEW ANIMAL DRUG APPLICATIONS.—The Secretary shall—

"(1) to the extent practicable, segregate the review of abbreviated new animal drug applications from the process for the review of animal drug applications; and

"(2) adopt other administrative procedures to ensure that review times of abbreviated new animal drug applications do not increase from their current level due to activities under the user fee program.".

SEC. 104. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) is amended to read as follows:

Effective dates.

"SEC. 740A. REAUTHORIZATION; REPORTING REQUIREMENTS.

"(a) PERFORMANCE REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 101(b) of the Animal Drug User Fee Amendments of 2013 toward expediting the animal drug development process and the review of the new and supplemental animal drug applications and investigational animal drug submissions during such fiscal year, the future plans of the Food and Drug Administration for meeting the goals, the review times for abbreviated new animal drug applications, and the administrative procedures adopted by the Food and Drug Administration to ensure that review times for abbreviated new animal drug applications are not increased from their current level due to activities under the user fee program.

"(b) FISCAL REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

Web posting.

"(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration.

"(d) REAUTHORIZATION.—

Recommendations.

"(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals, and plans for meeting the goals, for the process for the review of animal drug applications for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

"(A) the Committee on Health, Education, Labor, and Pensions of the Senate;

"(B) the Committee on Energy and Commerce of the House of Representatives;

"(C) scientific and academic experts;

"(D) veterinary professionals;

"(E) representatives of patient and consumer advocacy groups; and

"(F) the regulated industry.

"(2) PRIOR PUBLIC INPUT.—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

"(A) publish a notice in the Federal Register requesting public input on the reauthorization; Notice. Federal Register, publication.

"(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions for changes to the goals referred to in subsection (a);

"(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and Time period.

"(D) publish the comments on the Food and Drug Administration's Internet Web site. Web posting.

"(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

"(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

"(A) present the recommendations developed under paragraph (1) to the Congressional committees specified in such paragraph;

"(B) publish such recommendations in the Federal Register; Federal Register, publication.

"(C) provide for a period of 30 days for the public to provide written comments on such recommendations; Time period.

"(D) hold a meeting at which the public may present its views on such recommendations; and

"(E) after consideration of such public views and comments, revise such recommendations as necessary.

"(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress the revised recommendations under paragraph (4) a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

"(6) MINUTES OF NEGOTIATION MEETINGS.—

"(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry. Web posting.

"(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.".

SEC. 105. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Extension. Time period. 21 USC 379j–11 note.

Cosmetic Act (21 U.S.C. 379j–11 et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to animal drug applications and supplemental animal drug applications (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2014.

21 USC 379j–11 note.

SEC. 106. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of enactment of this Act, whichever is later, except that fees under part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all animal drug applications and supplemental animal drug applications received on or after October 1, 2013, regardless of the date of the enactment of this Act.

SEC. 107. SUNSET DATES.

21 USC 379j–12 note.

(a) AUTHORIZATION.—Section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12) shall cease to be effective October 1, 2018.

21 USC 379j–13 note.

(b) REPORTING REQUIREMENTS.—Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

Repeal.

(1) IN GENERAL.—Section 108 of the Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is repealed.

21 USC 379j–11 note.

(2) CONFORMING AMENDMENT.—The Animal Drug User Fee Amendments of 2008 (Public Law 110–316) is amended in the table of contents in section 1, by striking the item relating to section 108.

Repeal.

(d) TECHNICAL CLARIFICATION.—Effective November 18, 2003, section 5 of the Animal Drug User Fee Act of 2003 (Public Law 108–130) is repealed.

21 USC 379j–11 note.

TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

Animal Generic Drug User Fee Amendments of 2013.

SEC. 201. SHORT TITLE; FINDING.

21 USC 301 note.

(a) SHORT TITLE.—This title may be cited as the "Animal Generic Drug User Fee Amendments of 2013".

21 USC 379j–21 note.

(b) FINDING.—The fees authorized by this title will be dedicated toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs as set forth in the goals identified in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 202. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) is amended to read as follows:

"SEC. 741. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

"(a) TYPES OF FEES.—Beginning with respect to fiscal year 2009, the Secretary shall assess and collect fees in accordance with this section as follows: Effective date.

"(1) ABBREVIATED APPLICATION FEE.—

"(A) IN GENERAL.—Each person that submits, on or after July 1, 2008, an abbreviated application for a generic new animal drug shall be subject to a fee as established in subsection (c) for such an application.

"(B) PAYMENT.—The fee required by subparagraph (A) shall be due upon submission of the abbreviated application.

"(C) EXCEPTIONS.—

"(i) PREVIOUSLY FILED APPLICATION.—If an abbreviated application was submitted by a person that paid the fee for such application, was accepted for filing, and was not approved or was withdrawn (without a waiver or refund), the submission of an abbreviated application for the same product by the same person (or the person's licensee, assignee, or successor) shall not be subject to a fee under subparagraph (A).

"(ii) CERTAIN ABBREVIATED APPLICATIONS INVOLVING COMBINATION ANIMAL DRUGS.—An abbreviated application which is subject to the criteria in section 512(d)(4) and submitted on or after October 1, 2013 shall be subject to a fee equal to 50 percent of the amount of the abbreviated application fee established in subsection (c).

"(D) REFUND OF FEE IF APPLICATION REFUSED FOR FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any abbreviated application which is refused for filing.

"(E) REFUND OF FEE IF APPLICATION WITHDRAWN.—If an abbreviated application is withdrawn after the application was filed, the Secretary may refund the fee or portion of the fee paid under subparagraph (B) if no substantial work was performed on the application after the application was filed. The Secretary shall have the sole discretion to refund the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

"(2) GENERIC NEW ANIMAL DRUG PRODUCT FEE.—

"(A) IN GENERAL.—Each person—

"(i) who is named as the applicant in an abbreviated application or supplemental abbreviated application for a generic new animal drug product which has been submitted for listing under section 510; and

"(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application or supplemental abbreviated application,

shall pay for each such generic new animal drug product the annual fee established in subsection (c).

"(B) PAYMENT; FEE DUE DATE.—Such fee shall be payable for the fiscal year in which the generic new animal drug product is first submitted for listing under section 510, or is submitted for relisting under section 510 if the generic new animal drug product has been withdrawn from listing and relisted. After such fee is paid for that fiscal year, such fee shall be due each subsequent fiscal year that the product remains listed, upon the later of—

"(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

"(ii) January 31 of each year.

"(C) LIMITATION.—Such fee shall be paid only once for each generic new animal drug product for a fiscal year in which the fee is payable.

"(3) GENERIC NEW ANIMAL DRUG SPONSOR FEE.—

"(A) IN GENERAL.—Each person—

"(i) who meets the definition of a generic new animal drug sponsor within a fiscal year; and

"(ii) who, after September 1, 2008, had pending before the Secretary an abbreviated application, a supplemental abbreviated application, or an investigational submission,

shall be assessed an annual generic new animal drug sponsor fee as established under subsection (c).

"(B) PAYMENT; FEE DUE DATE.—Such fee shall be due each fiscal year upon the later of—

"(i) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section; or

"(ii) January 31 of each year.

"(C) AMOUNT OF FEE.—Each generic new animal drug sponsor shall pay only 1 such fee each fiscal year, as follows:

"(i) 100 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 6 approved abbreviated applications.

"(ii) 75 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with more than 1 and fewer than 7 approved abbreviated applications.

"(iii) 50 percent of the amount of the generic new animal drug sponsor fee published for that fiscal year under subsection (c) for an applicant with 1 or fewer approved abbreviated applications.

"(b) FEE AMOUNTS.—Subject to subsections (c), (d), (f), and (g), the fees required under subsection (a) shall be established to generate fee revenue amounts as follows:

"(1) TOTAL FEE REVENUES FOR APPLICATION FEES.—The total fee revenues to be collected in abbreviated application fees under subsection (a)(1) shall be $1,832,000 for fiscal year 2014, $1,736,000 for fiscal year 2015, $1,857,000 for fiscal year 2016,

$1,984,000 for fiscal year 2017, and $2,117,000 for fiscal year 2018.

"(2) TOTAL FEE REVENUES FOR PRODUCT FEES.—The total fee revenues to be collected in generic new animal drug product fees under subsection (a)(2) shall be $2,748,000 for fiscal year 2014, $2,604,000 for fiscal year 2015, $2,786,000 for fiscal year 2016, $2,976,000 for fiscal year 2017, and $3,175,000 for fiscal year 2018.

"(3) TOTAL FEE REVENUES FOR SPONSOR FEES.—The total fee revenues to be collected in generic new animal drug sponsor fees under subsection (a)(3) shall be $2,748,000 for fiscal year 2014, $2,604,000 for fiscal year 2015, $2,786,000 for fiscal year 2016, $2,976,000 for fiscal year 2017, and $3,175,000 for fiscal year 2018.

"(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

"(1) ANNUAL FEE SETTING.—The Secretary shall establish, 60 days before the start of each fiscal year beginning after September 30, 2008, for that fiscal year, abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees, based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection.

"(2) WORKLOAD ADJUSTMENT.—The fee revenues shall be adjusted each fiscal year after fiscal year 2014 to reflect changes in review workload. With respect to such adjustment:

Determination.

"(A) This adjustment shall be determined by the Secretary based on a weighted average of the change in the total number of abbreviated applications for generic new animal drugs, manufacturing supplemental abbreviated applications for generic new animal drugs, investigational generic new animal drug study submissions, and investigational generic new animal drug protocol submissions submitted to the Secretary. The Secretary shall publish in the Federal Register the fees resulting from this adjustment and the supporting methodologies.

Federal Register, publication.

"(B) Under no circumstances shall this workload adjustment result in fee revenues for a fiscal year that are less than the fee revenues for that fiscal year established in subsection (b).

"(3) FINAL YEAR ADJUSTMENT.—For fiscal year 2018, the Secretary may, in addition to other adjustments under this subsection, further increase the fees under this section, if such an adjustment is necessary, to provide for up to 3 months of operating reserves of carryover user fees for the process for the review of abbreviated applications for generic new animal drugs for the first 3 months of fiscal year 2019. If the Food and Drug Administration has carryover balances for the process for the review of abbreviated applications for generic new animal drugs in excess of 3 months of such operating reserves, then this adjustment shall not be made. If this adjustment is necessary, then the rationale for the amount of the increase shall be contained in the annual notice setting fees for fiscal year 2018.

Notice.

"(4) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for

the process for the review of abbreviated applications for generic new animal drugs.

"(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from or a reduction of 1 or more fees assessed under subsection (a) where the Secretary finds that the generic new animal drug is intended solely to provide for a minor use or minor species indication.

"(e) EFFECT OF FAILURE TO PAY FEES.—An abbreviated application for a generic new animal drug submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person have been paid. An investigational submission for a generic new animal drug that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for review by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue review of any abbreviated application for a generic new animal drug, supplemental abbreviated application for a generic new animal drug, or investigational submission for a generic new animal drug from a person if such person has not submitted for payment all fees owed under this section by 30 days after the date upon which they are due.

Deadline.

"(f) ASSESSMENT OF FEES.—

"(1) LIMITATION.—Fees may not be assessed under subsection (a) for a fiscal year beginning after fiscal year 2008 unless appropriations for salaries and expenses of the Food and Drug Administration for such fiscal year (excluding the amount of fees appropriated for such fiscal year) are equal to or greater than the amount of appropriations for the salaries and expenses of the Food and Drug Administration for the fiscal year 2003 (excluding the amount of fees appropriated for such fiscal year) multiplied by the adjustment factor applicable to the fiscal year involved.

"(2) AUTHORITY.—If the Secretary does not assess fees under subsection (a) during any portion of a fiscal year because of paragraph (1) and if at a later date in such fiscal year the Secretary may assess such fees, the Secretary may assess and collect such fees, without any modification in the rate, for abbreviated applications, generic new animal drug sponsors, and generic new animal drug products at any time in such fiscal year notwithstanding the provisions of subsection (a) relating to the date fees are to be paid.

"(g) CREDITING AND AVAILABILITY OF FEES.—

"(1) IN GENERAL.—Subject to paragraph (2)(C), fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to be appropriated to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salary and expenses with such fiscal year limitation. The sums transferred shall be available solely for the process for the review of abbreviated applications for generic new animal drugs.

Appropriation authorization.

"(2) COLLECTIONS AND APPROPRIATION ACTS.—

"(A) IN GENERAL.—The fees authorized by this section—

"(i) subject to subparagraph (C), shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation for such fiscal year; and

"(ii) shall be available to defray increases in the costs of the resources allocated for the process for the review of abbreviated applications for generic new animal drugs (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such process) over such costs, excluding costs paid from fees collected under this section, for fiscal year 2008 multiplied by the adjustment factor.

"(B) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (A)(ii) in any fiscal year if the costs funded by appropriations and allocated for the process for the review of abbreviated applications for generic new animal drugs—

"(i) are not more than 3 percent below the level specified in subparagraph (A)(ii); or

"(ii)(I) are more than 3 percent below the level specified in subparagraph (A)(ii), and fees assessed for the fiscal year following the subsequent fiscal year are decreased by the amount in excess of 3 percent by which such costs fell below the level specified in subparagraph (A)(ii); and

"(II) such costs are not more than 5 percent below the level specified in subparagraph (A)(ii).

"(C) PROVISION FOR EARLY PAYMENTS.—Payment of fees authorized under this section for a fiscal year, prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fees under this section—

"(A) $7,328,000 for fiscal year 2014;

"(B) $6,944,000 for fiscal year 2015;

"(C) $7,429,000 for fiscal year 2016;

"(D) $7,936,000 for fiscal year 2017; and

"(E) $8,467,000 for fiscal year 2018;

as adjusted to reflect adjustments in the total fee revenues made under this section and changes in the total amounts collected by abbreviated application fees, generic new animal drug sponsor fees, and generic new animal drug product fees.

"(4) OFFSET.—If the sum of the cumulative amount of fees collected under this section for the fiscal years 2014 through 2016 and the amount of fees estimated to be collected under this section for fiscal year 2017 exceeds the cumulative amount appropriated under paragraph (3) for the fiscal years 2014 through 2017, the excess amount shall be credited to the appropriation account of the Food and Drug Administration as provided in paragraph (1), and shall be subtracted from the amount of fees that would otherwise be authorized to be collected under this section pursuant to appropriation Acts for fiscal year 2018.

Deadline.

"(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

Deadline.

"(i) WRITTEN REQUESTS FOR WAIVERS, REDUCTIONS, AND REFUNDS.—To qualify for consideration for a waiver or reduction under subsection (d), or for a refund of any fee collected in accordance with subsection (a), a person shall submit to the Secretary a written request for such waiver, reduction, or refund not later than 180 days after such fee is due.

"(j) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employees, and advisory committees not engaged in the process of the review of abbreviated applications for generic new animal drugs, be reduced to offset the number of officers, employees, and advisory committees so engaged.

"(k) DEFINITIONS.—In this section and section 742:

"(1) ABBREVIATED APPLICATION FOR A GENERIC NEW ANIMAL DRUG.—The terms 'abbreviated application for a generic new animal drug' and 'abbreviated application' mean an abbreviated application for the approval of any generic new animal drug submitted under section 512(b)(2). Such term does not include a supplemental abbreviated application for a generic new animal drug.

"(2) ADJUSTMENT FACTOR.—The term 'adjustment factor' applicable to a fiscal year is the Consumer Price Index for all urban consumers (all items; United States city average) for October of the preceding fiscal year divided by—

"(A) for purposes of subsection (f)(1), such Index for October 2002; and

"(B) for purposes of subsection (g)(2)(A)(ii), such Index for October 2007.

"(3) COSTS OF RESOURCES ALLOCATED FOR THE PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term 'costs of resources allocated for the process for the review of abbreviated applications for generic new animal drugs' means the expenses in connection with the process for the review of abbreviated applications for generic new animal drugs for—

"(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific abbreviated applications, supplemental abbreviated applications, or investigational submissions, and costs related to such officers, employees, committees, and contractors, including costs for travel, education, and recruitment and other personnel activities;

"(B) management of information, and the acquisition, maintenance, and repair of computer resources;

"(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

"(D) collecting fees under this section and accounting for resources allocated for the review of abbreviated

applications, supplemental abbreviated applications, and investigational submissions.

"(4) FINAL DOSAGE FORM.—The term 'final dosage form' means, with respect to a generic new animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes generic new animal drug products intended for mixing in animal feeds.

"(5) GENERIC NEW ANIMAL DRUG.—The term 'generic new animal drug' means a new animal drug that is the subject of an abbreviated application.

"(6) GENERIC NEW ANIMAL DRUG PRODUCT.—The term 'generic new animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an abbreviated application for a generic new animal drug or a supplemental abbreviated application has been approved.

"(7) GENERIC NEW ANIMAL DRUG SPONSOR.—The term 'generic new animal drug sponsor' means either an applicant named in an abbreviated application for a generic new animal drug that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational submission for a generic new animal drug that has not been terminated or otherwise rendered inactive by the Secretary.

"(8) INVESTIGATIONAL SUBMISSION FOR A GENERIC NEW ANIMAL DRUG.—The terms 'investigational submission for a generic new animal drug' and 'investigational submission' mean—

"(A) the filing of a claim for an investigational exemption under section 512(j) for a generic new animal drug intended to be the subject of an abbreviated application or a supplemental abbreviated application; or

"(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of a generic new animal drug in the event of the filing of an abbreviated application or supplemental abbreviated application for such drug.

"(9) PERSON.—The term 'person' includes an affiliate thereof (as such term is defined in section 735(11)).

"(10) PROCESS FOR THE REVIEW OF ABBREVIATED APPLICATIONS FOR GENERIC NEW ANIMAL DRUGS.—The term 'process for the review of abbreviated applications for generic new animal drugs' means the following activities of the Secretary with respect to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions:

"(A) The activities necessary for the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

"(B) The issuance of action letters which approve abbreviated applications or supplemental abbreviated applications or which set forth in detail the specific deficiencies in abbreviated applications, supplemental abbreviated

applications, or investigational submissions and, where appropriate, the actions necessary to place such applications, supplemental applications, or submissions in condition for approval.

"(C) The inspection of generic new animal drug establishments and other facilities undertaken as part of the Secretary's review of pending abbreviated applications, supplemental abbreviated applications, and investigational submissions.

"(D) Monitoring of research conducted in connection with the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

"(E) The development of regulations and policy related to the review of abbreviated applications, supplemental abbreviated applications, and investigational submissions.

"(F) Development of standards for products subject to review.

"(G) Meetings between the agency and the generic new animal drug sponsor.

"(H) Review of advertising and labeling prior to approval of an abbreviated application or supplemental abbreviated application, but not after such application has been approved.

"(11) SUPPLEMENTAL ABBREVIATED APPLICATION FOR GENERIC NEW ANIMAL DRUG.—The terms 'supplemental abbreviated application for a generic new animal drug' and 'supplemental abbreviated application' mean a request to the Secretary to approve a change in an approved abbreviated application.".

SEC. 203. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–22) is amended to read as follows:

Effective dates.

"SEC. 742. REAUTHORIZATION; REPORTING REQUIREMENTS.

"(a) PERFORMANCE REPORTS.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 201(b) of the Animal Generic Drug User Fee Amendments of 2013 toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs during such fiscal year.

"(b) FISCAL REPORT.—Beginning with fiscal year 2014, not later than 120 days after the end of each fiscal year during which fees are collected under this part, the Secretary shall prepare and submit to Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected during such fiscal year for which the report is made.

"(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the Internet Web site of the Food and Drug Administration. Web posting.

"(d) REAUTHORIZATION.—

"(1) CONSULTATION.—In developing recommendations to present to Congress with respect to the goals, and plans for meeting the goals, for the process for the review of abbreviated applications for generic new animal drugs for the first 5 fiscal years after fiscal year 2018, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with— Recommendations.

"(A) the Committee on Energy and Commerce of the House of Representatives;

"(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

"(C) scientific and academic experts;

"(D) veterinary professionals;

"(E) representatives of patient and consumer advocacy groups; and

"(F) the regulated industry.

"(2) PRIOR PUBLIC INPUT.—Prior to beginning negotiations with the regulated industry on the reauthorization of this part, the Secretary shall—

"(A) publish a notice in the Federal Register requesting public input on the reauthorization; Notice. Federal Register, publication.

"(B) hold a public meeting at which the public may present its views on the reauthorization, including specific suggestions for changes to the goals referred to in subsection (a);

"(C) provide a period of 30 days after the public meeting to obtain written comments from the public suggesting changes to this part; and Time period.

"(D) publish the comments on the Food and Drug Administration's Internet Web site. Web posting.

"(3) PERIODIC CONSULTATION.—Not less frequently than once every 4 months during negotiations with the regulated industry, the Secretary shall hold discussions with representatives of veterinary, patient, and consumer advocacy groups to continue discussions of their views on the reauthorization and their suggestions for changes to this part as expressed under paragraph (2).

"(4) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

"(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

"(B) publish such recommendations in the Federal Register; Federal Register, publication.

"(C) provide for a period of 30 days for the public to provide written comments on such recommendations; Time period.

"(D) hold a meeting at which the public may present its views on such recommendations; and

"(E) after consideration of such public views and comments, revise such recommendations as necessary.

"(5) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2018, the Secretary shall transmit to Congress

the revised recommendations under paragraph (4), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.

"(6) MINUTES OF NEGOTIATION MEETINGS.—

Web posting.

"(A) PUBLIC AVAILABILITY.—Before presenting the recommendations developed under paragraphs (1) through (5) to Congress, the Secretary shall make publicly available, on the Internet Web site of the Food and Drug Administration, minutes of all negotiation meetings conducted under this subsection between the Food and Drug Administration and the regulated industry.

"(B) CONTENT.—The minutes described under subparagraph (A) shall summarize any substantive proposal made by any party to the negotiations as well as significant controversies or differences of opinion during the negotiations and their resolution.".

Extension.
Time period.
21 USC 379j–21 note.

SEC. 204. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of enactment of this title, shall continue to be in effect with respect to abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug (as defined in such part as of such day) that on or after October 1, 2008, but before October 1, 2013, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2014.

21 USC 379j–21 note.

SEC. 205. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2013, or the date of enactment of this Act, whichever is later, except that fees under part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this title, shall be assessed for all abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug received on or after October 1, 2013, regardless of the date of enactment of this Act.

SEC. 206. SUNSET DATES.

21 USC 379j–21 note.

(a) AUTHORIZATION.—Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) shall cease to be effective October 1, 2018.

21 USC 379j–22 note.

(b) REPORTING REQUIREMENTS.—Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–22) shall cease to be effective January 31, 2019.

(c) PREVIOUS SUNSET PROVISION.—

Repeal.
21 USC 379j–21 note, 379j–22 note.

(1) IN GENERAL.—Section 204 of the Animal Generic Drug User Fee Act of 2008 (Public Law 110–316) is repealed.

(2) CONFORMING AMENDMENT.—The Animal Generic Drug User Fee Act of 2008 (Public Law 110–316) is amended in

the table of contents in section 1, by striking the item relating to section 204.

Approved June 13, 2013.

LEGISLATIVE HISTORY—S. 622:

CONGRESSIONAL RECORD, Vol. 159 (2013):
May 8, considered and passed Senate.
June 3, considered and passed House.

Public Law 113–15
113th Congress

An Act

June 25, 2013
[H.R. 475]

To amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

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

SECTION 1. ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES.

26 USC 4132.

(a) IN GENERAL.—Subparagraph (N) of section 4132(a)(1) of the Internal Revenue Code of 1986 is amended by inserting "or any other vaccine against seasonal influenza" before the period.

Applicability.
26 USC 4132 note.

(b) EFFECTIVE DATE.—

(1) SALES, ETC.—The amendment made by this section shall apply to sales and uses on or after the later of—

(A) the first day of the first month which begins more than 4 weeks after the date of the enactment of this Act, or

(B) the date on which the Secretary of Health and Human Services lists any vaccine against seasonal influenza (other than any vaccine against seasonal influenza listed by the Secretary prior to the date of the enactment of this Act) for purposes of compensation for any vaccine-related injury or death through the Vaccine Injury Compensation Trust Fund.

(2) DELIVERIES.—For purposes of paragraph (1) and section 4131 of the Internal Revenue Code of 1986, in the case of sales on or before the effective date described in such paragraph for which delivery is made after such date, the delivery date shall be considered the sale date.

Approved June 25, 2013.

LEGISLATIVE HISTORY—H.R. 475:

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 18, considered and passed House.
June 19, considered and passed Senate.

Public Law 113–16
113th Congress

An Act

To grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

July 12, 2013
[H.R. 324]

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

31 USC 5111 note.

SECTION 1. FINDINGS.

Congress finds the following:

(1) The First Special Service Force (the "Force"), a military unit composed of volunteers from the United States and Canada, was activated in July 1942 at Fort Harrison near Helena, Montana.

(2) The Force was initially intended to target military and industrial installations that were supporting the German war effort, including important hydroelectric plants, which would severely limit the production of strategic materials used by the Axis powers.

(3) From July 1942 through June 1943, volunteers of the Force trained in hazardous, arctic conditions in the mountains of western Montana, and in the waterways of Camp Bradford, Virginia.

(4) The combat echelon of the Force totaled 1,800 soldiers, half from the United States and half from Canada.

(5) The Force also contained a service battalion, composed of 800 members from the United States, that provided important support for the combat troops.

(6) A special bond developed between the Canadian and United States soldiers, who were not segregated by country, although the commander of the Force was a United States colonel.

(7) The Force was the only unit formed during World War II that consisted of troops from Canada and the United States.

(8) In October 1943, the Force went to Italy, where it fought in battles south of Cassino, including Monte La Difensa and Monte Majo, two mountain peaks that were a critical anchor of the German defense line.

(9) During the night of December 3, 1943, the Force ascended to the top of the precipitous face of Monte La Difensa, where the Force suffered heavy casualties and overcame fierce resistance to overtake the German line.

(10) After the battle for La Difensa, the Force continued to fight tough battles at high altitudes, in rugged terrain, and in severe weather.

(11) After battles on the strongly defended Italian peaks of Sammucro, Vischiataro, and Remetanea, the size of the Force had been reduced from 1,800 soldiers to fewer than 500.

(12) For 4 months in 1944, the Force engaged in raids and aggressive patrols at the Anzio Beachhead.

(13) On June 4, 1944, members of the Force were among the first Allied troops to liberate Rome.

(14) After liberating Rome, the Force moved to southern Italy and prepared to assist in the liberation of France.

(15) During the early morning of August 15, 1944, members of the Force made silent landings on Les Iles D'Hyeres, small islands in the Mediterranean Sea along the southern coast of France.

(16) The Force faced a sustained and withering assault from the German garrisons as the Force progressed from the islands to the Franco-Italian border.

(17) After the Allied forces secured the Franco-Italian border, the United States Army ordered the disbandment of the Force on December 5, 1944, in Nice, France.

(18) During 251 days of combat, the Force suffered 2,314 casualties, or 134 percent of its authorized strength, captured thousands of prisoners, won 5 United States campaign stars and 8 Canadian battle honors, and never failed a mission.

(19) The United States is forever indebted to the acts of bravery and selflessness of the troops of the Force, who risked their lives for the cause of freedom.

(20) The efforts of the Force along the seas and skies of Europe were critical in repelling the advance of Nazi Germany and liberating numerous communities in France and Italy.

(21) The bond between the members of the Force from the United States and those from Canada has endured over the decades, as the members meet every year for a reunion, alternating between the United States and Canada.

(22) The traditions and honors exhibited by the Force are carried on by 2 outstanding active units of 2 great democracies, the Special Forces of the United States and the Canadian Special Operations Regiment.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of a gold medal of appropriate design to the First Special Service Force, collectively, in recognition of their dedicated service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) AWARD OF MEDAL.—Following the award of the gold medal in honor of the First Special Service Force under subsection (a), the medal shall be given to the First Special Service Force Association in Helena, Montana, where it shall be available for display or temporary loan to be displayed elsewhere, particularly at other

appropriate locations associated with the First Special Service Force, including Fort William Henry Harrison in Helena, Montana.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medal, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved July 12, 2013.

LEGISLATIVE HISTORY—H.R. 324:

CONGRESSIONAL RECORD, Vol. 159 (2013):
May 21, considered and passed House.
June 27, considered and passed Senate.

Public Law 113–17
113th Congress

An Act

July 12, 2013
[H.R. 1151]

To direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

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

22 USC 3303 note.

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

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

(1) Safe, secure, and economical international air navigation and transport is important to every citizen of the world, and safe skies are ensured through uniform aviation standards, harmonization of security protocols, and expeditious dissemination of information regarding new regulations and other relevant matters.

(2) Direct and unobstructed participation in international civil aviation forums and programs is beneficial for all nations and their civil aviation authorities. Civil aviation is vital to all due to the international transit and commerce it makes possible, but must also be closely regulated due to the possible use of aircraft as weapons of mass destruction or to transport biological, chemical, and nuclear weapons or other dangerous materials.

(3) The Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, established the International Civil Aviation Organization (ICAO), stating "The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport.".

(4) The terrorist attacks of September 11, 2001, demonstrated that the global civil aviation network is subject to vulnerabilities that can be exploited in one country to harm another. The ability of civil aviation authorities to coordinate, preempt and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that "a uniform approach in a global system is essential to

ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system," and that there should be a commitment to "foster international cooperation in the field of aviation security and harmonize the implementation of security measures".

(6) The Taipei Flight Information Region, under the jurisdiction of Taiwan, covers 180,000 square nautical miles of airspace and provides air traffic control services to over 1.2 million flights annually, with the Taiwan Taoyuan International Airport recognized as the 10th and 19th largest airport by international cargo volume and number of international passengers, respectively in 2011.

(7) Despite the established international consensus regarding a uniform approach to aviation security that fosters international cooperation, exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO.

(8) On October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of a Declaration on Aviation Security, but noted that "because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system".

(9) On October 2, 2012, Taiwan became the 37th participant to join the United States Visa Waiver program, which is expected to stimulate tourism and commerce that will rely increasingly on international commercial aviation.

(10) The Government of Taiwan's exclusion from the ICAO constitutes a serious gap in global standards that should be addressed at the earliest opportunity in advance of the 38th ICAO Assembly in September 2013.

(11) The Federal Aviation Administration and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of issues related to innovation and technology, civil engineering, safety and security, and navigation.

(12) The ICAO has allowed a wide range of observers to participate in the activities of the organization.

(13) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(14) Senate Concurrent Resolution 17, agreed to on September 11, 2012, affirmed the sense of Congress that—

(A) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the ICAO will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global

strategy to address aviation security threats based on effective international cooperation; and

(B) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO.

(15) Following the enactment of Public Law 108–235, a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the United States, Taiwan was granted observer status to the World Health Assembly for four consecutive years since 2009. Both prior to and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(16) ICAO rules and existing practices allow for the meaningful participation of non-contracting countries as well as other bodies in its meetings and activities through granting of observer status.

(b) TAIWAN'S PARTICIPATION AT ICAO.—The Secretary of State shall—

(1) develop a strategy to obtain observer status for Taiwan at the triennial ICAO Assembly—next held in September 2013 in Montreal, Canada—and other related meetings, activities, and mechanisms thereafter; and

(2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the triennial ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE ICAO ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the Secretary of State has made to encourage ICAO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status for Taiwan in ICAO and at other related meetings, activities, and mechanisms thereafter.

Approved July 12, 2013.

LEGISLATIVE HISTORY—H.R. 1151 (S. 579):

SENATE REPORTS: No. 113–42 (Comm. on Foreign Relations) accompanying S. 579.

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 18, considered and passed House.
June 27, considered and passed Senate.

Public Law 113–18
113th Congress

An Act

July 12, 2013
[H.R. 2383]

To designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the "Stan Musial Veterans Memorial Bridge".

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

SECTION 1. STAN MUSIAL VETERANS MEMORIAL BRIDGE.

(a) DESIGNATION.—The new Interstate Route 70 bridge over the Mississippi River that connects St. Louis, Missouri, to southwestern Illinois shall be known and designated as the "Stan Musial Veterans Memorial Bridge".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the "Stan Musial Veterans Memorial Bridge".

Approved July 12, 2013.

LEGISLATIVE HISTORY—H.R. 2383:

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 25, considered and passed House.
June 27, considered and passed Senate.

Public Law 113–19
113th Congress

An Act

To direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

July 18, 2013
[H.R. 251]

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

South Utah Valley Electric Conveyance Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "South Utah Valley Electric Conveyance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term "District" means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) ELECTRIC DISTRIBUTION SYSTEM.—The term "Electric Distribution System" means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) FIXTURES.—The term "fixtures" means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) IRRIGATION OR POWER FACILITIES LANDS.—The term "irrigation or power facilities lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) DISTRIBUTION FIXTURE LANDS.—The term "distribution fixture lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) SHARED POWER POLES.—The term "shared power poles" means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at

a voltage of 46.0 kilovolts, are owned by the United States, and support fixtures of the Electric Distribution System.

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) IN GENERAL.—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

(1) IN GENERAL.—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) EFFECT.—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party,

any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, including the transaction of April 7, 1986, between the Strawberry Water Users Association and Strawberry Electric Service District.

SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, not later than 30 days after that date, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

Approved July 18, 2013.

LEGISLATIVE HISTORY—H.R. 251 (S. 25):

HOUSE REPORTS: No. 113–78 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–15 (Comm. on Energy and Natural Resources) accompanying S. 25.
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 11, considered and passed House.
July 10, considered and passed Senate.

Public Law 113–20
113th Congress

An Act

July 18, 2013
[H.R. 254]

To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

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

Bonneville Unit Clean Hydropower Facilitation Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bonneville Unit Clean Hydropower Facilitation Act".

SEC. 2. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this Act, the term "Diamond Fork System" means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 3. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102–575), and shall be subject to the same terms and conditions.

SEC. 4. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this Act shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 6. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this Act, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 7. PAYGO.

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

SEC. 8. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this Act.

Approved July 18, 2013.

LEGISLATIVE HISTORY—H.R. 254 (S. 26):

HOUSE REPORTS: No. 113–25, Pt. 1 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–16 (Comm. on Energy and Natural Resources) accompanying S. 26.
CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 9, considered and passed House.
July 10, considered and passed Senate.

Public Law 113–21
113th Congress

An Act

July 18, 2013
[H.R. 588]

To provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

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

Vietnam Veterans Donor Acknowledgment Act of 2013.
16 USC 431 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam Veterans Donor Acknowledgment Act of 2013".

SEC. 2. DONOR CONTRIBUTION ACKNOWLEDGMENTS AT THE VIETNAM VETERANS MEMORIAL VISITOR CENTER.

Section 6(b) of Public Law 96–297 (16 U.S.C. 431 note) is amended—

(1) in paragraph (4) by striking the "and" after the semicolon;

(2) in paragraph (5)—

(A) by striking "2014" and inserting "2018"; and

(B) by striking the period and inserting "; and"; and

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

"(6) notwithstanding section 8905(b)(7) of title 40, United States Code—

"(A) the Secretary of the Interior shall allow the Vietnam Veterans Memorial Fund, Inc. to acknowledge donor contributions to the visitor center by displaying, inside the visitor center, an appropriate statement or credit acknowledging the contribution;

"(B) donor contribution acknowledgments shall be displayed in a form approved by the Secretary of the Interior and for a period of time commensurate with the level of the contribution and the life of the facility;

"(C) the Vietnam Veterans Memorial Fund shall bear all expenses related to the display of donor acknowledgments;

Plans.

"(D) prior to the display of donor acknowledgments, the Vietnam Veterans Memorial Fund, Inc. shall submit to the Secretary for approval, its plan for displaying donor acknowledgments;

"(E) such plan shall include the sample text and types of the acknowledgments or credits to be displayed and the form and location of all displays;

Determination.

"(F) the Secretary shall approve the plan, if the Secretary determines that the plan—

"(i) allows only short, discrete, and unobtrusive acknowledgments or credits;

"(ii) does not permit any advertising slogans or company logos; and

"(iii) conforms to applicable National Park Service guidelines for indoor donor recognition; and

"(G) if the Secretary of the Interior determines that the proposed plan submitted under this paragraph, does not meet the requirements of this paragraph, the Secretary shall— Determination.

"(i) advise the Vietnam Veterans Memorial Fund, Inc. not later than 30 days after receipt of the proposed plan of the reasons that such plan does not meet the requirements; and Deadline.

"(ii) allow the Vietnam Veterans Memorial Fund, Inc. to submit a revised donor recognition plan.". Plans.

Approved July 18, 2013.

LEGISLATIVE HISTORY—H.R. 588:

HOUSE REPORTS: No. 113–28 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
May 6, considered and passed House.
June 3, considered and passed Senate, amended.
June 17, House concurred in Senate amendment with an amendment pursuant to H. Res. 264.
July 10, Senate concurred in House amendment.

Public Law 113–22
113th Congress

An Act

July 25, 2013
[H.R. 2289]

To rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA.

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

SECTION 1. KAY BAILEY HUTCHISON SPOUSAL IRA.

26 USC 219.

The heading of subsection (c) of section 219 of the Internal Revenue Code of 1986 is amended by striking "SPECIAL RULES FOR CERTAIN MARRIED INDIVIDUALS" and inserting "KAY BAILEY HUTCHISON SPOUSAL IRA".

Approved July 25, 2013.

LEGISLATIVE HISTORY—H.R. 2289:

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 25, considered and passed House.
July 11, considered and passed Senate.

Public Law 113–23
113th Congress

An Act

To improve hydropower, and for other purposes.

Aug. 9, 2013
[H.R. 267]

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

Hydropower Regulatory Efficiency Act of 2013.
16 USC 791a note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hydropower Regulatory Efficiency Act of 2013".

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Promoting small hydroelectric power projects.
Sec. 4. Promoting conduit hydropower projects.
Sec. 5. FERC authority to extend preliminary permit periods.
Sec. 6. Promoting hydropower development at nonpowered dams and closed loop pumped storage projects.
Sec. 7. DOE study of pumped storage and potential hydropower from conduits.

16 USC 791 note prec.

SEC. 2. FINDINGS.

Congress finds that—

(1) the hydropower industry currently employs approximately 300,000 workers across the United States;

(2) hydropower is the largest source of clean, renewable electricity in the United States;

(3) as of the date of enactment of this Act, hydropower resources, including pumped storage facilities, provide—

(A) nearly 7 percent of the electricity generated in the United States; and

(B) approximately 100,000 megawatts of electric capacity in the United States;

(4) only 3 percent of the 80,000 dams in the United States generate electricity, so there is substantial potential for adding hydropower generation to nonpowered dams; and

(5) according to one study, by utilizing currently untapped resources, the United States could add approximately 60,000 megawatts of new hydropower capacity by 2025, which could create 700,000 new jobs over the next 13 years.

SEC. 3. PROMOTING SMALL HYDROELECTRIC POWER PROJECTS.

Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705) is amended by striking "5,000" and inserting "10,000".

SEC. 4. PROMOTING CONDUIT HYDROPOWER PROJECTS.

(a) APPLICABILITY OF, AND EXEMPTION FROM, LICENSING REQUIREMENTS.—Section 30 of the Federal Power Act (16 U.S.C. 823a) is amended—

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

"(a)(1) A qualifying conduit hydropower facility shall not be required to be licensed under this part.

Notice. "(2)(A) Any person, State, or municipality proposing to construct a qualifying conduit hydropower facility shall file with the Commission a notice of intent to construct such facility. The notice shall include sufficient information to demonstrate that the facility meets the qualifying criteria.

Deadline. "(B) Not later than 15 days after receipt of a notice of intent filed under subparagraph (A), the Commission shall—

Determination. "(i) make an initial determination as to whether the facility meets the qualifying criteria; and

Publication. Public information. Notice. "(ii) if the Commission makes an initial determination, pursuant to clause (i), that the facility meets the qualifying criteria, publish public notice of the notice of intent filed under subparagraph (A).

Deadline. "(C) If, not later than 45 days after the date of publication of the public notice described in subparagraph (B)(ii)—

Determination. "(i) an entity contests whether the facility meets the qualifying criteria, the Commission shall promptly issue a written determination as to whether the facility meets such criteria; or

"(ii) no entity contests whether the facility meets the qualifying criteria, the facility shall be deemed to meet such criteria.

Definitions. "(3) For purposes of this section:

"(A) The term 'conduit' means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

"(B) The term 'qualifying conduit hydropower facility' means a facility (not including any dam or other impoundment) that is determined or deemed under paragraph (2)(C) to meet the qualifying criteria.

"(C) The term 'qualifying criteria' means, with respect to a facility—

"(i) the facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit;

"(ii) the facility has an installed capacity that does not exceed 5 megawatts; and

"(iii) on or before the date of enactment of the Hydropower Regulatory Efficiency Act of 2013, the facility is not licensed under, or exempted from the license requirements contained in, this part.

Determination. "(b) Subject to subsection (c), the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility (not including any dam or other impoundment) constructed, operated, or maintained for the generation of electric power which the Commission determines, by rule or order—

"(1) utilizes for such generation only the hydroelectric potential of a conduit; and

"(2) has an installed capacity that does not exceed 40 megawatts.";

(2) in subsection (c), by striking "subsection (a)" and inserting "subsection (b)"; and

(3) in subsection (d), by striking "subsection (a)" and inserting "subsection (b)".

(b) CONFORMING AMENDMENT.—Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705), as amended, is further amended by striking "subsection (a) of such section 30" and inserting "subsection (b) of such section 30".

SEC. 5. FERC AUTHORITY TO EXTEND PRELIMINARY PERMIT PERIODS.

Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) by designating the first, second, and third sentences as subsections (a), (c), and (d), respectively; and

(2) by inserting after subsection (a) (as so designated) the following:

"(b) The Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years permitted by subsection (a) if the Commission finds that the permittee has carried out activities under such permit in good faith and with reasonable diligence.".

SEC. 6. PROMOTING HYDROPOWER DEVELOPMENT AT NONPOWERED DAMS AND CLOSED LOOP PUMPED STORAGE PROJECTS.

16 USC 797 note.

(a) IN GENERAL.—To improve the regulatory process and reduce delays and costs for hydropower development at nonpowered dams and closed loop pumped storage projects, the Federal Energy Regulatory Commission (referred to in this section as the "Commission") shall investigate the feasibility of the issuance of a license for hydropower development at nonpowered dams and closed loop pumped storage projects in a 2-year period (referred to in this section as a "2-year process"). Such a 2-year process shall include any prefiling licensing process of the Commission.

Time period.

(b) WORKSHOPS AND PILOTS.—The Commission shall—

Deadlines.

(1) not later than 60 days after the date of enactment of this Act, hold an initial workshop to solicit public comment and recommendations on how to implement a 2-year process;

(2) develop criteria for identifying projects featuring hydropower development at nonpowered dams and closed loop pumped storage projects that may be appropriate for licensing within a 2-year process;

Criteria.

(3) not later than 180 days after the date of enactment of this Act, develop and implement pilot projects to test a 2-year process, if practicable; and

(4) not later than 3 years after the date of implementation of the final pilot project testing a 2-year process, hold a final workshop to solicit public comment on the effectiveness of each tested 2-year process.

(c) MEMORANDUM OF UNDERSTANDING.—The Commission shall, to the extent practicable, enter into a memorandum of understanding with any applicable Federal or State agency to implement a pilot project described in subsection (b).

(d) REPORTS.—

Determination.

(1) PILOT PROJECTS NOT IMPLEMENTED.—If the Commission determines that no pilot project described in subsection (b) is practicable because no 2-year process is practicable, not later than 240 days after the date of enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) describes the public comments received as part of the initial workshop held under subsection (b)(1); and

(B) identifies the process, legal, environmental, economic, and other issues that justify the determination of the Commission that no 2-year process is practicable, with recommendations on how Congress may address or remedy the identified issues.

(2) PILOT PROJECTS IMPLEMENTED.—If the Commission develops and implements pilot projects involving a 2-year process, not later than 60 days after the date of completion of the final workshop held under subsection (b)(4), the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) describes the outcomes of the pilot projects;

(B) describes the public comments from the final workshop on the effectiveness of each tested 2-year process; and

(C)(i) outlines how the Commission will adopt policies under existing law (including regulations) that result in a 2-year process for appropriate projects;

(ii) outlines how the Commission will issue new regulations to adopt a 2-year process for appropriate projects; or

(iii) identifies the process, legal, environmental, economic, and other issues that justify a determination of the Commission that no 2-year process is practicable, with recommendations on how Congress may address or remedy the identified issues.

SEC. 7. DOE STUDY OF PUMPED STORAGE AND POTENTIAL HYDROPOWER FROM CONDUITS.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study—

(1)(A) of the technical flexibility that existing pumped storage facilities can provide to support intermittent renewable electric energy generation, including the potential for such existing facilities to be upgraded or retrofitted with advanced commercially available technology; and

(B) of the technical potential of existing pumped storage facilities and new advanced pumped storage facilities, to provide grid reliability benefits; and

(2)(A) to identify the range of opportunities for hydropower that may be obtained from conduits (as defined by the Secretary) in the United States; and

(B) through case studies, to assess amounts of potential energy generation from such conduit hydropower projects.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee

on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the study conducted under subsection (a), including any recommendations.

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 267:

HOUSE REPORTS: No. 113–6 (Comm. on Energy and Commerce).
SENATE REPORTS: No. 113–38 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Feb. 12, 13, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–24
113th Congress

An Act

Aug. 9, 2013
[H.R. 678]

To authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

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

Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act".

Contracts.
43 USC 485k note.

SEC. 2. AUTHORIZATION.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) by striking "The Secretary is authorized to enter into contracts to furnish water" and inserting the following:

"(1) The Secretary is authorized to enter into contracts to furnish water";

(2) by striking "(1) shall" and inserting "(A) shall";

(3) by striking "(2) shall" and inserting "(B) shall";

(4) by striking "respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects" and inserting "respecting the sales of electric power and leases of power privileges shall be an authorization in addition to and alternative to any authority in existing laws related to particular projects, including small conduit hydropower development"; and

(5) by adding at the end the following:

"(2)(A) When carrying out this subsection, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred conduit, or to the irrigation district or water users association receiving water from the applicable reserved conduit. The Secretary shall determine a reasonable time frame for the irrigation district or water users association to accept or reject a lease of power privilege offer for a small conduit hydropower project.

Determination.

"(B) If the irrigation district or water users association elects not accept a lease of power privilege offer under subparagraph (A), the Secretary shall offer the lease of power privilege to other parties in accordance with this subsection.

"(3) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit

Applicability.

hydropower development under this subsection, excluding siting of associated transmission facilities on Federal lands.

"(4) The Power Resources Office of the Bureau of Reclamation shall be the lead office of small conduit hydropower policy and procedure-setting activities conducted under this subsection.

"(5) Nothing in this subsection shall obligate the Western Area Power Administration, the Bonneville Power Administration, or the Southwestern Power Administration to purchase or market any of the power produced by the facilities covered under this subsection and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

"(6) Nothing in this subsection shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved, nor shall it create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or water users association operating the transferred conduit before offering the lease of power privilege and shall prescribe terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

Notification.
Consultation.

"(7) Nothing in this subsection shall alter or affect any existing agreements for the development of conduit hydropower projects or disposition of revenues.

"(8) Nothing in this subsection shall alter or affect any existing preliminary permit, license, or exemption issued by the Federal Energy Regulatory Commission under Part I of the Federal Power Act (16 U.S.C. 792 et seq.) or any project for which an application has been filed with the Federal Energy Regulatory Commission as of the date of the enactment of the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.

"(9) In this subsection:

Definitions.

"(A) CONDUIT.—The term 'conduit' means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

"(B) IRRIGATION DISTRICT.—The term 'irrigation district' means any irrigation, water conservation or conservancy, multicounty water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

"(C) RESERVED CONDUIT.—The term 'reserved conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

"(D) TRANSFERRED CONDUIT.—The term 'transferred conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

"(E) SMALL CONDUIT HYDROPOWER.—The term 'small conduit hydropower' means a facility capable of producing 5 megawatts or less of electric capacity.".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 678 (S. 306):

HOUSE REPORTS: No. 113–24 (Comm. on Natural Resources).
SENATE REPORTS: Nos. 113–39 (Comm. on Energy and Natural Resources) and 113–35 (Comm. on Energy and Natural Resources) accompanying S. 306.
CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 10, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–25
113th Congress

An Act

To designate the air route traffic control center located in Nashua, New Hampshire, as the "Patricia Clark Boston Air Route Traffic Control Center".

Aug. 9, 2013
[H.R. 1092]

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

SECTION 1. DESIGNATION OF PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER.

(a) IN GENERAL.—The air route traffic control center located in Nashua, New Hampshire, and any successor air route traffic control center at that location, shall be known and designated as the "Patricia Clark Boston Air Route Traffic Control Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the air route traffic control center referred to in subsection (a) shall be deemed to be a reference to the "Patricia Clark Boston Air Route Traffic Control Center".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 1092:

HOUSE REPORTS: No. 113–97 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 25, considered and passed House.
July 24, considered and passed Senate.

Public Law 113–26
113th Congress

An Act

Aug. 9, 2013
[H.R. 1171]

To amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

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

Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013.
40 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013" or the "FOR VETS Act of 2013".

SEC. 2. VETERANS ACCESS TO FEDERAL EXCESS AND SURPLUS PERSONAL PROPERTY.

Section 549(c)(3) of title 40, United States Code, is amended—

(1) in subparagraph (A), by striking "or" at the end;

(2) in subparagraph (B)—

(A) in clause (viii), by adding "or" at the end; and

(B) by striking clause (x); and

(3) by adding at the end the following:

"(C) for purposes of providing services to veterans (as defined in section 101 of title 38), to an organization whose—

"(i) membership comprises substantially veterans; and

"(ii) representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38.".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 1171:

HOUSE REPORTS: No. 113–126 (Comm. on Oversight and Government Reform).
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 8, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–27
113th Congress

An Act

To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes.

Aug. 9, 2013
[H.R. 1344]

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

SECTION 1. SHORT TITLE.

Helping Heroes Fly Act.
49 USC 40101 note.

This Act may be cited as the "Helping Heroes Fly Act".

SEC. 2. OPERATIONS CENTER PROGRAM FOR SEVERELY INJURED OR DISABLED MEMBERS OF THE ARMED FORCES AND SEVERELY INJURED OR DISABLED VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

"§ 44927. Expedited screening for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans

"(a) PASSENGER SCREENING.—The Assistant Secretary, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and organizations identified by the Secretaries of Defense and Veteran Affairs that advocate on behalf of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, shall develop and implement a process to support and facilitate the ease of travel and to the extent possible provide expedited passenger screening services for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans through passenger screening. The process shall be designed to offer the individual private screening to the maximum extent practicable.

Consultation.

"(b) OPERATIONS CENTER.—As part of the process under subsection (a), the Assistant Secretary shall maintain an operations center to provide support and facilitate the movement of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans through passenger screening prior to boarding a passenger aircraft operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation.

"(c) PROTOCOLS.—The Assistant Secretary shall—

"(1) establish and publish protocols, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the organizations identified under subsection (a), under which a severely injured or disabled member of the Armed

Publication.
Consultation.

Forces or severely injured or disabled veteran, or the family member or other representative of such member or veteran, may contact the operations center maintained under subsection (b) and request the expedited passenger screening services described in subsection (a) for that member or veteran; and

Notification.

"(2) upon receipt of a request under paragraph (1), require the operations center to notify the appropriate Federal Security Director of the request for expedited passenger screening services, as described in subsection (a), for that member or veteran.

"(d) TRAINING.—The Assistant Secretary shall integrate training on the protocols established under subsection (c) into the training provided to all employees who will regularly provide the passenger screening services described in subsection (a).

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall affect the authority of the Assistant Secretary to require additional screening of a severely injured or disabled member of the Armed Forces, a severely injured or disabled veteran, or their accompanying family members or nonmedical attendants, if intelligence, law enforcement, or other information indicates that additional screening is necessary.

"(f) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Assistant Secretary shall submit to Congress a report on the implementation of this section. Each report shall include each of the following:

"(1) Information on the training provided under subsection (d).

"(2) Information on the consultations between the Assistant Secretary and the organizations identified under subsection (a).

"(3) The number of people who accessed the operations center during the period covered by the report.

"(4) Such other information as the Assistant Secretary determines is appropriate.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 449 of title 49, United States

Code, is amended by inserting after the item relating to section 44926 the following new item:

"44927. Expedited screening for severely injured or disabled members of the Armed Forces and severely injured or disabled veterans.".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 1344:

CONGRESSIONAL RECORD, Vol. 159 (2013):
May 21, considered and passed House.
Aug. 1, considered and passed Senate, amended.
Aug. 2, House concurred in Senate amendment.

Public Law 113–28
113th Congress

An Act

To amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

Aug. 9, 2013
[H.R. 1911]

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

Bipartisan Student Loan Certainty Act of 2013.
20 USC 1001 note.

1. SHORT TITLE.

This Act may be cited as the "Bipartisan Student Loan Certainty Act of 2013".

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting "AND BEFORE JULY 1, 2013" after "ON OR AFTER JULY 1, 2006";

(B) in subparagraph (A), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(C) in subparagraph (B), by inserting "and before July 1, 2013," after "on or after July 1, 2006,"; and

(D) in subparagraph (C), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

Time period.

"(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

"(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

"(ii) 8.25 percent.

"(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

"(ii) 9.5 percent.

"(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

"(ii) 10.5 percent.

"(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

"(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination. Determination. Federal Register, publication.

"(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013. 20 USC 1087e note.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall— Deadline.

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

Reports.

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 1911:

HOUSE REPORTS: No. 113–82, Pt. 1 (Comm. on Education and the Workforce).
CONGRESSIONAL RECORD, Vol. 159 (2013):
May 23, considered and passed House.
July 24, considered and passed Senate, amended.
July 31, House concurred in Senate amendment.

Public Law 113–29
113th Congress

An Act

To authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program.

Aug. 9, 2013
[H.R. 2167]

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

Reverse Mortgage Stabilization Act of 2013.
12 USC 1701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reverse Mortgage Stabilization Act of 2013".

SEC. 2. ADDITIONAL SAFETY AND SOUNDNESS REQUIREMENTS FOR HOME EQUITY CONVERSION MORTGAGE INSURANCE PROGRAM.

Subsection (h) of section 255 of the National Housing Act (12 U.S.C. 1715z–20(h)) is amended—

(1) in paragraph (1), by striking "and" at the end;

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

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

"(3) establish, by notice or mortgagee letter, any additional or alternative requirements that the Secretary, in the Secretary's discretion, determines are necessary to improve the fiscal safety and soundness of the program authorized by this section, which requirements shall take effect upon issuance.".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 2167:

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 12, considered and passed House.
July 30, considered and passed Senate.

Public Law 113–30
113th Congress

An Act

Aug. 9, 2013
[H.R. 2576]

To amend title 49, United States Code, to modify requirements relating to the availability of pipeline safety regulatory documents, and for other purposes.

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

SECTION 1. AVAILABILITY OF PIPELINE SAFETY REGULATORY DOCUMENTS.

Section 60102(p) of title 49, United States Code, is amended—
(1) by striking "1 year" and inserting "3 years";
(2) by striking "guidance or"; and
(3) by striking ", on an Internet Web site".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 2576:

HOUSE REPORTS: No. 113–153, Pt. 1 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 16, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–31
113th Congress

An Act

To designate the headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia as the "Douglas A. Munro Coast Guard Headquarters Building", and for other purposes.

Aug. 9, 2013
[H.R. 2611]

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

14 USC 1 note.

SECTION 1. DESIGNATION.

The headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia shall be known and designated as the "Douglas A. Munro Coast Guard Headquarters Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Douglas A. Munro Coast Guard Headquarters Building".

Approved August 9, 2013.

LEGISLATIVE HISTORY—H.R. 2611:

HOUSE REPORTS: No. 113–153 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 16, considered and passed House.
July 30, considered and passed Senate.

Public Law 113–32
113th Congress

An Act

Sept. 18, 2013
[S. 130]

To require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

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

Powell Shooting Range Land Conveyance Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Powell Shooting Range Land Conveyance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term "District" means the Powell Recreation District in the State of Wyoming.

(2) MAP.—The term "map" means the map entitled "Powell, Wyoming Land Conveyance Act" and dated May 12, 2011.

SEC. 3. CONVEYANCE OF LAND TO THE POWELL RECREATION DISTRICT.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, the Secretary shall convey to the District, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 322 acres of land managed by the Bureau of Land Management, Wind River District, Wyoming, as generally depicted on the map as "Powell Gun Club".

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only—

(1) as a shooting range; or

(2) for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known

as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the District to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

(f) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with subsection (d), the land shall, at the discretion of the Secretary, revert to the United States.

(g) CONDITIONS.—As a condition of the conveyance under subsection (a), the District shall agree in writing—

(1) to pay any administrative costs associated with the conveyance including the costs of any environmental, wildlife, cultural, or historical resources studies; and

(2) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the land described in subsection (b) on or before the date of enactment of this Act by the United States or any person.

Approved September 18, 2013.

LEGISLATIVE HISTORY—S. 130:

HOUSE REPORTS: No. 113–190 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–18 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 19, considered and passed Senate.
Sept. 10, considered and passed House.

Public Law 113–33
113th Congress

An Act

Sept. 18, 2013
[S. 157]

To provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

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

Denali National Park Improvement Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Denali National Park Improvement Act".

SEC. 2. KANTISHNA HILLS MICROHYDRO PROJECT; LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—The term "appurtenance" includes—

(A) transmission lines;

(B) distribution lines;

(C) signs;

(D) buried communication lines;

(E) necessary access routes for microhydro project construction, operation, and maintenance; and

(F) electric cables.

(2) KANTISHNA HILLS AREA.—The term "Kantishna Hills area" means the area of the Park located within 2 miles of Moose Creek, as depicted on the map.

(3) MAP.—The term "map" means the map entitled "Kantishna Hills Micro-Hydro Area", numbered 184/80,276, and dated August 27, 2010.

(4) MICROHYDRO PROJECT.—

(A) IN GENERAL.—The term "microhydro project" means a hydroelectric power generating facility with a maximum power generation capability of 100 kilowatts.

(B) INCLUSIONS.—The term "microhydro project" includes—

(i) intake pipelines, including the intake pipeline located on Eureka Creek, approximately ½ mile upstream from the Park Road, as depicted on the map;

(ii) each system appurtenance of the microhydro projects; and

(iii) any distribution or transmission lines required to serve the Kantishna Hills area.

(5) PARK.—The term "Park" means the Denali National Park and Preserve.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) PERMITS FOR MICROHYDRO PROJECTS.—

(1) IN GENERAL.—The Secretary may issue permits for microhydro projects in the Kantishna Hills area.

(2) TERMS AND CONDITIONS.—Each permit under paragraph (1) shall be—

(A) issued in accordance with such terms and conditions as are generally applicable to rights-of-way within units of the National Park System; and

(B) subject to such other terms and conditions as the Secretary determines to be necessary.

(3) COMPLETION OF ENVIRONMENTAL ANALYSIS.—Not later than 180 days after the date on which an applicant submits an application for the issuance of a permit under this subsection, the Secretary shall complete any analysis required by the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.) of any proposed or existing microhydro projects located in the Kantishna Hills area. Deadline.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—For the purpose of consolidating ownership of Park and Doyon Tourism, Inc. lands, including those lands affected solely by the Doyon Tourism microhydro project, and subject to paragraph (4), the Secretary may exchange Park land near or adjacent to land owned by Doyon Tourism, Inc., located at the mouth of Eureka Creek in sec. 13, T.16 S., R. 18 W., Fairbanks Meridian, for approximately 18 acres of land owned by Doyon Tourism, Inc., within the Galena patented mining claim.

(2) MAP AVAILABILITY.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) TIMING.—The Secretary shall seek to complete the exchange under this subsection by not later than February 1, 2015.

(4) APPLICABLE LAWS; TERMS AND CONDITIONS.—The exchange under this subsection shall be subject to—

(A) the laws (including regulations) and policies applicable to exchanges of land administered by the National Park Service, including the laws and policies concerning land appraisals, equalization of values, and environmental compliance; and

(B) such terms and conditions as the Secretary determines to be necessary.

(5) EQUALIZATION OF VALUES.—If the tracts proposed for exchange under this subsection are determined not to be equal in value, an equalization of values may be achieved by adjusting the quantity of acres described in paragraph (1).

(6) ADMINISTRATION.—The land acquired by the Secretary pursuant to the exchange under this subsection shall be administered as part of the Park.

SEC. 3. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term "appurtenance" includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term "appurtenance" does not include compressor stations.

(2) PARK.—The term "Park" means the Denali National Park and Preserve in the State of Alaska.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

SEC. 4. DESIGNATION OF THE WALTER HARPER TALKEETNA RANGER STATION.

(a) DESIGNATION.—The Talkeetna Ranger Station located on B Street in Talkeetna, Alaska, approximately 100 miles south of the entrance to Denali National Park, shall be known and designated as the "Walter Harper Talkeetna Ranger Station".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Talkeetna Ranger Station referred to in subsection (a) shall be

deemed to be a reference to the "Walter Harper Talkeetna Ranger Station".

Approved September 18, 2013.

LEGISLATIVE HISTORY—S. 157 (H.R. 586):

HOUSE REPORTS: No. 113–192 and 113–217 accompanying H.R. 586 (both from Comm. on Natural Resources).
SENATE REPORTS: No. 113–19 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 19, considered and passed Senate.
Sept. 10, considered and passed House.

Public Law 113–34
113th Congress

An Act

Sept. 18, 2013
[S. 256]

To amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

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

SECTION 1. AMENDMENT.

(a) IN GENERAL.—The first section and section 2 of Public Law 93–435 (48 U.S.C. 1705, 1706) are amended by inserting "the Commonwealth of the Northern Mariana Islands," after "Guam," each place it appears.

48 USC 1705 note.

(b) REFERENCES TO DATE OF ENACTMENT.—For the purposes of the amendment made by subsection (a), each reference in Public Law 93–435 to the "date of enactment" shall be considered to be a reference to the date of the enactment of this section.

SEC. 2. ADJUSTMENT OF SCHEDULED WAGE INCREASES IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Section 8103(b)(1)(B) of the Fair Minimum Wage Act of 2007 (29 U.S.C. 206 note; Public Law 110–28) is amended by striking "2011" and inserting "2011, 2013, and 2015".

Approved September 18, 2013.

LEGISLATIVE HISTORY—S. 256:

SENATE REPORTS: No. 113–55 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Aug. 1, considered and passed Senate.
Sept. 10, considered and passed House.

Public Law 113–35
113th Congress

An Act

To direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

Sept. 18, 2013
[S. 304]

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

Natchez Trace Parkway Land Conveyance Act of 2013.
16 USC 460 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Natchez Trace Parkway Land Conveyance Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term "map" means the map entitled "Natchez Trace Parkway, Proposed Boundary Change", numbered 604/105392, and dated November 2010.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STATE.—The term "State" means the State of Mississippi.

SEC. 3. LAND CONVEYANCE.

(a) CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall convey to the State, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(2) COMPATIBLE USE.—The deed of conveyance to the parcel of land that is located southeast of U.S. Route 61/84 and which is commonly known as the "bean field property" shall reserve an easement to the United States restricting the use of the parcel to only those uses which are compatible with the Natchez Trace Parkway.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are the 2 parcels totaling approximately 67 acres generally depicted as "Proposed Conveyance" on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 4. BOUNDARY ADJUSTMENTS.

(a) EXCLUSION OF CONVEYED LAND.—On completion of the conveyance to the State of the land described in section 3(b), the boundary of the Natchez Trace Parkway shall be adjusted to exclude the conveyed land.

(b) INCLUSION OF ADDITIONAL LAND.—

Effective date.

(1) IN GENERAL.—Effective on the date of enactment of this Act, the boundary of the Natchez Trace Parkway is adjusted to include the approximately 10 acres of land that is generally depicted as "Proposed Addition" on the map.

(2) ADMINISTRATION.—The land added under paragraph (1) shall be administered by the Secretary as part of the Natchez Trace Parkway.

Approved September 18, 2013.

LEGISLATIVE HISTORY—S. 304:

HOUSE REPORTS: No. 113–191 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–25 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 19, considered and passed Senate.
Sept. 10, considered and passed House.

Public Law 113–36
113th Congress

An Act

To modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

Sept. 18, 2013
[S. 459]

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

Minuteman Missile National Historic Site Boundary Modification Act. 16 USC 461 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Minuteman Missile National Historic Site Boundary Modification Act".

SEC. 2. BOUNDARY MODIFICATION.

Section 3(a) of the Minuteman Missile National Historic Site Establishment Act of 1999 (16 U.S.C. 461 note; Public Law 106–115) is amended—

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

(2) by inserting after paragraph (2) the following:

"(3) VISITOR FACILITY AND ADMINISTRATIVE SITE.—

"(A) IN GENERAL.—In addition to the components described in paragraph (2), the historic site shall include a visitor facility and administrative site located on the parcel of land described in subparagraph (B).

"(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) consists of—

"(i) approximately 25 acres of land within the Buffalo Gap National Grassland, located north of exit 131 on Interstate 90 in Jackson County, South Dakota, as generally depicted on the map entitled 'Minuteman Missile National Historic Site Boundary Modification', numbered 406/80,011A, and dated January 14, 2011; and

"(ii) approximately 3.65 acres of land located at the Delta 1 Launch Control Facility for the construction and use of a parking lot and for other administrative uses.

"(C) AVAILABILITY OF MAP.—The map described in subparagraph (B) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service.

"(D) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the historic site.

"(E) BOUNDARY ADJUSTMENT.—The boundaries of the Buffalo Gap National Grassland are modified to exclude the land transferred under subparagraph (D).".

Approved September 18, 2013.

LEGISLATIVE HISTORY—S. 459:

HOUSE REPORTS: No. 113–193 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–32 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
June 19, considered and passed Senate.
Sept. 10, considered and passed House.

Public Law 113–37
113th Congress

An Act

To amend title 38, United States Code, to extend certain expiring authorities affecting veterans and their families, and for other purposes.

Sept. 30, 2013
[H.R. 1412]

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

Department of Veterans Affairs Expiring Authorities Act of 2013.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Veterans Affairs Expiring Authorities Act of 2013".

SEC. 2. EXTENSIONS OF EXPIRING AUTHORITIES AFFECTING VETERANS AND THEIR FAMILIES.

(a) EXTENSION OF AUTHORITY TO PROVIDE MONTHLY ASSISTANCE ALLOWANCE TO VETERANS WITH DISABILITY INVITED BY UNITED STATES OLYMPIC COMMITTEE.—

(1) IN GENERAL.—Section 322(d)(4) of title 38, United States Code, is amended by inserting "and $500,000 for the period beginning October 1, 2013, and ending December 31, 2013" after "2013". Time period.

(2) TECHNICAL CORRECTION.—Section 322 of such title is amended by striking "United States Paralympics, Inc.," each place it appears and inserting "United States Olympic Committee".

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE FOR UNITED STATES OLYMPIC COMMITTEE.—

(1) IN GENERAL.—Section 521A of such title is amended—

(A) in subsection (g), by inserting "and $2,000,000 for the period beginning October 1, 2013, and ending December 31, 2013" after "2013"; and Time period.

(B) in subsection (l), by striking "The Secretary may only provide assistance under this section during fiscal years 2010 through 2013." and inserting "The Secretary may not provide assistance under this section after December 31, 2013.". Termination date.

(2) TECHNICAL CORRECTION.—Such section is further amended—

(A) except in subsection (d)(4), by striking "United States Paralympics, Inc.," each place it appears and inserting "United States Olympic Committee";

(B) in subsection (d)(4), by striking "United States Paralympics, Inc." and inserting "United States Olympic Committee"; and

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

"(m) APPLICABILITY TO COMMONWEALTHS AND TERRITORIES OF UNITED STATES.—The provisions of this section and section 322

of this title shall apply with respect to the following in the same manner and to the same degree as the United States Olympic Committee:

"(1) The American Samoa National Olympic Committee.

"(2) Guam National Olympic Committee.

"(3) Comité Olímpico de Puerto Rico.

"(4) Such entities as the Secretary considers appropriate to represent the interests of the Northern Mariana Islands and the United States Virgin Islands under this section and section 322 of this title.".

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by striking the item relating to section 521A and inserting the following new item:

"521A. Assistance for United States Olympic Committee.".

(c) EXTENSION OF AUTHORITY FOR COLLECTION OF COPAYMENTS FOR HOSPITAL CARE AND NURSING HOME CARE.—Section 1710(f)(2)(B) of such title is amended by striking "September 30, 2013" and inserting "September 30, 2014".

(d) EXTENSION OF AUTHORITY FOR RECOVERY FROM THIRD PARTIES OF COST OF CARE AND SERVICES FURNISHED TO VETERANS WITH HEALTH-PLAN CONTRACTS FOR NON-SERVICE-CONNECTED DISABILITY.—Section 1729(a)(2)(E) of such title is amended by striking "October 1, 2013" and inserting "October 1, 2014".

(e) EXTENSIONS OF AUTHORITIES AFFECTING HOMELESS VETERANS.—

(1) HOMELESS VETERANS REINTEGRATION PROGRAMS.—Section 2021(e)(1)(F) of such title is amended by striking "2013" and inserting "2014".

(2) REFERRAL AND COUNSELING SERVICES: VETERANS AT RISK OF HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.—Section 2023(d) of such title is amended—

(A) by inserting "to enter into a contract" before "to provide"; and

(B) by striking "September 30, 2013" and inserting "September 30, 2014".

(f) EXTENSION OF PREVIOUSLY FULLY-FUNDED AUTHORITIES AFFECTING HOMELESS VETERANS.—

(1) COMPREHENSIVE SERVICE PROGRAMS.—Section 2013 of such title is amended by striking paragraph (6) and inserting the following new paragraphs:

"(6) $250,000,000 for fiscal year 2014.

"(7) $150,000,000 for fiscal year 2015 and each subsequent fiscal year.".

(2) FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.—Section 2044(e)(1)(E) of such title is amended by striking "for fiscal year 2013" and inserting "for each of fiscal years 2013 and 2014".

(3) GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.—Section 2061(d)(1) of such title is amended by striking "through 2013" and inserting "through 2014".

(g) EXTENSION OF TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY WITH AMBULATING.—Section 2101(a)(4) of such title is amended—

(1) by striking "The Secretary's" and inserting "(A) Except as provided in subparagraph (B), the Secretary's";

(2) in subparagraph (A), as designated by paragraph (1), by striking "September 30, 2013" and inserting "September 30, 2014"; and

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

"(B) In fiscal year 2014, the Secretary may not approve more than 30 applications for assistance under paragraph (1) for disabled veterans described in paragraph (2)(A)(ii).".

(h) EXTENSION OF AUTHORITY TO CALCULATE NET VALUE OF REAL PROPERTY SECURING DEFAULTED LOAN FOR PURPOSES OF LIQUIDATION.—Section 3732(c)(11) of such title is amended by striking "October 1, 2013" and inserting "October 1, 2014".

(i) EXTENSION OF PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.—Section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1710 note) is amended—

(1) in subsection (e), by striking "2-year" and inserting "3-year"; and

(2) in subsection (h), by striking "and 2011" and inserting "and 2014".

SEC. 3. REAUTHORIZATION OF USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.

(a) SECRETARY OF HEALTH AND HUMAN SERVICES.—Section 453(j)(11) of the Social Security Act (42 U.S.C. 653(j)(11)) is amended by striking subparagraph (G) and inserting the following new subparagraph (G):

"(G) EXPIRATION OF AUTHORITY.—The authority under this paragraph shall be in effect as follows: Time periods.

"(i) During the period beginning on December 26, 2007, and ending on November 18, 2011.

"(ii) During the period beginning on the date of the enactment of the Department of Veterans Affairs Expiring Authorities Act of 2013 and ending 180 days after that date.".

(b) SECRETARY OF VETERANS AFFAIRS.—Section 5317A of title 38, United States Code, is amended by striking subsection (d) and inserting the following new subsection (d):

"(d) EXPIRATION OF AUTHORITY.—The authority under this section shall be in effect as follows: Time periods.

"(1) During the period beginning on December 26, 2007, and ending on November 18, 2011.

"(2) During the period beginning on the date of the enactment of the Department of Veterans Affairs Expiring Authorities Act of 2013 and ending 180 days after that date.".

SEC. 4. EFFECTIVE DATE AND RATIFICATION. 38 USC 322 note.

(a) EFFECTIVE DATE.—This Act shall take effect on October 1, 2013, except that Section 2 (a) shall take effect on September 30, 2013.

(b) RATIFICATION.—If this Act is not enacted on or before September 30, 2013, any actions undertaken by the Department of Veterans Affairs under the authorities extended by this Act during the period beginning on such date and ending on the date of the enactment of this Act shall be deemed ratified. Time period.

SEC. 5. SCORING OF BUDGETARY EFFECTS.

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

Approved September 30, 2013.

LEGISLATIVE HISTORY—H.R. 1412:

HOUSE REPORTS: No. 113–64 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD, Vol. 159 (2013):
May 21, considered and passed House.
Sept. 23, considered and passed Senate, amended.
Sept. 27, House concurred in Senate amendments.

Public Law 113–38
113th Congress

An Act

To amend the Missing Children's Assistance Act, and for other purposes.

Sept. 30, 2013
[H.R. 3092]

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

E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013. 42 USC 5601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013".

SEC. 2. AMENDMENTS.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively, and

(2) by inserting after paragraph (2) the following:

"(3) many missing children are runaways;".

(b) DUTIES AND FUNCTIONS OF ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a)—

(A) in paragraph(5)—

(i) by striking "Representatives, and" and inserting "Representatives, the Committee on Education and the Workforce of the House of Representatives,", and

(ii) by inserting ", and the Committee on the Judiciary of the Senate" after "Senate",

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

(C) by inserting after paragraph (3) the following:

"(4) coordinate with the United States Interagency Council on Homelessness to ensure that homeless services professionals are aware of educational resources and assistance provided by the Center regarding child sexual exploitation;",

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (C)—

(I) by striking "and" after "governments,", and

(II) by inserting "State and local educational agencies," after "agencies,",

(ii) in subparagraph (R) by striking "and" at the end,

(iii) in subparagraph (S) by striking the period at the end and inserting a semicolon, and

(iv) by adding at the end the following:

"(T) provide technical assistance and training to State and local law enforcement agencies and statewide clearinghouses to coordinate with State and local educational agencies in identifying and recovering missing children;

"(U) assist the efforts of law enforcement agencies in coordinating with child welfare agencies to respond to foster children missing from the State welfare system; and

"(V) provide technical assistance to law enforcement agencies and first responders in identifying, locating, and recovering victims of, and children at risk for, child sex trafficking.", and

(B) by amending paragraph (2) to read as follows:

"(2) LIMITATION.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, no Federal funds may be used to pay the compensation of an individual employed by the Center if such compensation, as determined at the beginning of each grant year, exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) for that year. The Center may compensate an employee at a higher rate provided the amount in excess of this limitation is paid with non-Federal funds.

"(B) DEFINITION OF COMPENSATION.—For the purpose of this paragraph, the term 'compensation'—

"(i) includes salary, bonuses, periodic payments, severance pay, the value of a compensatory or paid leave benefit not excluded by clause (ii), and the fair market value of any employee perquisite or benefit not excluded by clause (ii); and

"(ii) excludes any Center expenditure for health, medical, or life insurance, or disability or retirement pay, including pensions benefits.",

(3) in subsection (c)(1)—

(A) by striking "periodically" and inserting "triennially", and

(B) by striking "kidnapings" and inserting "kidnappings", and

(4) in subsection (c)(2) by inserting ", in compliance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g)" after "birth certificates".

(c) GRANTS.—Section 405(a) of the Missing Children's Assistance Act (42 U.S.C. 5775(a)) is amended—

(1) in paragraph (1) by inserting "schools, school leaders, teachers, State and local educational agencies, homeless shelters and service providers," after "children,", and

(2) in paragraph (3) by inserting "and schools" after "communities".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 407 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended—

(1) in subsection (a) by striking "such" and all that follows through the period at the end, and inserting "$40,000,000 for each of the fiscal years 2014 through 2018, up to $32,200,000 of which shall be used to carry out section 404(b) for each such fiscal year.", and

(2) by striking "**SEC. 407**" and inserting "**SEC. 408**".

SEC. 4. OVERSIGHT AND ACCOUNTABILITY.

The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended by inserting after section 406 the following:

"SEC. 407. OVERSIGHT AND ACCOUNTABILITY. 42 USC 5776a.

"All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following: Grants.

"(1) AUDIT REQUIREMENT.—For 2 of the fiscal years in the period of fiscal years 2014 through 2018, the Inspector General of the Department of Justice shall conduct audits of the recipient of grants under this title to prevent waste, fraud, and abuse by the grantee. Time period.

"(2) MANDATORY EXCLUSION.—If the recipient of grant funds under this title is found to have an unresolved audit finding, then that entity shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (4).

"(3) REPAYMENT OF GRANT FUNDS.—If an entity is awarded grant funds under this title during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

"(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

"(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

"(4) DEFINED TERM.—In this section, the term 'unresolved audit finding' means an audit report finding in the final report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued. Time period.

"(5) NONPROFIT ORGANIZATION REQUIREMENTS.—

"(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term 'nonprofit', relating to an entity, means the entity is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

"(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in off-shore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

"(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title and uses the procedures prescribed in regulations under section 53.4958–6 of title 26 of the Code of Federal Regulations to create a rebuttable presumption of reasonableness of the compensation for its officers, directors, trustees and key employees, shall disclose to the Attorney General the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation,

the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information available for public inspection.

"(6) CONFERENCE EXPENDITURES.—

"(A) LIMITATION.—No amounts authorized to be appropriated under this title may be used to host or support any expenditure for conferences that uses more than $20,000 unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy director as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

Estimate.

"(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

"(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the Committee on Education and the Workforce of the House of Representatives on all conference expenditures approved by operation of this paragraph.

"(7) PROHIBITION ON LOBBYING ACTIVITY.—

"(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

"(i) lobby any representative of the Department of Justice regarding the award of any grant funding; or

"(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

"(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

"(i) require the grant recipient to repay the grant in full; and

"(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

"(C) CLARIFICATION.—For purposes of this paragraph, submitting an application for a grant under this title shall

not be considered lobbying activity in violation of subparagraph (A).".

Approved September 30, 2013.

LEGISLATIVE HISTORY—H.R. 3092:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 17, considered and passed House.
Sept. 24, considered and passed Senate.

Public Law 113–39
113th Congress

An Act

Sept. 30, 2013
[H.R. 3210]

Making continuing appropriations for military pay in the event of a Government shutdown.

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

Pay Our Military Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pay Our Military Act".

SEC. 2. CONTINUING APPROPRIATIONS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—There are hereby appropriated for fiscal year 2014, out of any money in the Treasury not otherwise appropriated, for any period during which interim or full-year appropriations for fiscal year 2014 are not in effect—

(1) such sums as are necessary to provide pay and allowances to members of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code), including reserve components thereof, who perform active service during such period;

(2) such sums as are necessary to provide pay and allowances to the civilian personnel of the Department of Defense (and the Department of Homeland Security in the case of the Coast Guard) whom the Secretary concerned determines are providing support to members of the Armed Forces described in paragraph (1); and

(3) such sums as are necessary to provide pay and allowances to contractors of the Department of Defense (and the Department of Homeland Security in the case of the Coast Guard) whom the Secretary concerned determines are providing support to members of the Armed Forces described in paragraph (1).

(b) SECRETARY CONCERNED DEFINED.—In this section, the term "Secretary concerned" means—

(1) the Secretary of Defense with respect to matters concerning the Department of Defense; and

(2) the Secretary of Homeland Security with respect to matters concerning the Coast Guard.

SEC. 3. TERMINATION.

Appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation (including a continuing appropriation) for any purpose for which amounts are made available in section 2; (2) the enactment into

law of the applicable regular or continuing appropriations resolution or other Act without any appropriation for such purpose; or (3) January 1, 2015.

Approved September 30, 2013.

LEGISLATIVE HISTORY—H.R. 3210:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 28, considered and passed House.
Sept. 30, considered and passed Senate.

Public Law 113–40
113th Congress

An Act

Oct. 2, 2013
[H.R. 527]

To amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

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

Helium Stewardship Act of 2013.
50 USC 167 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Helium Stewardship Act of 2013".

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended to read as follows:

"SEC. 2. DEFINITIONS.

"In this Act:

"(1) CLIFFSIDE FIELD.—The term 'Cliffside Field' means the helium storage reservoir in which the Federal Helium Reserve is stored.

"(2) FEDERAL HELIUM PIPELINE.—The term 'Federal Helium Pipeline' means the federally owned pipeline system through which helium for the Federal Helium Reserve may be transported.

"(3) FEDERAL HELIUM RESERVE.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

"(4) FEDERAL HELIUM SYSTEM.—The term 'Federal Helium System' means—

"(A) the Federal Helium Reserve;

"(B) the Cliffside Field;

"(C) the Federal Helium Pipeline; and

"(D) all other infrastructure owned, leased, or managed under contract by the Secretary for the storage, transportation, withdrawal, enrichment, purification, or management of helium.

"(5) FEDERAL USER.—The term 'Federal user' means a Federal agency or extramural holder of one or more Federal research grants using helium.

"(6) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide.

"(7) PERSON.—The term 'person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision.

"(8) PRIORITY PIPELINE ACCESS.—The term 'priority pipeline access' means the first priority of delivery of crude helium under which the Secretary schedules and ensures the delivery of crude helium to a helium refinery through the Federal Helium System.

"(9) QUALIFIED BIDDER.—

"(A) IN GENERAL.—The term 'qualified bidder' means a person the Secretary determines is seeking to purchase helium for their own use, refining, or redelivery to users.

"(B) EXCLUSION.—The term 'qualified bidder' does not include a person who was previously determined to be a qualified bidder if the Secretary determines that the person did not meet the requirements of a qualified bidder under this Act.

"(10) QUALIFYING DOMESTIC HELIUM TRANSACTION.—The term 'qualifying domestic helium transaction' means any agreement entered into or renegotiated agreement during the preceding 1-year period in the United States for the purchase or sale of at least 15,000,000 standard cubic feet of crude or pure helium to which any holder of a contract with the Secretary for the acceptance, storage, delivery, or redelivery of crude helium from the Federal Helium System is a party.

"(11) REFINER.—The term 'refiner' means a person with the ability to take delivery of crude helium from the Federal Helium Pipeline and refine the crude helium into pure helium.

"(12) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.".

SEC. 3. AUTHORITY OF SECRETARY.

Section 3 of the Helium Act (50 U.S.C. 167a) is amended by adding at the end the following:

"(c) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be credited to the Helium Production Fund established under section 6(e).".

SEC. 4. STORAGE, WITHDRAWAL AND TRANSPORTATION.

Section 5 of the Helium Act (50 U.S.C. 167c) is amended to read as follows:

"SEC. 5. STORAGE, WITHDRAWAL AND TRANSPORTATION.

"(a) IN GENERAL.—If the Secretary provides helium storage, withdrawal, or transportation services to any person, the Secretary shall impose a fee on the person that accurately reflects the economic value of those services. Fees.

"(b) MINIMUM FEES.—The fees charged under subsection (a) shall be not less than the amount required to reimburse the Secretary for the full costs of providing storage, withdrawal, or transportation services, including capital investments in upgrades and maintenance at the Federal Helium System.

"(c) SCHEDULE OF FEES.—Prior to sale or auction under subsection (a), (b), or (c) of section 6, the Secretary shall annually publish a standardized schedule of fees that the Secretary will charge under this section. Deadline. Publication.

"(d) TREATMENT.—All fees received by the Secretary under this section shall be credited to the Helium Production Fund established under section 6(e).

"(e) STORAGE AND DELIVERY.—In accordance with this section, the Secretary shall—

"(1) allow any person or qualified bidder to which crude helium is sold or auctioned under section 6 to store helium in the Federal Helium Reserve; and

"(2) establish a schedule for the transportation and delivery of helium using the Federal Helium System that—

"(A) ensures timely delivery of helium auctioned pursuant to section 6(b)(2);

"(B) ensures timely delivery of helium acquired from the Secretary from the Federal Helium Reserve by means other than an auction under section 6(b)(2), including non-allocated sales; and

"(C) provides priority access to the Federal Helium Pipeline for in-kind sales for Federal users.

"(f) NEW PIPELINE ACCESS.—The Secretary shall consider any applications for access to the Federal Helium Pipeline in a manner consistent with the schedule for phasing out commercial sales and disposition of assets pursuant to section 6.".

SEC. 5. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

"SEC. 6. SALE OF CRUDE HELIUM.

"(a) PHASE A: ALLOCATION TRANSITION.—

"(1) IN GENERAL.—The Secretary shall offer crude helium for sale in such quantities, at such times, at not less than the minimum price established under subsection (b)(7), and under such terms and conditions as the Secretary determines necessary to carry out this subsection with minimum market disruption.

"(2) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

Applicability.

"(3) DURATION.—This subsection applies during—

"(A) the period beginning on the date of enactment of the Helium Stewardship Act of 2013 and ending on September 30, 2014; and

"(B) any period during which the sale of helium under subsection (b) is delayed or suspended.

"(b) PHASE B: AUCTION IMPLEMENTATION.—

Determination.

"(1) IN GENERAL.—The Secretary shall offer crude helium for sale in quantities not subject to auction under paragraph (2), after completion of each auction, at not less than the minimum price established under paragraph (7), and under such terms and conditions as the Secretary determines necessary—

"(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

"(B) to maximize the total financial return to the taxpayer;

"(C) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

"(D) to give priority to meeting the helium demand of Federal users in the event of any disruption to the Federal Helium Reserve; and

"(E) to carry out this subsection with minimum market disruption.

"(2) AUCTION QUANTITIES.—For the period described in paragraph (4) and consistent with the conditions described in paragraph (8), the Secretary shall annually auction to any qualified bidder a quantity of crude helium in the Federal Helium Reserve equal to— Deadline.

"(A) for fiscal year 2015, 10 percent of the total volume of crude helium made available for that fiscal year;

"(B) for each of fiscal years 2016 through 2019, a percentage of the total volume of crude helium that is 15 percentage points greater than the percentage made available for the previous fiscal year; and

"(C) for fiscal year 2020 and each fiscal year thereafter, 100 percent of the total volume of crude helium made available for that fiscal year.

"(3) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

"(4) DURATION.—This subsection applies during the period— Applicability.

"(A) beginning on October 1, 2014; and

"(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

"(5) SAFETY VALVE.—The Secretary may adjust the quantities specified in paragraph (2)— Determination.

"(A) downward, if the Secretary determines the adjustment necessary—

"(i) to minimize market disruptions that pose a threat to the economic well-being of the United States; and

"(ii) only after submitting a written justification of the adjustment to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives; or

"(B) upward, if the Secretary determines the adjustment necessary to increase participation in crude helium auctions or returns to the taxpayer.

"(6) AUCTION FORMAT.—The Secretary shall conduct each auction using a method that maximizes revenue to the Federal Government.

"(7) PRICES.—The Secretary shall annually establish, as applicable, separate sale and minimum auction prices under subsection (a)(1) and paragraphs (1) and (2) using, if applicable and in the following order of priority: Deadline.

"(A) The sale price of crude helium in auctions held by the Secretary under paragraph (2).

"(B) Price recommendations and disaggregated data from a qualified, independent third party who has no conflict of interest, who shall conduct a confidential survey of qualifying domestic helium transactions.

"(C) The volume-weighted average price of all crude helium and pure helium purchased, sold, or processed by persons in all qualifying domestic helium transactions.

"(D) The volume-weighted average cost of converting gaseous crude helium into pure helium.

"(8) TERMS AND CONDITIONS.—

"(A) IN GENERAL.—The Secretary shall require all persons that are parties to a contract with the Secretary for the withdrawal, acceptance, storage, transportation, delivery, or redelivery of crude helium to disclose, on a strictly confidential basis—

"(i) the volumes and associated prices in dollars per thousand cubic feet of all crude and pure helium purchased, sold, or processed by persons in qualifying domestic helium transactions;

"(ii) the volumes and associated costs in dollars per thousand cubic feet of converting crude helium into pure helium; and

"(iii) refinery capacity and future capacity estimates.

Effective date.

"(B) CONDITION.—As a condition of sale or auction to a refiner under subsection (a)(1) and paragraphs (1) and (2), effective beginning 90 days after the date of enactment of the Helium Stewardship Act of 2013, the refiner shall make excess refining capacity of helium available at commercially reasonable rates to—

"(i) any person prevailing in auctions under paragraph (2); and

"(ii) any person that has acquired crude helium from the Secretary from the Federal Helium Reserve by means other than an auction under paragraph (2) after the date of enactment of the Helium Stewardship Act of 2013, including nonallocated sales.

"(9) USE OF INFORMATION.—The Secretary may use the information collected under this Act—

"(A) to approximate crude helium prices; and

"(B) to ensure the recovery of fair value for the taxpayers of the United States from sales of crude helium.

"(10) PROTECTION OF CONFIDENTIALITY.—The Secretary shall adopt such administrative policies and procedures as the Secretary considers necessary and reasonable to ensure the confidentiality of information submitted pursuant to this Act.

Effective date.
Determination.

"(11) FORWARD AUCTIONS.—Effective beginning in fiscal year 2016, the Secretary may conduct a forward auction once each fiscal year of a quantity of helium that is equal to up to 10 percent of the volume of crude helium to be made available at auction during the following fiscal year if the Secretary determines that the forward auction will—

"(A) not cause a disruption in the supply of helium from the Reserve;

"(B) represent a cost-effective action;

"(C) generate greater returns for taxpayers; and

"(D) increase the effectiveness of price discovery.

"(12) SALE SCHEDULE AND FREQUENCY.—For fiscal year 2015 the Secretary shall conduct only one auction, which shall precede, and one sale, which shall take place no later than August 1, 2014, with full and final payment for the sale being made no later than September 26, 2014. Consistent with the annual volumes established under paragraph (2), effective beginning in fiscal year 2016, the Secretary may conduct auctions twice during each fiscal year if the Secretary determines that the auction frequency will— Deadlines. Effective date. Determination.

"(A) not cause a disruption in the supply of helium from the Reserve;

"(B) represent a cost-effective action;

"(C) generate greater returns for taxpayers; and

"(D) increase the effectiveness of price discovery.

"(13) ONE-TIME SALE.—

"(A) IN GENERAL.—Notwithstanding paragraph (4)(A), the Secretary shall hold a one-time sale of helium, no later than August 1, 2014 from amounts available in fiscal year 2016 pursuant to this section. Full and final payment for the sale must be made no later than 45 days after the date the sale takes place. Deadlines.

"(B) VOLUME SOLD.—The volume of helium sold under this paragraph—

"(i) shall be at least 250 million cubic feet; and

"(ii) shall be made available for sale consistent with paragraph (2)(B).

"(c) PHASE C: CONTINUED ACCESS FOR FEDERAL USERS.—

"(1) IN GENERAL.—The Secretary shall offer crude helium for sale to Federal users in such quantities, at such times, at such prices required to reimburse the Secretary for the full costs of the sales, and under such terms and conditions as the Secretary determines necessary to carry out this subsection. Determination.

"(2) FEDERAL PURCHASES.—Federal users may purchase refined helium with priority pipeline access under this subsection from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium at the in-kind price from the Secretary.

"(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(4)(B).

"(d) PHASE D: DISPOSAL OF ASSETS.—

"(1) IN GENERAL.—Not earlier than 2 years after the date of commencement of Phase C described in subsection (c) and not later than September 30, 2021, the Secretary shall designate as excess property and dispose of all facilities, equipment, and other real and personal property, and all interests in the same, held by the United States in the Federal Helium System. Deadlines.

"(2) APPLICABLE LAW.—The disposal of the property described in paragraph (1) shall be in accordance with subtitle I of title 40, United States Code.

"(3) PROCEEDS.—All proceeds accruing to the United States by reason of the sale or other disposal of the property described in paragraph (1) shall be treated as funds received under this Act for purposes of subsection (e).

"(4) COSTS.—All costs associated with the sale and disposal (including costs associated with termination of personnel) and with the cessation of activities under this subsection shall be paid from amounts available in the Helium Production Fund established under subsection (e).

"(e) HELIUM PRODUCTION FUND.—

"(1) IN GENERAL.—All amounts received under this Act, including amounts from the sale or auction of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes determined to be necessary and cost effective by the Secretary to carry out this Act (other than sections 16, 17, and 18), including capital investments in upgrades and maintenance at the Federal Helium System, including—

"(A) well head maintenance at the Cliffside Field;

"(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field;

"(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, enrichment, transportation, purification, and sale of crude helium from the Federal Helium Reserve;

"(D) entering into purchase, lease, or other agreements to drill new or uncap existing wells to maximize the recovery of crude helium from the Federal Helium System; and

"(E) any other scheduled or unscheduled maintenance of the Federal Helium System.

Determination.

"(2) EXCESS FUNDS.—Amounts in the Helium Production Fund in excess of amounts the Secretary determines to be necessary to carry out paragraph (1) shall be paid to the general fund of the Treasury and used to reduce the annual Federal budget deficit.

"(3) RETIREMENT OF PUBLIC DEBT.—Out of amounts paid to the general fund of the Treasury under paragraph (2), the Secretary of the Treasury shall use $51,000,000 to retire public debt.

"(4) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2013 and annually thereafter, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing all expenditures by the Bureau of Land Management to carry out this Act.

"(f) MINIMUM QUANTITY.—The Secretary shall offer for sale or auction during each fiscal year under subsections (a), (b), and (c) a quantity of crude helium that is the lesser of—

"(1) the quantity of crude helium offered for sale by the Secretary during fiscal year 2012; or

"(2) the maximum total production capacity of the Federal Helium System.".

SEC. 6. INFORMATION, ASSESSMENT, RESEARCH, AND STRATEGY.

The Helium Act (50 U.S.C. 167 et seq.) is amended—

Repeal.

(1) by repealing section 15 (50 U.S.C. 167m);

(2) by redesignating section 17 (50 U.S.C. 167 note) as section 20; and

(3) by inserting after section 14 (50 U.S.C. 167l) the following:

"SEC. 15. INFORMATION. 50 USC 167m.

"(a) TRANSPARENCY.—The Secretary, acting through the Bureau of Land Management, shall make available on the Internet information relating to the Federal Helium System that includes—

"(1) continued publication of an open market and in-kind price;

"(2) aggregated projections of excess refining capacity;

"(3) ownership of helium held in the Federal Helium Reserve;

"(4) the volume of helium delivered to persons through the Federal Helium Pipeline;

"(5) pressure constraints of the Federal Helium Pipeline;

"(6) an estimate of the projected date when 3,000,000,000 standard cubic feet of crude helium will remain in the Federal Helium Reserve and the final phase described in section 6(c) will begin;

"(7) the amount of the fees charged under section 5;

"(8) the scheduling of crude helium deliveries through the Federal Helium Pipeline; and

"(9) other factors that will increase transparency.

"(b) REPORTING.—Not later than 90 days after the date of enactment of the Helium Stewardship Act of 2013, to provide the market with appropriate and timely information affecting the helium resource, the Director of the Bureau of Land Management shall establish a timely and public reporting process to provide data that affects the helium industry, including—

"(1) annual maintenance schedules and quarterly updates, that shall include—

"(A) the date and duration of planned shutdowns of the Federal Helium Pipeline;

"(B) the nature of work to be undertaken on the Federal Helium System, whether routine, extended, or extraordinary;

"(C) the anticipated impact of the work on the helium supply;

"(D) the efforts being made to minimize any impact on the supply chain; and

"(E) any concerns regarding maintenance of the Federal Helium Pipeline, including the pressure of the pipeline or deviation from normal operation of the pipeline;

"(2) for each unplanned outage, a description of—

"(A) the beginning of the outage;

"(B) the expected duration of the outage;

"(C) the nature of the problem;

"(D) the estimated impact on helium supply;

"(E) a plan to correct problems, including an estimate of the potential timeframe for correction and the likelihood of plan success within the timeframe;

"(F) efforts to minimize negative impacts on the helium supply chain; and

"(G) updates on repair status and the anticipated online date;

"(3) monthly summaries of meetings and communications between the Bureau of Land Management and the Cliffside

Refiners Limited Partnership, including a list of participants and an indication of any actions taken as a result of the meetings or communications; and

"(4) current predictions of the lifespan of the Federal Helium System, including how much longer the crude helium supply will be available based on current and forecasted demand and the projected maximum production capacity of the Federal Helium System for the following fiscal year.

50 USC 167n.

"SEC. 16. HELIUM GAS RESOURCE ASSESSMENT.

Deadline.

"(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary, acting through the Director of the United States Geological Survey, shall—

"(1) in coordination with appropriate heads of State geological surveys—

"(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

"(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

"(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

"(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

"(A) an assessment of trends in global demand for helium, including the isotope helium-3;

"(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, commercial, manufacturing, space technologies, cryogenics, and national defense; and

"(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

Reports.

"(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

50 USC 167o.

"SEC. 17. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION.

"(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

"(1) to expand the domestic production of low-Btu gas and helium resources;

"(2) to separate and capture helium from natural gas streams; and

"(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

"(b) PROGRAMS.—

"(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

"(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

"(A) low-Btu gas production streams; and

"(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

"(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Advanced Manufacturing Office of the Department of Energy, shall carry out a research program—

"(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium for all medical, scientific, industrial, commercial, aerospace, and other uses of helium in the United States, including Federal uses; and

"(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000.

"SEC. 18. HELIUM-3 SEPARATION.

50 USC 167p.

"(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium and other potential sources, including—

"(1) gas analysis; and

"(2) infrastructure studies.

"(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of—

"(1) establishing a facility to separate the isotope helium-3 from crude helium; and

"(2) exploring other potential sources of the isotope helium-3.

"(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2013, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000.

50 USC 167q.

"SEC. 19. FEDERAL AGENCY HELIUM ACQUISITION STRATEGY.

Deadline. Reports.

"In anticipation of the implementation of Phase D described in section 6(d), and not later than 2 years after the date of enactment of the Helium Stewardship Act of 2013, the Secretary (in consultation with the Secretary of Energy, the Secretary of Defense, the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Director of the National Institutes of Health, and other agencies as appropriate) shall submit to Congress a report that provides for Federal users—

"(1) an assessment of the consumption of, and projected demand for, crude and refined helium;

"(2) a description of a 20-year Federal strategy for securing access to helium;

"(3) a determination of a date prior to September 30, 2021, for the implementation of Phase D as described in section 6(d) that minimizes any potential supply disruptions for Federal users;

"(4) an assessment of the effects of increases in the price of refined helium and methods and policies for mitigating any determined effects; and

"(5) a description of a process for prioritization of uses that accounts for diminished availability of helium supplies that may occur over time.".

SEC. 7. CONFORMING AMENDMENTS.

(a) Section 4 of the Helium Act (50 U.S.C. 167b) is amended by striking "section 6(f)" each place it appears in subsections (c)(3), (c)(4), and (d)(2) and inserting "section 6(e)".

Repeal.

(b) Section 8 of the Helium Act (50 U.S.C. 167f) is repealed.

50 USC 167 note.

SEC. 8. EXISTING AGREEMENTS.

(a) IN GENERAL.—This Act and the amendments made by this Act shall not affect or diminish the rights and obligations of the Secretary of the Interior and private parties under agreements in existence on the date of enactment of this Act, except to the extent that the agreements are renewed or extended after that date.

(b) DELIVERY.—No agreement described in subsection (a) shall affect or diminish the right of any party that purchases helium after the date of enactment of this Act in accordance with section 6 of the Helium Act (50 U.S.C. 167d) (as amended by section 5) to receive delivery of the helium in accordance with section 5(e)(2) of the Helium Act (50 U.S.C. 167c(e)(2)) (as amended by section 4).

50 USC 167 note.

SEC. 9. REGULATIONS.

The Secretary of the Interior shall promulgate such regulations as are necessary to carry out this Act and the amendments made by this Act, including regulations necessary to prevent unfair acts and practices.

SEC. 10. AMENDMENTS TO OTHER LAWS.

(a) SECURE RURAL SCHOOLS AND COMMUNITY SELF DETERMINATION PROGRAM.—

(1) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(A) AVAILABILITY OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking "2012" each place it appears and inserting "2013".

(B) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(i) in paragraph (1)(A), by striking "2012" and inserting "2013"; and

(ii) in paragraph (2)(B), by striking "2012" each place it appears and inserting "2013".

(C) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking "and 2012" and inserting "through 2013".

(2) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 is amended—

(A) in section 203(a)(1) (16 U.S.C. 7123(a)(1)), by striking "2012" and inserting "2013";

(B) in section 204(e)(3)(B)(iii) (16 U.S.C. 7124(e)(3)(B)(iii)), by striking "2012" and inserting "2013";

(C) in section 205(a)(4) (16 U.S.C. 7125(a)(4)), by striking "2011" each place it appears and inserting "2012";

(D) in section 207(a) (16 U.S.C. 7127(a)), by striking "2012" and inserting "2013"; and

(E) in section 208 (16 U.S.C. 7128)—

(i) in subsection (a), by striking "2012" and inserting "2013"; and

(ii) in subsection (b), by striking "2013" and inserting "2014".

(3) CONTINUATION OF AUTHORITY TO RESERVE AND USE COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking "2012" and inserting "2013"; and

(B) in subsection (b), by striking "2013" and inserting "2014".

(4) AUTHORIZATION OF APPROPRIATIONS.—Section 402 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7152) is amended by striking "2012" and inserting "2013".

(b) ABANDONED WELL REMEDIATION.—Section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907) is amended by adding at the end the following:

"(i) FEDERALLY DRILLED WELLS.—Out of any amounts in the Treasury not otherwise appropriated, $10,000,000 for fiscal year 2014, $36,000,000 for fiscal year 2015, and $4,000,000 for fiscal year 2019 shall be made available to the Secretary, without further appropriation and to remain available until expended, to remediate, reclaim, and close abandoned oil and gas wells on current or former National Petroleum Reserve land.".

(c) NATIONAL PARKS MAINTENANCE BACKLOG.—Section 814(g) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1f) is amended by adding at the end the following:

"(4) AVAILABLE FUNDS.—Out of any amounts in the Treasury not otherwise appropriated, $20,000,000 shall be made available to the Secretary of the Interior for fiscal year 2018, and $30,000,000 shall be made available to the Secretary of the Interior for fiscal year 2019, without further appropriation and to remain available until expended, to pay the Federal funding share of challenge cost-share agreements for deferred maintenance projects and to correct deficiencies in National Park Service infrastructure.

"(5) COST-SHARE REQUIREMENT.—Not less than 50 percent of the total cost of project for funds made available under paragraph (4) to pay the Federal funding share shall be derived from non-Federal sources, including in-kind contribution of goods and services fairly valued.".

(d) ABANDONED MINE RECLAMATION FUND.—Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by adding at the end the following:

"(6) SUPPLEMENTAL FUNDING.—

"(A) WAIVER OF LIMITATION.—Notwithstanding paragraph (5), the limitation on the total annual payments to a certified State or Indian tribe under this subsection shall not apply for fiscal years 2014 and 2015.

"(B) LIMITATION ON WAIVER.—Notwithstanding subparagraph (A), the total annual payment to a certified State or Indian tribe under this subsection for fiscal year 2014 shall not be more than $28,000,000 and for fiscal year 2015 shall not be more than $75,000,000.

"(C) INSUFFICIENT AMOUNTS.—If the total annual payment to a certified State or Indian tribe under paragraphs (1) and (2) is limited by subparagraph (B), the Secretary shall—

"(i) give priority to making payments under paragraph (2); and

"(ii) use any remaining funds to make payments under paragraph (1).".

30 USC 262 note.

(e) SODA ASH ROYALTIES.—Notwithstanding section 24 of the Mineral Leasing Act (30 U.S.C. 262) and the terms of any lease under that Act, the royalty rate on the quantity of gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 2-year period beginning on the date of enactment of this Act shall be 4 percent.

(f) AUTHORIZATION OFFSET.—Section 207(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17022(c)) is amended by inserting before the period at the end the following: ", except that the amount authorized to be appropriated to carry out this section not appropriated as of the date of enactment of

the Helium Stewardship Act of 2013 shall be reduced by $6,000,000".

Approved October 2, 2013.

LEGISLATIVE HISTORY—H.R. 527:

HOUSE REPORTS: No. 113–42 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Apr. 25, 26, considered and passed House.
Sept. 19, considered and passed Senate, amended.
Sept. 25, House concurred in Senate amendment with an amendment pursuant to H. Res. 354.
Sept. 26, Senate concurred in House amendment.

Public Law 113–41
113th Congress

An Act

Oct. 2, 2013
[S. 793]

To support revitalization and reform of the Organization of American States, and for other purposes.

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

Organization of American States Revitalization and Reform Act of 2013.
22 USC 290q note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Organization of American States Revitalization and Reform Act of 2013".

22 USC 290q note.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Charter of the Organization of American States recognizes that—

(A) representative democracy is indispensable for the stability, peace, and development of the Western Hemisphere; and

(B) a purpose of the Organization of American States is to promote and consolidate representative democracy, with due respect for the principle of nonintervention.

(2) The United States supports the purposes and principles enshrined in—

(A) the Charter of the Organization of American States;

(B) the Inter-American Democratic Charter; and

(C) the American Declaration on the Rights and Duties of Man.

(3) The United States supports the Organization of American States in its efforts with all member states to meet our commitments under the instruments set forth in paragraph (2).

(4) Congress supports the Organization of American States as it operates in a manner consistent with the Inter-American Democratic Charter.

22 USC 290q note.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to promote democracy and the rule of law throughout the Western Hemisphere;

(2) to promote and protect human rights and fundamental freedoms in the Western Hemisphere; and

(3) to support the practices, purposes, and principles expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, the Inter-American Democratic Charter, and other fundamental instruments of democracy.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Organization of American States (OAS) should be the primary multi-lateral diplomatic entity for regional dispute resolution and promotion of democratic governance and institutions;

(2) the OAS is a valuable platform from which to launch initiatives aimed to benefit the countries of the Western Hemisphere;

(3) the Summit of the Americas institution and process embodies a valuable complement to regional dialogue and cooperation;

(4) the Summit of the Americas process should be formally and more effectively integrated into the work of the OAS, the Inter-American Development Bank, and other Members of the Joint Summit Working Group, and the OAS should play a central role in overseeing and managing the Summit process;

(5) the OAS General Assembly and the Summit of the Americas events should be combined geographically and chronologically in the years in which they coincide;

(6) the OAS has historically accepted too many mandates from its member states, resulting in both lack of clarity on priorities and loss of institutional focus, which in turn has reduced the effectiveness of the organization;

(7) to ensure an appropriate balance of priorities, the OAS should review its core functions no less than annually and seek opportunities to reduce the number of mandates not directly related to its core functions;

(8) key OAS strengths lie in strengthening peace and security, promoting and consolidating representative democracy, regional dispute resolution, election assistance and monitoring, fostering economic growth and development cooperation, facilitating trade, combating illicit drug trafficking and transnational crime, and support for the Inter-American Human Rights System;

(9) the core competencies referred to in paragraph (8) should remain central to the strategic planning process of the OAS and the consideration of future mandates;

(10) any new OAS mandates should be accepted by the member states only after an analysis is conducted and formally presented consisting of a calculation of the financial costs associated with the mandate, an assessment of the comparative advantage of the OAS in the implementation of the mandate, and a description of the ways in which the mandate advances the organization's core mission;

(11) any new mandates should include, in addition to the analysis described in paragraph (10), an identification of the source of funding to be used to implement the mandate;

(12) the OAS would benefit from enhanced coordination between the OAS and the Inter-American Development Bank on issues that relate to economic development;

(13) the OAS would benefit from standard reporting requirements for each project and grant agreement;

(14) the OAS would benefit from effective implementation of—

(A) transparent and merit-based human resource standards and processes; and

(B) transparent hiring, firing, and promotion standards and processes, including with respect to factors such as gender and national origin; and

(15) it is in the interest of the United States, OAS member states, and a modernized OAS to move toward an assessed fee structure that assures the financial sustainability of the organization and establishes, not later than five years after the date of the enactment of this Act, that no member state pays more than 50 percent of the organization's assessed fees.

22 USC 290q.

SEC. 5. ORGANIZATION OF AMERICAN STATES REVITALIZATION AND REFORM STRATEGY.

(a) STRATEGY.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a multiyear strategy that—

(A) identifies a path toward the adoption of necessary reforms that prioritize and reinforce the OAS's core competencies described in section 4(8);

(B) outlines an approach to secure from the OAS effective adoption of—

(i) a results-based budgeting process in order to strategically prioritize, and where appropriate, reduce current and future mandates; and

(ii) transparent hiring, firing, and promotion practices;

(C) reflects the inputs and coordination from other Executive Branch agencies, as appropriate; and

(D) identifies a path toward the adoption of necessary reforms that would—

(i) lead to an assessed fee structure in which no member state would pay more than 50 percent of the OAS's assessed yearly fees; and

(ii) seek to minimize the negative financial impact on the OAS and its operations.

(2) POLICY PRIORITIES AND COORDINATION.—The Secretary of State shall—

(A) carry out diplomatic engagement to build support for reforms and budgetary burden sharing among OAS member states and observers; and

(B) promote donor coordination among OAS member states.

(b) BRIEFINGS.—The Secretary of State shall offer to the committees referred to in subsection (a)(1) a quarterly briefing that—

(1) reviews assessed and voluntary contributions;

(2) analyzes the progress made by the OAS to adopt and effectively implement a results-based budgeting process in order to strategically prioritize, and where appropriate, reduce current and future mandates;

(3) analyzes the progress made by the OAS to adopt and effectively implement transparent and merit-based human resource standards and practices and transparent hiring, firing,

and promotion standards and processes, including with respect to factors such as gender and national origin;

(4) analyzes the progress made by the OAS to adopt and effectively implement a practice of soliciting member quotas to be paid on a schedule that will improve the consistency of its operating budget; and

(5) analyzes the progress made by the OAS to review, streamline, and prioritize mandates to focus on core missions and make efficient and effective use of available funding.

Approved October 2, 2013.

LEGISLATIVE HISTORY—S. 793:

HOUSE REPORTS: No. 113–43 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 8, considered and passed Senate.
Sept. 17, considered and passed House, amended.
Sept. 24, Senate concurred in House amendment.

Public Law 113–42
113th Congress

An Act

Oct. 4, 2013
[H.R. 3233]

To extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas.

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

SECTION 1. SHORT-TERM EXTENSION OF SPECIAL IMMIGRANT PROGRAM.

Section 1244(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (8 U.S.C. 1157 note) is amended by adding at the end the following:

"(C) FISCAL YEAR 2014.—

"(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the total number of principal aliens who may be provided special immigrant status under this section during the first 3 months of fiscal year 2014 shall be the sum of—

"(I) the number of aliens described in subsection (b) whose application for special immigrant status under this section is pending on September 30, 2013; and

"(II) 2,000.

"(ii) EMPLOYMENT PERIOD.—The 1-year period during which the principal alien is required to have been employed by or on behalf of the United States Government in Iraq under subsection (b)(1)(B) shall begin on or after March 20, 2003, and end on or before September 30, 2013.

"(iii) APPLICATION DEADLINE.—The principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with subsection (b)(4) not later than December 31, 2013.".

8 USC 1351 note.

SEC. 2. TEMPORARY FEE INCREASE FOR CERTAIN CONSULAR SERVICES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of State, not later than January 1, 2014, shall increase the fee or surcharge authorized under section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note) by $1 for processing machine-readable nonimmigrant visas and machine-readable combined border crossing identification cards and nonimmigrant visas.

(b) DEPOSIT OF AMOUNTS.—Notwithstanding section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note), the additional amount collected pursuant the fee increase authorized under subsection (a) shall be deposited in the general fund of the Treasury.

(c) SUNSET PROVISION.—The fee increase authorized under subsection (a) shall terminate on the date that is 2 years after the first date on which such increased fee is collected.

Approved October 4, 2013.

LEGISLATIVE HISTORY—H.R. 3233 (S. 1566):

CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 2, considered and passed House.
Oct. 3, considered and passed Senate.

Public Law 113–43
113th Congress

An Act

Oct. 4, 2013
[S. 1348]

To reauthorize the Congressional Award Act.

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

Congressional Award Program Reauthorization Act of 2013.
2 USC 801 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Award Program Reauthorization Act of 2013".

2 USC 808 note.

SEC. 2. TERMINATION.

Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking "October 1, 2013" and inserting "October 1, 2018".

SEC. 3. EFFECTIVE DATE.

This Act shall take effect as of October 1, 2013.

Approved October 4, 2013.

LEGISLATIVE HISTORY—S. 1348:
SENATE REPORTS: No. 113–109 (Comm. on Homeland Security and Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 26, considered and passed Senate.
Sept. 30, considered and passed House.

Public Law 113–44
113th Congress

Joint Resolution

Making continuing appropriations for death gratuities and related survivor benefits for survivors of deceased military service members of the Department of Defense for fiscal year 2014, and for other purposes.

Oct. 10, 2013
[H.J. Res. 91]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for death gratuities and related benefits for survivors of deceased military service members of the Department of Defense for fiscal year 2014, and for other purposes, namely:

Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014.

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided for fiscal year 2013 in the Department of Defense Appropriations Act, 2013 (division C of Public Law 113–6) and under the authority and conditions provided in such Act, for "Operation and Maintenance" and "Military Personnel" accounts for continuing the following projects and activities that are not otherwise specifically provided for in this joint resolution or the Pay Our Military Act (Public Law 113–39), and for which appropriations, funds, or other authority were made available by the Department of Defense Appropriations Act, 2013:

(1) The payment of a death gratuity under sections 1475–1477 and 1489 of title 10, United States Code.

(2) The payment or reimbursement for funeral and burial expenses authorized under sections 1481 and 1482 of title 10, United States Code.

(3) The payment or reimbursement of authorized funeral travel and travel related to the dignified transfer of remains and unit memorial services under section 481f of title 37, United States Code.

(4) The temporary continuation of a basic allowance of housing for dependents of members dying on active duty, as authorized by section 403(l) of title 37, United States Code.

(b) The rate for operations provided by subsection (a) for each program or activity shall be calculated to reflect the full amount of any reduction required in fiscal year 2013 pursuant to—

(1) any provision of division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6), including section 3004; and

(2) the Presidential sequestration order dated March 1, 2013, except as attributable to budget authority made available by the Disaster Relief Appropriations Act, 2013 (Public Law 113–2).

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

Expiration date.

SEC. 103. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2014, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2014 without any provision for such project or activity; or (3) December 15, 2013.

SEC. 104. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 105. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 106. It is the sense of Congress that this joint resolution may also be referred to as the "Honoring the Families of Fallen Soldiers Act".

This joint resolution may be cited as the "Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014".

Approved October 10, 2013.

LEGISLATIVE HISTORY—H.J. Res. 91:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 9, considered and passed House.
Oct. 10, considered and passed Senate.

Public Law 113–45
113th Congress

An Act

To ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding, and for other purposes.

Oct. 15, 2013
[H.R. 3095]

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

SECTION 1. COMMERCIAL MOTOR VEHICLE OPERATOR REQUIREMENTS RELATING TO SLEEP DISORDERS.

49 USC 31305 note.

(a) IN GENERAL.—The Secretary of Transportation may implement or enforce a requirement providing for the screening, testing, or treatment (including consideration of all possible treatment alternatives) of individuals operating commercial motor vehicles for sleep disorders only if the requirement is adopted pursuant to a rulemaking proceeding.

(b) APPLICABILITY.—Subsection (a) shall not apply to a requirement that was in force before September 1, 2013.

(c) SLEEP DISORDERS DEFINED.—In this section, the term "sleep disorders" includes obstructive sleep apnea.

Approved October 15, 2013.

LEGISLATIVE HISTORY—H.R. 3095:

HOUSE REPORTS: No. 113–225 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 25, 26, considered and passed House.
Oct. 4, considered and passed Senate.

Public Law 113–46
113th Congress

An Act

Oct. 17, 2013
[H.R. 2775]

Making continuing appropriations for the fiscal year ending September 30, 2014, and for other purposes.

Continuing Appropriations Act, 2014.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2014, and for other purposes, namely:

DIVISION A—CONTINUING APPROPRIATIONS ACT, 2014

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2013 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2013, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 (division A of Public Law 113–6), except section 735.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 (division B of Public Law 113–6).

(3) The Department of Defense Appropriations Act, 2013 (division C of Public Law 113–6).

(4) The Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6).

(5) The Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 (division E of Public Law 113–6).

(6) The Full-Year Continuing Appropriations Act, 2013 (division F of Public Law 113–6).

(b) The rate for operations provided by subsection (a) for each account shall be calculated to reflect the full amount of any reduction required in fiscal year 2013 pursuant to—

(1) any provision of division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6), including section 3004; and

(2) the Presidential sequestration order dated March 1, 2013, except as attributable to budget authority made available by—

(A) sections 140(b) or 141(b) of the Continuing Appropriations Resolution, 2013 (Public Law 112–175); or

(B) the Disaster Relief Appropriations Act, 2013 (Public Law 113–2).

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2013 or prior years; (2) the increase in production rates above those sustained with fiscal year 2013 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2013.

Contracts.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2013.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Expiration date.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2014, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2014 without any provision for such project or activity; or (3) January 15, 2014.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2014 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

Continuation.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2013, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2013, to be continued through the date specified in section 106(3).

Deadline.

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2013 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

Furloughs.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2013, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Of the amounts made available by section 101 for "Social Security Administration, Limitation on Administrative Expenses" for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and

Emergency Deficit Control Act of 1985, as amended, and $469,639,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

(c) Section 5 of Public Law 113–6 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism. Applicability.

SEC. 115. (a) Employees furloughed as a result of any lapse in appropriations which begins on or about October 1, 2013, shall be compensated at their standard rate of compensation, for the period of such lapse in appropriations, as soon as practicable after such lapse in appropriations ends. Furloughs. Compensation.

(b) For purposes of this section, "employee" means:

(1) a federal employee;

(2) an employee of the District of Columbia Courts;

(3) an employee of the Public Defender Service for the District of Columbia; or

(4) a District of Columbia Government employee.

(c) All obligations incurred in anticipation of the appropriations made and authority granted by this joint resolution for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government functions, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this joint resolution.

SEC. 116. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government— Furloughs. States.

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period; Compensation.

(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and Reimbursement.

(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

(b) For purposes of this section, the term "State" and the term "grantee" shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, "to continue carrying out a Federal program" means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

(c) The authority under this section applies with respect to any period in fiscal year 2014 (not limited to periods beginning or ending after the date of the enactment of this joint resolution) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this Applicability. Time period.

section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

SEC. 117. Expenditures made pursuant to the Pay Our Military Act (Public Law 113–39) shall be charged to the applicable appropriation, fund, or authorization provided in this joint resolution.

Coverage date.

SEC. 118. For the purposes of this joint resolution, the time covered by this joint resolution shall be considered to have begun on October 1, 2013.

Applicability.

SEC. 119. Section 3003 of division G of Public Law 113–6 shall be applied to funds appropriated by this joint resolution by substituting "fiscal year 2014" for "fiscal year 2013" each place it appears.

Applicability.

SEC. 120. Section 408 of the Food for Peace Act (7 U.S.C. 1736b) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "December 31, 2012".

SEC. 121. Amounts made available under section 101 for "Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction" may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

Continuation.

SEC. 122. The authority provided by sections 1205 and 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) shall continue in effect, notwithstanding subsection (h) of section 1206, through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2014 for military activities of the Department of Defense.

102 Stat. 4014.

SEC. 123. Section 3(a)(6) of Public Law 100–676 is amended by striking both occurrences of "$775,000,000" and inserting in lieu thereof, "$2,918,000,000".

Applicability.

SEC. 124. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2012".

SEC. 125. Notwithstanding section 101, amounts are provided for "The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Salaries and Expenses" at a rate of operations of $4,820,181,000: *Provided*, That notwithstanding section 302 of Division C, of Public Law 112–74 as continued by Public Law 113–6, not to exceed $25,000,000 shall be available for transfer between accounts to maintain minimum operating levels.

SEC. 126. Notwithstanding section 101, amounts are provided for "The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Defender Services" at a rate for operations of $1,012,000,000.

SEC. 127. Notwithstanding any other provision of this joint resolution, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2786 (113th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act 20–127), as modified as of the date of the enactment of this joint resolution.

SEC. 128. Section 302 of the Universal Service Anti-deficiency Temporary Suspension Act is amended by striking "December 31, 2013", each place it appears and inserting "January 15, 2014". 118 Stat. 3998.

SEC. 129. Notwithstanding section 101, amounts are provided for the "Privacy and Civil Liberties Oversight Board" at a rate for operations of $3,100,000.

SEC. 130. For the period covered by this joint resolution, section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "October 4, 2013". Applicability.

SEC. 131. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this joint resolution. Continuation.

SEC. 132. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this joint resolution. Continuation.

SEC. 133. (a) Any amounts made available pursuant to section 101 for "Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses", "Department of Homeland Security—U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology", "Department of Homeland Security—U.S. Customs and Border Protection—Air and Marine Operations", and "Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses" shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection Officers, equivalent to the staffing levels achieved on September 30, 2013, and comply with the last proviso under the heading "Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses" in division D of Public Law 113–6;

(2) sustain border security operations, including sustaining the operation of Tethered Aerostat Radar Systems;

(3) sustain necessary Air and Marine operations; and

(4) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to the staffing levels achieved on September 30, 2013, and comply with the sixth proviso under the heading "Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses" in division D of Public Law 113–6.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section. Notification.

SEC. 134. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting "11 years" for "10 years". Applicability.

SEC. 135. In addition to the amount otherwise provided by section 101 for "Department of the Interior—Department-wide Programs—Wildland Fire Management", there is appropriated $36,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That of the funds provided, $15,000,000 is for burned area rehabilitation: *Provided further*, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the Committees on Appropriations of the House Wildfires. Notification.

of Representatives and the Senate in writing of the need for these additional funds: *Provided further*, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

Wildfires.

SEC. 136. In addition to the amount otherwise provided by section 101 for "Department of Agriculture—Forest Service—Wildland Fire Management", there is appropriated $600,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: *Provided*, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: *Provided further*, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

Notification.

Continuation.

SEC. 137. The authority provided by section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) shall continue in effect through the date specified in section 106(3) of this joint resolution.

Continuation.

SEC. 138. (a) The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as amended, shall continue in effect through the date specified in section 106(3) of this joint resolution.

(b) For the period covered by this joint resolution, the authority provided by the provisos under the heading "Dwight D. Eisenhower Memorial Commission—Capital Construction" in division E of Public Law 112–74 shall not be in effect.

Continuation.

SEC. 139. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b)) shall continue through the date specified in section 106(3) of this joint resolution in the manner authorized for fiscal year 2013, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

Applicability.

SEC. 140. Notwithstanding section 101, the matter under the heading "Department of Labor—Mine Safety and Health Administration—Salaries and Expenses" in division F of Public Law 112–74 shall be applied to funds appropriated by this joint resolution by substituting "is authorized to collect and retain up to $2,499,000" for "may retain up to $1,499,000".

Applicability.

SEC. 141. The first proviso under the heading "Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance" in division F of Public Law 112–74 shall be applied to amounts made available by this joint resolution by substituting "2014" for "2012".

SEC. 142. Amounts provided by section 101 for "Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance" may be obligated up to a rate for operations necessary to maintain program operations at the level provided in fiscal year 2013, as necessary to accommodate increased demand.

SEC. 143. During the period covered by this joint resolution, amounts provided under section 101 for "Department of Health

and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund" may be obligated at a rate necessary to assure timely execution of planned advanced research and development contracts pursuant to section 319L of the Public Health Service Act, to remain available until expended, for expenses necessary to support advanced research and development pursuant to section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) and other administrative expenses of the Biomedical Advanced Research and Development Authority.

SEC. 144. Subsection (b) of section 163 of Public Law 111–242, as amended, is further amended by striking "2013–2014" and inserting "2015–2016". 20 USC 7801 note.

SEC. 145. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to Bonnie Englebardt Lautenberg, widow of Frank R. Lautenberg, late a Senator from New Jersey, $174,000. Bonnie Englebardt Lautenberg.

SEC. 146. Notwithstanding any other provision of law, no adjustment shall be made under section 610(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2014. Pay freeze. 2 USC 31 note.

SEC. 147. Notwithstanding section 101, amounts are provided for "Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration" at a rate for operations of $2,455,490,000.

SEC. 148. The authority provided by the penultimate proviso under the heading "Department of Housing and Urban Development—Rental Assistance Demonstration" in division C of Public Law 112–55 shall continue in effect through the date specified in section 106(3) of this joint resolution. Continuation.

SEC. 149. Notwithstanding section 101, amounts are provided for "Department of Transportation—Federal Aviation Administration—Operations", at a rate for operations of $9,248,418,000.

SEC. 150. Section 601(e)(1)(B) of division B of Public Law 110–432 shall be applied by substituting the date specified in section 106(3) for "4 years after such date". Applicability.

SEC. 151. Notwithstanding section 101, amounts are provided for "Maritime Administration—Maritime Security Program", at a rate for operations of $186,000,000.

SEC. 152. Section 44302 of title 49, United States Code, is amended in paragraph (f) by deleting "September 30, 2013, and may extend through December 31, 2013" and inserting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" in lieu thereof.

SEC. 153. Section 44303 of title 49, United States Code, is amended in paragraph (b) by deleting "December 31, 2013" and inserting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" in lieu thereof.

SEC. 154. Section 44310 of title 49, United States Code, is amended by deleting "December 31, 2013" and inserting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" in lieu thereof.

SEC. 155. Notwithstanding any other provision of law, the Secretary of Transportation may obligate not more than $450,000,000 of the amounts made available to carry out section 125 of title 23, United States Code, under chapter 9 of title X of division A of the Disaster Relief Appropriations Act, 2013 (Public Law 113–2; 127 Stat. 34) under the heading "EMERGENCY RELIEF Colorado.

PROGRAM" under the heading "FEDERAL-AID HIGHWAYS" under the heading "FEDERAL HIGHWAY ADMINISTRATION" for emergency relief projects in the State of Colorado arising from damage caused by flooding events in that State in calendar year 2013: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 156. Notwithstanding any other provision of this division, any reference in this division to "this joint resolution" shall be deemed a reference to "this Act".

Deadline. Reports. Expenditure plan.

SEC. 157. Fourteen days after the Department of Homeland Security submits a report or expenditure plan required under this division to the Committees on Appropriations of the Senate and House of Representatives, the Secretary shall submit a copy of that report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

DIVISION B—OTHER MATTERS

VERIFICATION OF HOUSEHOLD INCOME AND OTHER QUALIFICATIONS FOR THE PROVISION OF ACA PREMIUM AND COST-SHARING SUBSIDIES

Certification. 42 USC 18081 note.

SEC. 1001. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services (referred to in this section as the "Secretary") shall ensure that American Health Benefit Exchanges verify that individuals applying for premium tax credits under section 36B of the Internal Revenue Code of 1986 and reductions in cost-sharing under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) are eligible for such credits and cost sharing reductions consistent with the requirements of section 1411 of such Act (42 U.S.C. 18081), and, prior to making such credits and reductions available, the Secretary shall certify to the Congress that the Exchanges verify such eligibility consistent with the requirements of such Act.

(b) REPORT BY SECRETARY.—Not later than January 1, 2014, the Secretary shall submit a report to the Congress that details the procedures employed by American Health Benefit Exchanges to verify eligibility for credits and cost-sharing reductions described in subsection (a).

(c) REPORT BY INSPECTOR GENERAL.—Not later than July 1, 2014, the Inspector General of the Department of Health and Human Services shall submit to the Congress a report regarding the effectiveness of the procedures and safeguards provided under the Patient Protection and Affordable Care Act for preventing the submission of inaccurate or fraudulent information by applicants for enrollment in a qualified health plan offered through an American Health Benefit Exchange.

DEFAULT PREVENTION

Default Prevention Act of 2013. 31 USC 3101 note. Public debt. Deadline.

SEC. 1002. (a) SHORT TITLE.—This section may be cited as the "Default Prevention Act of 2013".

(b) CERTIFICATION.—Not later than 3 days after the date of enactment of this Act, the President may submit to Congress a written certification that absent a suspension of the limit under section 3101(b) of title 31, United States Code, the Secretary of

the Treasury would be unable to issue debt to meet existing commitments.

(c) SUSPENSION.—

(1) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date on which the President submits to Congress a certification under subsection (b) and ending on February 7, 2014. Time period.

(2) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING SUSPENSION PERIOD.—Effective February 8, 2014, the limitation in section 3101(b) of title 31, United States Code, as increased by section 3101A of such title and section 2 of the No Budget, No Pay Act of 2013 (31 U.S.C. 3101 note), is increased to the extent that— Effective date.

(A) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on February 8, 2014, exceeds

(B) the face amount of such obligations outstanding on the date of enactment of this Act.

An obligation shall not be taken into account under subparagraph (A) unless the issuance of such obligation was necessary to fund a commitment incurred by the Federal Government that required payment before February 8, 2014.

(d) DISAPPROVAL.—If there is enacted into law within 22 calendar days after Congress receives a written certification by the President under subsection (b) a joint resolution disapproving the President's exercise of authority to suspend the debt ceiling under subsection (e), effective on the date of enactment of the joint resolution, subsection (c) is amended to read as follows: Deadline. Effective date.

"(c) SUSPENSION.—

"(1) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date on which the President submits to Congress a certification under subsection (b) and ending on the date of enactment of the joint resolution pursuant to section 1002(e) of the Continuing Appropriations Act, 2014. Certification.

"(2) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING SUSPENSION PERIOD.—Effective on the day after the date of enactment of the joint resolution pursuant to section 1002(e) of the Continuing Appropriations Act, 2014, the limitation in section 3101(b) of title 31, United States Code, as increased by section 3101A of such title and section 2 of the No Budget, No Pay Act of 2013 (31 U.S.C. 3101 note), is increased to the extent that— Effective date.

"(A) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on the day after the date of enactment of the joint resolution pursuant to section 1002(e) of the Continuing Appropriations Act, 2014, exceeds

"(B) the face amount of such obligations outstanding on the date of enactment of this Act.

An obligation shall not be taken into account under subparagraph (A) unless the issuance of such obligation was necessary to fund a commitment incurred by the Federal Government that required payment before the day after the date of enactment of the joint resolution pursuant to section 1002(e) of the Continuing Appropriations Act, 2014.".

(e) DISAPPROVAL PROCESS.—

(1) CONTENTS OF JOINT RESOLUTION.—For the purpose of this subsection, the term "joint resolution" means only a joint resolution—

Deadline.

(A) disapproving the President's exercise of authority to suspend the debt limit that is introduced within 14 calendar days after the date on which the President submits to Congress the certification under subsection (b);

(B) which does not have a preamble;

(C) the title of which is only as follows: "Joint resolution relating to the disapproval of the President's exercise of authority to suspend the debt limit, as submitted under section 1002(b) of the Continuing Appropriations Act, 2014 on _____" (with the blank containing the date of such submission); and

(D) the matter after the resolving clause of which is only as follows: "That Congress disapproves of the President's exercise of authority to suspend the debt limit, as exercised pursuant to the certification under section 1002(b) of the Continuing Appropriations Act, 2014.".

(2) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House of Representatives without amendment not later than 5 calendar days after the date of introduction of a joint resolution described in paragraph (1). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(B) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House of Representatives or has been discharged from its consideration, it shall be in order, not later than the sixth day after introduction of a joint resolution under paragraph (1), to move to proceed to consider the joint resolution in the House of Representatives. All points of order against the motion are waived. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed on a joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

Waiver.

(C) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the

Waiver.

joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(3) EXPEDITED PROCEDURE IN SENATE.—

(A) RECONVENING.—Upon receipt of a certification under subsection (b), if the Senate would otherwise be adjourned, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this subsection, the Senate shall convene not later than the thirteenth calendar day after receipt of such certification. Notification. Deadline.

(B) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be immediately placed on the calendar.

(C) FLOOR CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the day after the date on which Congress receives a certification under subsection (b) and ending on the 6th day after the date of introduction of a joint resolution under paragraph (1) (even if a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of. Time period. Waiver.

(ii) CONSIDERATION.—Consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(iii) VOTE ON PASSAGE.—If the Senate has voted to proceed to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(4) AMENDMENT NOT IN ORDER.—A joint resolution of disapproval considered pursuant to this subsection shall not be subject to amendment in either the House of Representatives or the Senate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—

(A) IN GENERAL.—If, before passing the joint resolution, one House receives from the other a joint resolution—

(i) the joint resolution of the other House shall not be referred to a committee; and

(ii) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House, except that the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If the Senate fails to introduce or consider a joint resolution under this subsection, the joint resolution of the House of Representatives shall be entitled to expedited floor procedures under this subsection.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—

Time period.

(i) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President signs, allows to become law without his signature, or vetoes and returns the joint resolution (but excluding days when either House is not in session) shall be disregarded in computing the calendar day period described in subsection (d).

(ii) DEBATE ON A VETO MESSAGE.—Debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

Applicability.

(A) 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 joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) 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.

This Act may be cited as the "Continuing Appropriations Act, 2014".

Approved October 17, 2013.

LEGISLATIVE HISTORY—H.R. 2775:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 12, considered and passed House.
Oct. 16, considered and passed Senate, amended; House concurred in Senate amendments.

Public Law 113–47
113th Congress

An Act

Oct. 31, 2013
[H.R. 3190]

To provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

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

United States Parole Commission Extension Act of 2013.
18 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Parole Commission Extension Act of 2013".

18 USC 3551 note.

SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.

For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98–473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to "26 years" or "26-year period" shall be deemed a reference to "31 years" or "31-year period", respectively.

SEC. 3. PAROLE COMMISSION REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following for fiscal years 2012 and 2013:

(1) The number of offenders in each type of case over which the Commission has jurisdiction, including the number of Sexual or Violent Offender Registry offenders and Tier Levels offenders.

(2) The number of hearings, record reviews and National Appeals Board considerations conducted by the Commission in each type of case over which the Commission has jurisdiction.

(3) The number of hearings conducted by the Commission by type of hearing in each type of case over which the Commission has jurisdiction.

(4) The number of record reviews conducted by the Commission by type of consideration in each type of case over which the Commission has jurisdiction.

(5) The number of warrants issued and executed compared to the number requested in each type of case over which the Commission has jurisdiction.

(6) The number of revocation determinations by the Commission in each type of case over which the Commission has jurisdiction.

(7) The distribution of initial offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

(8) The distribution of subsequent offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

(9) The percentage of offenders paroled or re-paroled compared with the percentage of offenders continued to expiration of sentence (less any good time) in each type of case over which the Commission has jurisdiction.

(10) The percentage of cases (except probable cause hearings and hearings in which a continuance was ordered) in which the primary and secondary examiner disagreed on the appropriate disposition of the case (the amount of time to be served before release), the release conditions to be imposed, or the reasons for the decision in each type of case over which the Commission has jurisdiction.

(11) The percentage of decisions within, above, or below the Commission's decision guidelines for Federal initial hearings (28 CFR 2.20) and Federal and D.C. Code revocation hearings (28 CFR 2.21).

(12) The percentage of revocation and non-revocation hearings in which the offender is accompanied by a representative in each type of case over which the Commission has jurisdiction.

(13) The number of administrative appeals and the action of the National Appeals Board in relation to those appeals in each type of case over which the Commission has jurisdiction.

(14) The projected number of Federal offenders that will be under the Commission's jurisdiction as of October 31, 2018.

(15) An estimate of the date on which no Federal offenders will remain under the Commission's jurisdiction.

(16) The Commission's annual expenditures for offenders in each type of case over which the Commission has jurisdiction.

(17) The annual expenditures of the Commission, including travel expenses and the annual salaries of the members and staff of the Commission.

(b) SUCCEEDING FISCAL YEARS.—For each of fiscal years 2014 through 2018, not later than 90 days after the end of the fiscal year, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the items in paragraphs (1) through (17) of subsection (a), for the fiscal year.

(c) DISTRICT OF COLUMBIA PAROLE FAILURE RATE REPORT.—Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following:

(1) The parole failure rate for the District of Columbia for the last full fiscal year immediately preceding the date of the report.

(2) The factors that cause that parole failure rate.

(3) Remedial measures that might be undertaken to reduce that parole failure rate.

Approved October 31, 2013.

LEGISLATIVE HISTORY—H.R. 3190:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 14, considered and passed House.
Oct. 30, considered and passed Senate.

Public Law 113–48
113th Congress

An Act

To amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

Nov. 13, 2013
[H.R. 2094]

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

School Access to Emergency Epinephrine Act. 42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "School Access to Emergency Epinephrine Act".

SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES THAT ALLOW TRAINED SCHOOL PERSONNEL TO ADMINISTER EPINEPHRINE.

Section 399L(d) of part P of title III of the Public Health Service Act (42 U.S.C. 280g(d)) is amended—

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

"(F) SCHOOL PERSONNEL ADMINISTRATION OF EPINEPHRINE.—In determining the preference (if any) to be given to a State under this subsection, the Secretary shall give additional preference to a State that provides to the Secretary the certification described in subparagraph (G) and that requires that each public elementary school and secondary school in the State—

"(i) permits trained personnel of the school to administer epinephrine to any student of the school reasonably believed to be having an anaphylactic reaction;

"(ii) maintains a supply of epinephrine in a secure location that is easily accessible to trained personnel of the school for the purpose of administration to any student of the school reasonably believed to be having an anaphylactic reaction; and

"(iii) has in place a plan for having on the premises of the school during all operating hours of the school one or more individuals who are trained personnel of the school.

Certification.

"(G) CIVIL LIABILITY PROTECTION LAW.—The certification required in subparagraph (F) shall be a certification made by the State attorney general that the State has reviewed any applicable civil liability protection law to determine the application of such law with regard to elementary and secondary school trained personnel who may administer epinephrine to a student reasonably believed to be having an anaphylactic reaction and has

Definition.

concluded that such law provides adequate civil liability protection applicable to such trained personnel. For purposes of the previous sentence, the term 'civil liability protection law' means a State law offering legal protection to individuals who give aid on a voluntary basis in an emergency to an individual who is ill, in peril, or otherwise incapacitated."; and

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

Definition.

"(E) The term 'trained personnel' means, with respect to an elementary or secondary school, an individual—

"(i) who has been designated by the principal (or other appropriate administrative staff) of the school to administer epinephrine on a voluntary basis outside their scope of employment;

"(ii) who has received training in the administration of epinephrine; and

"(iii) whose training in the administration of epinephrine meets appropriate medical standards and has been documented by appropriate administrative staff of the school.".

Approved November 13, 2013.

LEGISLATIVE HISTORY—H.R. 2094:

HOUSE REPORTS: No. 113–182 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 30, considered and passed House.
Oct. 31, considered and passed Senate.

Public Law 113–49
113th Congress

An Act

To name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the "C.W. Bill Young Department of Veterans Affairs Medical Center".

Nov. 13, 2013
[H.R. 3302]

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

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, BAY PINES, FLORIDA.

The Department of Veterans Affairs medical center in Bay Pines, Florida, shall after the date of the enactment of this Act be known and designated as the "C.W. Bill Young Department of Veterans Affairs Medical Center". Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the C.W. Bill Young Department of Veterans Affairs Medical Center.

Approved November 13, 2013.

LEGISLATIVE HISTORY—H.R. 3302:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 22, considered and passed House.
Oct. 31, considered and passed Senate.

Public Law 113–50
113th Congress

An Act

Nov. 21, 2013
[H.R. 2747]

To amend title 40, United States Code, to transfer certain functions from the Government Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title.

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

Streamlining Claims Processing for Federal Contractor Employees Act.
40 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Streamlining Claims Processing for Federal Contractor Employees Act".

SEC. 2. TRANSFER OF ADMINISTRATIVE AUTHORITY TO THE DEPARTMENT OF LABOR.

(a) AUTHORITY OF COMPTROLLER GENERAL TO PAY WAGES AND LIST CONTRACTORS VIOLATING CONTRACTS.—Section 3144 of title 40, United States Code, is amended—

(1) in the section heading, by striking "**of Comptroller General**"; and

(2) in subsection (a)(1), by striking "Comptroller General" and inserting "Secretary of Labor".

(b) REPORT OF VIOLATIONS AND WITHHOLDING OF AMOUNTS FOR UNPAID CONTRACTS AND LIQUIDATED DAMAGES.—Section 3703(b)(3) of title 40, United States Code, is amended by striking "Comptroller General" both places it appears and inserting "Secretary of Labor".

Approved November 21, 2013.

LEGISLATIVE HISTORY—H.R. 2747:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 10, considered and passed House.
Nov. 5, considered and passed Senate.

Public Law 113–51
113th Congress

An Act

To amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

Nov. 21, 2013
[S. 330]

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

HIV Organ Policy Equity Act.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "HIV Organ Policy Equity Act".

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking ", including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome"; and

(B) by adding at the end the following:

"(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

"(A) are infected with HIV before receiving such organ; and

"(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

"(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).".

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking "including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome" and inserting

"including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)".

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking "(H) has a director" and inserting "(G) has a director"; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking "paragraph (2)(G)" and inserting "paragraph (3)(G)"; and

(ii) in clause (ii), by striking "paragraph (2)" and inserting "paragraph (3)".

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

Deadlines.
42 USC 274f–5.

"SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

"(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

"(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

"(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

"(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

"(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

"(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

Determination.

"(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and

Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

"(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).".

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting "or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act" after "research or testing".

Approved November 21, 2013.

LEGISLATIVE HISTORY—S. 330 (H.R. 698):

HOUSE REPORTS: No. 113–181, Pt. 1 (Comm. on Energy and Commerce) accompanying H.R. 698.

CONGRESSIONAL RECORD, Vol. 159 (2013):
June 17, considered and passed Senate.
Nov. 12, considered and passed House.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2013):
Nov. 21, Presidential statement.

Public Law 113–52
113th Congress

An Act

To provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

Nov. 21, 2013
[S. 893]

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

Veterans' Compensation Cost-of-Living Adjustment Act of 2013.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2013".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

38 USC 1114 note.

(a) RATE ADJUSTMENT.—Effective on December 1, 2013, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2013, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2013, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

38 USC 1114 note.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who

have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2014.

Federal Register, publication. Deadline. 38 USC 1114 note.

Approved November 21, 2013.

LEGISLATIVE HISTORY—S. 893:

SENATE REPORTS: No. 113–87 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 28, considered and passed Senate.
Nov. 12, considered and passed House.

Public Law 113–53
113th Congress

An Act

Nov. 27, 2013
[H.R. 1848]

To ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes.

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

Small Airplane Revitalization Act of 2013.
49 USC 44704 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Airplane Revitalization Act of 2013".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) A healthy small aircraft industry is integral to economic growth and to maintaining an effective transportation infrastructure for communities and countries around the world.

(2) Small airplanes comprise nearly 90 percent of general aviation aircraft certified by the Federal Aviation Administration.

(3) General aviation provides for the cultivation of a workforce of engineers, manufacturing and maintenance professionals, and pilots who secure the economic success and defense of the United States.

(4) General aviation contributes to well-paying jobs in the manufacturing and technology sectors in the United States and products produced by those sectors are exported in great numbers.

(5) Technology developed and proven in general aviation aids in the success and safety of all sectors of aviation and scientific competence.

(6) The average small airplane in the United States is now 40 years old and the regulatory barriers to bringing new designs to the market are resulting in a lack of innovation and investment in small airplane design.

(7) Since 2003, the United States lost 10,000 active private pilots per year on average, partially due to a lack of cost-effective, new small airplanes.

(8) General aviation safety can be improved by modernizing and revamping the regulations relating to small airplanes to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies.

SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.

(a) IN GENERAL.—Not later than December 15, 2015, the Administrator of the Federal Aviation Administration shall issue a final rule— Deadline.

(1) to advance the safety and continued development of small airplanes by reorganizing the certification requirements for such airplanes under part 23 to streamline the approval of safety advancements; and

(2) that meets the objectives described in subsection (b).

(b) OBJECTIVES DESCRIBED.—The objectives described in this subsection are based on the recommendations of the Part 23 Reorganization Aviation Rulemaking Committee:

(1) The establishment of a regulatory regime for small airplanes that will improve safety and reduce the regulatory cost burden for the Federal Aviation Administration and the aviation industry.

(2) The establishment of broad, outcome-driven safety objectives that will spur innovation and technology adoption.

(3) The replacement of current, prescriptive requirements under part 23 with performance-based regulations.

(4) The use of consensus standards accepted by the Federal Aviation Administration to clarify how the safety objectives of part 23 may be met using specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—In prescribing regulations under this section, the Administrator shall use consensus standards, as described in section 12(d) of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 272 note), to the extent practicable while continuing traditional methods for meeting part 23.

(d) SAFETY COOPERATION.—The Administrator shall lead the effort to improve general aviation safety by working with leading aviation regulators to assist them in adopting a complementary regulatory approach for small airplanes.

(e) DEFINITIONS.—In this section:

(1) CONSENSUS STANDARDS.—

(A) IN GENERAL.—The term "consensus standards" means standards developed by an organization described in subparagraph (B) that may include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free, or reasonable royalty basis to all interested persons.

(B) ORGANIZATIONS DESCRIBED.—An organization described in this subparagraph is a domestic or international organization that—

(i) plans, develops, establishes, or coordinates, through a process based on consensus and using agreed-upon procedures, voluntary standards; and

(ii) operates in a transparent manner, considers a balanced set of interests with respect to such standards, and provides for due process and an appeals process with respect to such standards.

(2) PART 23.—The term "part 23" means part 23 of title 14, Code of Federal Regulations.

(3) PART 23 REORGANIZATION AVIATION RULEMAKING COMMITTEE.—The term "Part 23 Reorganization Aviation Rulemaking Committee" means the aviation rulemaking committee established by the Federal Aviation Administration in August 2011 to consider the reorganization of the regulations under part 23.

(4) SMALL AIRPLANE.—The term "small airplane" means an airplane which is certified to part 23 standards.

Approved November 27, 2013.

LEGISLATIVE HISTORY—H.R. 1848 (S. 1072):

HOUSE REPORTS: No. 113–151 (Comm. on Transportation and Infrastructure).
SENATE REPORTS: No. 113–108 (Comm. on Commerce, Science, and Transportation) accompanying S. 1072.
CONGRESSIONAL RECORD, Vol. 159 (2013):
July 16, considered and passed House.
Oct. 4, considered and passed Senate, amended.
Nov. 14, House concurred in Senate amendment.

Public Law 113–54
113th Congress

An Act

To amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Nov. 27, 2013
[H.R. 3204]

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

Drug Quality and Security Act.
21 USC 301 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Drug Quality and Security Act".

SEC. 2. REFERENCES IN ACT; TABLE OF CONTENTS.

(a) REFERENCES IN ACT.—Except as otherwise specified, amendments made by this Act to a section or other provision of law are amendments to such section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

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

Sec. 1. Short title.
Sec. 2. References in Act; table of contents.

TITLE I—DRUG COMPOUNDING

Sec. 101. Short title.
Sec. 102. Voluntary outsourcing facilities.
Sec. 103. Penalties.
Sec. 104. Regulations.
Sec. 105. Enhanced communication.
Sec. 106. Severability.
Sec. 107. GAO study.

TITLE II—DRUG SUPPLY CHAIN SECURITY

Sec. 201. Short title.
Sec. 202. Pharmaceutical distribution supply chain.
Sec. 203. Enhanced drug distribution security.
Sec. 204. National standards for prescription drug wholesale distributors.
Sec. 205. National standards for third-party logistics providers; uniform national policy.
Sec. 206. Penalties.
Sec. 207. Conforming amendment.
Sec. 208. Savings clause.

TITLE I—DRUG COMPOUNDING

Compounding Quality Act.

21 USC 301 note.

SEC. 101. SHORT TITLE.

This Act may be cited as the "Compounding Quality Act".

SEC. 102. VOLUNTARY OUTSOURCING FACILITIES.

(a) IN GENERAL.—Subchapter A of chapter V (21 U.S.C. 351 et seq.) is amended—

21 USC 353c.

(1) by redesignating section 503B as section 503C; and

(2) by inserting after section 503A the following new section:

21 USC 353b.

"SEC. 503B. OUTSOURCING FACILITIES.

"(a) IN GENERAL.—Sections 502(f)(1), 505, and 582 shall not apply to a drug compounded by or under the direct supervision of a licensed pharmacist in a facility that elects to register as an outsourcing facility if each of the following conditions is met:

"(1) REGISTRATION AND REPORTING.—The drug is compounded in an outsourcing facility that is in compliance with the requirements of subsection (b).

"(2) BULK DRUG SUBSTANCES.—The drug is compounded in an outsourcing facility that does not compound using bulk drug substances (as defined in section 207.3(a)(4) of title 21, Code of Federal Regulations (or any successor regulation)), unless—

Notice.
Federal Register, publication.

"(A)(i) the bulk drug substance appears on a list established by the Secretary identifying bulk drug substances for which there is a clinical need, by—

"(I) publishing a notice in the Federal Register proposing bulk drug substances to be included on the list, including the rationale for such proposal;

Time period.
Public comments.

"(II) providing a period of not less than 60 calendar days for comment on the notice; and

"(III) publishing a notice in the Federal Register designating bulk drug substances for inclusion on the list; or

"(ii) the drug compounded from such bulk drug substance appears on the drug shortage list in effect under section 506E at the time of compounding, distribution, and dispensing;

"(B) if an applicable monograph exists under the United States Pharmacopeia, the National Formulary, or another compendium or pharmacopeia recognized by the Secretary for purposes of this paragraph, the bulk drug substances each comply with the monograph;

"(C) the bulk drug substances are each manufactured by an establishment that is registered under section 510 (including a foreign establishment that is registered under section 510(i)); and

"(D) the bulk drug substances are each accompanied by a valid certificate of analysis.

"(3) INGREDIENTS (OTHER THAN BULK DRUG SUBSTANCES).—If any ingredients (other than bulk drug substances) are used in compounding the drug, such ingredients comply with the standards of the applicable United States Pharmacopeia or National Formulary monograph, if such monograph exists, or of another compendium or pharmacopeia recognized by the Secretary for purposes of this paragraph if any.

"(4) DRUGS WITHDRAWN OR REMOVED BECAUSE UNSAFE OR NOT EFFECTIVE.—The drug does not appear on a list published by the Secretary of drugs that have been withdrawn or removed from the market because such drugs or components of such drugs have been found to be unsafe or not effective.

"(5) ESSENTIALLY A COPY OF AN APPROVED DRUG.—The drug is not essentially a copy of one or more approved drugs.

"(6) DRUGS PRESENTING DEMONSTRABLE DIFFICULTIES FOR COMPOUNDING.—The drug—

"(A) is not identified (directly or as part of a category of drugs) on a list published by the Secretary, through the process described in subsection (c), of drugs or categories of drugs that present demonstrable difficulties for compounding that are reasonably likely to lead to an adverse effect on the safety or effectiveness of the drug or category of drugs, taking into account the risks and benefits to patients; or

"(B) is compounded in accordance with all applicable conditions identified on the list described in subparagraph (A) as conditions that are necessary to prevent the drug or category of drugs from presenting the demonstrable difficulties described in subparagraph (A).

"(7) ELEMENTS TO ASSURE SAFE USE.—In the case of a drug that is compounded from a drug that is the subject of a risk evaluation and mitigation strategy approved with elements to assure safe use pursuant to section 505–1, or from a bulk drug substance that is a component of such drug, the outsourcing facility demonstrates to the Secretary prior to beginning compounding that such facility will utilize controls comparable to the controls applicable under the relevant risk evaluation and mitigation strategy.

"(8) PROHIBITION ON WHOLESALING.—The drug will not be sold or transferred by an entity other than the outsourcing facility that compounded such drug. This paragraph does not prohibit administration of a drug in a health care setting or dispensing a drug pursuant to a prescription executed in accordance with section 503(b)(1).

"(9) FEES.—The drug is compounded in an outsourcing facility that has paid all fees owed by such facility pursuant to section 744K.

"(10) LABELING OF DRUGS.—

"(A) LABEL.—The label of the drug includes—

"(i) the statement 'This is a compounded drug.' or a reasonable comparable alternative statement (as specified by the Secretary) that prominently identifies the drug as a compounded drug;

"(ii) the name, address, and phone number of the applicable outsourcing facility; and

"(iii) with respect to the drug—

"(I) the lot or batch number;

"(II) the established name of the drug;

"(III) the dosage form and strength;

"(IV) the statement of quantity or volume, as appropriate;

"(V) the date that the drug was compounded;

"(VI) the expiration date;

"(VII) storage and handling instructions;

"(VIII) the National Drug Code number, if available;

"(IX) the statement 'Not for resale', and, if the drug is dispensed or distributed other than pursuant to a prescription for an individual identified patient, the statement 'Office Use Only'; and

"(X) subject to subparagraph (B)(i), a list of active and inactive ingredients, identified by established name and the quantity or proportion of each ingredient.

"(B) CONTAINER.—The container from which the individual units of the drug are removed for dispensing or for administration (such as a plastic bag containing individual product syringes) shall include—

"(i) the information described under subparagraph (A)(iii)(X), if there is not space on the label for such information;

"(ii) the following information to facilitate adverse event reporting: www.fda.gov/medwatch and 1–800–FDA–1088 (or any successor Internet Web site or phone number); and

"(iii) directions for use, including, as appropriate, dosage and administration.

Determination. Regulations.

"(C) ADDITIONAL INFORMATION.—The label and labeling of the drug shall include any other information as determined necessary and specified in regulations promulgated by the Secretary.

"(11) OUTSOURCING FACILITY REQUIREMENT.—The drug is compounded in an outsourcing facility in which the compounding of drugs occurs only in accordance with this section.

"(b) REGISTRATION OF OUTSOURCING FACILITIES AND REPORTING OF DRUGS.—

"(1) REGISTRATION OF OUTSOURCING FACILITIES.—

Time period.

"(A) ANNUAL REGISTRATION.—Upon electing and in order to become an outsourcing facility, and during the period beginning on October 1 and ending on December 31 of each year thereafter, a facility—

"(i) shall register with the Secretary its name, place of business, and unique facility identifier (which shall conform to the requirements for the unique facility identifier established under section 510), and a point of contact email address; and

"(ii) shall indicate whether the outsourcing facility intends to compound a drug that appears on the list in effect under section 506E during the subsequent calendar year.

"(B) AVAILABILITY OF REGISTRATION FOR INSPECTION; LIST.—

"(i) REGISTRATIONS.—The Secretary shall make available for inspection, to any person so requesting, any registration filed pursuant to this paragraph.

Public information. Web posting.

"(ii) LIST.—The Secretary shall make available on the public Internet Web site of the Food and Drug Administration a list of the name of each facility registered under this subsection as an outsourcing facility, the State in which each such facility is located, whether the facility compounds from bulk drug substances, and whether any such compounding from bulk drug substances is for sterile or nonsterile drugs.

"(2) DRUG REPORTING BY OUTSOURCING FACILITIES.—

"(A) IN GENERAL.—Upon initially registering as an outsourcing facility, once during the month of June of each

year, and once during the month of December of each year, each outsourcing facility that registers with the Secretary under paragraph (1) shall submit to the Secretary a report—

"(i) identifying the drugs compounded by such outsourcing facility during the previous 6-month period; and Time period.

"(ii) with respect to each drug identified under clause (i), providing the active ingredient, the source of such active ingredient, the National Drug Code number of the source drug or bulk active ingredient, if available, the strength of the active ingredient per unit, the dosage form and route of administration, the package description, the number of individual units produced, and the National Drug Code number of the final product, if assigned.

"(B) FORM.—Each report under subparagraph (A) shall be prepared in such form and manner as the Secretary may prescribe by regulation or guidance.

"(C) CONFIDENTIALITY.—Reports submitted under this paragraph shall be exempt from inspection under paragraph (1)(B)(i), unless the Secretary finds that such an exemption would be inconsistent with the protection of the public health.

"(3) ELECTRONIC REGISTRATION AND REPORTING.—Registrations and drug reporting under this subsection (including the submission of updated information) shall be submitted to the Secretary by electronic means unless the Secretary grants a request for waiver of such requirement because use of electronic means is not reasonable for the person requesting waiver. Waiver.

"(4) RISK-BASED INSPECTION FREQUENCY.—

"(A) IN GENERAL.—Outsourcing facilities—

"(i) shall be subject to inspection pursuant to section 704; and

"(ii) shall not be eligible for the exemption under section 704(a)(2)(A).

"(B) RISK-BASED SCHEDULE.—The Secretary, acting through one or more officers or employees duly designated by the Secretary, shall inspect outsourcing facilities in accordance with a risk-based schedule established by the Secretary.

"(C) RISK FACTORS.—In establishing the risk-based schedule, the Secretary shall inspect outsourcing facilities according to the known safety risks of such outsourcing facilities, which shall be based on the following factors:

"(i) The compliance history of the outsourcing facility.

"(ii) The record, history, and nature of recalls linked to the outsourcing facility.

"(iii) The inherent risk of the drugs compounded at the outsourcing facility.

"(iv) The inspection frequency and history of the outsourcing facility, including whether the outsourcing facility has been inspected pursuant to section 704 within the last 4 years.

"(v) Whether the outsourcing facility has registered under this paragraph as an entity that intends to

compound a drug that appears on the list in effect under section 506E.

"(vi) Any other criteria deemed necessary and appropriate by the Secretary for purposes of allocating inspection resources.

"(5) ADVERSE EVENT REPORTING.—Outsourcing facilities shall submit adverse event reports to the Secretary in accordance with the content and format requirements established through guidance or regulation under section 310.305 of title 21, Code of Federal Regulations (or any successor regulations).

"(c) REGULATIONS.—

"(1) IN GENERAL.—The Secretary shall implement the list described in subsection (a)(6) through regulations.

Establishment.

"(2) ADVISORY COMMITTEE ON COMPOUNDING.—Before issuing regulations to implement subsection (a)(6), the Secretary shall convene and consult an advisory committee on compounding. The advisory committee shall include representatives from the National Association of Boards of Pharmacy, the United States Pharmacopeia, pharmacists with current experience and expertise in compounding, physicians with background and knowledge in compounding, and patient and public health advocacy organizations.

"(3) INTERIM LIST.—

Notice.
Federal Register, publication.

"(A) IN GENERAL.—Before the effective date of the regulations finalized to implement subsection (a)(6), the Secretary may designate drugs, categories of drugs, or conditions as described such subsection by—

"(i) publishing a notice of such substances, drugs, categories of drugs, or conditions proposed for designation, including the rationale for such designation, in the Federal Register;

Time period.
Public comment.

"(ii) providing a period of not less than 60 calendar days for comment on the notice; and

"(iii) publishing a notice in the Federal Register designating such drugs, categories of drugs, or conditions.

"(B) SUNSET OF NOTICE.—Any notice provided under subparagraph (A) shall not be effective after the earlier of—

"(i) the date that is 5 years after the date of enactment of the Compounding Quality Act; or

"(ii) the effective date of the final regulations issued to implement subsection (a)(6).

Review.

"(4) UPDATES.—The Secretary shall review, and update as necessary, the regulations containing the lists of drugs, categories of drugs, or conditions described in subsection (a)(6) regularly, but not less than once every 4 years. Nothing in the previous sentence prohibits submissions to the Secretary, before or during any 4-year period described in such sentence, requesting updates to such lists.

Time period.

"(d) DEFINITIONS.—In this section:

"(1) The term 'compounding' includes the combining, admixing, mixing, diluting, pooling, reconstituting, or otherwise altering of a drug or bulk drug substance to create a drug.

"(2) The term 'essentially a copy of an approved drug' means—

"(A) a drug that is identical or nearly identical to an approved drug, or a marketed drug not subject to section 503(b) and not subject to approval in an application submitted under section 505, unless, in the case of an approved drug, the drug appears on the drug shortage list in effect under section 506E at the time of compounding, distribution, and dispensing; or

"(B) a drug, a component of which is a bulk drug substance that is a component of an approved drug or a marketed drug that is not subject to section 503(b) and not subject to approval in an application submitted under section 505, unless there is a change that produces for an individual patient a clinical difference, as determined by the prescribing practitioner, between the compounded drug and the comparable approved drug.

"(3) The term 'approved drug' means a drug that is approved under section 505 and does not appear on the list described in subsection (a)(4) of drugs that have been withdrawn or removed from the market because such drugs or components of such drugs have been found to be unsafe or not effective.

"(4)(A) The term 'outsourcing facility' means a facility at one geographic location or address that—

"(i) is engaged in the compounding of sterile drugs;

"(ii) has elected to register as an outsourcing facility; and

"(iii) complies with all of the requirements of this section.

"(B) An outsourcing facility is not required to be a licensed pharmacy.

"(C) An outsourcing facility may or may not obtain prescriptions for identified individual patients.

"(5) The term 'sterile drug' means a drug that is intended for parenteral administration, an ophthalmic or oral inhalation drug in aqueous format, or a drug that is required to be sterile under Federal or State law.".

"(d) OBLIGATION TO PAY FEES.—Payment of the fee under section 744K, as described in subsection (a)(9), shall not relieve an outsourcing facility that is licensed as a pharmacy in any State that requires pharmacy licensing fees of its obligation to pay such State fees.".

(b) FEES.—Subchapter C of chapter VII (21 U.S.C. 379f et seq.) is amended by adding at the end the following:

"PART 9—FEES RELATING TO OUTSOURCING FACILITIES

21 USC prec. 379j–61.

"SEC. 744J. DEFINITIONS.

21 USC 379j–61.

"In this part:

"(1) The term 'affiliate' has the meaning given such term in section 735(11).

"(2) The term 'gross annual sales' means the total worldwide gross annual sales, in United States dollars, for an outsourcing facility, including the sales of all the affiliates of the outsourcing facility.

"(3) The term 'outsourcing facility' has the meaning given to such term in section 503B(d)(4).

"(4) The term 'reinspection' means, with respect to an outsourcing facility, 1 or more inspections conducted under section 704 subsequent to an inspection conducted under such provision which identified noncompliance materially related to an applicable requirement of this Act, specifically to determine whether compliance has been achieved to the Secretary's satisfaction.

21 USC 379j–62.

"SEC. 744K. AUTHORITY TO ASSESS AND USE OUTSOURCING FACILITY FEES.

"(a) ESTABLISHMENT AND REINSPECTION FEES.—

"(1) IN GENERAL.—For fiscal year 2015 and each subsequent fiscal year, the Secretary shall, in accordance with this subsection, assess and collect—

"(A) an annual establishment fee from each outsourcing facility; and

"(B) a reinspection fee from each outsourcing facility subject to a reinspection in such fiscal year.

"(2) MULTIPLE REINSPECTIONS.—An outsourcing facility subject to multiple reinspections in a fiscal year shall be subject to a reinspection fee for each reinspection.

"(b) ESTABLISHMENT AND REINSPECTION FEE SETTING.—The Secretary shall—

"(1) establish the amount of the establishment fee and reinspection fee to be collected under this section for each fiscal year based on the methodology described in subsection (c); and

Notice.
Federal Register, publication.
Deadline.

"(2) publish such fee amounts in a Federal Register notice not later than 60 calendar days before the start of each such year.

"(c) AMOUNT OF ESTABLISHMENT FEE AND REINSPECTION FEE.—

"(1) IN GENERAL.—For each outsourcing facility in a fiscal year—

"(A) except as provided in paragraph (4), the amount of the annual establishment fee under subsection (b) shall be equal to the sum of—

"(i) $15,000, multiplied by the inflation adjustment factor described in paragraph (2); plus

"(ii) the small business adjustment factor described in paragraph (3); and

"(B) the amount of any reinspection fee (if applicable) under subsection (b) shall be equal to $15,000, multiplied by the inflation adjustment factor described in paragraph (2).

"(2) INFLATION ADJUSTMENT FACTOR.—

Notice.
Federal Register, publication.

"(A) IN GENERAL.—For fiscal year 2015 and subsequent fiscal years, the fee amounts established in paragraph (1) shall be adjusted by the Secretary by notice, published in the Federal Register, for a fiscal year by the amount equal to the sum of—

"(i) 1;

"(ii) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and

benefits costs to total costs of an average full-time equivalent position of the Food and Drug Administration for the first 3 years of the preceding 4 fiscal years; plus

"(iii) the average annual percent change that occurred in the Consumer Price Index for urban consumers (U.S. City Average; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of an average full-time equivalent position of the Food and Drug Administration for the first 3 years of the preceding 4 fiscal years.

"(B) COMPOUNDED BASIS.—The adjustment made each fiscal year under subparagraph (A) shall be added on a compounded basis to the sum of all adjustments made each fiscal year after fiscal year 2014 under subparagraph (A).

"(3) SMALL BUSINESS ADJUSTMENT FACTOR.—The small business adjustment factor described in this paragraph shall be an amount established by the Secretary for each fiscal year based on the Secretary's estimate of— Estimate.

"(A) the number of small businesses that will pay a reduced establishment fee for such fiscal year; and

"(B) the adjustment to the establishment fee necessary to achieve total fees equaling the total fees that the Secretary would have collected if no entity qualified for the small business exception in paragraph (4).

"(4) EXCEPTION FOR SMALL BUSINESSES.—

"(A) IN GENERAL.—In the case of an outsourcing facility with gross annual sales of $1,000,000 or less in the 12 months ending April 1 of the fiscal year immediately preceding the fiscal year in which the fees under this section are assessed, the amount of the establishment fee under subsection (b) for a fiscal year shall be equal to \1/3\ of the amount calculated under paragraph (1)(A)(i) for such fiscal year. Time period.

"(B) APPLICATION.—To qualify for the exception under this paragraph, a small business shall submit to the Secretary a written request for such exception, in a format specified by the Secretary in guidance, certifying its gross annual sales for the 12 months ending April 1 of the fiscal year immediately preceding the fiscal year in which fees under this subsection are assessed. Any such application shall be submitted to the Secretary not later than April 30 of such immediately preceding fiscal year. Certification. Time period. Deadline.

"(5) CREDITING OF FEES.—In establishing the small business adjustment factor under paragraph (3) for a fiscal year, the Secretary shall—

"(A) provide for the crediting of fees from the previous year to the next year if the Secretary overestimated the amount of the small business adjustment factor for such previous fiscal year; and

"(B) consider the need to account for any adjustment of fees and such other factors as the Secretary determines appropriate.

"(d) USE OF FEES.—The Secretary shall make all of the fees collected pursuant to subparagraphs (A) and (B) of subsection (a)(1) available solely to pay for the costs of oversight of outsourcing facilities.

"(e) SUPPLEMENT NOT SUPPLANT.—Funds received by the Secretary pursuant to this section shall be used to supplement and not supplant any other Federal funds available to carry out the activities described in this section.

"(f) CREDITING AND AVAILABILITY OF FEES.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for the purpose of paying the costs of oversight of outsourcing facilities.

"(g) COLLECTION OF FEES.—

"(1) ESTABLISHMENT FEE.—An outsourcing facility shall remit the establishment fee due under this section in a fiscal year when submitting a registration pursuant to section 503B(b) for such fiscal year.

"(2) REINSPECTION FEE.—The Secretary shall specify in the Federal Register notice described in subsection (b)(2) the manner in which reinspection fees assessed under this section shall be collected and the timeline for payment of such fees. Such a fee shall be collected after the Secretary has conducted a reinspection of the outsourcing facility involved.

"(3) EFFECT OF FAILURE TO PAY FEES.—

"(A) REGISTRATION.—An outsourcing facility shall not be considered registered under section 503B(b) in a fiscal year until the date that the outsourcing facility remits the establishment fee under this subsection for such fiscal year.

"(B) MISBRANDING.—All drugs manufactured, prepared, propagated, compounded, or processed by an outsourcing facility for which any establishment fee or reinspection fee has not been paid, as required by this section, shall be deemed misbranded under section 502 until the fees owed for such outsourcing facility under this section have been paid.

Deadline.

"(4) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under this section within 30 calendar days after it is due, such fee shall be treated as a claim of the United States Government subject to provisions of subchapter II of chapter 37 of title 31, United States Code.

"(h) ANNUAL REPORT TO CONGRESS.—Not later than 120 calendar days after each fiscal year in which fees are assessed and collected under this section, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to include a description of fees assessed and collected for such year, a summary description of entities paying the fees, a description of the hiring and placement of new staff, a description of the use of fee resources to support inspecting

outsourcing facilities, and the number of inspections and reinspections of such facilities performed each year.

"(i) AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2014 and each subsequent fiscal year, there is authorized to be appropriated for fees under this section an amount equivalent to the total amount of fees assessed for such fiscal year under this section.".

SEC. 103. PENALTIES.

(a) PROHIBITED ACTS.—Section 301 (21 U.S.C. 331) is amended by adding at the end the following:

"(ccc)(1) The resale of a compounded drug that is labeled 'not for resale' in accordance with section 503B.

"(2) With respect to a drug to be compounded pursuant to section 503A or 503B, the intentional falsification of a prescription, as applicable.

"(3) The failure to report drugs or adverse events by an entity that is registered in accordance with subsection (b) of section 503B.".

(b) MISBRANDED DRUGS.—Section 502 (21 U.S.C. 352) is amended by adding at the end the following:

"(bb) If the advertising or promotion of a compounded drug is false or misleading in any particular.".

SEC. 104. REGULATIONS. 21 USC 331 note.

In promulgating any regulations to implement this title (and the amendments made by this title), the Secretary of Health and Human Services shall—

(1) issue a notice of proposed rulemaking that includes the proposed regulation;

(2) provide a period of not less than 60 calendar days for comments on the proposed regulation; and Time period. Public comments.

(3) publish the final regulation not more than 18 months following publication of the proposed rule and not less than 30 calendar days before the effective date of such final regulation. Publication. Time period.

SEC. 105. ENHANCED COMMUNICATION. 21 USC 353a–1.

(a) SUBMISSIONS FROM STATE BOARDS OF PHARMACY.—In a manner specified by the Secretary of Health and Human Services (referred to in this section as the "Secretary"), the Secretary shall receive submissions from State boards of pharmacy—

(1) describing actions taken against compounding pharmacies, as described in subsection (b); or

(2) expressing concerns that a compounding pharmacy may be acting contrary to section 503A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353a).

(b) CONTENT OF SUBMISSIONS FROM STATE BOARDS OF PHARMACY.—An action referred to in subsection (a)(1) is, with respect to a pharmacy that compounds drugs, any of the following:

(1) The issuance of a warning letter, or the imposition of sanctions or penalties, by a State for violations of a State's pharmacy regulations pertaining to compounding.

(2) The suspension or revocation of a State-issued pharmacy license or registration for violations of a State's pharmacy regulations pertaining to compounding.

(3) The recall of a compounded drug due to concerns relating to the quality or purity of such drug.

(c) CONSULTATION.—The Secretary shall implement subsection (a) in consultation with the National Association of Boards of Pharmacy.

(d) NOTIFYING STATE BOARDS OF PHARMACY.—The Secretary shall immediately notify State boards of pharmacy when—

(1) the Secretary receives a submission under subsection (a)(1); or

Determination.

(2) the Secretary makes a determination that a pharmacy is acting contrary to section 503A of the Federal Food, Drug, and Cosmetic Act.

SEC. 106. SEVERABILITY.

(a) IN GENERAL.—Section 503A (21 U.S.C. 353a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking "unsolicited";

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (f) as subsections (c) through (e), respectively; and

(4) in subsection (b)(1)(A)(i)(III), by striking "subsection (d)" and inserting "subsection (c)".

21 USC 301 note.

(b) SEVERABILITY.—If any provision of this Act (including the amendments made by this Act) is declared unconstitutional, or the applicability of this Act (including the amendments made by this Act) to any person or circumstance is held invalid, the constitutionality of the remainder of this Act (including the amendments made by this Act) and the applicability thereof to other persons and circumstances shall not be affected.

SEC. 107. GAO STUDY.

Deadline. Reports.

(a) STUDY.—Not later than 36 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on pharmacy compounding and the adequacy of State and Federal efforts to assure the safety of compounded drugs.

(b) CONTENTS.—The report required under this section shall include—

(1) a review of pharmacy compounding in each State, and the settings in which such compounding occurs;

(2) a review of the State laws and policies governing pharmacy compounding, including enforcement of State laws and policies;

(3) an assessment of the available tools to permit purchasers of compounded drugs to determine the safety and quality of such drugs;

(4) an evaluation of the effectiveness of the communication among States and between States and the Food and Drug Administration regarding compounding; and

(5) an evaluation of the Food and Drug Administration's implementation of sections 503A and 503B of the Federal Food, Drug, and Cosmetic Act.

TITLE II—DRUG SUPPLY CHAIN SECURITY

Drug Supply Chain Security Act.

SEC. 201. SHORT TITLE.

21 USC 301 note.

This title may be cited as the "Drug Supply Chain Security Act".

SEC. 202. PHARMACEUTICAL DISTRIBUTION SUPPLY CHAIN.

Chapter V (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

"Subchapter H—Pharmaceutical Distribution Supply Chain

21 USC prec. 360eee.

"SEC. 581. DEFINITIONS.

21 USC 360eee.

"In this subchapter:

"(1) AFFILIATE.—The term 'affiliate' means a business entity that has a relationship with a second business entity if, directly or indirectly—

"(A) one business entity controls, or has the power to control, the other business entity; or

"(B) a third party controls, or has the power to control, both of the business entities.

"(2) AUTHORIZED.—The term 'authorized' means—

"(A) in the case of a manufacturer or repackager, having a valid registration in accordance with section 510;

"(B) in the case of a wholesale distributor, having a valid license under State law or section 583, in accordance with section 582(a)(6), and complying with the licensure reporting requirements under section 503(e), as amended by the Drug Supply Chain Security Act;

"(C) in the case of a third-party logistics provider, having a valid license under State law or section 584(a)(1), in accordance with section 582(a)(7), and complying with the licensure reporting requirements under section 584(b); and

"(D) in the case of a dispenser, having a valid license under State law.

"(3) DISPENSER.—The term 'dispenser'—

"(A) means a retail pharmacy, hospital pharmacy, a group of chain pharmacies under common ownership and control that do not act as a wholesale distributor, or any other person authorized by law to dispense or administer prescription drugs, and the affiliated warehouses or distribution centers of such entities under common ownership and control that do not act as a wholesale distributor; and

"(B) does not include a person who dispenses only products to be used in animals in accordance with section 512(a)(5).

"(4) DISPOSITION.—The term 'disposition', with respect to a product within the possession or control of an entity, means the removal of such product from the pharmaceutical distribution supply chain, which may include disposal or return of the product for disposal or other appropriate handling and other actions, such as retaining a sample of the product for further additional physical examination or laboratory analysis

of the product by a manufacturer or regulatory or law enforcement agency.

"(5) DISTRIBUTE OR DISTRIBUTION.—The term 'distribute' or 'distribution' means the sale, purchase, trade, delivery, handling, storage, or receipt of a product, and does not include the dispensing of a product pursuant to a prescription executed in accordance with section 503(b)(1) or the dispensing of a product approved under section 512(b).

"(6) EXCLUSIVE DISTRIBUTOR.—The term 'exclusive distributor' means the wholesale distributor that directly purchased the product from the manufacturer and is the sole distributor of that manufacturer's product to a subsequent repackager, wholesale distributor, or dispenser.

"(7) HOMOGENEOUS CASE.—The term 'homogeneous case' means a sealed case containing only product that has a single National Drug Code number belonging to a single lot.

"(8) ILLEGITIMATE PRODUCT.—The term 'illegitimate product' means a product for which credible evidence shows that the product—

"(A) is counterfeit, diverted, or stolen;

"(B) is intentionally adulterated such that the product would result in serious adverse health consequences or death to humans;

"(C) is the subject of a fraudulent transaction; or

"(D) appears otherwise unfit for distribution such that the product would be reasonably likely to result in serious adverse health consequences or death to humans.

"(9) LICENSED.—The term 'licensed' means—

"(A) in the case of a wholesale distributor, having a valid license in accordance with section 503(e) or section 582(a)(6), as applicable;

"(B) in the case of a third-party logistics provider, having a valid license in accordance with section 584(a) or section 582(a)(7), as applicable; and

"(C) in the case of a dispenser, having a valid license under State law.

"(10) MANUFACTURER.—The term 'manufacturer' means, with respect to a product—

"(A) a person that holds an application approved under section 505 or a license issued under section 351 of the Public Health Service Act for such product, or if such product is not the subject of an approved application or license, the person who manufactured the product;

"(B) a co-licensed partner of the person described in subparagraph (A) that obtains the product directly from a person described in this subparagraph or subparagraph (A) or (C); or

"(C) an affiliate of a person described in subparagraph (A) or (B) that receives the product directly from a person described in this subparagraph or subparagraph (A) or (B).

"(11) PACKAGE.—

"(A) IN GENERAL.—The term 'package' means the smallest individual saleable unit of product for distribution by a manufacturer or repackager that is intended by the manufacturer for ultimate sale to the dispenser of such product.

"(B) INDIVIDUAL SALEABLE UNIT.—For purposes of this paragraph, an 'individual saleable unit' is the smallest container of product introduced into commerce by the manufacturer or repackager that is intended by the manufacturer or repackager for individual sale to a dispenser.

"(12) PRESCRIPTION DRUG.—The term 'prescription drug' means a drug for human use subject to section 503(b)(1).

"(13) PRODUCT.—The term 'product' means a prescription drug in a finished dosage form for administration to a patient without substantial further manufacturing (such as capsules, tablets, and lyophilized products before reconstitution), but for purposes of section 582, does not include blood or blood components intended for transfusion, radioactive drugs or radioactive biological products (as defined in section 600.3(ee) of title 21, Code of Federal Regulations) that are regulated by the Nuclear Regulatory Commission or by a State pursuant to an agreement with such Commission under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021), imaging drugs, an intravenous product described in clause (xiv), (xv), or (xvi) of paragraph (24)(B), any medical gas (as defined in section 575), homeopathic drugs marketed in accordance with applicable guidance under this Act, or a drug compounded in compliance with section 503A or 503B.

"(14) PRODUCT IDENTIFIER.—The term 'product identifier' means a standardized graphic that includes, in both human-readable form and on a machine-readable data carrier that conforms to the standards developed by a widely recognized international standards development organization, the standardized numerical identifier, lot number, and expiration date of the product.

"(15) QUARANTINE.—The term 'quarantine' means the storage or identification of a product, to prevent distribution or transfer of the product, in a physically separate area clearly identified for such use or through other procedures.

"(16) REPACKAGER.—The term 'repackager' means a person who owns or operates an establishment that repacks and relabels a product or package for—

"(A) further sale; or

"(B) distribution without a further transaction.

"(17) RETURN.—The term 'return' means providing product to the authorized immediate trading partner from which such product was purchased or received, or to a returns processor or reverse logistics provider for handling of such product.

"(18) RETURNS PROCESSOR OR REVERSE LOGISTICS PROVIDER.—The term 'returns processor' or 'reverse logistics provider' means a person who owns or operates an establishment that dispositions or otherwise processes saleable or nonsaleable product received from an authorized trading partner such that the product may be processed for credit to the purchaser, manufacturer, or seller or disposed of for no further distribution.

"(19) SPECIFIC PATIENT NEED.—The term 'specific patient need' refers to the transfer of a product from one pharmacy to another to fill a prescription for an identified patient. Such term does not include the transfer of a product from one pharmacy to another for the purpose of increasing or replenishing stock in anticipation of a potential need.

"(20) STANDARDIZED NUMERICAL IDENTIFIER.—The term 'standardized numerical identifier' means a set of numbers or characters used to uniquely identify each package or homogenous case that is composed of the National Drug Code that corresponds to the specific product (including the particular package configuration) combined with a unique alphanumeric serial number of up to 20 characters.

"(21) SUSPECT PRODUCT.—The term 'suspect product' means a product for which there is reason to believe that such product—

"(A) is potentially counterfeit, diverted, or stolen;

"(B) is potentially intentionally adulterated such that the product would result in serious adverse health consequences or death to humans;

"(C) is potentially the subject of a fraudulent transaction; or

"(D) appears otherwise unfit for distribution such that the product would result in serious adverse health consequences or death to humans.

"(22) THIRD-PARTY LOGISTICS PROVIDER.—The term 'third-party logistics provider' means an entity that provides or coordinates warehousing, or other logistics services of a product in interstate commerce on behalf of a manufacturer, wholesale distributor, or dispenser of a product, but does not take ownership of the product, nor have responsibility to direct the sale or disposition of the product.

"(23) TRADING PARTNER.—The term 'trading partner' means—

"(A) a manufacturer, repackager, wholesale distributor, or dispenser from whom a manufacturer, repackager, wholesale distributor, or dispenser accepts direct ownership of a product or to whom a manufacturer, repackager, wholesale distributor, or dispenser transfers direct ownership of a product; or

"(B) a third-party logistics provider from whom a manufacturer, repackager, wholesale distributor, or dispenser accepts direct possession of a product or to whom a manufacturer, repackager, wholesale distributor, or dispenser transfers direct possession of a product.

"(24) TRANSACTION.—

"(A) IN GENERAL.—The term 'transaction' means the transfer of product between persons in which a change of ownership occurs.

"(B) EXEMPTIONS.—The term 'transaction' does not include—

"(i) intracompany distribution of any product between members of an affiliate or within a manufacturer;

"(ii) the distribution of a product among hospitals or other health care entities that are under common control;

"(iii) the distribution of a product for emergency medical reasons including a public health emergency declaration pursuant to section 319 of the Public Health Service Act, except that a drug shortage not caused by a public health emergency shall not constitute an emergency medical reason;

"(iv) the dispensing of a product pursuant to a prescription executed in accordance with section 503(b)(1);

"(v) the distribution of product samples by a manufacturer or a licensed wholesale distributor in accordance with section 503(d);

"(vi) the distribution of blood or blood components intended for transfusion;

"(vii) the distribution of minimal quantities of product by a licensed retail pharmacy to a licensed practitioner for office use;

"(viii) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug by a charitable organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

"(ix) the distribution of a product pursuant to the sale or merger of a pharmacy or pharmacies or a wholesale distributor or wholesale distributors, except that any records required to be maintained for the product shall be transferred to the new owner of the pharmacy or pharmacies or wholesale distributor or wholesale distributors;

"(x) the dispensing of a product approved under section 512(c);

"(xi) products transferred to or from any facility that is licensed by the Nuclear Regulatory Commission or by a State pursuant to an agreement with such Commission under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021);

"(xii) a combination product that is not subject to approval under section 505 or licensure under section 351 of the Public Health Service Act, and that is—

"(I) a product comprised of a device and 1 or more other regulated components (such as a drug/device, biologic/device, or drug/device/biologic) that are physically, chemically, or otherwise combined or mixed and produced as a single entity;

"(II) 2 or more separate products packaged together in a single package or as a unit and comprised of a drug and device or device and biological product; or

"(III) 2 or more finished medical devices plus one or more drug or biological products that are packaged together in what is referred to as a 'medical convenience kit' as described in clause (xiii);

"(xiii) the distribution of a collection of finished medical devices, which may include a product or biological product, assembled in kit form strictly for the convenience of the purchaser or user (referred to in this clause as a 'medical convenience kit') if—

"(I) the medical convenience kit is assembled in an establishment that is registered with the Food and Drug Administration as a device manufacturer in accordance with section 510(b)(2);

"(II) the medical convenience kit does not contain a controlled substance that appears in a schedule contained in the Comprehensive Drug Abuse Prevention and Control Act of 1970;

"(III) in the case of a medical convenience kit that includes a product, the person that manufacturers the kit—

"(aa) purchased such product directly from the pharmaceutical manufacturer or from a wholesale distributor that purchased the product directly from the pharmaceutical manufacturer; and

"(bb) does not alter the primary container or label of the product as purchased from the manufacturer or wholesale distributor; and

"(IV) in the case of a medical convenience kit that includes a product, the product is—

"(aa) an intravenous solution intended for the replenishment of fluids and electrolytes;

"(bb) a product intended to maintain the equilibrium of water and minerals in the body;

"(cc) a product intended for irrigation or reconstitution;

"(dd) an anesthetic;

"(ee) an anticoagulant;

"(ff) a vasopressor; or

"(gg) a sympathomimetic;

"(xiv) the distribution of an intravenous product that, by its formulation, is intended for the replenishment of fluids and electrolytes (such as sodium, chloride, and potassium) or calories (such as dextrose and amino acids);

"(xv) the distribution of an intravenous product used to maintain the equilibrium of water and minerals in the body, such as dialysis solutions;

"(xvi) the distribution of a product that is intended for irrigation, or sterile water, whether intended for such purposes or for injection;

"(xvii) the distribution of a medical gas (as defined in section 575); or

"(xviii) the distribution or sale of any licensed product under section 351 of the Public Health Service Act that meets the definition of a device under section 201(h).

"(25) TRANSACTION HISTORY.—The term 'transaction history' means a statement in paper or electronic form, including the transaction information for each prior transaction going back to the manufacturer of the product.

"(26) TRANSACTION INFORMATION.—The term 'transaction information' means—

"(A) the proprietary or established name or names of the product;

"(B) the strength and dosage form of the product;

"(C) the National Drug Code number of the product;

"(D) the container size;

"(E) the number of containers;

"(F) the lot number of the product;

"(G) the date of the transaction;

"(H) the date of the shipment, if more than 24 hours after the date of the transaction;

"(I) the business name and address of the person from whom ownership is being transferred; and

"(J) the business name and address of the person to whom ownership is being transferred.

"(27) TRANSACTION STATEMENT.—The 'transaction statement' is a statement, in paper or electronic form, that the entity transferring ownership in a transaction—

"(A) is authorized as required under the Drug Supply Chain Security Act;

"(B) received the product from a person that is authorized as required under the Drug Supply Chain Security Act;

"(C) received transaction information and a transaction statement from the prior owner of the product, as required under section 582;

"(D) did not knowingly ship a suspect or illegitimate product;

"(E) had systems and processes in place to comply with verification requirements under section 582;

"(F) did not knowingly provide false transaction information; and

"(G) did not knowingly alter the transaction history.

"(28) VERIFICATION OR VERIFY.—The term 'verification' or 'verify' means determining whether the product identifier affixed to, or imprinted upon, a package or homogeneous case corresponds to the standardized numerical identifier or lot number and expiration date assigned to the product by the manufacturer or the repackager, as applicable in accordance with section 582.

"(29) WHOLESALE DISTRIBUTOR.—The term 'wholesale distributor' means a person (other than a manufacturer, a manufacturer's co-licensed partner, a third-party logistics provider, or repackager) engaged in wholesale distribution (as defined in section 503(e)(4), as amended by the Drug Supply Chain Security Act).

"SEC. 582. REQUIREMENTS.

Effective dates.
21 USC 360eee–1.

"(a) IN GENERAL.—

"(1) OTHER ACTIVITIES.—Each manufacturer, repackager, wholesale distributor, and dispenser shall comply with the requirements set forth in this section with respect to the role of such manufacturer, repackager, wholesale distributor, or dispenser in a transaction involving product. If an entity meets the definition of more than one of the entities listed in the preceding sentence, such entity shall comply with all applicable requirements in this section, but shall not be required to duplicate requirements.

Compliance.

"(2) INITIAL STANDARDS.—

"(A) IN GENERAL.—The Secretary shall, in consultation with other appropriate Federal officials, manufacturers, repackagers, wholesale distributors, dispensers, and other pharmaceutical distribution supply chain stakeholders, issue a draft guidance document that establishes standards for the interoperable exchange of transaction information,

Consultation.

transaction history, and transaction statements, in paper or electronic format, for compliance with this subsection and subsections (b), (c), (d), and (e). In establishing such standards, the Secretary shall consider the feasibility of establishing standardized documentation to be used by members of the pharmaceutical distribution supply chain to convey the transaction information, transaction history, and transaction statement to the subsequent purchaser of a product and to facilitate the exchange of lot level data. The standards established under this paragraph shall take into consideration the standards established under section 505D and shall comply with a form and format developed by a widely recognized international standards development organization.

Compliance.

"(B) PUBLIC INPUT.—Prior to issuing the draft guidance under subparagraph (A), the Secretary shall gather comments and information from stakeholders and maintain such comments and information in a public docket for at least 60 days prior to issuing such guidance.

Time period.

"(C) PUBLICATION.—The Secretary shall publish the standards established under subparagraph (A) not later than 1 year after the date of enactment of the Drug Supply Chain Security Act.

Deadline.

"(3) WAIVERS, EXCEPTIONS, AND EXEMPTIONS.—

"(A) IN GENERAL.—Not later than 2 years after the date of enactment of the Drug Supply Chain Security Act, the Secretary shall, by guidance—

Deadline. Guidance.

"(i) establish a process by which an authorized manufacturer, repackager, wholesale distributor, or dispenser may request a waiver from any of the requirements set forth in this section, which the Secretary may grant if the Secretary determines that such requirements would result in an undue economic hardship or for emergency medical reasons, including a public health emergency declaration pursuant to section 319 of the Public Health Service Act;

"(ii) establish a process by which the Secretary determines exceptions, and a process through which a manufacturer or repackager may request such an exception, to the requirements relating to product identifiers if a product is packaged in a container too small or otherwise unable to accommodate a label with sufficient space to bear the information required for compliance with this section; and

"(iii) establish a process by which the Secretary may determine other products or transactions that shall be exempt from the requirements of this section.

"(B) CONTENT.—The guidance issued under subparagraph (A) shall include a process for the biennial review and renewal of such waivers, exceptions, and exemptions, as applicable.

"(C) PROCESS.—In issuing the guidance under this paragraph, the Secretary shall provide an effective date that is not later than 180 days prior to the date on which manufacturers are required to affix or imprint a product identifier to each package and homogenous case of product

intended to be introduced in a transaction into commerce consistent with this section.

"(4) SELF-EXECUTING REQUIREMENTS.—Except where otherwise specified, the requirements of this section may be enforced without further regulations or guidance from the Secretary.

"(5) GRANDFATHERING PRODUCT.—

"(A) PRODUCT IDENTIFIER.—Not later than 2 years after the date of enactment of the Drug Supply Chain Security Act, the Secretary shall finalize guidance specifying whether and under what circumstances product that is not labeled with a product identifier and that is in the pharmaceutical distribution supply chain at the time of the effective date of the requirements of this section shall be exempted from the requirements of this section. Deadline. Guidance.

"(B) TRACING.—For a product that entered the pharmaceutical distribution supply chain prior to January 1, 2015—

"(i) authorized trading partners shall be exempt from providing transaction information as required under subsections (b)(1)(A)(i), (c)(1)(A)(ii), (d)(1)(A)(ii), and (e)(1)(A)(ii);

"(ii) transaction history required under this section shall begin with the owner of such product on such date; and

"(iii) the owners of such product on such date shall be exempt from asserting receipt of transaction information and transaction statement from the prior owner as required under this section.

"(6) WHOLESALE DISTRIBUTOR LICENSES.—Notwithstanding section 581(9)(A), until the effective date of the wholesale distributor licensing regulations under section 583, the term 'licensed' or 'authorized', as it relates to a wholesale distributor with respect to prescription drugs, shall mean a wholesale distributor with a valid license under State law. Definition.

"(7) THIRD-PARTY LOGISTICS PROVIDER LICENSES.—Until the effective date of the third-party logistics provider licensing regulations under section 584, a third-party logistics provider shall be considered 'licensed' under section 581(9)(B) unless the Secretary has made a finding that the third-party logistics provider does not utilize good handling and distribution practices and publishes notice thereof. Notice.

"(8) LABEL CHANGES.—Changes made to package labels solely to incorporate the product identifier may be submitted to the Secretary in the annual report of an establishment, in accordance with section 314.70(d) of chapter 21, Code of Federal Regulations (or any successor regulation).

"(9) PRODUCT IDENTIFIERS.—With respect to any requirement relating to product identifiers under this subchapter—

"(A) unless the Secretary allows, through guidance, the use of other technologies for data instead of or in addition to the technologies described in clauses (i) and (ii), the applicable data—

"(i) shall be included in a 2-dimensional data matrix barcode when affixed to, or imprinted upon, a package; and

"(ii) shall be included in a linear or 2-dimensional data matrix barcode when affixed to, or imprinted upon, a homogeneous case; and

"(B) verification of the product identifier may occur by using human-readable or machine-readable methods.

"(b) MANUFACTURER REQUIREMENTS.—

"(1) PRODUCT TRACING.—

"(A) IN GENERAL.—Beginning not later than January 1, 2015, a manufacturer shall—

"(i) prior to, or at the time of, each transaction in which such manufacturer transfers ownership of a product, provide the subsequent owner with transaction history, transaction information, and a transaction statement, in a single document in an paper or electronic format; and

Time period.

"(ii) capture the transaction information (including lot level information), transaction history, and transaction statement for each transaction and maintain such information, history, and statement for not less than 6 years after the date of the transaction.

Time period.

"(B) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect product or an illegitimate product, a manufacturer shall, not later than 1 business day, and not to exceed 48 hours, after receiving the request, or in other such reasonable time as determined by the Secretary, based on the circumstances of the request, provide the applicable transaction information, transaction history, and transaction statement for the product.

"(C) ELECTRONIC FORMAT.—

"(i) IN GENERAL.—Beginning not later than 4 years after the date of enactment of the Drug Supply Chain Security Act, except as provided under clause (ii), a manufacturer shall provide the transaction information, transaction history, and transaction statement required under subparagraph (A)(i) in electronic format.

"(ii) EXCEPTION.—A manufacturer may continue to provide the transaction information, transaction history, and transaction statement required under subparagraph (A)(i) in a paper format to a licensed health care practitioner authorized to prescribe medication under State law or other licensed individual under the supervision or direction of such a practitioner who dispenses product in the usual course of professional practice.

"(2) PRODUCT IDENTIFIER.—

"(A) IN GENERAL.—Beginning not later than 4 years after the date of enactment of the Drug Supply Chain Security Act, a manufacturer shall affix or imprint a product identifier to each package and homogenous case of a product intended to be introduced in a transaction into commerce. Such manufacturer shall maintain the product identifier information for such product for not less than 6 years after the date of the transaction.

Time period.

"(B) EXCEPTION.—A package that is required to have a standardized numerical identifier is not required to have a unique device identifier.

"(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, the trading partners of a manufacturer may be only authorized trading partners.

"(4) VERIFICATION.—Beginning not later than January 1, 2015, a manufacturer shall have systems in place to enable the manufacturer to comply with the following requirements:

"(A) SUSPECT PRODUCT.— Determination.

"(i) IN GENERAL.—Upon making a determination that a product in the possession or control of the manufacturer is a suspect product, or upon receiving a request for verification from the Secretary that has made a determination that a product within the possession or control of a manufacturer is a suspect product, a manufacturer shall—

"(I) quarantine such product within the possession or control of the manufacturer from product intended for distribution until such product is cleared or dispositioned; and Quarantine.

"(II) promptly conduct an investigation in coordination with trading partners, as applicable, to determine whether the product is an illegitimate product, which shall include validating any applicable transaction history and transaction information in the possession of the manufacturer and otherwise investigating to determine whether the product is an illegitimate product, and, beginning 4 years after the date of enactment of the Drug Supply Chain Security Act, verifying the product at the package level, including the standardized numerical identifier. Investigation.

"(ii) CLEARED PRODUCT.—If the manufacturer makes the determination that a suspect product is not an illegitimate product, the manufacturer shall promptly notify the Secretary, if applicable, of such determination and such product may be further distributed. Notification.

"(iii) RECORDS.—A manufacturer shall keep records of the investigation of a suspect product for not less than 6 years after the conclusion of the investigation. Time period.

"(B) ILLEGITIMATE PRODUCT.— Determination.

"(i) IN GENERAL.—Upon determining that a product in the possession or control of a manufacturer is an illegitimate product, the manufacturer shall, in a manner consistent with the systems and processes of such manufacturer—

"(I) quarantine such product within the possession or control of the manufacturer from product intended for distribution until such product is dispositioned;

"(II) disposition the illegitimate product within the possession or control of the manufacturer;

"(III) take reasonable and appropriate steps to assist a trading partner to disposition an illegitimate product not in the possession or control of the manufacturer; and

"(IV) retain a sample of the product for further physical examination or laboratory analysis of the product by the manufacturer or Secretary (or other appropriate Federal or State official) upon request by the Secretary (or other appropriate Federal or State official), as necessary and appropriate.

"(ii) MAKING A NOTIFICATION.—

Deadline.

"(I) ILLEGITIMATE PRODUCT.—Upon determining that a product in the possession or control of the manufacturer is an illegitimate product, the manufacturer shall notify the Secretary and all immediate trading partners that the manufacturer has reason to believe may have received such illegitimate product of such determination not later than 24 hours after making such determination.

"(II) HIGH RISK OF ILLEGITIMACY.—A manufacturer shall notify the Secretary and immediate trading partners that the manufacturer has reason to believe may have in the trading partner's possession a product manufactured by, or purported to be a product manufactured by, the manufacturer not later than 24 hours after determining or being notified by the Secretary or a trading partner that there is a high risk that such product is an illegitimate product. For purposes of this subclause, a 'high risk' may include a specific high risk that could increase the likelihood that illegitimate product will enter the pharmaceutical distribution supply chain and other high risks as determined by the Secretary in guidance pursuant to subsection (h).

"(iii) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary or a trading partner that a determination has been made that a product is an illegitimate product, a manufacturer shall identify all illegitimate product subject to such notification that is in the possession or control of the manufacturer, including any product that is subsequently received, and shall perform the activities described in subparagraph (A).

Consultation.

"(iv) TERMINATING A NOTIFICATION.—Upon making a determination, in consultation with the Secretary, that a notification is no longer necessary, a manufacturer shall promptly notify immediate trading partners that the manufacturer notified pursuant to clause (ii) that such notification has been terminated.

Time period.

"(v) RECORDS.—A manufacturer shall keep records of the disposition of an illegitimate product for not less than 6 years after the conclusion of the disposition.

Deadline.
Timeline.

"(C) REQUESTS FOR VERIFICATION.—Beginning 4 years after the date of enactment of the Drug Supply Chain Security Act, upon receiving a request for verification from

an authorized repackager, wholesale distributor, or dispenser that is in possession or control of a product such person believes to be manufactured by such manufacturer, a manufacturer shall, not later than 24 hours after receiving the request for verification or in other such reasonable time as determined by the Secretary, based on the circumstances of the request, notify the person making the request whether the product identifier, including the standardized numerical identifier, that is the subject of the request corresponds to the product identifier affixed or imprinted by the manufacturer. If a manufacturer responding to a request for verification identifies a product identifier that does not correspond to that affixed or imprinted by the manufacturer, the manufacturer shall treat such product as suspect product and conduct an investigation as described in subparagraph (A). If the manufacturer has reason to believe the product is an illegitimate product, the manufacturer shall advise the person making the request of such belief at the time such manufacturer responds to the request for verification.

"(D) ELECTRONIC DATABASE.—A manufacturer may satisfy the requirements of this paragraph by developing a secure electronic database or utilizing a secure electronic database developed or operated by another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a manufacturer of the requirement under this paragraph to respond to a request for verification submitted by means other than a secure electronic database.

"(E) SALEABLE RETURNED PRODUCT.—Beginning 4 years after the date of enactment of the Drug Supply Chain Security Act (except as provided pursuant to subsection (a)(5)), upon receipt of a returned product that the manufacturer intends to further distribute, before further distributing such product, the manufacturer shall verify the product identifier, including the standardized numerical identifier, for each sealed homogeneous case of such product or, if such product is not in a sealed homogeneous case, verify the product identifier, including the standardized numerical identifier, on each package. Verification.

"(F) NONSALEABLE RETURNED PRODUCT.—A manufacturer may return a nonsaleable product to the manufacturer or repackager, to the wholesale distributor from whom such product was purchased, or to a person acting on behalf of such a person, including a returns processor, without providing the information described in paragraph (1)(A)(i).

"(c) WHOLESALE DISTRIBUTOR REQUIREMENTS.—

"(1) PRODUCT TRACING.—

"(A) IN GENERAL.—Beginning not later than January 1, 2015, the following requirements shall apply to wholesale distributors: Applicability.

"(i) A wholesale distributor shall not accept ownership of a product unless the previous owner prior to,

or at the time of, the transaction provides the transaction history, transaction information, and a transaction statement for the product, as applicable under this subparagraph.

"(ii)(I)(aa) If the wholesale distributor purchased a product directly from the manufacturer, the exclusive distributor of the manufacturer, or a repackager that purchased directly from the manufacturer, then prior to, or at the time of, each transaction in which the wholesale distributor transfers ownership of a product, the wholesale distributor shall provide to the subsequent purchaser—

"(AA) a transaction statement, which shall state that such wholesale distributor, or a member of the affiliate of such wholesale distributor, purchased the product directly from the manufacturer, exclusive distributor of the manufacturer, or repackager that purchased the product directly from the manufacturer; and

"(BB) subject to subclause (II), the transaction history and transaction information.

"(bb) The wholesale distributor shall provide the transaction history, transaction information, and transaction statement under item (aa)—

"(AA) if provided to a dispenser, on a single document in a paper or electronic format; and

"(BB) if provided to a wholesale distributor, through any combination of self-generated paper, electronic data, or manufacturer-provided information on the product package.

"(II) For purposes of transactions described in subclause (I), transaction history and transaction information shall not be required to include the lot number of the product, the initial transaction date, or the initial shipment date from the manufacturer (as defined in subparagraphs (F), (G), and (H) of section 581(26)).

"(iii) If the wholesale distributor did not purchase a product directly from the manufacturer, the exclusive distributor of the manufacturer, or a repackager that purchased directly from the manufacturer, as described in clause (ii), then prior to, or at the time of, each transaction or subsequent transaction, the wholesale distributor shall provide to the subsequent purchaser a transaction statement, transaction history, and transaction information, in a paper or electronic format that complies with the guidance document issued under subsection (a)(2).

"(iv) For the purposes of clause (iii), the transaction history supplied shall begin only with the wholesale distributor described in clause (ii)(I), but the wholesale distributor described in clause (iii) shall inform the subsequent purchaser that such wholesale distributor received a direct purchase statement from a wholesale distributor described in clause (ii)(I).

"(v) A wholesale distributor shall—

"(I) capture the transaction information (including lot level information) consistent with the requirements of this section, transaction history, and transaction statement for each transaction described in clauses (i), (ii), and (iii) and maintain such information, history, and statement for not less than 6 years after the date of the transaction; and Time period.

"(II) maintain the confidentiality of the transaction information (including any lot level information consistent with the requirements of this section), transaction history, and transaction statement for a product in a manner that prohibits disclosure to any person other than the Secretary or other appropriate Federal or State official, except to comply with clauses (ii) and (iii), and, as applicable, pursuant to an agreement under subparagraph (D). Confidentiality.

"(B) RETURNS.—

"(i) SALEABLE RETURNS.—Notwithstanding subparagraph (A)(i), the following shall apply: Applicability.

"(I) REQUIREMENTS.—Until the date that is 6 years after the date of enactment of the Drug Supply Chain Security Act (except as provided pursuant to subsection (a)(5)), a wholesale distributor may accept returned product from a dispenser or repackager pursuant to the terms and conditions of any agreement between the parties, and, notwithstanding subparagraph (A)(ii), may distribute such returned product without providing the transaction history. For transactions subsequent to the return, the transaction history of such product shall begin with the wholesale distributor that accepted the returned product, consistent with the requirements of this subsection.

"(II) ENHANCED REQUIREMENTS.—Beginning 6 years after the date of enactment of the Drug Supply Chain Security Act (except as provided pursuant to subsection (a)(5)), a wholesale distributor may accept returned product from a dispenser or repackager only if the wholesale distributor can associate returned product with the transaction information and transaction statement associated with that product. For all transactions after such date, the transaction history, as applicable, of such product shall begin with the wholesale distributor that accepted and verified the returned product. For purposes of this subparagraph, the transaction information and transaction history, as applicable, need not include transaction dates if it is not reasonably practicable to obtain such dates.

"(ii) NONSALEABLE RETURNS.—A wholesale distributor may return a nonsaleable product to the manufacturer or repackager, to the wholesale distributor from whom such product was purchased, or to a person acting on behalf of such a person, including a returns

processor, without providing the information required under subparagraph (A)(i).

Time period.

"(C) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect product or an illegitimate product, a wholesale distributor shall, not later than 1 business day, and not to exceed 48 hours, after receiving the request or in other such reasonable time as determined by the Secretary, based on the circumstances of the request, provide the applicable transaction information, transaction history, and transaction statement for the product.

"(D) TRADING PARTNER AGREEMENTS.—Beginning 6 years after the date of enactment of the Drug Supply Chain Security Act, a wholesale distributor may disclose the transaction information, including lot level information, transaction history, or transaction statement of a product to the subsequent purchaser of the product, pursuant to a written agreement between such wholesale distributor and such subsequent purchaser. Nothing in this subparagraph shall be construed to limit the applicability of subparagraphs (A) through (C).

"(2) PRODUCT IDENTIFIER.—Beginning 6 years after the date of enactment of the Drug Supply Chain Security Act, a wholesale distributor may engage in transactions involving a product only if such product is encoded with a product identifier (except as provided pursuant to subsection (a)(5)).

"(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, the trading partners of a wholesale distributor may be only authorized trading partners.

"(4) VERIFICATION.—Beginning not later than January 1, 2015, a wholesale distributor shall have systems in place to enable the wholesale distributor to comply with the following requirements:

Determination.

"(A) SUSPECT PRODUCT.—

"(i) IN GENERAL.—Upon making a determination that a product in the possession or control of a wholesale distributor is a suspect product, or upon receiving a request for verification from the Secretary that has made a determination that a product within the possession or control of a wholesale distributor is a suspect product, a wholesale distributor shall—

Quarantine.

"(I) quarantine such product within the possession or control of the wholesale distributor from product intended for distribution until such product is cleared or dispositioned; and

Investigation.

"(II) promptly conduct an investigation in coordination with trading partners, as applicable, to determine whether the product is an illegitimate product, which shall include validating any applicable transaction history and transaction information in the possession of the wholesale distributor and otherwise investigating to determine whether the product is an illegitimate product, and, beginning 6 years after the date of enactment of the Drug Supply Chain Security Act (except as provided pursuant to subsection (a)(5)),

verifying the product at the package level, including the standardized numerical identifier.

"(ii) CLEARED PRODUCT.—If the wholesale distributor determines that a suspect product is not an illegitimate product, the wholesale distributor shall promptly notify the Secretary, if applicable, of such determination and such product may be further distributed. Notification.

"(iii) RECORDS.—A wholesale distributor shall keep records of the investigation of a suspect product for not less than 6 years after the conclusion of the investigation. Time period.

"(B) ILLEGITIMATE PRODUCT.— Determination.

"(i) IN GENERAL.—Upon determining, in coordination with the manufacturer, that a product in the possession or control of a wholesale distributor is an illegitimate product, the wholesale distributor shall, in a manner that is consistent with the systems and processes of such wholesale distributor—

"(I) quarantine such product within the possession or control of the wholesale distributor from product intended for distribution until such product is dispositioned; Quarantine.

"(II) disposition the illegitimate product within the possession or control of the wholesale distributor;

"(III) take reasonable and appropriate steps to assist a trading partner to disposition an illegitimate product not in the possession or control of the wholesale distributor; and

"(IV) retain a sample of the product for further physical examination or laboratory analysis of the product by the manufacturer or Secretary (or other appropriate Federal or State official) upon request by the manufacturer or Secretary (or other appropriate Federal or State official), as necessary and appropriate.

"(ii) MAKING A NOTIFICATION.—Upon determining that a product in the possession or control of the wholesale distributor is an illegitimate product, the wholesale distributor shall notify the Secretary and all immediate trading partners that the wholesale distributor has reason to believe may have received such illegitimate product of such determination not later than 24 hours after making such determination. Deadline.

"(iii) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary or a trading partner that a determination has been made that a product is an illegitimate product, a wholesale distributor shall identify all illegitimate product subject to such notification that is in the possession or control of the wholesale distributor, including any product that is subsequently received, and shall perform the activities described in subparagraph (A).

"(iv) TERMINATING A NOTIFICATION.—Upon making a determination, in consultation with the Secretary, that a notification is no longer necessary, a wholesale

distributor shall promptly notify immediate trading partners that the wholesale distributor notified pursuant to clause (ii) that such notification has been terminated.

Time period.

"(v) RECORDS.—A wholesale distributor shall keep records of the disposition of an illegitimate product for not less than 6 years after the conclusion of the disposition.

"(C) ELECTRONIC DATABASE.—A wholesale distributor may satisfy the requirements of this paragraph by developing a secure electronic database or utilizing a secure electronic database developed or operated by another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a wholesale distributor of the requirement under this paragraph to respond to a verification request submitted by means other than a secure electronic database.

Requirements.

"(D) VERIFICATION OF SALEABLE RETURNED PRODUCT.—Beginning 6 years after the date of enactment of the Drug Supply Chain Security Act, upon receipt of a returned product that the wholesale distributor intends to further distribute, before further distributing such product, the wholesale distributor shall verify the product identifier, including the standardized numerical identifier, for each sealed homogeneous case of such product or, if such product is not in a sealed homogeneous case, verify the product identifier, including the standardized numerical identifier, on each package.

"(d) DISPENSER REQUIREMENTS.—

"(1) PRODUCT TRACING.—

"(A) IN GENERAL.—Beginning July 1, 2015, a dispenser—

"(i) shall not accept ownership of a product, unless the previous owner prior to, or at the time of, the transaction, provides transaction history, transaction information, and a transaction statement;

"(ii) prior to, or at the time of, each transaction in which the dispenser transfers ownership of a product (but not including dispensing to a patient or returns) shall provide the subsequent owner with transaction history, transaction information, and a transaction statement for the product, except that the requirements of this clause shall not apply to sales by a dispenser to another dispenser to fulfill a specific patient need; and

Time period.

"(iii) shall capture transaction information (including lot level information, if provided), transaction history, and transaction statements, as necessary to investigate a suspect product, and maintain such information, history, and statements for not less than 6 years after the transaction.

"(B) AGREEMENTS WITH THIRD PARTIES.—A dispenser may enter into a written agreement with a third party, including an authorized wholesale distributor, under which

the third party confidentially maintains the transaction information, transaction history, and transaction statements required to be maintained under this subsection on behalf of the dispenser. If a dispenser enters into such an agreement, the dispenser shall maintain a copy of the written agreement and shall not be relieved of the obligations of the dispenser under this subsection. Records.

"(C) RETURNS.—

"(i) SALEABLE RETURNS.—A dispenser may return product to the trading partner from which the dispenser obtained the product without providing the information required under subparagraph (A).

"(ii) NONSALEABLE RETURNS.—A dispenser may return a nonsaleable product to the manufacturer or repackager, to the wholesale distributor from whom such product was purchased, to a returns processor, or to a person acting on behalf of such a person without providing the information required under subparagraph (A).

"(D) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect or an illegitimate product, a dispenser shall, not later than 2 business days after receiving the request or in another such reasonable time as determined by the Secretary, based on the circumstances of the request, provide the applicable transaction information, transaction statement, and transaction history which the dispenser received from the previous owner, which shall not include the lot number of the product, the initial transaction date, or the initial shipment date from the manufacturer unless such information was included in the transaction information, transaction statement, and transaction history provided by the manufacturer or wholesale distributor to the dispenser. The dispenser may respond to the request by providing the applicable information in either paper or electronic format. Until the date that is 4 years after the date of enactment of the Drug Supply Chain Security Act, the Secretary or other appropriate Federal or State official shall grant a dispenser additional time, as necessary, only with respect to a request to provide lot level information described in subparagraph (F) of section 581(26) that was provided to the dispenser in paper format, limit the request time period to the 6 months preceding the request or other relevant date, and, in the event of a recall, the Secretary, or other appropriate Federal or State official may request information only if such recall involves a serious adverse health consequence or death to humans. Time periods.

"(2) PRODUCT IDENTIFIER.—Beginning not later than 7 years after the date of enactment of the Drug Supply Chain Security Act, a dispenser may engage in transactions involving a product only if such product is encoded with a product identifier (except as provided pursuant to subsection (a)(5)).

"(3) AUTHORIZED TRADING PARTNERS.—Beginning not later than January 1, 2015, the trading partners of a dispenser may be only authorized trading partners.

"(4) VERIFICATION.—Beginning not later than January 1, 2015, a dispenser shall have systems in place to enable the dispenser to comply with the following requirements:

"(A) SUSPECT PRODUCT.—

Determination.

"(i) IN GENERAL.—Upon making a determination that a product in the possession or control of the dispenser is a suspect product, or upon receiving a request for verification from the Secretary that has made a determination that a product within the possession or control of a dispenser is a suspect product, a dispenser shall—

Quarantine.

"(I) quarantine such product within the possession or control of the dispenser from product intended for distribution until such product is cleared or dispositioned; and

Investigation.

"(II) promptly conduct an investigation in coordination with trading partners, as applicable, to determine whether the product is an illegitimate product.

"(ii) INVESTIGATION.—An investigation conducted under clause (i)(II) shall include—

"(I) beginning 7 years after the date of enactment of the Drug Supply Chain Security Act, verifying whether the lot number of a suspect product corresponds with the lot number for such product;

"(II) beginning 7 years after the date of enactment of such Act, verifying that the product identifier, including the standardized numerical identifier, of at least 3 packages or 10 percent of such suspect product, whichever is greater, or all packages, if there are fewer than 3, corresponds with the product identifier for such product;

"(III) validating any applicable transaction history and transaction information in the possession of the dispenser; and

"(IV) otherwise investigating to determine whether the product is an illegitimate product.

Notification.

"(iii) CLEARED PRODUCT.—If the dispenser makes the determination that a suspect product is not an illegitimate product, the dispenser shall promptly notify the Secretary, if applicable, of such determination and such product may be further distributed or dispensed.

Time period.

"(iv) RECORDS.—A dispenser shall keep records of the investigation of a suspect product for not less than 6 years after the conclusion of the investigation.

Determination.

"(B) ILLEGITIMATE PRODUCT.—

"(i) IN GENERAL.—Upon determining, in coordination with the manufacturer, that a product in the possession or control of a dispenser is an illegitimate product, the dispenser shall—

"(I) disposition the illegitimate product within the possession or control of the dispenser;

"(II) take reasonable and appropriate steps to assist a trading partner to disposition an illegitimate product not in the possession or control of the dispenser; and

"(III) retain a sample of the product for further physical examination or laboratory analysis of the product by the manufacturer or Secretary (or other appropriate Federal or State official) upon request by the manufacturer or Secretary (or other appropriate Federal or State official), as necessary and appropriate.

"(ii) MAKING A NOTIFICATION.—Upon determining that a product in the possession or control of the dispenser is an illegitimate product, the dispenser shall notify the Secretary and all immediate trading partners that the dispenser has reason to believe may have received such illegitimate product of such determination not later than 24 hours after making such determination. Deadline.

"(iii) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary or a trading partner that a determination has been made that a product is an illegitimate product, a dispenser shall identify all illegitimate product subject to such notification that is in the possession or control of the dispenser, including any product that is subsequently received, and shall perform the activities described in subparagraph (A).

"(iv) TERMINATING A NOTIFICATION.—Upon making a determination, in consultation with the Secretary, that a notification is no longer necessary, a dispenser shall promptly notify immediate trading partners that the dispenser notified pursuant to clause (ii) that such notification has been terminated.

"(v) RECORDS.—A dispenser shall keep records of the disposition of an illegitimate product for not less than 6 years after the conclusion of the disposition. Time period.

"(C) ELECTRONIC DATABASE.—A dispenser may satisfy the requirements of this paragraph by developing a secure electronic database or utilizing a secure electronic database developed or operated by another entity.

"(5) EXCEPTION.—Notwithstanding any other provision of law, the requirements under paragraphs (1) and (4) shall not apply to licensed health care practitioners authorized to prescribe or administer medication under State law or other licensed individuals under the supervision or direction of such practitioners who dispense or administer product in the usual course of professional practice.

"(e) REPACKAGER REQUIREMENTS.—

"(1) PRODUCT TRACING.—

"(A) IN GENERAL.—Beginning not later than January 1, 2015, a repackager described in section 581(16)(A) shall—

"(i) not accept ownership of a product unless the previous owner, prior to, or at the time of, the transaction, provides transaction history, transaction

information, and a transaction statement for the product;

"(ii) prior to, or at the time of, each transaction in which the repackager transfers ownership of a product, provide the subsequent owner with transaction history, transaction information, and a transaction statement for the product; and

"(iii) capture the transaction information (including lot level information), transaction history, and transaction statement for each transaction described in clauses (i) and (ii) and maintain such information, history, and statement for not less than 6 years after the transaction.

"(B) RETURNS.—

"(i) NONSALEABLE PRODUCT.—A repackager described in section 581(16)(A) may return a nonsaleable product to the manufacturer or repackager, or to the wholesale distributor from whom such product was purchased, or to a person acting on behalf of such a person, including a returns processor, without providing the information required under subparagraph (A)(ii).

"(ii) SALEABLE OR NONSALEABLE PRODUCT.—A repackager described in section 581(16)(B) may return a saleable or nonsaleable product to the manufacturer, repackager, or to the wholesale distributor from whom such product was received without providing the information required under subparagraph (A)(ii) on behalf of the hospital or other health care entity that took ownership of such product pursuant to the terms and conditions of any agreement between such repackager and the entity that owns the product.

Time period.

"(C) REQUESTS FOR INFORMATION.—Upon a request by the Secretary or other appropriate Federal or State official, in the event of a recall or for the purpose of investigating a suspect product or an illegitimate product, a repackager described in section 581(16)(A) shall, not later than 1 business day, and not to exceed 48 hours, after receiving the request or in other such reasonable time as determined by the Secretary, provide the applicable transaction information, transaction history, and transaction statement for the product.

"(2) PRODUCT IDENTIFIER.—

"(A) IN GENERAL.—Beginning not later than 5 years after the date of enactment of the Drug Supply Chain Security Act, a repackager described in section 581(16)(A)—

"(i) shall affix or imprint a product identifier to each package and homogenous case of product intended to be introduced in a transaction in commerce;

Time period.

"(ii) shall maintain the product identifier information for such product for not less than 6 years after the date of the transaction;

"(iii) may engage in transactions involving a product only if such product is encoded with a product identifier (except as provided pursuant to subsection (a)(5)); and

"(iv) shall maintain records for not less than 6 years to allow the repackager to associate the product identifier the repackager affixes or imprints with the product identifier assigned by the original manufacturer of the product. Records. Time period.

"(B) EXCEPTION.—A package that is required to have a standardized numerical identifier is not required to have a unique device identifier.

"(3) AUTHORIZED TRADING PARTNERS.—Beginning January 1, 2015, the trading partners of a repackager described in section 581(16) may be only authorized trading partners.

"(4) VERIFICATION.—Beginning not later than January 1, 2015, a repackager described in section 581(16)(A) shall have systems in place to enable the repackager to comply with the following requirements:

"(A) SUSPECT PRODUCT.— Determination.

"(i) IN GENERAL.—Upon making a determination that a product in the possession or control of the repackager is a suspect product, or upon receiving a request for verification from the Secretary that has made a determination that a product within the possession or control of a repackager is a suspect product, a repackager shall—

"(I) quarantine such product within the possession or control of the repackager from product intended for distribution until such product is cleared or dispositioned; and Quarantine.

"(II) promptly conduct an investigation in coordination with trading partners, as applicable, to determine whether the product is an illegitimate product, which shall include validating any applicable transaction history and transaction information in the possession of the repackager and otherwise investigating to determine whether the product is an illegitimate product, and, beginning 5 years after the date of enactment of the Drug Supply Chain Security Act (except as provided pursuant to subsection (a)(5)), verifying the product at the package level, including the standardized numerical identifier. Investigation.

"(ii) CLEARED PRODUCT.—If the repackager makes the determination that a suspect product is not an illegitimate product, the repackager shall promptly notify the Secretary, if applicable, of such determination and such product may be further distributed. Notification.

"(iii) RECORDS.—A repackager shall keep records of the investigation of a suspect product for not less than 6 years after the conclusion of the investigation. Time period.

"(B) ILLEGITIMATE PRODUCT.— Determination.

"(i) IN GENERAL.—Upon determining, in coordination with the manufacturer, that a product in the possession or control of a repackager is an illegitimate product, the repackager shall, in a manner that is consistent with the systems and processes of such repackager—

"(I) quarantine such product within the possession or control of the repackager from product Quarantine.

intended for distribution until such product is dispositioned;

"(II) disposition the illegitimate product within the possession or control of the repackager;

"(III) take reasonable and appropriate steps to assist a trading partner to disposition an illegitimate product not in the possession or control of the repackager; and

"(IV) retain a sample of the product for further physical examination or laboratory analysis of the product by the manufacturer or Secretary (or other appropriate Federal or State official) upon request by the manufacturer or Secretary (or other appropriate Federal or State official), as necessary and appropriate.

Deadline.

"(ii) MAKING A NOTIFICATION.—Upon determining that a product in the possession or control of the repackager is an illegitimate product, the repackager shall notify the Secretary and all immediate trading partners that the repackager has reason to believe may have received the illegitimate product of such determination not later than 24 hours after making such determination.

"(iii) RESPONDING TO A NOTIFICATION.—Upon the receipt of a notification from the Secretary or a trading partner, a repackager shall identify all illegitimate product subject to such notification that is in the possession or control of the repackager, including any product that is subsequently received, and shall perform the activities described in subparagraph (A).

Consultation.

"(iv) TERMINATING A NOTIFICATION.—Upon making a determination, in consultation with the Secretary, that a notification is no longer necessary, a repackager shall promptly notify immediate trading partners that the repackager notified pursuant to clause (ii) that such notification has been terminated.

Time period.

"(v) RECORDS.—A repackager shall keep records of the disposition of an illegitimate product for not less than 6 years after the conclusion of the disposition.

Deadline.

"(C) REQUESTS FOR VERIFICATION.—Beginning 5 years after the date of enactment of the Drug Supply Chain Security Act, upon receiving a request for verification from an authorized manufacturer, wholesale distributor, or dispenser that is in possession or control of a product they believe to be repackaged by such repackager, a repackager shall, not later than 24 hours after receiving the verification request or in other such reasonable time as determined by the Secretary, based on the circumstances of the request, notify the person making the request whether the product identifier, including the standardized numerical identifier, that is the subject of the request corresponds to the product identifier affixed or imprinted by the repackager. If a repackager responding to a verification request identifies a product identifier that does not correspond to that affixed or imprinted by the repackager, the repackager shall treat such product as suspect product and conduct an investigation as described in subparagraph (A). If the repackager

has reason to believe the product is an illegitimate product, the repackager shall advise the person making the request of such belief at the time such repackager responds to the verification request.

"(D) ELECTRONIC DATABASE.—A repackager may satisfy the requirements of paragraph (4) by developing a secure electronic database or utilizing a secure electronic database developed or operated by another entity. The owner of such database shall establish the requirements and processes to respond to requests and may provide for data access to other members of the pharmaceutical distribution supply chain, as appropriate. The development and operation of such a database shall not relieve a repackager of the requirement under subparagraph (C) to respond to a verification request submitted by means other than a secure electronic database. Requirements. Procedures.

"(E) VERIFICATION OF SALEABLE RETURNED PRODUCT.—Beginning 5 years after the date of enactment of the Drug Supply Chain Security Act, upon receipt of a returned product that the repackager intends to further distribute, before further distributing such product, the repackager shall verify the product identifier for each sealed homogeneous case of such product or, if such product is not in a sealed homogeneous case, verify the product identifier on each package.

"(f) DROP SHIPMENTS.—

"(1) IN GENERAL.—A wholesale distributor that does not physically handle or store product shall be exempt from the provisions of this section, except the notification requirements under clauses (ii), (iii), and (iv) of subsection (c)(4)(B), provided that the manufacturer, repackager, or other wholesale distributor that distributes the product to the dispenser by means of a drop shipment for such wholesale distributor includes on the transaction information and transaction history to the dispenser the contact information of such wholesale distributor and provides the transaction information, transaction history, and transaction statement directly to the dispenser.

"(2) CLARIFICATION.—For purposes of this subsection, providing administrative services, including processing of orders and payments, shall not by itself, be construed as being involved in the handling, distribution, or storage of a product.".

SEC. 203. ENHANCED DRUG DISTRIBUTION SECURITY.

Section 582, as added by section 202, is amended by adding at the end the following: 21 USC 360eee–1.

"(g) ENHANCED DRUG DISTRIBUTION SECURITY.—

"(1) IN GENERAL.—On the date that is 10 years after the date of enactment of the Drug Supply Chain Security Act, the following interoperable, electronic tracing of product at the package level requirements shall go into effect: Effective date.

"(A) The transaction information and the transaction statements as required under this section shall be exchanged in a secure, interoperable, electronic manner in accordance with the standards established under the guidance issued pursuant to paragraphs (3) and (4) of subsection (h), including any revision of such guidance issued in accordance with paragraph (5) of such subsection.

"(B) The transaction information required under this section shall include the product identifier at the package level for each package included in the transaction.

"(C) Systems and processes for verification of product at the package level, including the standardized numerical identifier, shall be required in accordance with the standards established under the guidance issued pursuant to subsection (a)(2) and the guidances issued pursuant to paragraphs (2), (3), and (4) of subsection (h), including any revision of such guidances issued in accordance with paragraph (5) of such subsection, which may include the use of aggregation and inference as necessary.

"(D) The systems and processes necessary to promptly respond with the transaction information and transaction statement for a product upon a request by the Secretary (or other appropriate Federal or State official) in the event of a recall or for the purposes of investigating a suspect product or an illegitimate product shall be required.

"(E) The systems and processes necessary to promptly facilitate gathering the information necessary to produce the transaction information for each transaction going back to the manufacturer, as applicable, shall be required—

"(i) in the event of a request by the Secretary (or other appropriate Federal or State official), on account of a recall or for the purposes of investigating a suspect product or an illegitimate product; or

"(ii) in the event of a request by an authorized trading partner, in a secure manner that ensures the protection of confidential commercial information and trade secrets, for purposes of investigating a suspect product or assisting the Secretary (or other appropriate Federal or State official) with a request described in clause (i).

"(F) Each person accepting a saleable return shall have systems and processes in place to allow acceptance of such product and may accept saleable returns only if such person can associate the saleable return product with the transaction information and transaction statement associated with that product.

"(2) COMPLIANCE.—

"(A) INFORMATION MAINTENANCE AGREEMENT.—A dispenser may enter into a written agreement with a third party, including an authorized wholesale distributor, under which the third party shall confidentially maintain any information and statements required to be maintained under this section. If a dispenser enters into such an agreement, the dispenser shall maintain a copy of the written agreement and shall not be relieved of the obligations of the dispenser under this subsection.

Records.

"(B) ALTERNATIVE METHODS.—The Secretary, taking into consideration the assessment conducted under paragraph (3), shall provide for alternative methods of compliance with any of the requirements set forth in paragraph (1), including—

Determinations.

"(i) establishing timelines for compliance by small businesses (including small business dispensers with

25 or fewer full-time employees) with such requirements, in order to ensure that such requirements do not impose undue economic hardship for small businesses, including small business dispensers for whom the criteria set forth in the assessment under paragraph (3) is not met, if the Secretary determines that such requirements under paragraph (1) would result in undue economic hardship; and

"(ii) establishing a process by which a dispenser may request a waiver from any of the requirements set forth in paragraph (1) if the Secretary determines that such requirements would result in an undue economic hardship, which shall include a process for the biennial review and renewal of any such waiver. Waiver.

"(3) ASSESSMENT.—

"(A) IN GENERAL.—Not later than the date that is 18 months after the Secretary issues the final guidance required under subsection (h), the Secretary shall enter into a contract with a private, independent consulting firm with expertise to conduct a technology and software assessment that looks at the feasibility of dispensers with 25 or fewer full-time employees conducting interoperable, electronic tracing of products at the package level. Such assessment shall be completed not later than 8½ years after the date of enactment of the Drug Supply Chain Security Act. Deadlines. Guidance.

"(B) CONDITION.—As a condition of the award of the contract under subparagraph (A), the private, independent consulting firm shall agree to consult with dispensers with 25 or fewer full-time employees when conducting the assessment under such subparagraph.

"(C) CONTENT.—The assessment under subparagraph (A) shall assess whether—

"(i) the necessary software and hardware is readily accessible to such dispensers;

"(ii) the necessary software and hardware is prohibitively expensive to obtain, install, and maintain for such dispensers; and

"(iii) the necessary hardware and software can be integrated into business practices, such as interoperability with wholesale distributors, for such dispensers.

"(D) PUBLICATION.—The Secretary shall— Public information. Deadlines.

"(i) publish the statement of work for the assessment under subparagraph (A) for public comment prior to beginning the assessment;

"(ii) publish the final assessment for public comment not later than 30 calendar days after receiving such assessment; and

"(iii) hold a public meeting not later than 180 calendar days after receiving the final assessment at which public stakeholders may present their views on the assessment.

"(4) PROCEDURE.—Notwithstanding section 553 of title 5, United States Code, the Secretary, in promulgating any regulation pursuant to this section, shall— Regulations.

"(A) provide appropriate flexibility by—

"(i) not requiring the adoption of specific business systems for the maintenance and transmission of data;

Determination.

"(ii) prescribing alternative methods of compliance for any of the requirements set forth in paragraph (1) or set forth in regulations implementing such requirements, including—

"(I) timelines for small businesses to comply with the requirements set forth in the regulations in order to ensure that such requirements do not impose undue economic hardship for small businesses (including small business dispensers for whom the criteria set forth in the assessment under paragraph (3) is not met), if the Secretary determines that such requirements would result in undue economic hardship; and

Waiver.

"(II) the establishment of a process by which a dispenser may request a waiver from any of the requirements set forth in such regulations if the Secretary determines that such requirements would result in an undue economic hardship; and

"(iii) taking into consideration—

"(I) the results of pilot projects, including pilot projects pursuant to this section and private sector pilot projects, including those involving the use of aggregation and inference;

"(II) the public meetings held and related guidance documents issued under this section;

"(III) the public health benefits of any additional regulations in comparison to the cost of compliance with such requirements, including on entities of varying sizes and capabilities;

"(IV) the diversity of the pharmaceutical distribution supply chain by providing appropriate flexibility for each sector, including both large and small businesses; and

"(V) the assessment pursuant to paragraph (3) with respect to small business dispensers, including related public comment and the public meeting, and requirements under this section;

Notice.
Records.

"(B) issue a notice of proposed rulemaking that includes a copy of the proposed regulation;

Time period.
Public comments.

"(C) provide a period of not less than 60 days for comments on the proposed regulation; and

Federal Register, publication.
Deadline.

"(D) publish in the Federal Register the final regulation not less than 2 years prior to the effective date of the regulation.

"(h) GUIDANCE DOCUMENTS.—

"(1) IN GENERAL.—For the purposes of facilitating the successful and efficient adoption of secure, interoperable product tracing at the package level in order to enhance drug distribution security and further protect the public health, the Secretary shall issue the guidance documents as provided for in this subsection.

"(2) SUSPECT AND ILLEGITIMATE PRODUCT.—

Deadline.

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Drug Supply Chain Security Act, the Secretary shall issue a guidance document to aid

trading partners in the identification of a suspect product and notification termination. Such guidance document shall—

"(i) identify specific scenarios that could significantly increase the risk of a suspect product entering the pharmaceutical distribution supply chain;

"(ii) provide recommendation on how trading partners may identify such product and make a determination on whether the product is a suspect product as soon as practicable; and

"(iii) set forth the process by which manufacturers, repackagers, wholesale distributors, and dispensers shall terminate notifications in consultation with the Secretary regarding illegitimate product pursuant to subsections (b)(4)(B), (c)(4)(B), (d)(4)(B), and (e)(4)(B).

"(B) REVISED GUIDANCE.—If the Secretary revises the guidance issued under subparagraph (A), the Secretary shall follow the procedure set forth in paragraph (5).

"(3) UNIT LEVEL TRACING.—

"(A) IN GENERAL.—In order to enhance drug distribution security at the package level, not later than 18 months after conducting a public meeting on the system attributes necessary to enable secure tracing of product at the package level, including allowing for the use of verification, inference, and aggregation, as necessary, the Secretary shall issue a final guidance document that outlines and makes recommendations with respect to the system attributes necessary to enable secure tracing at the package level as required under the requirements established under subsection (g). Such guidance document shall— Deadline.

"(i) define the circumstances under which the sectors within the pharmaceutical distribution supply chain may, in the most efficient manner practicable, infer the contents of a case, pallet, tote, or other aggregate of individual packages or containers of product, from a product identifier associated with the case, pallet, tote, or other aggregate, without opening each case, pallet, tote, or other aggregate or otherwise individually scanning each package;

"(ii) identify methods and processes to enhance secure tracing of product at the package level, such as secure processes to facilitate the use of inference, enhanced verification activities, the use of aggregation and inference, processes that utilize the product identifiers to enhance tracing of product at the package level, including the standardized numerical identifier, or package security features; and

"(iii) ensure the protection of confidential commercial information and trade secrets.

"(B) PROCEDURE.—In issuing the guidance under subparagraph (A), and in revising such guidance, if applicable, the Secretary shall follow the procedure set forth in paragraph (5).

"(4) STANDARDS FOR INTEROPERABLE DATA EXCHANGE.—

"(A) IN GENERAL.—In order to enhance secure tracing of a product at the package level, the Secretary, not later than 18 months after conducting a public meeting on the Deadline.

interoperable standards necessary to enhance the security of the pharmaceutical distribution supply chain, shall update the guidance issued pursuant to subsection (a)(2), as necessary and appropriate, and finalize such guidance document so that the guidance document—

"(i) identifies and makes recommendations with respect to the standards necessary for adoption in order to support the secure, interoperable electronic data exchange among the pharmaceutical distribution supply chain that comply with a form and format developed by a widely recognized international standards development organization;

"(ii) takes into consideration standards established pursuant to subsection (a)(2) and section 505D;

"(iii) facilitates the creation of a uniform process or methodology for product tracing; and

"(iv) ensures the protection of confidential commercial information and trade secrets.

"(B) PROCEDURE.—In issuing the guidance under subparagraph (A), and in revising such guidance, if applicable, the Secretary shall follow the procedure set forth in paragraph (5).

"(5) PROCEDURE.—In issuing or revising any guidance issued pursuant to this subsection or subsection (g), except the initial guidance issued under paragraph (2)(A), the Secretary shall—

Notice.
Federal Register, publication.
Time period.
Web posting.

"(A) publish a notice in the Federal Register for a period not less than 30 days announcing that the draft or revised draft guidance is available;

"(B) post the draft guidance document on the Internet Web site of the Food and Drug Administration and make such draft guidance document available in hard copy;

"(C) provide an opportunity for comment and review and take into consideration any comments received;

"(D) revise the draft guidance, as appropriate;

Notice.
Federal Register, publication.
Time period.
Web posting.

"(E) publish a notice in the Federal Register for a period not less than 30 days announcing that the final guidance or final revised guidance is available;

"(F) post the final guidance document on the Internet Web site of the Food and Drug Administration and make such final guidance document available in hard copy; and

Effective date.

"(G) provide for an effective date of not earlier than 1 year after such guidance becomes final.

"(i) PUBLIC MEETINGS.—

"(1) IN GENERAL.—The Secretary shall hold not less than 5 public meetings to enhance the safety and security of the pharmaceutical distribution supply chain and provide for comment. The Secretary may hold the first such public meeting not earlier than 1 year after the date of enactment of the Drug Supply Chain Security Act. In carrying out the public meetings described in this paragraph, the Secretary shall—

Deadline.

"(A) prioritize topics necessary to inform the issuance of the guidance described in paragraphs (3) and (4) of subsection (h); and

"(B) take all measures reasonable and practicable to ensure the protection of confidential commercial information and trade secrets.

"(2) CONTENT.—Each of the following topics shall be addressed in at least one of the public meetings described in paragraph (1):

"(A) An assessment of the steps taken under subsections (b) through (e) to build capacity for a unit-level system, including the impact of the requirements of such subsections on—

"(i) the ability of the health care system collectively to maintain patient access to medicines;

"(ii) the scalability of such requirements, including as it relates to product lines; and

"(iii) the capability of different sectors and subsectors, including both large and small businesses, to affix and utilize the product identifier.

"(B) The system attributes necessary to support the requirements set forth under subsection (g), including the standards necessary for adoption in order to support the secure, interoperable electronic data exchange among sectors within the pharmaceutical distribution supply chain.

"(C) Best practices in each of the different sectors within the pharmaceutical distribution supply chain to implement the requirements of this section.

"(D) The costs and benefits of the implementation of this section, including the impact on each pharmaceutical distribution supply chain sector and on public health.

"(E) Whether electronic tracing requirements, including tracing of product at the package level, are feasible, cost effective, and needed to protect the public health.

"(F) The systems and processes needed to utilize the product identifiers to enhance tracing of product at the package level, including allowing for verification, aggregation, and inference, as necessary.

"(G) The technical capabilities and legal authorities, if any, needed to establish an interoperable, electronic system that provides for tracing of product at the package level.

"(H) The impact that such additional requirements would have on patient safety, the drug supply, cost and regulatory burden, and timely patient access to prescription drugs.

"(I) Other topics, as determined appropriate by the Secretary.

"(j) PILOT PROJECTS.—

"(1) IN GENERAL.—The Secretary shall establish 1 or more pilot projects, in coordination with authorized manufacturers, repackagers, wholesale distributors, and dispensers, to explore and evaluate methods to enhance the safety and security of the pharmaceutical distribution supply chain. Such projects shall build upon efforts, in existence as of the date of enactment of the Drug Supply Chain Security Act, to enhance the safety and security of the pharmaceutical distribution supply chain, take into consideration any pilot projects conducted prior to such date of enactment, including any pilot projects that use aggregation and inference, and inform the draft and final guidance under paragraphs (3) and (4) of subsection (h).

"(2) CONTENT.—

"(A) IN GENERAL.—The Secretary shall ensure that the pilot projects under paragraph (1) reflect the diversity of the pharmaceutical distribution supply chain and that the pilot projects, when taken as a whole, include participants representative of every sector, including both large and small businesses.

"(B) PROJECT DESIGN.—The pilot projects under paragraph (1) shall be designed to—

"(i) utilize the product identifier for tracing of a product, which may include verification of the product identifier of a product, including the use of aggregation and inference;

"(ii) improve the technical capabilities of each sector and subsector to comply with systems and processes needed to utilize the product identifiers to enhance tracing of a product;

"(iii) identify system attributes that are necessary to implement the requirements established under this section; and

"(iv) complete other activities as determined by the Secretary.

"(k) SUNSET.—The following requirements shall have no force or effect beginning on the date that is 10 years after the date of enactment of the Drug Supply Chain Security Act:

"(1) The provision and receipt of transaction history under this section.

"(2) The requirements set forth for returns under subsections (b)(4)(E), (c)(1)(B)(i), (d)(1)(C)(i), and (e)(4)(E).

Applicability.

"(3) The requirements set forth under subparagraphs (A)(v)(II) and (D) of subsection (c)(1), as applied to lot level information only.

"(l) RULE OF CONSTRUCTION.—The requirements set forth in subsections (g)(4), (i), and (j) shall not be construed as a condition, prohibition, or precedent for precluding or delaying the provisions becoming effective pursuant to subsection (g).

Effective date.
Time period.

"(m) REQUESTS FOR INFORMATION.—On the date that is 10 years after the date of enactment of the Drug Supply Chain Security Act, the timeline for responses to requests for information from the Secretary, or other appropriate Federal or State official, as applicable, under subsections (b)(1)(B), (c)(1)(C), and (e)(1)(C) shall be not later than 24 hours after receiving the request from the Secretary or other appropriate Federal or State official, as applicable, or in such other reasonable time as determined by the Secretary based on the circumstances of the request.".

SEC. 204. NATIONAL STANDARDS FOR PRESCRIPTION DRUG WHOLESALE DISTRIBUTORS.

(a) AMENDMENTS.—

(1) REQUIREMENT.—Section 503(e) (21 U.S.C. 353(e)) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

"(1) REQUIREMENT.—Subject to section 583:

"(A) IN GENERAL.—No person may engage in wholesale distribution of a drug subject to subsection (b)(1) in any State unless such person—

"(i)(I) is licensed by the State from which the drug is distributed; or

"(II) if the State from which the drug is distributed has not established a licensure requirement, is licensed by the Secretary; and

"(ii) if the drug is distributed interstate, is licensed by the State into which the drug is distributed if the State into which the drug is distributed requires the licensure of a person that distributes drugs into the State.

"(B) STANDARDS.—Each Federal and State license described in subparagraph (A) shall meet the standards, terms, and conditions established by the Secretary under section 583.

"(2) REPORTING AND DATABASE.—

"(A) REPORTING.—Beginning January 1, 2015, any person who owns or operates an establishment that engages in wholesale distribution shall— Effective date.

"(i) report to the Secretary, on an annual basis pursuant to a schedule determined by the Secretary—

"(I) each State by which the person is licensed and the appropriate identification number of each such license; and

"(II) the name, address, and contact information of each facility at which, and all trade names under which, the person conducts business; and

"(ii) report to the Secretary within a reasonable period of time and in a reasonable manner, as determined by the Secretary, any significant disciplinary actions, such as the revocation or suspension of a wholesale distributor license, taken by a State or the Federal Government during the reporting period against the wholesale distributor.

"(B) DATABASE.—Not later than January 1, 2015, the Secretary shall establish a database of authorized wholesale distributors. Such database shall—

"(i) identify each authorized wholesale distributor by name, contact information, and each State where such wholesale distributor is appropriately licensed to engage in wholesale distribution;

"(ii) be available to the public on the Internet Web site of the Food and Drug Administration; and Public information. Web posting.

"(iii) be regularly updated on a schedule determined by the Secretary.

"(C) COORDINATION.—The Secretary shall establish a format and procedure for appropriate State officials to access the information provided pursuant to subparagraph (A) in a prompt and secure manner. Procedure.

"(D) CONFIDENTIALITY.—Nothing in this paragraph shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

"(3) COSTS.—

"(A) AUTHORIZED FEES OF SECRETARY.—If a State does not establish a licensing program for persons engaged in the wholesale distribution of a drug subject to subsection License.

(b), the Secretary shall license a person engaged in wholesale distribution located in such State and may collect a reasonable fee in such amount necessary to reimburse the Secretary for costs associated with establishing and administering the licensure program and conducting periodic inspections under this section. The Secretary shall adjust fee rates as needed on an annual basis to generate only the amount of revenue needed to perform this service. Fees authorized under this paragraph shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation.

"(B) STATE LICENSING FEES.—Nothing in this Act shall prohibit States from collecting fees from wholesale distributors in connection with State licensing of such distributors.".

(2) WHOLESALE DISTRIBUTION.—Section 503(e) (21 U.S.C. 353(e)), as amended by paragraph (1), is further amended by adding at the end the following:

Definition.

"(4) For the purposes of this subsection and subsection (d), the term 'wholesale distribution' means the distribution of a drug subject to subsection (b) to a person other than a consumer or patient, or receipt of a drug subject to subsection (b) by a person other than the consumer or patient, but does not include—

"(A) intracompany distribution of any drug between members of an affiliate or within a manufacturer;

"(B) the distribution of a drug, or an offer to distribute a drug among hospitals or other health care entities which are under common control;

"(C) the distribution of a drug or an offer to distribute a drug for emergency medical reasons, including a public health emergency declaration pursuant to section 319 of the Public Health Service Act, except that, for purposes of this paragraph, a drug shortage not caused by a public health emergency shall not constitute an emergency medical reason;

"(D) the dispensing of a drug pursuant to a prescription executed in accordance with subsection (b)(1);

"(E) the distribution of minimal quantities of drug by a licensed retail pharmacy to a licensed practitioner for office use;

"(F) the distribution of a drug or an offer to distribute a drug by a charitable organization to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

"(G) the purchase or other acquisition by a dispenser, hospital, or other health care entity of a drug for use by such dispenser, hospital, or other health care entity;

"(H) the distribution of a drug by the manufacturer of such drug;

"(I) the receipt or transfer of a drug by an authorized third-party logistics provider provided that such third-party logistics provider does not take ownership of the drug;

"(J) a common carrier that transports a drug, provided that the common carrier does not take ownership of the drug;

"(K) the distribution of a drug, or an offer to distribute a drug by an authorized repackager that has taken ownership or possession of the drug and repacks it in accordance with section 582(e);

"(L) salable drug returns when conducted by a dispenser;

"(M) the distribution of a collection of finished medical devices, which may include a product or biological product, assembled in kit form strictly for the convenience of the purchaser or user (referred to in this subparagraph as a 'medical convenience kit') if—

"(i) the medical convenience kit is assembled in an establishment that is registered with the Food and Drug Administration as a device manufacturer in accordance with section 510(b)(2);

"(ii) the medical convenience kit does not contain a controlled substance that appears in a schedule contained in the Comprehensive Drug Abuse Prevention and Control Act of 1970;

"(iii) in the case of a medical convenience kit that includes a product, the person that manufacturers the kit—

"(I) purchased such product directly from the pharmaceutical manufacturer or from a wholesale distributor that purchased the product directly from the pharmaceutical manufacturer; and

"(II) does not alter the primary container or label of the product as purchased from the manufacturer or wholesale distributor; and

"(iv) in the case of a medical convenience kit that includes a product, the product is—

"(I) an intravenous solution intended for the replenishment of fluids and electrolytes;

"(II) a product intended to maintain the equilibrium of water and minerals in the body;

"(III) a product intended for irrigation or reconstitution;

"(IV) an anesthetic;

"(V) an anticoagulant;

"(VI) a vasopressor; or

"(VII) a sympathomimetic;

"(N) the distribution of an intravenous drug that, by its formulation, is intended for the replenishment of fluids and electrolytes (such as sodium, chloride, and potassium) or calories (such as dextrose and amino acids);

"(O) the distribution of an intravenous drug used to maintain the equilibrium of water and minerals in the body, such as dialysis solutions;

"(P) the distribution of a drug that is intended for irrigation, or sterile water, whether intended for such purposes or for injection;

"(Q) the distribution of medical gas, as defined in section 575;

"(R) facilitating the distribution of a product by providing solely administrative services, including processing of orders and payments; or

"(S) the transfer of a product by a hospital or other health care entity, or by a wholesale distributor or manufacturer operating at the direction of the hospital or other health care entity, to a repackager described in section 581(16)(B) and registered under section 510 for the purpose of repackaging the drug for use by that hospital, or other health care entity and other health care entities that are under common control, if ownership of the drug remains with the hospital or other health care entity at all times.".

(3) THIRD-PARTY LOGISTICS PROVIDERS.—Section 503(e) (21 U.S.C. 353(e)), as amended by paragraph (2), is further amended by adding at the end the following:

"(5) THIRD-PARTY LOGISTICS PROVIDERS.—Notwithstanding paragraphs (1) through (4), each entity that meets the definition of a third-party logistics provider under section 581(22) shall obtain a license as a third-party logistics provider as described in section 584(a) and is not required to obtain a license as a wholesale distributor if the entity never assumes an ownership interest in the product it handles.".

(4) AFFILIATE.—Section 503(e) (21 U.S.C. 353(e)), as amended by paragraph (3), is further amended by adding at the end the following:

Definition.

"(6) AFFILIATE.—For purposes of this subsection, the term 'affiliate' means a business entity that has a relationship with a second business entity if, directly or indirectly—

"(A) one business entity controls, or has the power to control, the other business entity; or

"(B) a third party controls, or has the power to control, both of the business entities.".

(5) STANDARDS.—Subchapter H of chapter V, as added by section 202, is amended by adding at the end the following:

Regulations.
21 USC 360eee–2.

"SEC. 583. NATIONAL STANDARDS FOR PRESCRIPTION DRUG WHOLESALE DISTRIBUTORS.

Deadline.

"(a) IN GENERAL.—The Secretary shall, not later than 2 years after the date of enactment of the Drug Supply Chain Security Act, establish by regulation standards for the licensing of persons under section 503(e)(1) (as amended by the Drug Supply Chain Security Act), including the revocation, reissuance, and renewal of such license.

Applicability.

"(b) CONTENT.—For the purpose of ensuring uniformity with respect to standards set forth in this section, the standards established under subsection (a) shall apply to all State and Federal licenses described under section 503(e)(1) (as amended by the Drug Supply Chain Security Act) and shall include standards for the following:

"(1) The storage and handling of prescription drugs, including facility requirements.

"(2) The establishment and maintenance of records of the distributions of such drugs.

"(3) The furnishing of a bond or other equivalent means of security, as follows:

"(A)(i) For the issuance or renewal of a wholesale distributor license, an applicant that is not a government owned and operated wholesale distributor shall submit a surety bond of $100,000 or other equivalent means of security acceptable to the State.

"(ii) For purposes of clause (i), the State or other applicable authority may accept a surety bond in the amount of $25,000 if the annual gross receipts of the previous tax year for the wholesaler is $10,000,000 or less.

"(B) If a wholesale distributor can provide evidence that it possesses the required bond in a State, the requirement for a bond in another State shall be waived.

"(4) Mandatory background checks and fingerprinting of facility managers or designated representatives.

"(5) The establishment and implementation of qualifications for key personnel.

"(6) The mandatory physical inspection of any facility to be used in wholesale distribution within a reasonable time frame from the initial application of the facility and to be conducted by the licensing authority or by the State, consistent with subsection (c).

"(7) In accordance with subsection (d), the prohibition of certain persons from receiving or maintaining licensure for wholesale distribution.

"(c) INSPECTIONS.—To satisfy the inspection requirement under subsection (b)(6), the Federal or State licensing authority may conduct the inspection or may accept an inspection by the State in which the facility is located, or by a third-party accreditation or inspection service approved by the Secretary or the State licensing such wholesale distributor.

"(d) PROHIBITED PERSONS.—The standards established under subsection (a) shall include requirements to prohibit a person from receiving or maintaining licensure for wholesale distribution if the person—

"(1) has been convicted of any felony for conduct relating to wholesale distribution, any felony violation of subsection (i) or (k) of section 301, or any felony violation of section 1365 of title 18, United States Code, relating to product tampering; or

"(2) has engaged in a pattern of violating the requirements of this section, or State requirements for licensure, that presents a threat of serious adverse health consequences or death to humans.

"(e) REQUIREMENTS.—The Secretary, in promulgating any regulation pursuant to this section, shall, notwithstanding section 553 of title 5, United States Code—

"(1) issue a notice of proposed rulemaking that includes a copy of the proposed regulation; Notice.

"(2) provide a period of not less than 60 days for comments on the proposed regulation; and Time period.

"(3) provide that the final regulation take effect on the date that is 2 years after the date such final regulation is published.".

(b) AUTHORIZED DISTRIBUTORS OF RECORD.—Section 503(d) (21 U.S.C. 353(d)) is amended by adding at the end the following:

"(4) In this subsection, the term 'authorized distributors of record' means those distributors with whom a manufacturer Definition.

has established an ongoing relationship to distribute such manufacturer's products.".

21 USC 353 note.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on January 1, 2015.

SEC. 205. NATIONAL STANDARDS FOR THIRD-PARTY LOGISTICS PROVIDERS; UNIFORM NATIONAL POLICY.

Subchapter H of chapter V, as amended by section 204, is further amended by adding at the end the following:

21 USC 360eee–3.

"SEC. 584. NATIONAL STANDARDS FOR THIRD-PARTY LOGISTICS PROVIDERS.

"(a) REQUIREMENTS.—No third-party logistics provider in any State may conduct activities in any State unless each facility of such third-party logistics provider—

"(1)(A) is licensed by the State from which the drug is distributed by the third-party logistics provider, in accordance with the regulations promulgated under subsection (d); or

"(B) if the State from which the drug distributed by the third-party logistics provider has not established a licensure requirement, is licensed by the Secretary, in accordance with the regulations promulgated under subsection (d); and

"(2) if the drug is distributed interstate, is licensed by the State into which the drug is distributed by the third-party logistics provider if such State licenses third-party logistics providers that distribute drugs into the State and the third-party logistics provider is not licensed by the Secretary as described in paragraph (1)(B).

Effective date.

"(b) REPORTING.—Beginning 1 year after the date of enactment of the Drug Supply Chain Security Act, a facility of a third-party logistics provider shall report to the Secretary, on an annual basis pursuant to a schedule determined by the Secretary—

"(1) the State by which the facility is licensed and the appropriate identification number of such license; and

"(2) the name and address of the facility and all trade names under which such facility conducts business.

"(c) COSTS.—

License.

"(1) AUTHORIZED FEES OF SECRETARY.—If a State does not establish a licensing program for a third-party logistics provider, the Secretary shall license the third-party logistics provider located in such State and may collect a reasonable fee in such amount necessary to reimburse the Secretary for costs associated with establishing and administering the licensure program and conducting periodic inspections under this section. The Secretary shall adjust fee rates as needed on an annual basis to generate only the amount of revenue needed to perform this service. Fees authorized under this paragraph shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation.

"(2) STATE LICENSING FEES.—

"(A) STATE ESTABLISHED PROGRAM.—Nothing in this Act shall prohibit a State that has established a program

to license a third-party logistics provider from collecting fees from a third-party logistics provider for such a license.

"(B) NO STATE ESTABLISHED PROGRAM.—A State that does not establish a program to license a third-party logistics provider in accordance with this section shall be prohibited from collecting a State licensing fee from a third-party logistics provider.

"(d) REGULATIONS.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Drug Supply Chain Security Act, the Secretary shall issue regulations regarding the standards for licensing under subsection (a), including the revocation and reissuance of such license, to third-party logistics providers under this section. Deadline.

"(2) CONTENT.—Such regulations shall—

"(A) establish a process by which a third-party accreditation program approved by the Secretary shall, upon request by a third-party logistics provider, issue a license to each third-party logistics provider that meets the requirements set forth in this section;

"(B) establish a process by which the Secretary shall issue a license to each third-party logistics provider that meets the requirements set forth in this section if the Secretary is not able to approve a third-party accreditation program because no such program meets the Secretary's requirements necessary for approval of such a third-party accreditation program;

"(C) require that the entity complies with storage practices, as determined by the Secretary for such facility, including—

"(i) maintaining access to warehouse space of suitable size to facilitate safe operations, including a suitable area to quarantine suspect product;

"(ii) maintaining adequate security; and

"(iii) having written policies and procedures to—

"(I) address receipt, security, storage, inventory, shipment, and distribution of a product;

"(II) identify, record, and report confirmed losses or thefts in the United States;

"(III) correct errors and inaccuracies in inventories;

"(IV) provide support for manufacturer recalls;

"(V) prepare for, protect against, and address any reasonably foreseeable crisis that affects security or operation at the facility, such as a strike, fire, or flood;

"(VI) ensure that any expired product is segregated from other products and returned to the manufacturer or repackager or destroyed;

"(VII) maintain the capability to trace the receipt and outbound distribution of a product, and supplies and records of inventory; and

"(VIII) quarantine or destroy a suspect product if directed to do so by the respective manufacturer, wholesale distributor, dispenser, or an authorized government agency;

"(D) provide for periodic inspection by the licensing authority, as determined by the Secretary, of such facility warehouse space to ensure compliance with this section;

"(E) prohibit a facility from having as a manager or designated representative anyone convicted of any felony violation of subsection (i) or (k) of section 301 or any violation of section 1365 of title 18, United States Code relating to product tampering;

"(F) provide for mandatory background checks of a facility manager or a designated representative of such manager;

"(G) require a third-party logistics provider to provide the applicable licensing authority, upon a request by such authority, a list of all product manufacturers, wholesale distributors, and dispensers for whom the third-party logistics provider provides services at such facility; and

"(H) include procedures under which any third-party logistics provider license—

"(i) expires on the date that is 3 years after issuance of the license; and

"(ii) may be renewed for additional 3-year periods.

"(3) PROCEDURE.—In promulgating the regulations under this subsection, the Secretary shall, notwithstanding section 553 of title 5, United States Code—

Notice. Records.

"(A) issue a notice of proposed rulemaking that includes a copy of the proposed regulation;

Time period. Public comments.

"(B) provide a period of not less than 60 days for comments on the proposed regulation; and

Effective date.

"(C) provide that the final regulation takes effect upon the expiration of 1 year after the date that such final regulation is issued.

License.

"(e) VALIDITY.—A license issued under this section shall remain valid as long as such third-party logistics provider remains licensed consistent with this section. If the Secretary finds that the third-party accreditation program demonstrates that all applicable requirements for licensure under this section are met, the Secretary shall issue a license under this section to a third-party logistics provider receiving accreditation, pursuant to subsection (d)(2)(A).

21 USC 360eee–4. Effective date.

"SEC. 585. UNIFORM NATIONAL POLICY.

"(a) PRODUCT TRACING AND OTHER REQUIREMENTS.—Beginning on the date of enactment of the Drug Supply Chain Security Act, no State or political subdivision of a State may establish or continue in effect any requirements for tracing products through the distribution system (including any requirements with respect to statements of distribution history, transaction history, transaction information, or transaction statement of a product as such product changes ownership in the supply chain, or verification, investigation, disposition, notification, or recordkeeping relating to such systems, including paper or electronic pedigree systems or for tracking and tracing drugs throughout the distribution system) which are inconsistent with, more stringent than, or in addition to, any requirements applicable under section 503(e) (as amended by such Act) or this subchapter (or regulations issued thereunder), or which are inconsistent with—

"(1) any waiver, exception, or exemption pursuant to section 581 or 582; or

"(2) any restrictions specified in section 582.

"(b) WHOLESALE DISTRIBUTOR AND THIRD-PARTY LOGISTICS PROVIDER STANDARDS.—

"(1) IN GENERAL.—Beginning on the date of enactment of the Drug Supply Chain Security Act, no State or political subdivision of a State may establish or continue any standards, requirements, or regulations with respect to wholesale prescription drug distributor or third-party logistics provider licensure that are inconsistent with, less stringent than, directly related to, or covered by the standards and requirements applicable under section 503(e) (as amended by such Act), in the case of a wholesale distributor, or section 584, in the case of a third-party logistics provider. Effective date.

"(2) STATE REGULATION OF THIRD-PARTY LOGISTICS PROVIDERS.—No State shall regulate third-party logistics providers as wholesale distributors.

"(3) ADMINISTRATION FEES.—Notwithstanding paragraph (1), a State may administer fee collections for effectuating the wholesale drug distributor and third-party logistics provider licensure requirements under sections 503(e) (as amended by the Drug Supply Chain Security Act), 583, and 584.

"(4) ENFORCEMENT, SUSPENSION, AND REVOCATION.—Notwithstanding paragraph (1), a State—

"(A) may take administrative action, including fines, to enforce a requirement promulgated by the State in accordance with section 503(e) (as amended by the Drug Supply Chain Security Act) or this subchapter;

"(B) may provide for the suspension or revocation of licenses issued by the State for violations of the laws of such State;

"(C) upon conviction of violations of Federal, State, or local drug laws or regulations, may provide for fines, imprisonment, or civil penalties; and

"(D) may regulate activities of licensed entities in a manner that is consistent with product tracing requirements under section 582.

"(c) EXCEPTION.—Nothing in this section shall be construed to preempt State requirements related to the distribution of prescription drugs if such requirements are not related to product tracing as described in subsection (a) or wholesale distributor and third-party logistics provider licensure as described in subsection (b) applicable under section 503(e) (as amended by the Drug Supply Chain Security Act) or this subchapter (or regulations issued thereunder).".

SEC. 206. PENALTIES.

(a) PROHIBITED ACT.—Section 301(t) (21 U.S.C. 331(t)), is amended—

(1) by striking "or" after "the requirements of section 503(d),"; and

(2) by inserting ", failure to comply with the requirements under section 582, the failure to comply with the requirements under section 584, as applicable," after "in violation of section 503(e)".

(b) MISBRANDING.—Section 502 (21 U.S.C. 352), as amended by section 103, is further amended by adding at the end the following:

"(cc) If it is a drug and it fails to bear the product identifier as required by section 582.".

SEC. 207. CONFORMING AMENDMENT.

(a) IN GENERAL.—Section 303(b)(1)(D) (21 U.S.C. 333(b)(1)(D)) is amended by striking "503(e)(2)(A)" and inserting "503(e)(1)".

21 USC 333 note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2015.

21 USC 331 note.

SEC. 208. SAVINGS CLAUSE.

Except as provided in the amendments made by paragraphs (1), (2), and (3) of section 204(a) and by section 206(a), nothing in this title (including the amendments made by this title) shall be construed as altering any authority of the Secretary of Health and Human Services with respect to a drug subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) under any other provision of such Act or the Public Health Service Act (42 U.S.C. 201 et seq.).

Approved November 27, 2013.

LEGISLATIVE HISTORY—H.R. 3204:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 28, considered and passed House.
Nov. 14, 18, considered and passed Senate.

Public Law 113–55
113th Congress

An Act

To reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, and for other purposes.

Nov. 27, 2013
[S. 252]

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—PREEMIE ACT REAUTHORIZATION

Sec. 101. Short title.
Sec. 102. Research and activities at the Centers for Disease Control and Prevention.
Sec. 103. Activities at the Health Resources and Services Administration.
Sec. 104. Other activities.

TITLE II—NATIONAL PEDIATRIC RESEARCH NETWORK

Sec. 201. Short title.
Sec. 202. National Pediatric Research Network.

TITLE III—CHIMP ACT AMENDMENTS

Sec. 301. Short title.
Sec. 302. Care for NIH chimpanzees.

TITLE I—PREEMIE ACT REAUTHORIZATION

Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act.
42 USC 201 note.

SEC. 101. SHORT TITLE.

This title may be cited as the "Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act" or the "PREEMIE Reauthorization Act".

SEC. 102. RESEARCH AND ACTIVITIES AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) EPIDEMIOLOGICAL STUDIES.—Section 3 of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b–4f) is amended by striking subsection (b) and inserting the following:

"(b) STUDIES AND ACTIVITIES ON PRETERM BIRTH.—

"(1) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, may, subject to the availability of appropriations—

"(A) conduct epidemiological studies on the clinical, biological, social, environmental, genetic, and behavioral factors relating to prematurity, as appropriate;

"(B) conduct activities to improve national data to facilitate tracking the burden of preterm birth; and

"(C) continue efforts to prevent preterm birth, including late preterm birth, through the identification of opportunities for prevention and the assessment of the impact of such efforts.

"(2) REPORT.—Not later than 2 years after the date of enactment of the PREEMIE Reauthorization Act, and every 2 years thereafter, the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall submit to the appropriate committees of Congress reports concerning the progress and any results of studies conducted under paragraph (1).".

(b) REAUTHORIZATION.—Section 3(e) of the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (42 U.S.C. 247b–4f(e)) is amended by striking "$5,000,000" and all that follows through "2011." and inserting "$1,880,000 for each of fiscal years 2014 through 2018.".

SEC. 103. ACTIVITIES AT THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) TELEMEDICINE AND HIGH-RISK PREGNANCIES.—Section 330I(i)(1)(B) of the Public Health Service Act (42 U.S.C. 254c–14(i)(1)(B)) is amended by striking "or case management services" and inserting "case management services, or prenatal care for high-risk pregnancies";

(b) PUBLIC AND HEALTH CARE PROVIDER EDUCATION.—Section 399Q of the Public Health Service Act (42 U.S.C. 280g–5) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (F) and inserting the following:

"(A) the core risk factors for preterm labor and delivery;

"(B) medically indicated deliveries before full term;

"(C) the importance of preconception and prenatal care, including—

"(i) smoking cessation;

"(ii) weight maintenance and good nutrition, including folic acid;

"(iii) the screening for and the treatment of infections; and

"(iv) stress management;

"(D) treatments and outcomes for premature infants, including late preterm infants;

"(E) the informational needs of families during the stay of an infant in a neonatal intensive care unit; and

"(F) utilization of evidence-based strategies to prevent birth injuries;"; and

(B) by striking paragraph (2) and inserting the following:

"(2) programs to increase the availability, awareness, and use of pregnancy and post-term information services that provide evidence-based, clinical information through counselors,

community outreach efforts, electronic or telephonic communication, or other appropriate means regarding causes associated with prematurity, birth defects, or health risks to a postterm infant;"; and

(2) in subsection (c), by striking "$5,000,000" and all that follows through "2011." and inserting "$1,900,000 for each of fiscal years 2014 through 2018.".

SEC. 104. OTHER ACTIVITIES.

(a) INTERAGENCY COORDINATING COUNCIL ON PREMATURITY AND LOW BIRTHWEIGHT.—The Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act is amended by striking section 5 (42 U.S.C. 247b–4g).

(b) ADVISORY COMMITTEE ON INFANT MORTALITY.— 42 USC 247b–4f note.

(1) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") may establish an advisory committee known as the "Advisory Committee on Infant Mortality" (referred to in this section as the "Advisory Committee").

(2) DUTIES.—The Advisory Committee shall provide advice and recommendations to the Secretary concerning the following activities:

(A) Programs of the Department of Health and Human Services that are directed at reducing infant mortality and improving the health status of pregnant women and infants.

(B) Strategies to coordinate the various Federal programs and activities with State, local, and private programs and efforts that address factors that affect infant mortality.

(C) Implementation of the Healthy Start program under section 330H of the Public Health Service Act (42 U.S.C. 254c–8) and Healthy People 2020 infant mortality objectives.

(D) Strategies to reduce preterm birth rates through research, programs, and education.

(3) PLAN FOR HHS PRETERM BIRTH ACTIVITIES.—Not later than 1 year after the date of enactment of this section, the Advisory Committee (or an advisory committee in existence as of the date of enactment of this Act and designated by the Secretary) shall develop a plan for conducting and supporting research, education, and programs on preterm birth through the Department of Health and Human Services and shall periodically review and revise the plan, as appropriate. The plan shall— Deadline.

(A) examine research and educational activities that receive Federal funding in order to enable the plan to provide informed recommendations to reduce preterm birth and address racial and ethnic disparities in preterm birth rates;

(B) identify research gaps and opportunities to implement evidence-based strategies to reduce preterm birth rates among the programs and activities of the Department of Health and Human Services regarding preterm birth, including opportunities to minimize duplication; and

(C) reflect input from a broad range of scientists, patients, and advocacy groups, as appropriate.

(4) MEMBERSHIP.—The Secretary shall ensure that the membership of the Advisory Committee includes the following:

(A) Representatives provided for in the original charter of the Advisory Committee.

(B) A representative of the National Center for Health Statistics.

(c) PATIENT SAFETY STUDIES AND REPORT.—

(1) IN GENERAL.—The Secretary shall designate an appropriate agency within the Department of Health and Human Services to coordinate existing studies on hospital readmissions of preterm infants.

(2) REPORT TO SECRETARY AND CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the agency designated under paragraph (1) shall submit to the Secretary and to Congress a report containing the findings and recommendations resulting from the studies coordinated under such paragraph, including recommendations for hospital discharge and followup procedures designed to reduce rates of preventable hospital readmissions for preterm infants.

TITLE II—NATIONAL PEDIATRIC RESEARCH NETWORK

National Pediatric Research Network Act of 2013.
42 USC 201 note.

SEC. 201. SHORT TITLE.

This title may be cited as the "National Pediatric Research Network Act of 2013".

SEC. 202. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D of the Public Health Service Act (42 U.S.C. 284h; relating to the Pediatric Research Initiative) is amended—

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

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

"(d) NATIONAL PEDIATRIC RESEARCH NETWORK.—

"(1) NETWORK.—In carrying out the Initiative, the Director of NIH, in consultation with the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research, may provide for the establishment of a National Pediatric Research Network in order to more effectively support pediatric research and optimize the use of Federal resources. Such National Pediatric Research Network may be comprised of, as appropriate—

"(A) the pediatric research consortia receiving awards under paragraph (2); or

"(B) other consortia, centers, or networks focused on pediatric research that are recognized by the Director of NIH and established pursuant to the authorities vested in the National Institutes of Health by other sections of this Act.

"(2) PEDIATRIC RESEARCH CONSORTIA.—

"(A) IN GENERAL.—The Director of NIH may award funding, including through grants, contracts, or other mechanisms, to public or private nonprofit entities for providing support for pediatric research consortia, including with respect to—

"(i) basic, clinical, behavioral, or translational research to meet unmet needs for pediatric research; and

"(ii) training researchers in pediatric research techniques in order to address unmet pediatric research needs.

"(B) RESEARCH.—The Director of NIH shall, as appropriate, ensure that—

"(i) each consortium receiving an award under subparagraph (A) conducts or supports at least one category of research described in subparagraph (A)(i) and collectively such consortia conduct or support such categories of research; and

"(ii) one or more such consortia provide training described in subparagraph (A)(ii).

"(C) ORGANIZATION OF CONSORTIUM.—Each consortium receiving an award under subparagraph (A) shall—

"(i) be formed from a collaboration of cooperating institutions;

"(ii) be coordinated by a lead institution or institutions;

"(iii) agree to disseminate scientific findings, including from clinical trials, rapidly and efficiently, as appropriate, to—

"(I) other consortia;

"(II) the National Institutes of Health;

"(III) the Food and Drug Administration;

"(IV) and other relevant agencies; and

"(iv) meet such requirements as may be prescribed by the Director of NIH.

"(D) SUPPLEMENT, NOT SUPPLANT.—Any support received by a consortium under subparagraph (A) shall be used to supplement, and not supplant, other public or private support for activities authorized to be supported under this paragraph.

"(E) DURATION OF SUPPORT.—Support of a consortium under subparagraph (A) may be for a period of not to exceed 5 years. Such period may be extended at the discretion of the Director of NIH.

"(3) COORDINATION OF CONSORTIA ACTIVITIES.—The Director of NIH shall, as appropriate—

"(A) provide for the coordination of activities (including the exchange of information and regular communication) among the consortia established pursuant to paragraph (2); and

"(B) require the periodic preparation and submission to the Director of reports on the activities of each such consortium. Reports.

"(4) ASSISTANCE WITH REGISTRIES.—Each consortium receiving an award under paragraph (2)(A) may provide assistance, as appropriate, to the Centers for Disease Control and Prevention for activities related to patient registries and other surveillance systems upon request by the Director of the Centers for Disease Control and Prevention.

"(e) RESEARCH ON PEDIATRIC RARE DISEASES OR CONDITIONS.—In making awards under subsection (d)(2) for pediatric research consortia, the Director of NIH shall ensure that an appropriate

number of such awards are awarded to such consortia that agree to—

"(1) consider pediatric rare diseases or conditions, or those related to birth defects; and

"(2) conduct or coordinate one or more multisite clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions.".

CHIMP Act Amendments of 2013.

TITLE III—CHIMP ACT AMENDMENTS

42 USC 201 note.

SEC. 301. SHORT TITLE.

This title may be cited as the "CHIMP Act Amendments of 2013".

SEC. 302. CARE FOR NIH CHIMPANZEES.

(a) IN GENERAL.—Section 404K(g) of the Public Health Service Act (42 U.S.C. 283m(g)) is amended—

(1) by amending paragraph (1) to read as follows:

Appropriation authorization.

"(1) IN GENERAL.—Of the amount appropriated for the National Institutes of Health, there are authorized to be appropriated to carry out this section and for the care, maintenance, and transportation of all chimpanzees otherwise under the ownership or control of the National Institutes of Health, and to enable the National Institutes of Health to operate more efficiently and economically by decreasing the overall Federal cost of providing for the care, maintenance, and transportation of chimpanzees—

"(A) for fiscal year 2014, $12,400,000;

"(B) for fiscal year 2015, $11,650,000;

"(C) for fiscal year 2016, $10,900,000;

"(D) for fiscal year 2017, $10,150,000; and

"(E) for fiscal year 2018, $9,400,000.";

(2) by striking paragraph (2);

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

(4) in paragraph (2), as so redesignated—

(A) by striking "With respect to amounts reserved under paragraph (1)" and inserting "With respect to amounts authorized to be appropriated by paragraph (1)"; and

(B) by striking "board of directors" and inserting "Secretary in consultation with the board of directors".

Deadline. Reports.

(b) GAO STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, regarding chimpanzees under the ownership or control the National Institutes of Health. Such report shall review and assess—

(1) the research status of such chimpanzees;

(2) the cost for the care, maintenance, and transportation of such chimpanzees, including the cost broken down by—

(A) research or retirement status;

(B) services included in the care, maintenance, and transportation; and

(C) location;

(3) the extent to which matching requirements have been met pursuant to section 404K(e)(4) of the Public Health Service Act (42 U.S.C. 283m(e)(4)); and

(4) any options for cost savings for the support and maintenance of such chimpanzees.

(c) BIENNIAL REPORT.—Section 404K(g) of the Public Health Service Act (42 U.S.C. 283m(g)) is amended by adding at the end the following:

"(3) BIENNIAL REPORT.—Not later than 180 days after the date enactment of this Act, the Director of the National Institutes of Health shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations in the House of Representatives a report, to be updated biennially, regarding—

"(A) the care, maintenance, and transportation of the chimpanzees under the ownership or control of the National Institutes of Health;

"(B) costs related to such care, maintenance, and transportation, and any other related costs; and

"(C) the research status of such chimpanzees.".

Approved November 27, 2013.

LEGISLATIVE HISTORY—S. 252:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 24, considered and passed Senate.
Nov. 12, considered and passed House, amended.
Nov. 14, Senate concurred in House amendments.

Public Law 113–56
113th Congress

An Act

Dec. 2, 2013
[S. 1545]

To extend authorities related to global HIV/AIDS and to promote oversight of United States programs.

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

PEPFAR Stewardship and Oversight Act of 2013.
22 USC 7601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "PEPFAR Stewardship and Oversight Act of 2013".

SEC. 2. INSPECTOR GENERAL OVERSIGHT.

Section 101(f)(1) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(f)(1)) is amended—

(1) in subparagraph (A), by striking "5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013" and inserting "coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2018"; and

(2) in subparagraph (C)—

Deadlines.

(A) in clause (ii)—

(i) in the heading, by striking "SUBSEQUENT" and inserting "2010 THROUGH 2013"; and

(ii) by striking "the last four plans" and inserting "the plans for fiscal years 2010 through 2013"; and

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

"(iii) 2014 PLAN.—The plan developed under subparagraph (A) for fiscal year 2014 shall be completed not later than 60 days after the date of the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

"(iv) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2015 through 2018, respectively.".

SEC. 3. ANNUAL TREATMENT STUDY.

(a) ANNUAL STUDY; MESSAGE.—Section 101(g) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(g)) is amended—

(1) in paragraph (1), by striking "through September 30, 2013" and inserting "through September 30, 2019";

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

(3) by inserting after paragraph (1) the following new paragraph:

"(2) 2013 THROUGH 2018 STUDIES.—The studies required to be submitted by September 30, 2014, and annually thereafter through September 30, 2018, shall include, in addition to the elements set forth under paragraph (1), the following elements:

"(A) A plan for conducting cost studies of United States assistance under section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2) in partner countries, taking into account the goal for more systematic collection of data, as well as the demands of such analysis on available human and fiscal resources.

"(B) A comprehensive and harmonized expenditure analysis by partner country, including—

"(i) an analysis of Global Fund and national partner spending and comparable data across United States, Global Fund, and national partner spending; or

"(ii) where providing such comparable data is not currently practicable, an explanation of why it is not currently practicable, and when it will be practicable."; and

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

"(4) PARTNER COUNTRY DEFINED.—In this subsection, the term 'partner country' means a country with a minimum United States Government investment of HIV/AIDS assistance of at least $5,000,000 in the prior fiscal year.".

SEC. 4. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.

(a) LIMITATION.—Section 202(d)(4) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking "2013" and inserting "2018";

(B) in clause (ii)—

(i) by striking "2013" and inserting "2018"; and

(ii) by striking the last two sentences; and

(C) in clause (vi), by striking "2013" and inserting "2018"; and

(2) in subparagraph (B)—

(A) by striking "under this subsection" each place it appears;

(B) in clause (ii), by striking "pursuant to the authorization of appropriations under section 401" and inserting "to carry out section 104A of the Foreign Assistance Act of 1961"; and

(C) in clause (iv), by striking "2013" and inserting "2018".

(b) WITHHOLDING FUNDS.—Section 202(d)(5) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended by—

(1) in paragraph (5)—

(A) by striking "2013" and inserting "2018";

(B) in subparagraph (C)—

(i) by inserting "in an open, machine readable format" after "site";

(ii) by amending clause (v) to read as follows:

"(v) a regular collection, analysis, and reporting of performance data and funding of grants of the Global Fund, which covers all principal recipients and all subrecipients on the fiscal cycle of each grant, and includes the distribution of resources, by grant and principal recipient and subrecipient, for prevention, care, treatment, drugs, and commodities purchase, and other purposes as practicable;";

(C) in subparagraph (D)(ii), by inserting ", in an open, machine readable format," after "audits";

(D) in subparagraph (E), by inserting ", in an open, machine readable format," after "publicly";

(E) in subparagraph (F)—

(i) in clause (i), by striking "; and" and inserting a semicolon; and

(ii) by striking clause (ii) and inserting the following new clauses:

"(ii) all principal recipients and subrecipients and the amount of funds disbursed to each principal recipient and subrecipient on the fiscal cycle of the grant;

"(iii) expenditure data—

"(I) tracked by principal recipients and subrecipients by program area, where practicable, prevention, care, and treatment and reported in a format that allows comparison with other funding streams in each country; or

"(II) if such expenditure data is not available, outlay or disbursement data, and an explanation of progress made toward providing such expenditure data; and

"(iv) high-quality grant performance evaluations measuring inputs, outputs, and outcomes, as appropriate, with the goal of achieving outcome reporting;"; and

(F) by amending subparagraph (G) to read as follows:

Web posting.

"(G) has published an annual report on a publicly available Web site in an open, machine readable format, that includes—

"(i) a list of all countries imposing import duties and internal taxes on any goods or services financed by the Global Fund;

"(ii) a description of the types of goods or services on which the import duties and internal taxes are levied;

"(iii) the total cost of the import duties and internal taxes;

"(iv) recovered import duties or internal taxes; and

"(v) the status of country status-agreements;".

SEC. 5. ANNUAL REPORT.

Section 104A(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(f)) is amended to read as follows:

"(f) ANNUAL REPORT.—

President.

"(1) IN GENERAL.—Not later than February 15, 2014, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee

on Foreign Affairs of the House of Representatives a report in an open, machine readable format, on the implementation of this section for the prior fiscal year.

"(2) REPORT DUE IN 2014.—The report due not later than February 15, 2014, shall include the elements required by law prior to the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

"(3) REPORT ELEMENTS.—Each report submitted after February 15, 2014, shall include the following:

"(A) A description based on internationally available data, and where practicable high-quality country-based data, of the total global burden and need for HIV/AIDS prevention, treatment, and care, including—

"(i) estimates by partner country of the global burden and need; and

"(ii) HIV incidence, prevalence, and AIDS deaths for the reporting period.

"(B) Reporting on annual targets across prevention, treatment, and care interventions in partner countries, including—

"(i) a description of how those targets are designed to—

"(I) ensure that the annual increase in new patients on antiretroviral treatment exceeds the number of annual new HIV infections;

"(II) reduce the number of new HIV infections below the number of deaths among persons infected with HIV; and

"(III) achieve an AIDS-free generation;

"(ii) national targets across prevention, treatment, and care that are—

"(I) established by partner countries; or

"(II) where such national partner country-developed targets are unavailable, a description of progress towards developing national partner country targets; and

"(iii) bilateral programmatic targets across prevention, treatment, and care, including—

"(I) the number of adults and children to be directly supported on HIV treatment under United States-funded programs;

"(II) the number of adults and children to be otherwise supported on HIV treatment under United States-funded programs; and

"(III) other programmatic targets for activities directly and otherwise supported by United States-funded programs.

"(C) A description, by partner country, of HIV/AIDS funding from all sources, including funding levels from partner countries, other donors, and the private sector, as practicable.

"(D) A description of how United States-funded programs, in conjunction with the Global Fund, other donors, and partner countries, together set targets, measure progress, and achieve positive outcomes in partner countries.

"(E) An annual assessment of outcome indicator development, dissemination, and performance for programs supported under this section, including ongoing corrective actions to improve reporting.

"(F) A description and explanation of changes in related guidance or policies related to implementation of programs supported under this section.

"(G) An assessment and quantification of progress over the reporting period toward achieving the targets set forth in subparagraph (B), including—

"(i) the number, by partner country, of persons on HIV treatment, including specifically—

"(I) the number of adults and children on HIV treatment directly supported by United States-funded programs; and

"(II) the number of adults and children on HIV treatment otherwise supported by United States-funded programs;

"(ii) HIV treatment coverage rates by partner country;

"(iii) the net increase in persons on HIV treatment by partner country;

"(iv) new infections of HIV by partner country;

"(v) the number of HIV infections averted;

"(vi) antiretroviral treatment program retention rates by partner country, including—

"(I) performance against annual targets for program retention; and

"(II) the retention rate of persons on HIV treatment directly supported by United States-funded programs; and

"(vii) a description of supportive care.

"(H) A description of partner country and United States-funded HIV/AIDS prevention programs and policies, including—

"(i) an assessment by country of progress towards targets set forth in subparagraph (B), with a detailed description of the metrics used to assess—

"(I) programs to prevent mother to child transmission of HIV/AIDS, including coverage rates;

"(II) programs to provide or promote voluntary medical male circumcision, including coverage rates;

"(III) programs for behavior-change; and

"(IV) other programmatic activities to prevent the transmission of HIV;

"(ii) antiretroviral treatment as prevention; and

"(iii) a description of any new preventative interventions or methodologies.

"(I) A description of the goals, scope, and measurement of program efforts aimed at women and girls.

"(J) A description of the goals, scope, and measurement of program efforts aimed at orphans, vulnerable children, and youth.

"(K) A description of the indicators and milestones used to assess effective, strategic, and appropriately timed country ownership, including—

"(i) an explanation of the metrics used to determine whether the pace of any transition to such ownership is appropriate for that country, given that country's level of readiness for such transition;

"(ii) an analysis of governmental and local non-governmental capacity to sustain positive outcomes;

"(iii) a description of measures taken to improve partner country capacity to sustain positive outcomes where needed; and

"(iv) for countries undergoing a transition to greater country ownership, a description of strategies to assess and mitigate programmatic and financial risk and to ensure continued quality of care for essential services.

"(L) A description, globally and by partner country, of specific efforts to achieve and incentivize greater programmatic and cost effectiveness, including—

"(i) progress toward establishing common economic metrics across prevention, care and treatment with partner countries and the Global Fund;

"(ii) average costs, by country and by core intervention;

"(iii) expenditure reporting in all program areas, supplemented with targeted analyses of the cost-effectiveness of specific interventions; and

"(iv) import duties and internal taxes imposed on program commodities and services, by country.

"(M) A description of partnership framework agreements with countries, and regions where applicable, including—

"(i) the objectives and structure of partnership framework agreements with countries, including—

"(I) how these agreements are aligned with national HIV/AIDS plans and public health strategies and commitments of such countries; and

"(II) how these agreements incorporate a role for civil society; and

"(ii) a description of what has been learned in advancing partnership framework agreements with countries, and regions as applicable, in terms of improved coordination and collaboration, definition of clear roles and responsibilities of participants and signers, and implications for how to further strengthen these agreements with mutually accountable measures of progress.

"(N) A description of efforts and activities to engage new partners, including faith-based, locally-based, and United States minority-serving institutions.

"(O) A definition and description of the differentiation between directly and otherwise supported activities, including specific efforts to clarify programmatic attribution and contribution, as well as timelines for dissemination and implementation.

"(P) A description, globally and by country, of specific efforts to address co-infections and co-morbidities of HIV/AIDS, including—

"(i) the number and percent of people in HIV care or treatment who started tuberculosis treatment; and

"(ii) the number and percentage of eligible HIV positive patients starting isoniazid preventative therapy.

"(Q) A description of efforts by partner countries to train, employ, and retain health care workers, including efforts to address workforce shortages.

"(R) A description of program evaluations completed during the reporting period, including whether all completed evaluations have been published on a publically available Internet website and whether any completed evaluations did not adhere to the common evaluation standards of practice published under paragraph (4).

Web posting.

"(4) COMMON EVALUATION STANDARDS.—Not later than February 1, 2014, the Global AIDS Coordinator shall publish on a publically available Internet website the common evaluation standards of practice referred to in paragraph (3)(R).

"(5) PARTNER COUNTRY DEFINED.—In this subsection, the term 'partner country' means a country with a minimum United States Government investment of HIV/AIDS assistance of at least $5,000,000 in the prior fiscal year.".

SEC. 6. ALLOCATION OF FUNDING.

(a) ORPHANS AND VULNERABLE CHILDREN.—Section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(b)) is amended—

(1) by striking "2013" and inserting "2018"; and

(2) by striking "amounts appropriated pursuant to the authorization of appropriations under section 401" and inserting "amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2)".

(b) FUNDING ALLOCATION.—Section 403(c) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(c)) is amended—

(1) by striking "2013" and inserting "2018"; and

(2) by striking "amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 401" and inserting "amounts appropriated or otherwise made available to carry

out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2)".

Approved December 2, 2013.

LEGISLATIVE HISTORY—S. 1545:

SENATE REPORTS: No. 113–112 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 18, considered and passed Senate.
Nov. 19, considered and passed House.

Public Law 113–57
113th Congress

An Act

Dec. 9, 2013
[H.R. 3626]

To extend the Undetectable Firearms Act of 1988 for 10 years.

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

SECTION 1. EXTENSION OF UNDETECTABLE FIREARMS ACT OF 1988 FOR 10 YEARS.

Section 2(f)(2) of the Undetectable Firearms Act of 1988 (18 U.S.C. 922 note) is amended by striking "25" and inserting "35".

Approved December 9, 2013.

LEGISLATIVE HISTORY—H.R. 3626:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 3, considered and passed House.
Dec. 9, considered and passed Senate.

Public Law 113–58
113th Congress

An Act

To designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse".

Dec. 20, 2013
[H.R. 185]

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

SECTION 1. DESIGNATION.

The United States courthouse located at 101 East Pecan Street in Sherman, Texas, shall be known and designated as the "Paul Brown United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Paul Brown United States Courthouse".

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 185:

HOUSE REPORTS: No. 113–232 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 22, considered and passed House.
Dec. 17, considered and passed Senate.

Public Law 113–59
113th Congress

An Act

Dec. 20, 2013
[H.R. 1402]

To amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

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

VA Expiring Authorities Extension Act of 2013.
38 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "VA Expiring Authorities Extension Act of 2013".

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

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Scoring of budgetary effects.
Sec. 4. Extension of authorization of appropriations for payment of a monthly assistance allowance to disabled veterans training or competing in large-scale adaptive sports programs.
Sec. 5. Reauthorization and modification of adaptive sports assistance program.
Sec. 6. Extension of authority to transport certain individuals to and from Department of Veterans Affairs facilities.
Sec. 7. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
Sec. 8. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
Sec. 9. Extension of treatment and rehabilitation services for seriously mentally ill and homeless veterans.
Sec. 10. Extension of authority to provide housing assistance for homeless veterans.
Sec. 11. Extension of authority for the Advisory Committee on Homeless Veterans.
Sec. 12. Extension of authority for the Veterans' Advisory Commission on Education.
Sec. 13. Extension of requirements relating to vendee loans.
Sec. 14. Extension of authority for the performance of medical disabilities examinations by contract physicians.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

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

SEC. 4. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR PAYMENT OF A MONTHLY ASSISTANCE ALLOWANCE TO DISABLED VETERANS TRAINING OR COMPETING IN LARGE-SCALE ADAPTIVE SPORTS PROGRAMS.

(a) REAUTHORIZATION AND USE OF CERTAIN FUNDS.—Subsection (d)(4) of section 322 is amended by striking "through 2013" and all that follows and inserting "through 2015.".

(b) COOPERATION WITH ORGANIZATION.—Subsection (b)(4) of such section is amended by striking "cooperate with the United States Olympic Committee" and all that follows through "its partners;" and inserting "cooperate with entities with significant experience in managing large-scale adaptive sports programs;".

(c) APPLICABILITY TO COMMONWEALTHS AND TERRITORIES OF THE UNITED STATES.—Such section is further amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection (e):

"(e) APPLICABILITY TO COMMONWEALTHS AND TERRITORIES OF THE UNITED STATES.—The provisions of this subsection shall apply in the same manner and to the same degree as to the United States Olympic Committee to the Paralympic sport entities the Secretary considers appropriate to represent the interests of each of the following:

"(1) American Samoa.
"(2) Guam.
"(3) Puerto Rico.
"(4) The Northern Mariana Islands.
"(5) The United States Virgin Islands.".

SEC. 5. REAUTHORIZATION AND MODIFICATION OF ADAPTIVE SPORTS ASSISTANCE PROGRAM.

(a) REAUTHORIZATION.—Subsection (a) of section 521A is amended to read as follows:

"(a) ADAPTIVE SPORTS PROGRAM.—(1) The Secretary may carry out a program under which the Secretary may make grants to eligible entities for planning, developing, managing, and implementing programs to provide adaptive sports opportunities for disabled veterans and disabled members of the Armed Forces.

"(2) For purposes of this section, an eligible entity is an entity with significant experience in managing a large-scale adaptive sports program.".

(b) ADDITIONAL APPLICATION REQUIREMENTS.—Subsection (c)(2)(A) of such section is amended—

(1) by striking "of all partnerships" and all that follows through the end and inserting "of—"; and

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

"(i) all partnerships referred to in paragraph (3) at the national and local levels that will be participating in such activities and the amount of grant funds that the eligible entity proposes to make available for each of such partnerships;

"(ii) the anticipated personnel, travel, and administrative costs that will be paid for by the eligible entity using grant funds;

"(iii) the financial controls implemented by the eligible entity, including methods to track expenditures of grant funds;

"(iv) the performance metrics to be used by the eligible entity to evaluate the effectiveness of the activities to be carried out using grant funds; and

"(v) the anticipated personnel, travel, and administrative costs that will be paid for by grantees under this subsection using grant funds; and".

(c) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES.—Paragraph (4) of subsection (d) of such section is amended to read as follows:

"(4)(A) At the discretion of the Secretary, an eligible entity that receives a grant under this section may use a portion of the grant for the administrative expenses and personnel expenses of the eligible entity. The amount that may be used for such expenses may not exceed—

"(i) in the case of a grant made for adaptive sports opportunities taking place during fiscal year 2014, 10 percent of the total amount of the grant;

"(ii) in the case of a grant made for adaptive sports opportunities taking place during fiscal year 2015, 7.5 percent of the total amount of the grant; and

"(iii) in the case of a grant made for adaptive sports opportunities taking place during any subsequent fiscal year, 5 percent of the total amount of the grant.

"(B) For purposes of this paragraph, personnel expenses include any costs associated with an employee of the eligible entity other than reimbursement for time spent by such an employee directly providing coaching or training for disabled veterans or members of the Armed Forces.".

(d) FUNDING.—Subsection (g) of such section is amended—

(1) by striking "There is" and inserting "(1) There is";

(2) by striking "through 2013" and all that follows and inserting "through 2015."; and

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

"(2) Amounts appropriated pursuant to this subsection shall remain available without fiscal year limitation.".

Time period.

(e) REAUTHORIZATION.—Subsection (l) of such section is amended by striking "may not provide assistance under this section after December 31, 2013" and inserting "may only provide assistance under this section for adaptive sports opportunities occurring during fiscal years 2010 through 2016".

(f) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the use of the grants, if any, awarded under section 521A of title 38, United States Code, as amended by this section, during the first program year that begins after the date of the enactment of this Act. Such report shall include each of the following:

(1) An assessment of how the Secretary of Veterans Affairs, eligible entities that received grants under such section, and grantees under subsection (c) of such section have provided adaptive sports opportunities to veterans and members of the Armed Forces through grants awarded under such section.

(2) An assessment of how the Secretary oversees the use of funds provided under such section.

(3) A description of the benefit provided to veterans and members of the Armed Forces through programs and activities developed through grants awarded under such section.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Section 521A, as amended by this section, is further amended—

(1) in subsection (b)—

(A) in the first sentence, by striking "the United States Olympic Committee" and inserting "an eligible entity"; and

(B) in the second sentence, by striking "The United States Olympic Committee" and inserting "An eligible entity that receives a grant under this section";

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "the United States Olympic Committee" the first time it appears and inserting "an eligible entity"; and

(ii) by striking "the United States Olympic Committee" the second time it appears and inserting "the eligible entity"; and

(B) in paragraphs (2) and (3), by striking "the United States Olympic Committee" each place it appears and inserting "the eligible entity";

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "The United States Olympic Committee" and inserting "An eligible entity that receives a grant under this section,";

(ii) by striking "a grant under this section" and inserting "the grant"; and

(iii) by striking "the United States Olympic Committee" and inserting "the eligible entity"; and

(B) in paragraph (5), by striking "the United States Olympic Committee" and inserting "an eligible entity that receives a grant under this section";

(4) in subsection (e)—

(A) by striking "the United States Olympic Committee" and inserting "an eligible entity"; and

(B) by striking "the integrated adaptive sports program" and inserting "the adapted sports opportunities funded by the grant";

(5) in subsection (f), by striking "the integrated adaptive sports program" and inserting "adapted sports opportunities funded under this section"; and

(6) in subsection (j)—

(A) in paragraph (1)—

(i) by striking "the United States Olympic Committee" the first place it appears and inserting "an eligible entity";

(ii) by striking "the United States Olympic Committee" the second place it appears and inserting "the eligible entity";

(iii) by striking "the integrated adaptive sports program," and inserting "the adapted sports opportunities funded by the grant,"; and

(iv) by striking "the integrated adaptive sports program." and inserting "such opportunities and programs.";

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

"(3) If an eligible entity that receives a grant under this section for any fiscal year does not submit the report required by paragraph (1) for such fiscal year, the entity shall not be eligible to receive a grant under this section for the subsequent fiscal year."; and

(7) by striking subsection (m).

(h) CLERICAL AMENDMENTS.—

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

"§ 521A. Adaptive sports programs for disabled veterans and members of the Armed Forces".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 5 is amended by striking the item relating to section 521A and inserting the following new item:

"512A. Adaptive sports programs for disabled veterans and members of the Armed Forces.".

(i) IMPLEMENTATION.—To ensure the uninterrupted provision of adaptive sports for disabled veterans and disabled members of the Armed Forces, any regulations that the Secretary of Veterans Affairs determines are necessary to implement the amendments made by this section may be promulgated by interim final rules to ensure the award of grants under section 521A of title 38, United States Code, as amended by this section, before the end of fiscal year 2014.

SEC. 6. EXTENSION OF AUTHORITY TO TRANSPORT CERTAIN INDIVIDUALS TO AND FROM DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

Section 111A(a)(2) is amended by striking "the date that is one year after the date of the enactment of this section" and inserting "December 31, 2014".

SEC. 7. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 8. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 1710A(d) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 9. EXTENSION OF TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) ADDITIONAL SERVICES AT CERTAIN LOCATIONS.—Section 2033(d) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 10. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 11. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 12. EXTENSION OF AUTHORITY FOR THE VETERANS' ADVISORY COMMISSION ON EDUCATION.

Section 3692(c) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 13. EXTENSION OF REQUIREMENTS RELATING TO VENDEE LOANS.

Section 3733(a)(7) is amended by striking "September 30, 2013" each place it appears and inserting "September 30, 2014".

SEC. 14. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108–183; 38 U.S.C. 5101 note) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 1402:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 10, considered and passed House.
Dec. 18, considered and passed Senate.

Public Law 113–60
113th Congress

An Act

Dec. 20, 2013
[H.R. 2251]

To designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the "Edward J. Devitt United States Courthouse and Federal Building".

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

SECTION 1. DESIGNATION.

The United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, shall be known and designated as the "Edward J. Devitt United States Courthouse and Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse and Federal building referred to in section 1 shall be deemed to be a reference to the "Edward J. Devitt United States Courthouse and Federal Building".

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 2251:

HOUSE REPORTS: No. 113–234 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Sept. 27, 28, considered and passed House.
Dec. 17, considered and passed Senate.

Public Law 113–61
113th Congress

An Act

To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

Dec. 20, 2013
[H.R. 2871]

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

SECTION 1. REALIGNMENT OF SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI.

Section 104(b) of title 28, United States Code, is amended to read as follows:

"Southern District

"(b) The southern district comprises four divisions.

"(1) The Northern Division comprises the counties of Copiah, Hinds, Holmes, Issaquena, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Sharkey, Smith, Warren, and Yazoo.

Court for the Northern Division shall be held at Jackson.

"(2) The Southern Division comprises the counties of George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone.

Court for the Southern Division shall be held at Gulfport.

"(3) The Eastern Division comprises the counties of Clarke, Covington, Forrest, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, Wayne, and Walthall.

Court for the Eastern Division shall be held at Hattiesburg.

"(4) The Western Division comprises the counties of Adams, Amite, Claiborne, Franklin, Jefferson, Lincoln, Pike, and Wilkinson.

Court for the Western Division shall be held at Natchez.".

SEC. 2. EFFECTIVE DATE.

28 USC 104 note.

This Act and the amendment made by this Act shall take effect on the date of the enactment of this Act.

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 2871:

HOUSE REPORTS: No. 113–258 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 12, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–62
113th Congress

An Act

Dec. 20, 2013
[H.R. 2922]

To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

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

SECTION 1. EXTENSION OF AUTHORITY OF SUPREME COURT POLICE TO PROTECT COURT OFFICIALS OFF SUPREME COURT GROUNDS.

Section 6121(b)(2) of title 40, United States Code, is amended by striking "2013" and inserting "2019".

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 2922:

HOUSE REPORTS: No. 113–259 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 12, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–63
113th Congress

An Act

To treat payments by charitable organizations with respect to certain firefighters as exempt payments.

Dec. 20, 2013
[H.R. 3458]

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

Fallen Firefighters Assistance Tax Clarification Act of 2013.
New York.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fallen Firefighters Assistance Tax Clarification Act of 2013".

SEC. 2. PAYMENTS BY CHARITABLE ORGANIZATIONS WITH RESPECT TO CERTAIN FIREFIGHTERS TREATED AS EXEMPT PAYMENTS.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, payments made to—

(1) any firefighter who was injured as a result of the ambush of firefighters responding to an emergency on December 24, 2012, in Webster, New York,

(2) the spouse of any firefighter who died as a result of such ambush, or

(3) any dependent (as defined in section 152 of such Code) of any firefighter who died as a result of such ambush,

by an organization described in paragraph (1) or (2) of section 509(a) of such Code shall be treated as related to the purpose or function constituting the basis for such organization's exemption under section 501 of such Code if such payments are made in good faith using a reasonable and objective formula which is consistently applied.

(b) APPLICATION.—Subsection (a) shall apply only to payments made on or after December 24, 2012, and before the later of—

(1) January 1, 2014, or

(2) the date which is 30 days after the date of the enactment of this Act.

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 3458:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 12, considered and passed House.
Dec. 13, considered and passed Senate.

Public Law 113–64
113th Congress

An Act

Dec. 20, 2013
[H.R. 3588]

To amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

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

Community Fire Safety Act of 2013.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Fire Safety Act of 2013".

SEC. 2. EXEMPTING FIRE HYDRANTS FROM PROHIBITION ON USE OF LEAD.

42 USC 300g–6.

Section 1417(a)(4)(B) of the Safe Drinking Water Act is amended by inserting "fire hydrants," after "shower valves,".

42 USC 300g–6 note.

SEC. 3. EVALUATION OF SOURCES OF LEAD IN WATER DISTRIBUTION SYSTEMS AND ALTERNATE ROUTING SYSTEMS.

The Administrator of the Environmental Protection Agency shall—

(1) consult with and seek the advice of the National Drinking Water Advisory Council on potential changes to the regulations pertaining to lead under the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(2) request the Council to consider sources of lead throughout drinking water distribution systems, including through components used to reroute drinking water during distribution system repairs.

Approved December 20, 2013.

LEGISLATIVE HISTORY—H.R. 3588:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 2, considered and passed House.
Dec. 17, considered and passed Senate.

Public Law 113–65
113th Congress

An Act

To authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

Dec. 20, 2013
[S. 1471]

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

Alicia Dawn Koehl Respect for National Cemeteries Act.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alicia Dawn Koehl Respect for National Cemeteries Act".

SEC. 2. AUTHORITY TO RECONSIDER DECISIONS OF SECRETARY OF VETERANS AFFAIRS OR SECRETARY OF THE ARMY TO INTER THE REMAINS OR HONOR THE MEMORY OF A PERSON IN A NATIONAL CEMETERY.

(a) AUTHORITY TO RECONSIDER PRIOR DECISIONS.—Section 2411 of title 38, United States Code, is amended—

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

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

"(d)(1) In a case described in subsection (e), the appropriate Federal official may reconsider a decision to—

"(A) inter the remains of a person in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

"(B) honor the memory of a person in a memorial area in a cemetery in the National Cemetery Administration (described in section 2403(a) of this title) or in such an area in Arlington National Cemetery (described in section 2409(a) of this title).

"(2)(A)(i) In a case described in subsection (e)(1)(A), the appropriate Federal official shall provide notice to the deceased person's next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person. Notices.

"(ii) In a case described in subsection (e)(1)(B), if the appropriate Federal official finds, based upon a showing of clear and convincing evidence and after an opportunity for a hearing in a manner prescribed by the appropriate Federal official, that the person had committed a Federal capital crime or a State capital crime but had not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution, the appropriate Federal official shall provide notice to the

deceased person's next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person.

"(B) Notice under subparagraph (A) shall be provided by the appropriate Federal official as follows:

"(i) By the Secretary in accordance with section 5104 of this title.

Regulations.

"(ii) By the Secretary of Defense in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

Time period. Notice.

"(3)(A) Notwithstanding any other provision of law, the next of kin or other person authorized to arrange burial or memorialization of the deceased person shall be allowed a period of 60 days from the date of the notice required by paragraph (2) to file a notice of disagreement with the Federal official that provided the notice.

Review.

"(B)(i) A notice of disagreement filed with the Secretary under subparagraph (A) shall be treated as a notice of disagreement filed under section 7105 of this title and shall initiate appellate review in accordance with the provisions of chapter 71 of this title.

Regulations.

"(ii) A notice of disagreement filed with the Secretary of Defense under subparagraph (A) shall be decided in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

"(4) When the decision of the appropriate Federal official to disinter the remains or remove a memorial headstone or marker of the deceased person becomes final either by failure to appeal the decision in accordance with paragraph (3)(A) or by final disposition of the appeal pursuant to paragraph (3)(B), the appropriate Federal official may take any of the following actions:

"(A) Disinter the remains of the person from the cemetery in the National Cemetery Administration or in Arlington National Cemetery and provide for the reburial or other appropriate disposition of the disinterred remains in a place other than a cemetery in the National Cemetery Administration or in Arlington National Cemetery.

"(B) Remove from a memorial area in a cemetery in the National Cemetery Administration or in Arlington National Cemetery any memorial headstone or marker placed to honor the memory of the person.

"(e)(1) A case described in this subsection is a case in which the appropriate federal official receives—

"(A) written notice of a conviction referred to in subsection (b)(1), (b)(2), or (b)(4) of a person described in paragraph (2); or

"(B) information that a person described in paragraph (2) may have committed a Federal capital crime or a State capital crime but was not convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

"(2) A person described in this paragraph is a person—

"(A) whose remains have been interred in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

"(B) whose memory has been honored in a memorial area in a cemetery in the National Cemetery Administration or in such an area in Arlington National Cemetery.".

(b) MODIFICATION OF EXCEPTION TO INTERMENT OR MEMORIALIZATION PROHIBITION.—Subsection (a)(2) of such section is amended by striking "such official approves an application for".

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any interment or memorialization conducted by the Secretary of Veterans Affairs or the Secretary of the Army in a cemetery in the National Cemetery Administration or in Arlington National Cemetery after the date of the enactment of this Act.

38 USC 2411 note.

SEC. 3. DISINTERMENT OF REMAINS OF MICHAEL LASHAWN ANDERSON FROM FORT CUSTER NATIONAL CEMETERY.

(a) DISINTERMENT OF REMAINS.—The Secretary of Veterans Affairs shall disinter the remains of Michael LaShawn Anderson from Fort Custer National Cemetery.

(b) NOTIFICATION OF NEXT-OF-KIN.—The Secretary of Veterans Affairs shall—

(1) notify the next-of-kin of record for Michael LaShawn Anderson of the impending disinterment of his remains; and

(2) upon disinterment, relinquish the remains to the next-of-kin of record for Michael LaShawn Anderson or, if the next-of-kin of record for Michael LaShawn Anderson is unavailable, arrange for an appropriate disposition of the remains.

Approved December 20, 2013.

LEGISLATIVE HISTORY—S. 1471:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 18, considered and passed Senate.
Dec. 11, considered and passed House.

Public Law 113–66
113th Congress

An Act

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

Dec. 26, 2013
[H.R. 3304]

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

National Defense Authorization Act for Fiscal Year 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2014".

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

(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.
Sec. 3. Congressional defense committees.
Sec. 4. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.
Sec. 112. Study on multiyear, multivehicle procurement authority for tactical vehicles.

Subtitle C—Navy Programs

Sec. 121. CVN–78 class aircraft carrier program.
Sec. 122. Repeal of requirements relating to procurement of future surface combatants.
Sec. 123. Multiyear procurement authority for E–2D aircraft program.
Sec. 124. Limitation on availability of funds for Littoral Combat Ship.

Subtitle D—Air Force Programs

Sec. 131. Repeal of requirement for maintenance of certain retired KC–135E aircraft.
Sec. 132. Multiyear procurement authority for C–130J aircraft.

Sec. 133. Prohibition on cancellation or modification of avionics modernization program for C–130 aircraft.
Sec. 134. Prohibition of procurement of unnecessary C–27J aircraft by the Air Force.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 141. Personal protection equipment procurement.
Sec. 142. Repeal of certain F–35 reporting requirements.
Sec. 143. Limitation on availability of funds for retirement of RQ–4 Global Hawk unmanned aircraft systems and A–10 aircraft.
Sec. 144. MC–12 Liberty Intelligence, Surveillance, and Reconnaissance aircraft.
Sec. 145. Competition for evolved expendable launch vehicle providers.
Sec. 146. Reports on personal protection equipment and health and safety risks associated with ejection seats.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency.
Sec. 212. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.
Sec. 213. Limitation and reporting requirements for unmanned carrier-launched surveillance and strike system program.
Sec. 214. Limitation on availability of funds for Air Force logistics transformation.
Sec. 215. Limitation on availability of funds for defensive cyberspace operations of the Air Force.
Sec. 216. Limitation on availability of funds for precision extended range munition program.
Sec. 217. Long-range standoff weapon requirement; prohibition on availability of funds for noncompetitive procedures for offensive anti-surface warfare weapon contracts of the Navy.
Sec. 218. Review of software development for F–35 aircraft.
Sec. 219. Evaluation and assessment of the distributed common ground system.
Sec. 220. Operationally responsive space.
Sec. 221. Sustainment or replacement of Blue Devil intelligence, surveillance, and reconnaissance capabilities.

Subtitle C—Missile Defense Programs

Sec. 231. Improvements to acquisition accountability reports on ballistic missile defense system.
Sec. 232. Prohibition on use of funds for MEADS program.
Sec. 233. Prohibition on availability of funds for integration of certain missile defense systems; report on regional ballistic missile defense.
Sec. 234. Availability of funds for co-production of Iron Dome short-range rocket defense system in the United States.
Sec. 235. Additional missile defense radar for the protection of the United States homeland.
Sec. 236. Evaluation of options for future ballistic missile defense sensor architectures.
Sec. 237. Plans to improve the ground-based midcourse defense system.
Sec. 238. Report on potential future homeland ballistic missile defense options.
Sec. 239. Briefings on status of implementation of certain missile defense matters.
Sec. 240. Sense of Congress and report on NATO and missile defense burden-sharing.
Sec. 241. Sense of Congress on deployment of regional ballistic missile defense capabilities.
Sec. 242. Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle.

Subtitle D—Reports

Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.
Sec. 252. Annual Comptroller General of the United States report on the acquisition program for the VXX Presidential Helicopter.
Sec. 253. Report on strategy to improve body armor.

Subtitle E—Other Matters

Sec. 261. Establishment of Communications Security Review and Advisory Board.

Sec. 262. Extension and expansion of mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
Sec. 263. Extension of authority to award prizes for advanced technology achievements.
Sec. 264. Five-year extension of pilot program to include technology protection features during research and development of certain defense systems.
Sec. 265. Briefing on biometrics activities of the Department of Defense.
Sec. 266. Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom's Vanguard successor program.
Sec. 267. Sense of Congress on counter-electronics high power microwave missile project.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environment

Sec. 311. Deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.
Sec. 312. Facilitation of interagency cooperation in conservation programs of the Departments of Defense, Agriculture, and Interior to avoid or reduce adverse impacts on military readiness activities.
Sec. 313. Reauthorization of Sikes Act.
Sec. 314. Clarification of prohibition on disposing of waste in open-air burn pits.
Sec. 315. Limitation on availability of funds for procurement of drop-in fuels.

Subtitle C—Logistics and Sustainment

Sec. 321. Strategic policy for prepositioned materiel and equipment.
Sec. 322. Department of Defense manufacturing arsenal study and report.
Sec. 323. Consideration of Army arsenals' capabilities to fulfill manufacturing requirements.
Sec. 324. Strategic policy for the retrograde, reconstitution, and replacement of operating forces used to support overseas contingency operations.
Sec. 325. Littoral Combat Ship Strategic Sustainment Plan.
Sec. 326. Strategy for improving asset tracking and in-transit visibility.

Subtitle D—Reports

Sec. 331. Additional reporting requirements relating to personnel and unit readiness.
Sec. 332. Modification of authorities on prioritization of funds for equipment readiness and strategic capability.
Sec. 333. Revision to requirement for annual submission of information regarding information technology capital assets.
Sec. 334. Modification of annual corrosion control and prevention reporting requirements.

Subtitle E—Limitations and Extensions of Authority

Sec. 341. Certification for realignment of forces at Lajes Air Force Base, Azores.
Sec. 342. Limitation on performance of Department of Defense flight demonstration teams outside the United States.
Sec. 343. Limitation on funding for United States Special Operations Command National Capital Region.
Sec. 344. Limitation on availability of funds for Trans Regional Web Initiative.

Subtitle F—Other Matters

Sec. 351. Gifts made for the benefit of military musical units.
Sec. 352. Revised policy on ground combat and camouflage utility uniforms.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels and in annual limitation on certain end strength reductions.

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 POLICY

Subtitle A—Officer Personnel Policy Generally

Sec. 501. Congressional notification requirements related to increases in number of general and flag officers on active duty or in joint duty assignments.
Sec. 502. Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer.
Sec. 503. Selective early retirement authority for regular officers and selective early removal of officers from reserve active-status list.

Subtitle B—Reserve Component Management

Sec. 511. Suicide prevention efforts for members of the reserve components.
Sec. 512. Removal of restrictions on the transfer of officers between the active and inactive National Guard.
Sec. 513. Limitations on cancellations of deployment of certain reserve component units and involuntary mobilizations of certain Reserves.
Sec. 514. Review of requirements and authorizations for reserve component general and flag officers in an active status.
Sec. 515. Feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

Subtitle C—General Service Authorities

Sec. 521. Provision of information under Transition Assistance Program about disability-related employment and education protections.
Sec. 522. Medical examination requirements regarding post-traumatic stress disorder or traumatic brain injury before administrative separation.
Sec. 523. Establishment and use of consistent definition of gender-neutral occupational standard for military career designators.
Sec. 524. Sense of Congress regarding the Women in Service Implementation Plan.
Sec. 525. Provision of military service records to the Secretary of Veterans Affairs in an electronic format.
Sec. 526. Review of Integrated Disability Evaluation System.

Subtitle D—Military Justice Matters, Other Than Sexual Assault Prevention and Response and Related Reforms

Sec. 531. Modification of eligibility for appointment as Judge on the United States Court of Appeals for the Armed Forces.
Sec. 532. Enhancement of protection of rights of conscience of members of the Armed Forces and chaplains of such members.
Sec. 533. Inspector General investigation of Armed Forces compliance with regulations for the protection of rights of conscience of members of the Armed Forces and their chaplains.
Sec. 534. Survey of military chaplains views on Department of Defense policy regarding chaplain prayers outside of religious services.

Subtitle E—Member Education and Training

Sec. 541. Additional requirements for approval of educational programs for purposes of certain educational assistance under laws administered by the Secretary of Defense.
Sec. 542. Enhancement of mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses.
Sec. 543. Report on the Troops to Teachers program.
Sec. 544. Secretary of Defense report on feasibility of requiring automatic operation of current prohibition on accrual of interest on direct student loans of certain members of the Armed Forces.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 552. Impact aid for children with severe disabilities.
Sec. 553. Treatment of tuition payments received for virtual elementary and secondary education component of Department of Defense education program.
Sec. 554. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.
Sec. 555. Sense of Congress on parental rights of members of the Armed Forces in child custody determinations.

Subtitle G—Decorations and Awards

Sec. 561. Repeal of limitation on number of medals of honor that may be awarded to the same member of the Armed Forces.
Sec. 562. Standardization of time-limits for recommending and awarding Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal.
Sec. 563. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll requirements.
Sec. 564. Prompt replacement of military decorations.
Sec. 565. Review of eligibility for, and award of, Purple Heart to victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas.
Sec. 566. Authorization for award of the Medal of Honor to former members of the Armed Forces previously recommended for award of the Medal of Honor.
Sec. 567. Authorization for award of the Medal of Honor for acts of valor during the Vietnam War.
Sec. 568. Authorization for award of the Distinguished-Service Cross for acts of valor during the Korean and Vietnam Wars.
Sec. 569. Authorization for award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War.

Subtitle H—Other Studies, Reviews, Policies, and Reports

Sec. 571. Report on feasibility of expanding performance evaluation reports to include 360-degree assessment approach.
Sec. 572. Report on Department of Defense personnel policies regarding members of the Armed Forces with HIV or Hepatitis B.
Sec. 573. Policy on military recruitment and enlistment of graduates of secondary schools.
Sec. 574. Comptroller General report on use of determination of personality disorder or adjustment disorder as basis to separate members from the Armed Forces.

Subtitle I—Other Matters

Sec. 581. Accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing and related reports.
Sec. 582. Expansion of privileged information authorities to debriefing reports of certain recovered persons who were never placed in a missing status.
Sec. 583. Revision of specified senior military colleges to reflect consolidation of North Georgia College and State University and Gainesville State College.
Sec. 584. Review of security of military installations, including barracks, temporary lodging facilities, and multi-family residences.
Sec. 585. Authority to enter into concessions contracts at Army National Military Cemeteries.
Sec. 586. Military salute during recitation of pledge of allegiance by members of the Armed Forces not in uniform and by veterans.
Sec. 587. Improved climate assessments and dissemination of results.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.
Sec. 602. Recognition of additional means by which members of the National Guard called into Federal service for a period of 30 days or less may initially report for duty for entitlement to basic pay.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.
Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.
Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.
Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.
Sec. 616. One-year extension of authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency.
Sec. 617. Authority to provide bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.
Sec. 618. Health Professions Stipend Program to obtain commissioned officers in the reserve components.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Technical and standardizing amendments to Department of Defense travel and transportation authorities in connection with reform of such authorities.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

Sec. 631. Clarification of prevention of retired pay inversion in the case of members whose retired pay is computed using high-three.
Sec. 632. Periodic notice to members of the Ready Reserve on early retirement credit earned for significant periods of active Federal status or active duty.
Sec. 633. Improved assistance for Gold Star spouses and other dependents.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Sec. 641. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.
Sec. 642. Modernization of titles of nonappropriated fund instrumentalities for purposes of certain civil service laws.

Subtitle F—Other Matters

Sec. 651. 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. 652. Study of the merits and feasibility of providing transitional compensation and other transitional benefits to dependents of members separated for violation of the Uniform Code of Military Justice.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Future availability of TRICARE Prime for certain beneficiaries enrolled in TRICARE Prime.
Sec. 702. Mental health care treatment through telemedicine.
Sec. 703. Comprehensive policy on improvements to care and transition of members of the Armed Forces with urotrauma.
Sec. 704. Pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

Subtitle B—Health Care Administration

Sec. 711. Authority of Uniformed Services University of Health Sciences to enter into contracts and agreements and make grants to other nonprofit entities.
Sec. 712. Pilot program on increased third-party collection reimbursements in military medical treatment facilities.
Sec. 713. Electronic health records of the Department of Defense and the Department of Veterans Affairs.

Subtitle C—Reports and Other Matters

Sec. 721. Display of budget information for embedded mental health providers of the reserve components.
Sec. 722. Report on role of Department of Veterans Affairs in certain Centers of Excellence.
Sec. 723. Report on memorandum regarding traumatic brain injuries.
Sec. 724. Report on provision of advanced prosthetics and orthotics to members of the Armed Forces and veterans.
Sec. 725. Comptroller General reports on TRICARE recovery audit program and availability of compounded pharmaceuticals.

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

Subtitle A—Acquisition Policy and Management

Sec. 801. Enhanced transfer of technology developed at Department of Defense laboratories.
Sec. 802. Extension of limitation on aggregate annual amount available for contract services.
Sec. 803. Identification and replacement of obsolete electronic parts.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Government-wide limitations on allowable costs for contractor compensation.
Sec. 812. Inclusion of additional cost estimate information in certain reports.
Sec. 813. Amendment relating to compelling reasons for waiving suspension or debarment.
Sec. 814. Extension of pilot program on acquisition of military purpose nondevelopmental items.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

Sec. 821. Synchronization of cryptographic systems for major defense acquisition programs.
Sec. 822. Assessment of dedicated ground control system before Milestone B approval of major defense acquisition programs constituting a space program.
Sec. 823. Additional responsibility for product support managers for major weapon systems.
Sec. 824. Comptroller General review of Department of Defense processes for the acquisition of weapon systems.

Subtitle D—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

Sec. 831. Prohibition on contracting with the enemy.
Sec. 832. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Revisions to composition of transition plan for defense business enterprise architecture.
Sec. 902. Comptroller General report on potential relocation of Federal Government tenants onto military installations in the United States.
Sec. 903. Clarification of authority for the command acquisition executive of the United States Special Operations Command.
Sec. 904. Streamlining of Department of Defense management headquarters.
Sec. 905. Update of statutory statement of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education.
Sec. 906. Modification of reference to major Department of Defense headquarters activities instruction.
Sec. 907. Personnel security.

Subtitle B—Space Activities

Sec. 911. National security space satellite reporting policy.
Sec. 912. National security space defense and protection.
Sec. 913. Space acquisition strategy.
Sec. 914. Space control mission report.
Sec. 915. Responsive launch.
Sec. 916. Limitation on use of funds for Space Protection Program.
Sec. 917. Eagle Vision system.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

Sec. 921. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.
Sec. 922. Department of Defense intelligence priorities.
Sec. 923. Defense Clandestine Service.
Sec. 924. Prohibition on National Intelligence Program consolidation.

Subtitle D—Cyberspace-Related Matters

Sec. 931. Modification of requirement for inventory of Department of Defense tactical data link systems.

Sec. 932. Authorities, capabilities, and oversight of the United States Cyber Command.
Sec. 933. Mission analysis for cyber operations of Department of Defense.
Sec. 934. Modification of requirement for Report on Department of Defense Progress in Defending the Department and the Defense Industrial Base from Cyber Events.
Sec. 935. Additional requirements relating to the software licenses of the Department of Defense.
Sec. 936. Cyber outreach and threat awareness for small businesses.
Sec. 937. Joint Federated Centers for Trusted Defense Systems for the Department of Defense.
Sec. 938. Supervision of the acquisition of cloud computing capabilities.
Sec. 939. Cyber vulnerabilities of Department of Defense weapon systems and tactical communications systems.
Sec. 940. Control of the proliferation of cyber weapons.
Sec. 941. Integrated policy to deter adversaries in cyberspace.
Sec. 942. National Centers of Academic Excellence in Information Assurance Education matters.

Subtitle E—Total Force Management

Sec. 951. Reviews of appropriate manpower performance.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Budgetary effects of this Act.
Sec. 1003. Audit of Department of Defense fiscal year 2018 financial statements.
Sec. 1004. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia.
Sec. 1012. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1013. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Modification of requirements for annual long-range plan for the construction of naval vessels.
Sec. 1022. Clarification of sole ownership resulting from ship donations at no cost to the Navy.
Sec. 1023. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.
Sec. 1024. Extension and remediation of Navy contracting actions.
Sec. 1025. Report comparing costs of DDG 1000 and DDG 51 Flight III ships.
Sec. 1026. Report on naval vessels and the Force Structure Assessment.
Sec. 1027. Modification of policy relating to major combatant vessels of the strike forces of the Navy.

Subtitle D—Counterterrorism

Sec. 1031. Clarification of procedures for use of alternate members on military commissions.
Sec. 1032. Modification of Regional Defense Combating Terrorism Fellowship Program reporting requirement.
Sec. 1033. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1034. Prohibition on the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1035. Transfers to foreign countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1036. Report on information relating to individuals detained at Parwan, Afghanistan.
Sec. 1037. Grade of chief prosecutor and chief defense counsel in military commissions established to try individuals detained at Guantanamo.
Sec. 1038. Report on capability of Yemeni government to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen.

Sec. 1039. Report on attachment of rights to individuals detained at Guantanamo if transferred to the United States.

Subtitle E—Sensitive Military Operations

Sec. 1041. Congressional notification of sensitive military operations.
Sec. 1042. Counterterrorism operational briefings.
Sec. 1043. Report on process for determining targets of lethal or capture operations.

Subtitle F—Nuclear Forces

Sec. 1051. Notification required for reduction or consolidation of dual-capable aircraft based in Europe.
Sec. 1052. Council on Oversight of the National Leadership Command, Control, and Communications System.
Sec. 1053. Modification of responsibilities and reporting requirements of Nuclear Weapons Council.
Sec. 1054. Modification of deadline for report on plan for nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system.
Sec. 1055. Prohibition on elimination of nuclear triad.
Sec. 1056. Implementation of New START Treaty.
Sec. 1057. Retention of capability to redeploy multiple independently targetable reentry vehicles.
Sec. 1058. Report on New START Treaty.
Sec. 1059. Report on implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report.
Sec. 1060. Sense of Congress on further strategic nuclear arms reductions with the Russian Federation.
Sec. 1061. Sense of Congress on compliance with nuclear arms control treaty obligations.
Sec. 1062. Senses of Congress on ensuring the modernization of the nuclear forces of the United States.

Subtitle G—Miscellaneous Authorities and Limitations

Sec. 1071. Enhancement of capacity of the United States Government to analyze captured records.
Sec. 1072. Strategic plan for the management of the electromagnetic spectrum.
Sec. 1073. Extension of authority to provide military transportation services to certain other agencies at the Department of Defense reimbursement rate.
Sec. 1074. Notification of modifications to Army force structure.
Sec. 1075. Aircraft joint training.

Subtitle H—Studies and Reports

Sec. 1081. Online availability of reports submitted to Congress.
Sec. 1082. Oversight of combat support agencies.
Sec. 1083. Inclusion in annual report of description of interagency coordination relating to humanitarian demining technology.
Sec. 1084. Repeal and modification of reporting requirements.
Sec. 1085. Repeal of requirement for Comptroller General assessment of Department of Defense efficiencies.
Sec. 1086. Review and assessment of United States Special Operations Forces and United States Special Operations Command.
Sec. 1087. Reports on unmanned aircraft systems.
Sec. 1088. Report on foreign language support contracts for the Department of Defense.
Sec. 1089. Civil Air Patrol.

Subtitle I—Other Matters

Sec. 1091. Technical and clerical amendments.
Sec. 1092. Reduction in costs to report critical changes to major automated information system programs.
Sec. 1093. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.
Sec. 1094. Extension of Ministry of Defense Advisor Program and authority to waive reimbursement of costs of activities for certain nongovernmental personnel.
Sec. 1095. Amendments to certain national commissions.
Sec. 1096. Strategy for future military information operations capabilities.
Sec. 1097. Sense of Congress on collaboration on border security.
Sec. 1098. Transfer of aircraft to other departments for wildfire suppression and other purposes; tactical airlift fleet of the Air Force.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1102. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
Sec. 1103. Extension of voluntary reduction-in-force authority for civilian employees of the Department of Defense.
Sec. 1104. Extension of authority to make lump-sum severance payments to Department of Defense employees.
Sec. 1105. Revision to amount of financial assistance under Department of Defense Science, Mathematics, and Research for Transformation (SMART) Defense Education Program and assessment of STEM and other programs.
Sec. 1106. Extension of program for exchange of information-technology personnel.
Sec. 1107. Temporary authorities for certain positions at Department of Defense research and engineering facilities.
Sec. 1108. Compliance with law regarding availability of funding for civilian personnel.
Sec. 1109. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
Sec. 1202. Global Security Contingency Fund.
Sec. 1203. Training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.
Sec. 1204. Authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.
Sec. 1205. Authorization of National Guard State Partnership Program.
Sec. 1206. United States security and assistance strategies in Africa.
Sec. 1207. Assistance to the Government of Jordan for border security operations.
Sec. 1208. Support of foreign forces participating in operations to disarm the Lord's Resistance Army.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

Sec. 1211. Commanders' Emergency Response Program in Afghanistan.
Sec. 1212. One-year extension of authority to use funds for reintegration activities in Afghanistan.
Sec. 1213. Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1214. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1215. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.
Sec. 1216. Requirement to withhold Department of Defense assistance to Afghanistan in amount equivalent to 100 percent of all taxes assessed by Afghanistan to extent such taxes are not reimbursed by Afghanistan.
Sec. 1217. Extension of certain authorities for support of foreign forces supporting or participating with the United States Armed Forces.
Sec. 1218. Extension and improvement of the Iraqi special immigrant visa program.
Sec. 1219. Improvement of the Afghan special immigrant visa program.

Subtitle C—Matters Relating to Afghanistan Post 2014

Sec. 1221. Report on plans to disrupt and degrade Haqqani Network activities and finances.
Sec. 1222. Completion of accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces.
Sec. 1223. Defense intelligence plan.
Sec. 1224. Limitation on availability of funds for certain authorities for Afghanistan.

Subtitle D—Matters Relating to Iran

Sec. 1231. Report on United States military partnership with Gulf Cooperation Council countries.
Sec. 1232. Additional elements in annual report on military power of Iran.

Sec. 1233. Integrated air and missile defense programs at training locations in Southwest Asia.

Subtitle E—Reports and Other Matters

Sec. 1241. Two-year extension of authorization for non-conventional assisted recovery capabilities.
Sec. 1242. Element on 5th generation fighter program in annual report on military and security developments involving the People's Republic of China.
Sec. 1243. Report on posture and readiness of the Armed Forces to respond to an attack or other contingency against United States diplomatic facilities overseas.
Sec. 1244. Limitation on establishment of Regional Special Operations Forces Coordination Centers.
Sec. 1245. Additional reports on military and security developments involving the Democratic People's Republic of Korea.
Sec. 1246. Sense of Congress on missile defense cooperation with the Russian Federation and limitations on providing certain missile defense information to the Russian Federation.
Sec. 1247. Amendments to annual report under Arms Control and Disarmament Act.
Sec. 1248. Report on actions to reduce support for ballistic missile proliferation.
Sec. 1249. Reports on international agreements relating to the Department of Defense.
Sec. 1250. Revision of statutory references to former NATO support organizations and related NATO agreements.
Sec. 1251. Executive agreements with the Russian Federation relating to ballistic missile defense.
Sec. 1252. Rule of construction.
Sec. 1253. Limitation on availability of funds to implement the Arms Trade Treaty.
Sec. 1254. Report on military and security developments involving the Russian Federation.
Sec. 1255. Prohibition on use of funds to enter into contracts or agreements with Rosoboronexport.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of cooperative threat reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Extension of authority for utilization of contributions to the cooperative threat reduction program.
Sec. 1304. Strategy to modernize cooperative threat reduction and prevent the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. National Defense Sealift Fund.
Sec. 1403. Chemical Agents and Munitions Destruction, Defense.
Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1405. Defense Inspector General.
Sec. 1406. Defense Health Program.

Subtitle B—National Defense Stockpile

Sec. 1411. Use of National Defense Stockpile for the conservation of a strategic and critical materials supply.
Sec. 1412. Authority to acquire additional materials for the National Defense Stockpile.

Subtitle C—Other Matters

Sec. 1421. 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. 1422. Authorization of appropriations for Armed Forces Retirement Home.
Sec. 1423. Cemeterial expenses.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

Sec. 1501. Purpose.

Sec. 1502. Procurement.
Sec. 1503. Research, development, test, and evaluation.
Sec. 1504. Operation and maintenance.
Sec. 1505. Military personnel.
Sec. 1506. Working capital funds.
Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1508. Defense Inspector General.
Sec. 1509. Defense Health Program.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.
Sec. 1522. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1531. Afghanistan Security Forces Fund.
Sec. 1532. Joint Improvised Explosive Device Defeat Fund.
Sec. 1533. Future role of Joint Improvised Explosive Device Defeat Organization.
Sec. 1534. Extension of authority for Task Force for Business and Stability Operations in Afghanistan.

TITLE XVI—INDUSTRIAL BASE MATTERS

Subtitle A—Defense Industrial Base Matters

Sec. 1601. Periodic audits of contracting compliance by Inspector General of Department of Defense.
Sec. 1602. Foreign space activities.
Sec. 1603. Proof of Concept Commercialization Pilot Program.

Subtitle B—Matters Relating to Small Business Concerns

Sec. 1611. Advancing small business growth.
Sec. 1612. Amendments relating to Procurement Technical Assistance Cooperative Agreement Program.
Sec. 1613. Reporting on goals for procurement contracts awarded to small business concerns.
Sec. 1614. Credit for certain small business subcontractors.
Sec. 1615. Inapplicability of requirement to review and justify certain contracts.

TITLE XVII—SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED REFORMS

Subtitle A—Reform of Uniform Code of Military Justice

Sec. 1701. Extension of crime victims' rights to victims of offenses under the Uniform Code of Military Justice.
Sec. 1702. Revision of Article 32 and Article 60, Uniform Code of Military Justice.
Sec. 1703. Elimination of five-year statute of limitations on trial by court-martial for additional offenses involving sex-related crimes.
Sec. 1704. Defense counsel interview of victim of an alleged sex-related offense in presence of trial counsel, counsel for the victim, or a Sexual Assault Victim Advocate.
Sec. 1705. Discharge or dismissal for certain sex-related offenses and trial of such offenses by general courts-martial.
Sec. 1706. Participation by victim in clemency phase of courts-martial process.
Sec. 1707. Repeal of the offense of consensual sodomy under the Uniform Code of Military Justice.
Sec. 1708. Modification of Manual for Courts-Martial to eliminate factor relating to character and military service of the accused in rule on initial disposition of offenses.
Sec. 1709. Prohibition of retaliation against members of the Armed Forces for reporting a criminal offense.

Subtitle B—Other Amendments to Title 10, United States Code

Sec. 1711. Prohibition on service in the Armed Forces by individuals who have been convicted of certain sexual offenses.
Sec. 1712. Issuance of regulations applicable to the Coast Guard regarding consideration of request for permanent change of station or unit transfer by victim of sexual assault.
Sec. 1713. Temporary administrative reassignment or removal of a member of the Armed Forces on active duty who is accused of committing a sexual assault or related offense.
Sec. 1714. Expansion and enhancement of authorities relating to protected communications of members of the Armed Forces and prohibited retaliatory actions.

Sec. 1715. Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.
Sec. 1716. Designation and availability of Special Victims' Counsel for victims of sex-related offenses.

Subtitle C—Amendments to Other Laws

Sec. 1721. Tracking of compliance of commanding officers in conducting organizational climate assessments for purposes of preventing and responding to sexual assaults.
Sec. 1722. Advancement of submittal deadline for report of independent panel on assessment of military response systems to sexual assault.
Sec. 1723. Retention of certain forms in connection with Restricted Reports and Unrestricted Reports on sexual assault involving members of the Armed Forces.
Sec. 1724. Timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves.
Sec. 1725. Qualifications and selection of Department of Defense sexual assault prevention and response personnel and required availability of Sexual Assault Nurse Examiners.
Sec. 1726. Additional responsibilities of Sexual Assault Prevention and Response Office for Department of Defense sexual assault prevention and response program.

Subtitle D—Studies, Reviews, Policies, and Reports

Sec. 1731. Independent reviews and assessments of Uniform Code of Military Justice and judicial proceedings of sexual assault cases.
Sec. 1732. Review and policy regarding Department of Defense investigative practices in response to allegations of Uniform Code of Military Justice violations.
Sec. 1733. Review of training and education provided members of the Armed Forces on sexual assault prevention and response.
Sec. 1734. Report on implementation of Department of Defense policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces.
Sec. 1735. Review of the Office of Diversity Management and Equal Opportunity role in sexual harassment cases.

Subtitle E—Other Matters

Sec. 1741. Enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training.
Sec. 1742. Commanding officer action on reports on sexual offenses involving members of the Armed Forces.
Sec. 1743. Eight-day incident reporting requirement in response to unrestricted report of sexual assault in which the victim is a member of the Armed Forces.
Sec. 1744. Review of decisions not to refer charges of certain sex-related offenses for trial by court-martial.
Sec. 1745. Inclusion and command review of information on sex-related offenses in personnel service records of members of the Armed Forces.
Sec. 1746. Prevention of sexual assault at military service academies.
Sec. 1747. Required notification whenever members of the Armed Forces are completing Standard Form 86 of the Questionnaire for National Security Positions.

Subtitle F—Sense of Congress Provisions

Sec. 1751. Sense of Congress on commanding officer responsibility for command climate free of retaliation.
Sec. 1752. Sense of Congress on disposition of charges involving certain sexual misconduct offenses under the Uniform Code of Military Justice through courts-martial.
Sec. 1753. Sense of Congress on the discharge in lieu of court-martial of members of the Armed Forces who commit sex-related offenses.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
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. Limitation on construction of cadet barracks at United States Military Academy, New York.
Sec. 2105. Additional authority to carry out certain fiscal year 2004 project.
Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.
Sec. 2107. Modification of authority to carry out certain fiscal year 2011 project.
Sec. 2108. Extension of authorizations of certain fiscal year 2010 projects.
Sec. 2109. 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.

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. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Limitation on project authorization to carry out certain fiscal year 2014 project.
Sec. 2306. Modification of authority to carry out certain fiscal year 2013 project.
Sec. 2307. Extension of authorization 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.
Sec. 2403. Authorization of appropriations, Defense Agencies.

Subtitle B—Chemical Demilitarization Authorizations

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

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

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

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

Subtitle B—Other Matters

Sec. 2711. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.

Sec. 2712. Elimination of quarterly certification requirement regarding availability of military health care in National Capital Region.
Sec. 2713. Report on 2005 base closure and realignment joint basing initiative.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Modification and extension of authority to utilize unspecified minor military construction authority for laboratory revitalization projects.
Sec. 2802. Repeal of separate authority to enter into limited partnerships with private developers of housing.
Sec. 2803. Military construction standards to improve force protection.
Sec. 2804. Application of cash payments received for utilities and services.
Sec. 2805. Repeal of advance notification requirement for use of military housing investment authority.
Sec. 2806. Additional element for annual report on military housing privatization projects.
Sec. 2807. Policies and requirements regarding overseas military construction and closure and realignment of United States military installations in foreign countries.
Sec. 2808. Extension and modification of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.
Sec. 2809. Limitation on construction projects in European Command area of responsibility.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Development of master plans for major military installations.
Sec. 2812. Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements.
Sec. 2813. Modification of authority to enter into long-term contracts for receipt of utility services as consideration for utility systems conveyances.
Sec. 2814. Report on efficient utilization of Department of Defense real property.
Sec. 2815. Conditions on Department of Defense expansion of Piñon Canyon Maneuver Site, Fort Carson, Colorado.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

Sec. 2821. Change from previous calendar year to previous fiscal year for period covered by annual report of Interagency Coordination Group of Inspectors General for Guam Realignment.
Sec. 2822. Realignment of Marines Corps forces in Asia-Pacific Region.

Subtitle D—Land Conveyances

Sec. 2831. Real property acquisition, Naval Base Ventura County, California.
Sec. 2832. Land conveyance, former Oxnard Air Force Base, Ventura County, California.
Sec. 2833. Land conveyance, Joint Base Pearl Harbor-Hickam, Hawaii.
Sec. 2834. Land conveyance, Philadelphia Naval Shipyard, Philadelphia, Pennsylvania.
Sec. 2835. Land conveyance, Camp Williams, Utah.
Sec. 2836. Conveyance, Air National Guard radar site, Francis Peak, Wasatch Mountains, Utah.
Sec. 2837. Land conveyances, former United States Army Reserve Centers, Connecticut, New Hampshire, and Pennsylvania.

Subtitle E—Other Matters

Sec. 2841. Repeal of annual Economic Adjustment Committee reporting requirement.
Sec. 2842. Establishment of military divers memorial.

TITLE XXIX—WITHDRAWAL, RESERVATION, AND TRANSFER OF PUBLIC LANDS TO SUPPORT MILITARY READINESS AND SECURITY

Sec. 2901. Short title.
Sec. 2902. Definitions.

Subtitle A—General Provisions

Sec. 2911. General applicability; definitions.
Sec. 2912. Maps and legal descriptions.
Sec. 2913. Access restrictions.
Sec. 2914. Changes in use.

Sec. 2915. Brush and range fire prevention and suppression.
Sec. 2916. Ongoing decontamination.
Sec. 2917. Water rights.
Sec. 2918. Hunting, fishing, and trapping.
Sec. 2919. Limitation on extensions and renewals.
Sec. 2920. Application for renewal of a withdrawal and reservation.
Sec. 2921. Limitation on subsequent availability of land for appropriation.
Sec. 2922. Relinquishment.
Sec. 2923. Immunity of the United States.

Subtitle B—Limestone Hills Training Area, Montana

Sec. 2931. Withdrawal and reservation of public land.
Sec. 2932. Management of withdrawn and reserved land.
Sec. 2933. Special rules governing minerals management.
Sec. 2934. Grazing.
Sec. 2935. Payments in lieu of taxes.
Sec. 2936. Duration of withdrawal and reservation.

Subtitle C—Marine Corps Air Ground Combat Center Twentynine Palms, California

Sec. 2941. Withdrawal and reservation of public land.
Sec. 2942. Management of withdrawn and reserved land.
Sec. 2943. Public access.
Sec. 2944. Resource management group.
Sec. 2945. Johnson Valley Off-Highway Vehicle Recreation Area.
Sec. 2946. Duration of withdrawal and reservation.

Subtitle D—White Sands Missile Range, New Mexico, and Fort Bliss, Texas

Sec. 2951. Withdrawal and reservation of public land.
Sec. 2952. Grazing.

Subtitle E—Chocolate Mountain Aerial Gunnery Range, California

Sec. 2961. Transfer of administrative jurisdiction of public land.
Sec. 2962. Management and use of transferred land.
Sec. 2963. Effect of termination of military use.
Sec. 2964. Temporary extension of existing withdrawal period.
Sec. 2965. Water rights.
Sec. 2966. Realignment of range boundary and related transfer of title.

Subtitle F—Naval Air Weapons Station China Lake, California

Sec. 2971. Withdrawal and reservation of public land.
Sec. 2972. Management of withdrawn and reserved land.
Sec. 2973. Assignment of management responsibility to Secretary of the Navy.
Sec. 2974. Geothermal resources.
Sec. 2975. Wild horses and burros.
Sec. 2976. Continuation of existing agreement.
Sec. 2977. Management plans.
Sec. 2978. Termination of prior withdrawals.
Sec. 2979. Duration of withdrawal and reservation.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Clarification of principles of National Nuclear Security Administration.
Sec. 3112. Cost estimation and program evaluation by National Nuclear Security Administration.
Sec. 3113. Enhanced procurement authority to manage supply chain risk.
Sec. 3114. Limitation on availability of funds for National Nuclear Security Administration.
Sec. 3115. Limitation on availability of funds for Office of the Administrator for Nuclear Security.
Sec. 3116. Establishment of Center for Security Technology, Analysis, Response, and Testing.

Sec. 3117. Authorization of modular building strategy as an alternative to the replacement project for the Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
Sec. 3118. Comparative analysis of warhead life extension options.
Sec. 3119. Extension of authority of Secretary of Energy to enter into transactions to carry out certain research projects.
Sec. 3120. Increase in construction design threshold.

Subtitle C—Plans and Reports

Sec. 3121. Annual report and certification on status of security of atomic energy defense facilities.
Sec. 3122. Modifications to annual reports regarding the condition of the nuclear weapons stockpile.
Sec. 3123. Inclusion of integrated plutonium strategy in nuclear weapons stockpile stewardship, management, and infrastructure plan.
Sec. 3124. Modifications to cost-benefit analyses for competition of management and operating contracts.
Sec. 3125. Modification of deadlines for certain reports relating to program on scientific engagement for nonproliferation.
Sec. 3126. Modification of certain reports on cost containment for uranium capabilities replacement project.
Sec. 3127. Plan for tank farm waste at Hanford Nuclear Reservation.
Sec. 3128. Plan for improvement and integration of financial management of nuclear security enterprise.
Sec. 3129. Plan for developing exascale computing and incorporating such computing into the stockpile stewardship program.
Sec. 3130. Study and plan for extension of certain pilot program principles.
Sec. 3131. Study of potential reuse of nuclear weapon secondaries.
Sec. 3132. Repeal of certain reporting requirements.

Subtitle D—Other Matters

Sec. 3141. Clarification of role of Secretary of Energy.
Sec. 3142. Modification of deadlines for Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.
Sec. 3143. Department of Energy land conveyance.
Sec. 3144. Technical amendment to Atomic Energy Act of 1954.
Sec. 3145. Technical corrections to the National Nuclear Security Administration Act.
Sec. 3146. Technical corrections to the Atomic Energy Defense Act.
Sec. 3147. Sense of Congress on B61–12 life extension program.
Sec. 3148. Sense of Congress on establishment of an advisory board on toxic substances and worker health.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for national security aspects of the Merchant Marine for fiscal year 2014.
Sec. 3502. 5-year reauthorization of vessel war risk insurance program.
Sec. 3503. Sense of Congress.
Sec. 3504. Treatment of funds for intermodal transportation maritime facility, Port of Anchorage, Alaska.
Sec. 3505. Strategic seaports.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

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

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

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

TITLE XLV—OTHER AUTHORIZATIONS

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

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of energy national security programs.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES. 10 USC 101 note.

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

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 11, 2013, by the Chairman of the Committee on Armed Services of the House of Representatives, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.
Sec. 112. Study on multiyear, multivehicle procurement authority for tactical vehicles.

Subtitle C—Navy Programs

Sec. 121. CVN–78 class aircraft carrier program.
Sec. 122. Repeal of requirements relating to procurement of future surface combatants.
Sec. 123. Multiyear procurement authority for E–2D aircraft program.
Sec. 124. Limitation on availability of funds for Littoral Combat Ship.

Subtitle D—Air Force Programs

Sec. 131. Repeal of requirement for maintenance of certain retired KC–135E aircraft.
Sec. 132. Multiyear procurement authority for C–130J aircraft.
Sec. 133. Prohibition on cancellation or modification of avionics modernization program for C–130 aircraft.
Sec. 134. Prohibition of procurement of unnecessary C–27J aircraft by the Air Force.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 141. Personal protection equipment procurement.
Sec. 142. Repeal of certain F–35 reporting requirements.
Sec. 143. Limitation on availability of funds for retirement of RQ–4 Global Hawk unmanned aircraft systems and A–10 aircraft.

Sec. 144. MC–12 Liberty Intelligence, Surveillance, and Reconnaissance aircraft.
Sec. 145. Competition for evolved expendable launch vehicle providers.
Sec. 146. Reports on personal protection equipment and health and safety risks associated with ejection seats.

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS FOR STRYKER VEHICLE PROGRAM.

Time period.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for weapons and tracked combat vehicles, Army, for the procurement or upgrade of Stryker vehicles, not more than 75 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Army submits the report under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Army shall submit to the congressional defense committees a report on the status of the Stryker vehicle spare parts inventory located in Auburn, Washington, cited in the report of the Inspector General of the Department of Defense (number 2013–025) dated November 30, 2012. The report submitted under this subsection shall include the following:

(1) The status of the implementation by the Secretary of the recommendations specified on pages 30 to 34 of the report by the Inspector General.

(2) The value of the parts remaining in warehouse that may still be used by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(3) The value of the parts remaining in the warehouse that are no longer usable by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(4) A cost estimate of the monthly cost of maintaining the inventory of such parts that are no longer usable by the Secretary.

(5) Any other matters the Secretary considers appropriate.

SEC. 112. STUDY ON MULTIYEAR, MULTIVEHICLE PROCUREMENT AUTHORITY FOR TACTICAL VEHICLES.

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

(1) budget uncertainty and reduced defense procurements have had negative impacts on the tactical vehicle industrial base; and

(2) in such environment, the Army should consider innovative contracting and acquisition strategies to maximize cost

savings, improve the sustainment of the tactical vehicle industrial base, and reduce risk during this downturn in defense procurement.

(b) STUDY REQUIRED.— Consultation.

(1) STUDY.—The Secretary of the Army, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall conduct a study of the desirability and feasibility of requesting legislative authority, in accordance with section 2306b of title 10, United States Code, to enter into one or more multiyear, multivehicle contracts for the procurement of tactical vehicles beginning in fiscal year 2015 or thereafter.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall submit to the congressional defense committees a report on the possible multiyear, multivehicle contracting options and other innovative contracting options considered in the study under paragraph (1). Such report should include the following:

(A) A business case analysis of a multiyear, multivehicle contract for tactical vehicles, including any potential increases in cost, savings, or risk that may derive from such a contract in comparison to standard contracting methods.

(B) An evaluation of whether the Secretary requires legislative action to enter into such a multiyear, multivehicle contract.

(C) Any other matters the Secretary determines appropriate.

Subtitle C—Navy Programs

SEC. 121. CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

(a) COST LIMITATION BASELINE FOR LEAD SHIP.—Subsection (a) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) is amended to read as follows:

"(a) LIMITATION.—

"(1) LEAD SHIP.—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the aircraft carrier designated as CVN–78 may not exceed $12,887,000,000 (as adjusted pursuant to subsection (b)).

"(2) FOLLOW-ON SHIPS.—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the construction of any ship that is constructed in the CVN–78 class of aircraft carriers after the lead ship of that class may not exceed $11,498,000,000 (as adjusted pursuant to subsection (b)).".

(b) HULL NUMBER; ADDITIONAL FACTOR FOR ADJUSTMENT OF LIMITATION AMOUNT.—

(1) IN GENERAL.—Subsection (b) of such section is amended—

(A) in the matter preceding paragraph (1), by striking "CVN–21" and inserting "CVN–78";

(B) in paragraph (1), by striking "2006" and inserting "2013"; and

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

"(7) With respect to the aircraft carrier designated as CVN–78, the amounts of increases or decreases in costs of that ship that are attributable solely to an urgent and unforeseen requirement identified as a result of the shipboard test program.".

(2) LIMITATION ON ADJUSTMENT.—Such section is further amended by adding at the end the following new subsection:

Determinations. Certifications.

"(e) LIMITATION ON SHIPBOARD TEST PROGRAM COST ADJUSTMENT.—With respect to using the authority under subsection (b)(7) to adjust the amount set forth in subsection (a)(1) for the aircraft carrier designated as CVN–78 for reasons relating to an urgent and unforeseen requirement identified as a result of the shipboard test program, the Secretary may only use such authority if—

"(1) the Secretary determines, and certifies to the congressional defense committees, that such requirement was not known before the date of the submittal to Congress of the budget for fiscal year 2014 (as submitted pursuant to section 1105 of title 31, United States Code);

"(2) the Secretary determines, and certifies to the congressional defense committees, that waiting on an action by Congress to raise the cost cap specified in such subsection (a)(1) to account for such requirement will result in a delay in the delivery of that ship or a delay in the date of initial operating capability of that ship; and

Reports.

"(3) the Secretary submits to the congressional defense committees a report setting forth a description of such requirement before the obligation of additional funds pursuant to such authority.".

(c) REQUIREMENTS FOR CVN–79.—Such section is further amended by adding after subsection (e), as added by subsection (b)(2), the following new subsection:

"(f) REQUIREMENTS FOR CVN–79.—

Reports.

"(1) QUARTERLY COST ESTIMATE.—The Secretary of the Navy shall submit to the congressional defense committees on a quarterly basis a report setting forth the most current cost estimate for the aircraft carrier designated as CVN–79 (as estimated by the program manager). Each cost estimate shall include the current percentage of completion of the program, the total costs incurred, and an estimate of costs at completion for ship construction, Government-furnished equipment, and engineering and support costs.

"(2) DIRECTION FOR NEGOTIATING CERTAIN CONTRACTS.—The Secretary shall ensure that each prime contract for the aircraft carrier designated as CVN–79 includes an incentive fee structure that will, throughout the period of performance of the contract, provide incentives for each contractor to meet the portion of the cost of the ship, as limited by subsection (a)(2) and adjusted pursuant to subsection (b), for which the contractor is responsible.".

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

"SEC. 122. ADHERENCE TO NAVY COST ESTIMATES FOR CVN–78 CLASS OF AIRCRAFT CARRIERS.".

(e) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by striking the item relating to section 122 and inserting the following:

"Sec. 122. Adherence to Navy cost estimates for CVN–78 class of aircraft carriers.".

SEC. 122. 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; 10 U.S.C. 7291 note) is repealed.

SEC. 123. 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 one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of E–2D aircraft.

(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. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for construction or advanced procurement of materials for the Littoral Combat Ships designated as LCS 25 or LCS 26 may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees each of the following:

(1) The report required by subsection (b)(1).

(2) A coordinated determination by the Director of Operational Test and Evaluation and the Under Secretary of Defense for Acquisition, Technology, and Logistics that successful completion of the test evaluation master plan for both seaframes and each mission module will demonstrate operational effectiveness and operational suitability. Determination.

(3) A certification that the Joint Requirements Oversight Council— Certification.

(A) has reviewed the capabilities of the legacy systems that the Littoral Combat Ship is planned to replace and has compared such capabilities to the capabilities to be provided by the Littoral Combat Ship;

(B) has assessed the adequacy of the current capabilities development document for the Littoral Combat Ship to meet the requirements of the combatant commands and to address future threats as reflected in the latest assessment by the defense intelligence community; and

(C) has either validated the current capabilities development document or directed the Secretary to update the current capabilities development document based on the performance of the Littoral Combat Ship and mission modules to date.

(4) A report on the expected performance of each seaframe variant and mission module against the current or updated capabilities development document.

Certification.

(5) Certification that a capability production document will be completed for each mission module before operational testing.

(b) REPORT.—

Coordination.

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations, in coordination with the Director of Operational Test and Evaluation, shall submit to the congressional defense committees a report on the current concept of operations and expected survivability attributes of each of the Littoral Combat Ship seaframes.

(2) ELEMENTS.—The report required by paragraph (1) shall set forth the following:

(A) A review of the current concept of operations of the Littoral Combat Ship and a comparison of such concept of operations with the original concept of operations of the Littoral Combat Ship.

(B) An assessment of the ability of the Littoral Combat Ship to carry out the core missions of the Cooperative Strategy for 21st Century Seapower of the Navy.

(C) A comparison of the combat capabilities for the three missions assigned to the Littoral Combat Ship seaframes (anti-surface warfare, mine countermeasures, and anti-submarine warfare) with the combat capabilities for each of such missions of the systems the Littoral Combat Ship is replacing.

(D) An assessment of expected survivability of the Littoral Combat Ship seaframes in the context of the planned employment of the Littoral Combat Ship as described in the concept of operations.

(E) The current status of operational testing for the seaframes and the mission modules of the Littoral Combat Ship.

(F) An updated test and evaluation master plan for the Littoral Combat Ship.

(G) A review of survivability testing, modeling, and simulation conducted to date on the two seaframes of the Littoral Combat Ship.

(H) An updated assessment of the endurance of the Littoral Combat Ship at sea with respect to maintenance, fuel use, and sustainment of crew and mission modules.

(I) An assessment of the adequacy of current ship manning plans for the Littoral Combat Ship and an assessment of the impact that increased manning has on design changes and the endurance of the Littoral Combat Ship.

(J) A list of the casualty reports to date on each Littoral Combat Ship, including a description of the impact of such casualties on the design or ability of that Littoral Combat Ship to perform assigned missions.

(3) FORM.—The report required by paragraph (1) shall be submitted in classified form and unclassified form.

Subtitle D—Air Force Programs

SEC. 131. REPEAL OF REQUIREMENT FOR MAINTENANCE OF CERTAIN RETIRED KC–135E AIRCRAFT.

Section 135 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 Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4377), is amended—

(1) by striking "(a) LIMITATION.—"; and

(2) by striking subsection (b).

SEC. 132. MULTIYEAR PROCUREMENT AUTHORITY FOR C–130J AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of C–130J aircraft for the Department of the Air Force and 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. 133. PROHIBITION ON CANCELLATION OR MODIFICATION OF AVIONICS MODERNIZATION PROGRAM FOR C–130 AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Air Force may be used to—

(1) take any action to cancel or modify the avionics modernization program of record for C–130 aircraft; or

(2) initiate an alternative communication, navigation, surveillance, and air traffic management program for C–130 aircraft that is designed or intended to replace the avionics modernization program described in paragraph (1).

(b) COMPTROLLER GENERAL REPORT.—Not later than April 1, 2014, the Comptroller General of the United States shall submit to the congressional defense committees a sufficiency review of the cost-benefit analysis conducted under section 143(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1662), including any findings and recommendations relating to such review.

SEC. 134. PROHIBITION OF PROCUREMENT OF UNNECESSARY C–27J AIRCRAFT BY THE AIR FORCE.

None of the funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) for aircraft procurement, Air Force, that remain available to the Secretary of the Air Force on or after the date of the enactment of this Act may be obligated or expended for the procurement of additional C-27J aircraft that are not on contract as of June 1, 2013.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

SEC. 141. PERSONAL PROTECTION EQUIPMENT PROCUREMENT.

(a) CONSOLIDATED BUDGET JUSTIFICATION DISPLAY.—Chapter 9 of title 10, United States Code, is amended by adding after section 235 the following new section:

10 USC 236.

"§ 236. Personal protection equipment procurement: display of budget information

"(a) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2014, a consolidated budget justification display that covers all programs and activities associated with the procurement of personal protection equipment during the period covered by the future-years defense program submitted in that fiscal year under section 221.

"(b) REQUIREMENTS FOR BUDGET DISPLAY.—The consolidated budget justification display under subsection (a) for a fiscal year shall include the following:

"(1) The amount for personal protection equipment included in both the base budget of the President and any overseas contingency operations budget of the President.

"(2) A brief description of each category of personal protection equipment for each military department planned to be procured and developed.

"(3) For each category planned to be procured using funds made available for operation and maintenance (whether under the base budget or any overseas contingency operations budget)—

"(A) the relevant appropriations account, budget activity, and subactivity group for the category; and

"(B) the funding profile for the fiscal year as requested, including cost and quantities, and an estimate of projected investments or procurements for each of the subsequent five fiscal years.

"(4) For each category planned to be developed using funds made available for research, development, test, and evaluation (whether under the base budget or any overseas contingency operations budget)—

"(A) the relevant appropriations account, program, project or activity; program element number, and line number; and

"(B) the funding profile for the fiscal year as requested and an estimate of projected investments for each of the subsequent five fiscal years.

"(c) DEFINITIONS.—In this section:

"(1) The terms 'budget' and 'defense budget materials' have the meaning given those terms in section 234 of this title.

"(2) The term 'category of personal protection equipment' means the following:

"(A) Body armor components.

"(B) Combat helmets.

"(C) Combat protective eyewear.

"(D) Other items as determined appropriate by the Secretary.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 235 the following new item: 10 USC prec. 221.

"236. Personal protection equipment procurement: display of budget information.".

SEC. 142. REPEAL OF CERTAIN F–35 REPORTING REQUIREMENTS.

Section 122 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4157) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ–4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS AND A–10 AIRCRAFT.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to make significant changes to manning levels with respect to covered aircraft or to retire, prepare to retire, or place in storage a covered aircraft.

(2) COVERED AIRCRAFT.—In this subsection, the term "covered aircraft" means the following:

(A) A–10 aircraft (except for such aircraft that the Secretary of the Air Force, as of April 9, 2013, plans to retire).

(B) RQ–4 Block 30 Global Hawk unmanned aircraft systems.

(b) ADDITIONAL LIMITATION ON RETIREMENT OF CERTAIN A–10 AIRCRAFT.—In addition to the limitation in subsection (a)(1), during the period preceding December 31, 2014, the Secretary of the Air Force may not retire, prepare to retire, or place in storage A–10 aircraft (except for such aircraft that the Secretary, as of April 9, 2013, plans to retire).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate congressional committees a report on all high-altitude airborne intelligence, surveillance, and reconnaissance systems operated, or planned for future operation, by the Department of Defense. Coordination.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include—

(A) the intelligence, surveillance, and reconnaissance capabilities of each high-altitude intelligence, surveillance, and reconnaissance system covered by the report;

(B) the plans to upgrade such capabilities in the future;

(C) the fully-burdened cost-per-flight-hour of each such system;

(D) the number of requests for each such system made by commanders of the combatant commands during the five-year period prior to the report, including the percentage of such requests that have been fulfilled to meet the requirements of such commanders;

(E) a description of the assumptions used by the Secretary in carrying out this subsection; and

(F) any other information that the Secretary considers appropriate with respect to the analysis of high-altitude intelligence, surveillance, and reconnaissance systems.

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

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect the requirement to maintain the operational capability of RQ–4 Block 30 Global Hawk unmanned aircraft systems under section 154(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1666).

SEC. 144. MC–12 LIBERTY INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT.

Effective date. Time period.

(a) AUTHORITY.—Beginning on the date that is 60 days after the date on which the Secretary of Defense submits the report under subsection (d)(1), the Secretary may transfer MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft from the Air Force to the Army in accordance with the plan developed under subsection (b)(1).

(b) PLAN.—

(1) PLAN REQUIRED.—The Secretary of Defense shall develop a plan for the potential transfer of MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft from the Air Force to the Army pursuant to subsection (a).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) ensure that any transfer described in such paragraph does not adversely affect ongoing intelligence, surveillance, and reconnaissance operations, including such operations in Afghanistan;

(B) identify the appropriate size, composition, and configuration of the fleet of MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft required by the Army;

(C) identify the appropriate size, composition, configuration, and disposition of the remaining fleet of MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft required by the Air Force;

(D) provide for the modification of the MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft that are transferred to the Army pursuant to the plan in order to meet the long-term needs of the Army; and

(E) for any aircraft that are so transferred, include a time line for the orderly transfer of the aircraft in a manner consistent with subparagraph (A).

(c) EFFECT ON OTHER PROGRAMS.—

(1) PROHIBITION ON AVAILABILITY OF FUNDS FOR PROCUREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Army may be obligated or expended to procure additional aircraft under the Enhanced Medium Altitude Reconnaissance and Surveillance System program during fiscal year 2014.

(2) CONVERSION OF AIRCRAFT.—The Secretary of the Army shall convert aircraft described in paragraph (3) to the Enhanced Medium Altitude Reconnaissance and Surveillance System program configuration to meet the requirements of the Army. The Secretary shall carry out this paragraph using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or 2014 for the Enhanced Medium Altitude Reconnaissance and Surveillance System program.

(3) AIRCRAFT DESCRIBED.—The aircraft described in this paragraph are the following:

(A) MC–12 Liberty intelligence, surveillance, and reconnaissance aircraft of the Air Force that are transferred to the Army pursuant to subsection (a).

(B) Army Medium Altitude Multi-Intelligence intelligence, surveillance, and reconnaissance C–12 Quick Reaction Capability aircraft.

(d) REPORT.—

(1) IN GENERAL.—Not later than the date on which the budget of the President for fiscal year 2015 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the appropriate congressional committees a report on the plan required by subsection (b)(1).

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

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 145. COMPETITION FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROVIDERS.

(a) PLAN.—

(1) IN GENERAL.—The Secretary of the Air Force shall develop a plan to implement the new acquisition strategy for the evolved expendable launch vehicle program described in the acquisition decision memorandum dated November 27, 2012.

(2) MATTERS INCLUDED.—The plan to implement the new acquisition strategy for the evolved expendable launch vehicle program under paragraph (1) shall include a general description of how the Secretary will conduct competition with respect to awarding a contract to certified evolved expendable launch

vehicle providers. Such description may include the following with respect to such acquisition strategy:

(A) The proposed cost, schedule, and performance.

(B) Mission assurance activities.

(C) The manner in which the contractor will operate under the Federal Acquisition Regulation.

(D) The effect of other contracts in which the contractor is entered into with the Federal Government, including the evolved expendable launch vehicle launch capability contract, the space station commercial resupply services contracts, and other relevant contracts regarding national security space and strategic programs.

(E) Any other areas the Secretary determines appropriate.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—At the same time that the Secretary issues a draft of the request for proposals with respect to a contract for the evolved expendable launch vehicle provider, the Secretary shall—

Reports.

(A) submit to the appropriate congressional committees a report that includes the plan under subsection (a)(1); or

Briefing.

(B) provide to such committees a briefing on such plan.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(C) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 146. REPORTS ON PERSONAL PROTECTION EQUIPMENT AND HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.

(a) STUDY ON PERSONAL PROTECTION EQUIPMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study to identify and assess cost-effective and efficient alternative means for the procurement and research and development of personal protection equipment that supports and promotes competition and innovation in the personal protection equipment industrial base.

(2) SUBMISSION.—Not later than 120 days after the date on which the contract is entered into under paragraph (1), the federally funded research and development center conducting the study under such paragraph shall submit to the Secretary the study, including any findings and recommendations.

(3) REPORT.—

(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary receives the study under paragraph (2), the Secretary shall submit to the congressional

defense committees a report that includes the study under paragraph (1), the matters described in subparagraph (B), and any related findings, recommendations, comments, and plans of the Secretary.

(B) MATTERS INCLUDED.—The report under subparagraph (A) shall include the following:

(i) The findings and recommendations of the federally funded research and development center submitted to the Secretary under paragraph (2).

(ii) An assessment of current and future technologies that could markedly improve body armor, including by decreasing weight, increasing survivability, and making other relevant improvements.

(iii) An analysis of the capability of the personal protection equipment industrial base to leverage such technologies to produce the next generation body armor.

(iv) An assessment of alternative body armor acquisition models, including different types of contracting and budgeting practices of the Department of Defense.

(4) PERSONAL PROTECTION EQUIPMENT.—In this subsection, the term "personal protection equipment" includes—

(A) body armor components;

(B) combat helmets;

(C) combat protective eyewear;

(D) environmental and fire-resistant clothing; and

(E) other individual equipment items as determined appropriate by the Secretary.

(b) REPORT ON HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the risks to the health and safety of members of the Armed Forces of the ejection seats currently in operational use by the Air Force.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) An assessment of whether aircrew members wearing advanced helmets, night vision systems, helmet-mounted cueing system, or other helmet-mounted devices or attachments are at increased risk of serious injury or death during a high-speed ejection sequence.

(B) An analysis of how ejection seats currently in operational use provide protection against head, neck, and spinal cord injuries during an ejection sequence.

(C) An analysis of initiatives to decrease the risk of death or serious injury during an ejection sequence.

(D) The status of any testing or qualifications on upgraded ejection seats that may reduce the risk of death or serious injury during an ejection sequence.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency.
Sec. 212. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.
Sec. 213. Limitation and reporting requirements for unmanned carrier-launched surveillance and strike system program.
Sec. 214. Limitation on availability of funds for Air Force logistics transformation.
Sec. 215. Limitation on availability of funds for defensive cyberspace operations of the Air Force.
Sec. 216. Limitation on availability of funds for precision extended range munition program.
Sec. 217. Long-range standoff weapon requirement; prohibition on availability of funds for noncompetitive procedures for offensive anti-surface warfare weapon contracts of the Navy.
Sec. 218. Review of software development for F–35 aircraft.
Sec. 219. Evaluation and assessment of the distributed common ground system.
Sec. 220. Operationally responsive space.
Sec. 221. Sustainment or replacement of Blue Devil intelligence, surveillance, and reconnaissance capabilities.

Subtitle C—Missile Defense Programs

Sec. 231. Improvements to acquisition accountability reports on ballistic missile defense system.
Sec. 232. Prohibition on use of funds for MEADS program.
Sec. 233. Prohibition on availability of funds for integration of certain missile defense systems; report on regional ballistic missile defense.
Sec. 234. Availability of funds for co-production of Iron Dome short-range rocket defense system in the United States.
Sec. 235. Additional missile defense radar for the protection of the United States homeland.
Sec. 236. Evaluation of options for future ballistic missile defense sensor architectures.
Sec. 237. Plans to improve the ground-based midcourse defense system.
Sec. 238. Report on potential future homeland ballistic missile defense options.
Sec. 239. Briefings on status of implementation of certain missile defense matters.
Sec. 240. Sense of Congress and report on NATO and missile defense burden-sharing.
Sec. 241. Sense of Congress on deployment of regional ballistic missile defense capabilities.
Sec. 242. Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle.

Subtitle D—Reports

Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.
Sec. 252. Annual Comptroller General of the United States report on the acquisition program for the VXX Presidential Helicopter.
Sec. 253. Report on strategy to improve body armor.

Subtitle E—Other Matters

Sec. 261. Establishment of Communications Security Review and Advisory Board.
Sec. 262. Extension and expansion of mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
Sec. 263. Extension of authority to award prizes for advanced technology achievements.
Sec. 264. Five-year extension of pilot program to include technology protection features during research and development of certain defense systems.
Sec. 265. Briefing on biometrics activities of the Department of Defense.
Sec. 266. Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom's Vanguard successor program.

Sec. 267. Sense of Congress on counter-electronics high power microwave missile project.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF REQUIREMENTS ON BIENNIAL STRATEGIC PLAN FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) ELEMENTS OF STRATEGIC PLAN.—Subsection (b) of section 2352 of title 10, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

"(1) The strategic objectives of that agency, and the linkage between such objectives and the missions of the armed forces.";

(2) in paragraph (2)(A), by striking "goals" and inserting "objectives";

(3) by striking paragraph (3);

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

(5) in paragraph (3), as redesignated by paragraph (4) of this subsection, by striking "for the programs of that agency" and inserting "for programs demonstrating military systems to one or more of the armed forces".

(b) RESPONSIBILITY FOR SUBMISSION OF PLAN.—Subsection (c) of such section is amended by striking "Secretary of Defense shall" and inserting "Director shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics,". Coordination.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to biennial strategic plans submitted under section 2352 of title 10, United States Code, as amended by this section, after the date of the enactment of this Act. Applicability. 10 USC 2352 note.

SEC. 212. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND COMBAT VEHICLE ENGINEERING AND MANUFACTURING PHASE.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Army may be obligated or expended for post-Milestone B engineering and manufacturing phase development activities for the ground combat vehicle program until a period of 30 days has elapsed following the date on which the Secretary of the Army submits to the congressional defense committees a report that includes the following: Time period. Reports.

(1) An independent assessment of the draft milestone B documentation for the ground combat vehicle that—

(A) is performed by the Director of Cost Assessment and Program Evaluation, the Assistant Secretary of Defense for Research and Engineering, or other similar official; and

(B) analyzes whether there is a sufficient business case to proceed with the engineering and manufacturing development phase for the ground combat vehicle using only one contractor.

Certification.

(2) A certification by the Secretary that the ground combat vehicle program has—

(A) feasible, fully defined, and stable requirements;

(B) been demonstrated in a relevant environment in accordance with section 2366b(a)(3)(D) of title 10, United States Code, and achieved technology readiness or maturity;

(C) independent and high-confidence cost estimates;

(D) sufficient funding available during fiscal year 2014 and sufficient funding planned for the period covered by the current future-years defense plan; and

(E) a realistic and achievable schedule.

SEC. 213. LIMITATION AND REPORTING REQUIREMENTS FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.

(a) LIMITATION ON NUMBER OF AIR VEHICLES.—The Secretary of Defense may not acquire more than six air vehicles of the unmanned carrier-launched surveillance and strike system prior to receiving milestone B approval (as defined in section 2366(e)(7) of title 10, United States Code) for engineering and manufacturing development and low-rate initial production.

Effective dates.
Time periods.

(b) QUARTERLY COST REPORTS.—Beginning 90 days after the date on which the unmanned carrier-launched surveillance and strike system receives milestone A approval, and each 90-day period thereafter until such system receives milestone B approval, the Secretary of the Navy shall submit to the congressional defense committees a report that includes, at a minimum—

(1) the current cost estimate and schedule, as of the date of the report, for all segments of the unmanned carrier-launched surveillance and strike system program;

(2) any changes to such cost estimate or schedule from the previous report; and

(3) an explanation for any changes to the cost estimate or schedule or to the key performance parameters or key system attributes used for such program.

10 USC 22 note.

(c) BUDGET DOCUMENTATION REQUIREMENT.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2015, and each subsequent fiscal year, the Secretary shall include individual project lines for each program segment of the unmanned carrier-launched surveillance and strike system, within program element 0604404N, that articulate all costs, contractual actions, and other information associated with technology development for each such program segment.

(d) ANNUAL GAO REVIEW.—

(1) REVIEW.—The Comptroller General of the United States shall annually conduct a review of the acquisition program

for the unmanned carrier-launched surveillance and strike system.

(2) REPORT.—Not later than March 1 of each year, the Comptroller General shall submit to the congressional defense committees a report on the review under paragraph (1).

(3) ELEMENTS.—Each report under paragraph (2) shall include such matters as the Comptroller General considers appropriate to fully inform the congressional defense committees of the status of the unmanned carrier-launched surveillance and strike system program. Such matters should include, at a minimum, the following:

(A) The extent to which the unmanned carrier-launched surveillance and strike system program is meeting cost, schedule, and performance goals.

(B) The progress and results of developmental testing.

(C) An assessment of the acquisition strategy for the program, including whether the strategy is consistent with acquisition management best practices identified by the Comptroller General for the purposes of the program.

(4) SUNSET.—The Comptroller General shall carry out this subsection until the earlier of—

(A) the date on which the Secretary of the Navy awards a contract for the full-rate production of the unmanned carrier-launched surveillance and strike system; or

(B) the date on which the unmanned carrier-launched surveillance and strike system program is terminated.

SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR AIR FORCE LOGISTICS TRANSFORMATION.

Time period. Reports.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for logistics information technology, including for the expeditionary combat support system, not more than 85 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees a report on how the Secretary will modernize and update the logistics information technology systems of the Air Force following the cancellation of the expeditionary combat support system. Such report shall include—

(1) a detailed strategy and timeline for implementing the recommendations from the Expeditionary Combat Support System Acquisition Investigation Review Team Final Report; and

(2) a description of the near-term options for maintaining or incrementally modernizing the logistics information technology systems of the Air Force until a replacement for the expeditionary combat support system can be determined.

SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSIVE CYBERSPACE OPERATIONS OF THE AIR FORCE.

Time period. Reports.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for Defensive Cyberspace Operations (Program Element 0202088F), not more than 90 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional

defense committees a report on the Application Software Assurance Center of Excellence.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A description of how the Application Software Assurance Center of Excellence is used to support the software assurance activities of the Air Force and other elements of the Department of Defense, including pursuant to section 933 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2224 note).

(2) A description of the resources used to support the Center of Excellence from the beginning of the Center through fiscal year 2014.

(3) The plan of the Secretary for sustaining the Center of Excellence during the period covered by the future-years defense program submitted in 2013 under section 221 of title 10, United States Code.

SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS FOR PRECISION EXTENDED RANGE MUNITION PROGRAM.

Availability date. Reports.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense, not more than 50 percent may be obligated or expended for the precision extended range munition program until the date on which the Chairman of the Joint Chiefs of Staff submits to the congressional defense committees written certification that—

(1) such program is necessary to meet a valid operational need that cannot be met by the existing precision guided mortar munition of the Army, other indirect fire weapons, or aerial-delivered joint fires; and

(2) a sufficient business case exists to proceed with the development and production of such program.

SEC. 217. LONG-RANGE STANDOFF WEAPON REQUIREMENT; PROHIBITION ON AVAILABILITY OF FUNDS FOR NONCOMPETITIVE PROCEDURES FOR OFFENSIVE ANTI-SURFACE WARFARE WEAPON CONTRACTS OF THE NAVY.

(a) LONG-RANGE STANDOFF WEAPON.—

(1) IN GENERAL.—The Secretary of the Air Force shall develop a follow-on air-launched cruise missile to the AGM–86 that—

(A) achieves initial operating capability for conventional missions prior to the retirement of the conventionally armed AGM–86;

(B) achieves initial operating capability for nuclear missions prior to the retirement of the nuclear-armed AGM–86; and

(C) is capable of internal carriage and employment for both conventional and nuclear missions on the next-generation long-range strike bomber.

Determination.

(2) CONSECUTIVE DEVELOPMENT.—In developing a follow-on air-launched cruise missile to the AGM–86 in accordance with paragraph (1), the Secretary may carry out development and production activities with respect to nuclear missions prior to carrying out such activities with respect to conventional missions if the Secretary determines such consecutive order of development and production activities to be cost effective.

(b) OFFENSIVE ANTI-SURFACE WARFARE WEAPON CONTRACTS OF THE NAVY.—

(1) PROHIBITION.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the offensive anti-surface warfare weapon may be used to enter into or modify a contract using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

(2) EXEMPTION; WAIVER.—

(A) EXEMPTED ACTIVITIES.—The prohibition in paragraph (1) shall not apply to funds specified in such paragraph that are made available for the development, testing, and fielding of aircraft-launched offensive anti-surface warfare weapons capabilities.

(B) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States. Determination.

SEC. 218. REVIEW OF SOFTWARE DEVELOPMENT FOR F–35 AIRCRAFT.

(a) SOFTWARE DEVELOPMENT PROGRAM.—

(1) REVIEW.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall establish an independent team consisting of subject matter experts to review the development of software for the F–35 aircraft program (in this subsection referred to as the "software development program"), including by reviewing the progress made with respect to— Establishment.

(A) managing the software development program; and

(B) delivering critical software capability in accordance with current program milestones.

(2) REPORT.—Not later than March 3, 2014, the Under Secretary shall submit to the congressional defense committees a report on the review under paragraph (1). Such report shall include the following:

(A) An assessment by the independent team with respect to whether the software development program—

(i) has been successful in meeting the key milestone dates occurring before the date of the report; and

(ii) will be successful in meeting the established program schedule.

(B) Any recommendations of the independent team with respect to improving the software development program to ensure that, in support of the start of initial operational testing, the established program schedule is met on time.

(C) If the independent team determines that the software development program will be unable to deliver the full complement of software within the established program schedule, any potential alternatives that the independent team considers appropriate to deliver such software within such schedule. Determination.

(b) AUTONOMIC LOGISTICS INFORMATION SYSTEM SUSTAINMENT REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Joint Consultation.

Strike Fighter Joint Program Office, shall submit to the congressional defense committees a report on current plans, as of the date of the report, for long-term sustainment of the autonomic logistics information system of F–35 aircraft. Such report shall include the following:

(1) Current plans for acquisition of technical data rights to autonomic logistics information system software and the potential competitive sustainment of elements of the autonomic logistics information system.

(2) How sustainment of the autonomic logistics information system may take advantage of public-private partnerships authorized by section 2474 of title 10, United States Code, including schedules for actions necessary for such sustainment.

(3) Any current plan to select, designate, and activate any Government-owned and Government-operated site to serve as the autonomic logistics operating unit.

(4) Current plans to ensure that the autonomic logistics information system provides total asset visibility and accountability, including asset valuation and tracking, and for potential integration with other automated logistics systems.

10 USC 221 note.

SEC. 219. EVALUATION AND ASSESSMENT OF THE DISTRIBUTED COMMON GROUND SYSTEM.

(a) PROJECT CODES FOR BUDGET SUBMISSIONS.—In the budget submitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each capability component within the distributed common ground system program shall be set forth as a separate project code within the program element line, and each covered official shall submit supporting justification for the project code within the program element descriptive summary.

(b) ANALYSIS.—

(1) REQUIREMENT.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct an analysis of capability components that are compliant with the intelligence community data standards and could be used to meet the requirements of the distributed common ground system program.

(2) ELEMENTS.—The analysis required under paragraph (1) shall include the following:

(A) Revalidation of the distributed common ground system program requirements based on current program needs, recent operational experience, and the requirement for nonproprietary solutions that adhere to open-architecture principles.

(B) Market research of current commercially available tools to determine whether any such tools could potentially satisfy the requirements described in subparagraph (A).

(C) Analysis of the competitive acquisition options for any tools identified in subparagraph (B).

Deadline.

(3) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees the results of the analysis conducted under paragraph (1).

(c) COVERED OFFICIAL DEFINED.—In this section, the term "covered official" means the following:

(1) The Secretary of the Army, with respect to matters concerning the Army.

(2) The Secretary of the Navy, with respect to matters concerning the Navy.

(3) The Secretary of the Air Force, with respect to matters concerning the Air Force.

(4) The Commandant of the Marine Corps, with respect to matters concerning the Marine Corps.

(5) The Commander of the United States Special Operations Command, with respect to matters concerning the United States Special Operations Command.

SEC. 220. OPERATIONALLY RESPONSIVE SPACE.

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

(1) it remains the policy of the United States, as expressed in section 913(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2355), to demonstrate, acquire, and deploy an effective capability for operationally responsive space to support military users and operations from space, which shall consist of—

(A) responsive satellite payloads and busses built to common technical standards;

(B) low-cost space launch vehicles and supporting range operations that facilitate the timely launch and on-orbit operations of satellites;

(C) responsive command and control capabilities; and

(D) concepts of operations, tactics, techniques, and procedures that permit the use of responsive space assets for combat and military operations other than war; and

(2) the Operationally Responsive Space Program Office has demonstrated through multiple launches since 2009 an ability to accomplish many of the policy objectives of the Operationally Responsive Space Program through specific missions, but has not executed a mission that leverages all policy objectives of such Program in a single mission.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense for the space-based infrared systems space modernization initiative wide-field-of-view testbed, not more than 50 percent may be obligated or expended until the Executive Agent for Space of the Department of Defense certifies to the congressional defense committees that the Secretary of Defense is carrying out the Operationally Responsive Space Program Office in accordance with section 2273a of title 10, United States Code. Certification.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Executive Agent for Space of the Department of Defense shall submit to the congressional defense committees a report regarding a potential mission that would seek to leverage all policy objectives of the Operationally Responsive Space Program in a single mission.

SEC. 221. SUSTAINMENT OR REPLACEMENT OF BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES.

(a) PLAN TO RETAIN CAPABILITY.—The Secretary of the Air Force shall develop a plan to sustain the operational capabilities of the Blue Devil 1 Intelligence, Surveillance, and Reconnaissance

Systems (in this section referred to as "Blue Devil 1 system"), including precision signal geolocation, by—

(1) procuring the existing Blue Devil 1 system;

(2) developing a new system; or

(3) basing a new system on capabilities that are adapted and integrated from existing programs and programs being developed.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on—

(1) the potential cost of procuring, operating, and sustaining current Blue Devil 1 systems for fiscal years 2014 through 2019, including costs relating to procurement, research and development, personnel, operation and maintenance, and military construction;

(2) the ability of other current platforms and subsystems as of the date of the report to provide intelligence, surveillance, and reconnaissance support similar to the support provided by the current Blue Devil 1 system; and

(3) a listing of programs of the Air Force and other programs of the Department of Defense in development as of the date of the report that could provide such similar support in the future.

(c) REQUIREMENT TO COORDINATE.—In preparing the report under subsection (b), the Secretary shall—

(1) coordinate with the Commander of the United States Special Operations Command regarding the operational needs of the United States Special Operations Command; and

(2) coordinate with the Director of the Defense Advanced Research Projects Agency with respect to information regarding the transfer to the Air Force of the technology developed under the wide-area network detection program for operational integration of wide-area motion imagery and near-vertical direction-finding data for effective target detection, identification, and tracking for potential incorporation, as practical and appropriate, into other platforms.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle C—Missile Defense Programs

SEC. 231. IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON BALLISTIC MISSILE DEFENSE SYSTEM.

10 USC 225 note.

(a) IMPROVEMENT TO OPERATIONS AND SUSTAINMENT COST ESTIMATES.—In preparing the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code, the Director of the Missile Defense Agency shall improve the quality of cost estimates relating to operations and sustainment that are included in such reports under subsection

(b)(3)(A) of such section, including with respect to the confidence levels of such cost estimates.

(b) OPERATIONS AND SUSTAINMENT RESPONSIBILITY.—Section 225 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) OPERATIONS AND SUSTAINMENT COST ESTIMATES.—The Director shall ensure that each life-cycle cost estimate included in an acquisition baseline pursuant to subsection (b)(3)(A) includes—

"(1) all of the operations and sustainment costs for which the Director is responsible; and

"(2) a description of the operations and sustainment functions and costs for which a military department is responsible.".

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report outlining the plans of the Director to improve the quality of cost estimates pursuant to subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include—

(A) a description of the actions planned to improve the quality of cost estimates included in the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code;

(B) the schedule for such planned actions, including the planned schedule for meeting the requirements of subsection (e) of such section 225, as added by subsection (b);

(C) a description of any steps taken during the previous year to improve the quality of such cost estimates;

(D) an assessment of how the planned improvements compare to the best practices and cost-estimation guidelines recommended by the Comptroller General of the United States for cost estimates of the ballistic missile defense system;

(E) any other matters the Director considers appropriate; and

(F) the views of the Comptroller General of the United States with respect to the contents of the report.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form.

SEC. 232. PROHIBITION ON USE OF FUNDS FOR MEADS PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for the medium extended air defense system.

SEC. 233. PROHIBITION ON AVAILABILITY OF FUNDS FOR INTEGRATION OF CERTAIN MISSILE DEFENSE SYSTEMS; REPORT ON REGIONAL BALLISTIC MISSILE DEFENSE.

(a) PROHIBITION ON INTEGRATION OF CERTAIN SYSTEMS.— China.

(1) SENSE OF CONGRESS.—It is the sense of Congress that missile defense systems of the People's Republic of China should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization.

(2) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to integrate missile defense systems of the People's Republic of China into missile defense systems of the United States.

(b) REPORT ON REGIONAL BALLISTIC MISSILE DEFENSE.—

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

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the overall risk assessment from the most recent Global Ballistic Missile Defense Assessment of regional missile defense capabilities relative to meeting the operational needs of the commanders of the geographic combatant commands, including the need for force protection of forward-deployed forces and capabilities of the United States and for the defense of allies and partners of the United States.

(B) An assessment of whether and how the currently planned phased, adaptive approach to missile defense in Europe and other planned regional missile defense approaches and capabilities of the United States meet the integrated priorities of the commanders of the geographic combatant commands to achieve the operational requirements of the commanders to defend against the ballistic missile threat to deployed forces of the United States and allies of the United States, including a description of planned force structure deployment options to increase missile defense capabilities in the area of responsibility of a commander, if needed, in the event of warning of an imminent ballistic missile attack.

(C) A detailed explanation of the current and planned concept of operations for the phased, adaptive approach to missile defense in Europe, including—

(i) arrangements for allocating the command of assets of such approach between the Commander of the United States European Command and the Supreme Allied Commander, Europe;

(ii) an explanation of the circumstances under which such command would be allocated to each commander; and

(iii) a description of the prioritization of defense of both the deployed forces of the United States and the territory of the member states of the North Atlantic Treaty Organization using available missile defense interceptor inventory.

(D) A description of the progress made in the development and testing of elements of systems intended for deployment in phases 2 and 3 of the phased, adaptive approach to missile defense in Europe, including the standard missile–3 block IB, the standard missile–3 block IIA interceptors, and the Aegis Ashore system, and any areas where work remains to ensure such phases are ready

for deployment as specified in the 2010 Ballistic Missile Defense Review.

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

(F) A description of the manner in which enhanced integration of offensive military capabilities and defensive missile defense capabilities, including the potential for improved intelligence, surveillance, and reconnaissance, will fit into regional missile defense planning and force structure assessments.

(G) A description of how the contributions of allies and partners of the United States that have purchased missile defense technology of the United States could aid in reducing the costs of deployment of regional missile defense capabilities of the United States, and how the systems of such allies and partners could be better networked and integrated to provide mutual force multiplication benefits.

(H) A description of how the Secretary of Defense is working with allies and partners of the United States that have purchased air and missile defense technology of the United States to integrate the capabilities of such allies and partners provided by such technology with the air and missile defense systems and networks of the United States to provide mutual benefit.

(I) Any other matters the Secretary determines appropriate.

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

SEC. 234. AVAILABILITY OF FUNDS FOR CO-PRODUCTION OF IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM IN THE UNITED STATES.

(a) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.— Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for research, development, test, and evaluation, Defense-wide, for the Missile Defense Agency, not more than $15,000,000 may be obligated or expended for nonrecurring engineering costs in connection with the establishment of a capacity for co-production in the United States by industry of the United States of parts and components for the Iron Dome short-range rocket defense program. Such obligation or expenditure shall be made pursuant to an agreement described in paragraph (2).

(2) AGREEMENT DESCRIBED.—An agreement described in this paragraph is an agreement entered into by the Government of the United States and the Government of Israel with respect to the co-production in the United States of parts and components for the Iron Dome short-range rocket defense program. Israel.

(b) REPORT ON CO-PRODUCTION.—Not later than 30 days after obligating or expending funds specified in subsection (a), the

Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the plan to implement an agreement described in paragraph (2) of such subsection, including the following:

(1) A description of the estimated cost of implementing the agreement, including the costs to be paid by industry.

(2) The expected schedule to implement the agreement.

(3) A description of any efforts to minimize the costs of the agreement to the Government of the United States.

(c) REPORT ON MISSILE DEFENSE COOPERATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of missile defense cooperation between the United States and Israel.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the current program of ballistic missile defense cooperation between the United States and Israel, including the objectives and results of such cooperation as of the date of the report.

(B) A description of steps taken during the year prior to the report, and steps planned to be taken during the year following the report, by the governments of the United States and Israel to improve the coordination, interoperability, and integration of the missile defense capabilities of the United States and Israel.

(C) A description of joint missile defense exercises and training that have been conducted by the United States and Israel, and the lessons learned from such exercises.

(D) A description of joint efforts of the United States and Israel to develop ballistic missile defense technologies and capabilities.

(E) Any other matters that the Secretary considers appropriate.

(d) CONSTRUCTION.—Nothing in this section shall be construed to alter or affect the procurement schedule, or anticipated procurement numbers, under the Iron Dome short-range rocket defense program.

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

(1) second-source production of parts and components of the Iron Dome short-range rocket defense program that is based in the United States is in the national security interest of both Israel and the United States; and

(2) the move towards such a second-source capacity in the United States for integration and assembly of all-up rounds of the Iron Dome short-range rocket defense program will further enhance the security of Israel by ensuring added production capability of such vital program.

10 USC 2431 note.

SEC. 235. ADDITIONAL MISSILE DEFENSE RADAR FOR THE PROTECTION OF THE UNITED STATES HOMELAND.

(a) DEPLOYMENT OF LONG-RANGE DISCRIMINATING RADAR.—

Korea.

(1) IN GENERAL.—The Director of the Missile Defense Agency shall deploy a long-range discriminating radar against long-range ballistic missile threats from the Democratic People's Republic of Korea. Such radar shall be located at a location

optimized to support the defense of the homeland of the United States.

(2) FUNDING.—Of the funds authorized to be appropriated by this Act for research, development, test, and evaluation, Defense-wide, for the Missile Defense Agency for BMD Sensors (PE 63884C), as specified in the funding table in section 4201, $30,000,000 shall be available for initial costs toward the deployment of the radar required by paragraph (1).

(b) ADDITIONAL SENSOR COVERAGE FOR THREATS FROM IRAN.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that the Secretary is able to deploy additional tracking and discrimination sensor capabilities to support the defense of the homeland of the United States from future long-range ballistic missile threats that emerge from Iran.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report that details what sensor capabilities of the United States, including re-locatable land- and sea-based capabilities, are or will become available to support the defense of the homeland of the United States from future long-range ballistic missile threats that emerge from Iran. Such report shall include the following:

(A) With respect to the capabilities included in the report, an identification of such capabilities that can be located on the Atlantic-side of the United States by not later than 2019, or sooner if long-range ballistic missile threats from Iran are successfully flight-tested prior to 2019.

(B) A description of the manner in which the United States will maintain such capabilities so as to ensure the deployment of the capabilities in time to support the missile defense of the United States from long-range ballistic missile threats from Iran.

SEC. 236. EVALUATION OF OPTIONS FOR FUTURE BALLISTIC MISSILE DEFENSE SENSOR ARCHITECTURES.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Commander of the United States Strategic Command, shall conduct an evaluation of options and alternatives for future sensor architectures for ballistic missile defense in order to enhance the ballistic missile defense capabilities of the United States.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary shall consult with the heads of departments and agencies of the Federal Government that the Secretary determines appropriate.

(3) SCOPE OF EVALUATION.—In conducting the evaluation under paragraph (1), the Secretary shall consider the following:

(A) A wide range of options for a future sensor architecture for ballistic missile defense, including—

(i) options regarding the future development, integration, exploitation, and deployment of existing or new missile defense sensor systems and assets; and

(ii) options regarding using capabilities of the Federal Government that exist or are planned as of the date of the evaluation that are not primarily focused

on missile defense, including such capabilities that may require modification to be used for missile defense.

(B) The potential costs, advantages, and feasibility of using such future sensor architecture for purposes other than missile defense, including for technical intelligence collection or space situational awareness.

(C) Whether and how such future sensor architectures could be designed and employed to fulfill missions other than missile defense when not required for such missile defense missions.

(4) OBJECTIVE.—The objective of the evaluation shall be to identify one or more future sensor architectures for ballistic missile defense that will result in an improvement of the performance of the ballistic missile defense system in a cost-effective, operationally effective, timely, and affordable manner.

(b) ELEMENTS TO BE EVALUATED.—The evaluation required by subsection (a) shall include a consideration of the following:

(1) SENSOR TYPES.—At a minimum, the types of sensors as follows:

(A) Radar.
(B) Infrared.
(C) Optical and electro-optical.
(D) Directed energy.

(2) SENSOR MODES.—Deployment modes of sensors as follows:

(A) Ground-based sensors.
(B) Sea-based sensors.
(C) Airborne sensors.
(D) Space-based sensors.

(3) SENSOR FUNCTIONS.—At a minimum, missile defense-related sensor functions as follows:

(A) Detection.
(B) Tracking.
(C) Characterization.
(D) Classification.
(E) Discrimination.
(F) Debris mitigation.
(G) Kill assessment.

(4) SENSOR ARCHITECTURE CAPABILITIES.—At a minimum, maximization or improvement of sensor-related capabilities as follows:

(A) Handling of increasing raid sizes.
(B) Precision tracking of threat missiles.
(C) Providing fire-control quality tracks of evolving threat missiles.
(D) Enabling launch-on-remote and engage-on-remote capabilities.
(E) Discriminating lethal objects (warheads) from other objects.
(F) Effectively assessing the results of engagements.
(G) Enabling enhanced shot doctrine.
(H) Other capabilities that the Secretary of Defense determines appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to

the congressional defense committees a report setting forth the results of the evaluation required by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the findings, conclusions, and recommendations of the Secretary with respect to—

(A) future sensor architectures evaluated under subsection (a)(3)(A)(i).

(B) existing or planned capabilities of the Federal Government evaluated under subsection (a)(3)(A)(ii);

(C) using future sensor architecture for additional purposes as described in subsection (a)(3)(B); and

(D) the design and employment of future sensor architectures to fulfill missions other than missile defense as described in subsection (a)(3)(C).

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

(d) CONFORMING REPEAL.—Section 224 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1675) is repealed.

SEC. 237. PLANS TO IMPROVE THE GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

Consultation. 10 USC 2431 note.

(a) IMPROVED KILL ASSESSMENT CAPABILITY.—The Director of the Missile Defense Agency, in consultation with the Commander of the United States Strategic Command and the Commander of the United States Northern Command, shall develop—

(1) options to achieve an improved kill assessment capability for the ground-based midcourse defense system that can be developed as soon as practicable with acceptable acquisition risk, with the objective of achieving initial operating capability by not later than December 31, 2019, including by improving—

(A) the exo-atmospheric kill vehicle for the ground-based interceptor;

(B) the command, control, battle management, and communications system; and

(C) the sensor and communications architecture of the ballistic missile defense system; and

(2) a plan to carry out such options that gives priority to including such improved capabilities in at least some of the 14 ground-based interceptors that will be procured by the Director, as announced by the Secretary of Defense on March 15, 2013.

(b) IMPROVED HIT ASSESSMENT.—The Director, in consultation with the Commander of the United States Strategic Command and the Commander of the United States Northern Command, shall take appropriate steps to develop an interim capability for improved hit assessment for the ground-based midcourse defense system that can be integrated into near-term exo-atmospheric kill vehicle upgrades and refurbishment.

(c) REPORT ON IMPROVED CAPABILITIES.—Not later than April 1, 2014, the Director, the Commander of the United States Strategic Command, and the Commander of the United States Northern Command shall jointly submit to the congressional defense committees a report on—

(1) the development of an improved kill assessment capability under subsection (a), including the plan developed under paragraph (2) of such subsection; and

(2) the development of an interim capability for improved hit assessment under subsection (b).

(d) PLAN FOR UPGRADED ENHANCED EXO-ATMOSPHERIC KILL VEHICLE.—

(1) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a plan to use covered funding to develop, test, and deploy an upgraded enhanced exo-atmospheric kill vehicle for the ground-based midcourse defense system that—

(A) is tested under a test program coordinated with the Director of Operational Test and Evaluation; and

(B) following such test program, is capable of being deployed during fiscal year 2018 or thereafter.

(2) PRIORITY.—In developing the plan for an upgraded enhanced exo-atmospheric kill vehicle under paragraph (1), the Director shall give priority to the following attributes:

(A) Cost effectiveness and high reliability, testability, producibility, modularity, and maintainability.

(B) Capability across the midcourse battle space.

(C) Ability to leverage ballistic missile defense system data with kill vehicle on-board capability to discriminate lethal objects.

(D) Reliable on-demand communications.

(E) Sufficient flexibility to ensure that the potential for future enhancements, including ballistic missile defense system interceptor commonality and multiple and volume kill capability, is maintained.

(3) COVERED FUNDING DEFINED.—In this subsection, the term "covered funding" means—

(A) funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Missile Defense Agency, as specified in the funding table in section 4201; and

(B) funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) or otherwise made available for fiscal year 2013 that are available to the Director to carry out the plan under paragraph (1).

SEC. 238. REPORT ON POTENTIAL FUTURE HOMELAND BALLISTIC MISSILE DEFENSE OPTIONS.

(a) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on potential future options for enhancing the ballistic missile defense of the homeland of the United States.

(b) CONSULTATION.—The Secretary shall prepare the report under subsection (a) in consultation with the Commander of the United States Strategic Command, the Commander of the United States Northern Command, and the Director of the Missile Defense Agency.

(c) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the current assessment of the threat to the United States from limited ballistic missile attack (whether accidental, unauthorized, or deliberate), particularly

from countries such as North Korea and Iran, and an assessment of the projected future threat through 2022, including a discussion of confidence levels and uncertainties in such threat assessment.

(2) A description of the current capability of the ballistic missile defense of the homeland of the United States to defend against the current threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate), particularly from countries such as North Korea and Iran.

(3) A description of the status of efforts to correct the problems that caused the flight test failures of the ground-based midcourse defense system in December 2010 and July 2013 and plans for future efforts, including additional flight testing, to demonstrate that the problems have been successfully corrected.

(4) A description of planned improvements to the current ballistic missile defense system of the homeland of the United States, and the enhancements to the capability of such system that would result from such planned improvements, including—

(A) deployment of 14 additional ground-based interceptors at Fort Greely, Alaska;

(B) missile defense upgrades of early warning radars at Clear, Alaska, and Cape Cod, Massachusetts;

(C) deployment of an in-flight interceptor communications system data terminal at Fort Drum, New York; and

(D) improvements to the effectiveness and reliability of the ground-based interceptors and the overall ground-based midcourse defense system.

(5) In accordance with subsection (d), a description of potential additional future options for the ballistic missile defense of the homeland of the United States, in addition to the improvements described in paragraph (4), if future ballistic missile threats warrant deployment of such options to increase the capabilities of such ballistic missile defense, including—

(A) deployment of a missile defense interceptor site on the East Coast;

(B) deployment of a missile defense interceptor site in another location in the United States, other than on the East Coast;

(C) expansion of Missile Field–1 at Fort Greely, Alaska, to an operationally available 20-silo configuration, to permit further interceptor deployments;

(D) deployment of additional ground-based interceptors for the ground-based midcourse defense system at Fort Greely, Alaska, or Vandenberg Air Force Base, California, or both;

(E) deployment of additional missile defense sensors, including at a site in Alaska as well as an X-band radar on or near the East Coast or elsewhere, to enhance system tracking and discrimination, including various sensor options;

(F) enhancements to the operational effectiveness, cost effectiveness, and overall performance of the ground-based midcourse defense system through improvements to system reliability, discrimination, battle management, exo-atmospheric kill vehicle capability, and related functions;

(G) the potential for future enhancement and deployment of the standard missile–3 block IIA interceptor to augment the ballistic missile defense of the homeland of the United States;

(H) missile defense options to defend the homeland of the United States against ballistic missiles that could be launched from vessels on the seas around the United States, including the Gulf of Mexico, or other ballistic missile threats that could approach the United States from the south, should such a threat arise in the future; and

(I) any other options the Secretary considers appropriate.

(d) EVALUATION OF POTENTIAL OPTIONS.—For each option described under subsection (c)(5), the Secretary shall provide an evaluation of the advantages and disadvantages of such option. The evaluation of each such option shall include consideration of the following:

(1) Technical feasibility.

(2) Operational effectiveness and utility against the projected future threat.

(3) Cost, cost effectiveness, and affordability.

(4) Schedule considerations.

(5) Agility to respond to changes in future threat evolution.

(e) CONCLUSIONS AND RECOMMENDATIONS.—Based on the evaluations required by subsection (d), the Secretary shall include in the report under subsection (a) such findings, conclusions, and recommendations as the Secretary considers appropriate for potential future options for the ballistic missile defense of the homeland of the United States.

(f) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 239. BRIEFINGS ON STATUS OF IMPLEMENTATION OF CERTAIN MISSILE DEFENSE MATTERS.

Deadlines.

Not later than 180 days after the completion of the site evaluation study required by subsection (a) of section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1678), and again one year after such date, the Secretary of Defense shall provide to the congressional defense committees a detailed briefing on the current status of efforts and plans to implement the requirements of such section, including—

(1) the progress and plans toward preparation of the environmental impact statement required by subsection (b) of such section; and

President. Determination.

(2) the development of the contingency plan under subsection (d) of such section for deployment of an additional homeland missile defense interceptor site in case the President determines to proceed with such an additional deployment.

SEC. 240. SENSE OF CONGRESS AND REPORT ON NATO AND MISSILE DEFENSE BURDEN-SHARING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that as defense budget resources continue to decline in the United States, including by reason of funding reductions under the Budget Control Act of 2011 (Public Law 112–25), and the sequestration in effect by reason of such Act, the importance of burden-sharing among

members of the North Atlantic Treaty Organization for missile defense is increasing.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the cost of missile defense for members of the North Atlantic Treaty Organization (in this section referred to as "NATO"), including the phased, adaptive approach to missile defense in Europe, and the contributions made by members of NATO for such missile defense.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The total estimated cost directly attributable to the various phases of the phased, adaptive approach to missile defense in Europe, including costs relating to research, development, testing, and evaluation, procurement, and military construction.

(2) With respect to the cost of missile defense for NATO, including the phased, adaptive approach to missile defense in Europe, a description of the level of burden-sharing among members of NATO as of the date of the report, including through contributions made by a member in the form of hosting elements of such approach to missile defense in the territory of the member.

(3) An assessment of, and recommendations for, areas where the Secretary determines that NATO and the members of NATO could improve the burden-sharing among members with respect to the cost of missile defense for NATO described in paragraph (2), including through the possible pooling of missile defense interceptors.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 241. SENSE OF CONGRESS ON DEPLOYMENT OF REGIONAL BALLISTIC MISSILE DEFENSE CAPABILITIES.

It is the sense of Congress that—

(1) the United States develops and deploys regional ballistic missile defense capabilities to protect the forward-deployed forces, allies, and partners of the United States against regional ballistic missile threats, consistent with the security obligations of the United States and as part of the broader theater security and military plans of the geographic combatant commanders of the United States;

(2) in deciding on the deployment of regional missile defense assets and capabilities of the United States, the Secretary of Defense should give priority consideration to the capabilities needed to deter and defend against the ballistic missile threat, including the recommendations of the Joint Chiefs of Staff and the priorities of the geographic combatant commanders for meeting the operational needs of the commanders for ballistic missile defense;

(3) such deployment decisions should take into account all of the ballistic missile threats to the forces, allies, and partners of the United States in each region;

(4) the United States should encourage the allies and partners of the United States to acquire and contribute to integrated and complementary regional ballistic missile defense capabilities—including coordination, data sharing, and networking

arrangements—and such allied and partner capabilities should be taken into account in deciding on the deployment of regional missile defense capabilities of the United States; and

(5) the United States should cooperate closely with the allies and partners of the United States, including such allies and partners in East Asia, on missile defense deployments and cooperation that enhance the mutual security of the United States and such allies and partners.

SEC. 242. SENSE OF CONGRESS ON PROCUREMENT OF CAPABILITY ENHANCEMENT II EXOATMOSPHERIC KILL VEHICLE.

It is the sense of Congress that the Secretary of Defense should not procure a Capability Enhancement II exoatmospheric kill vehicle for deployment until after the date on which a successful intercept flight test of the Capability Enhancement II ground-based interceptor has occurred, unless such procurement is for test assets or to maintain a warm line for the industrial base.

Subtitle D—Reports

SEC. 251. ANNUAL COMPTROLLER GENERAL REPORT ON THE AMPHIBIOUS COMBAT VEHICLE ACQUISITION PROGRAM.

Time period.

(a) ANNUAL GAO REVIEW.—During the period beginning on the date of the enactment of this Act and ending on March 1, 2018, the Comptroller General of the United States shall conduct an annual review of the amphibious combat vehicle acquisition program.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2014 and ending in 2018, the Comptroller General shall submit to the congressional defense committees a report on the review of the amphibious combat vehicle acquisition program conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report under paragraph (1) shall include the following:

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

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the amphibious combat vehicle, the progress and results of—

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

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

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance.

(D) An assessment of the acquisition strategy of the amphibious combat vehicle, including whether such strategy is in compliance with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) An assessment of the projected operations and support costs and the viability of the Marine Corps to afford to operate and sustain the amphibious combat vehicle.

(3) ADDITIONAL INFORMATION.—In submitting to the congressional defense committees the first report under paragraph (1) and a report following any changes made by the Secretary of the Navy to the baseline documentation of the amphibious combat vehicle acquisition program, the Comptroller General shall include, with respect to such program, an assessment of the sufficiency and objectivity of— Assessment.

(A) the analysis of alternatives;

(B) the initial capabilities document; and

(C) the capabilities development document.

SEC. 252. ANNUAL COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE ACQUISITION PROGRAM FOR THE VXX PRESIDENTIAL HELICOPTER.

(a) ANNUAL GAO REVIEW.—The Comptroller General of the United States shall conduct annually a review of the acquisition program for the VXX Presidential Helicopter aircraft.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 each year, the Comptroller General shall submit to the congressional defense committees a report on the review conducted under subsection (a) during the preceding year.

(2) ELEMENTS.—Each report under paragraph (1) shall include such matters as the Comptroller General considers appropriate to fully inform the congressional defense committees of the stage of the acquisition process for the VXX Presidential Helicopter aircraft covered by the review described in such report. Such matters may include the following:

(A) The extent to which the acquisition program for the VXX Presidential Helicopter aircraft is meeting cost, schedule, and performance goals.

(B) The progress and results of developmental testing.

(C) An assessment of the acquisition strategy for the program, including whether the strategy is consistent with acquisition management best practices identified by the Comptroller General for purposes of the program.

(c) SUNSET.—The requirements in this section shall terminate upon the earlier of—

(1) the date on which the Navy awards a contract for full-rate production for the VXX Presidential Helicopter aircraft; or

(2) the date on which the acquisition program for such aircraft is terminated.

SEC. 253. REPORT ON STRATEGY TO IMPROVE BODY ARMOR.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the comprehensive research and development strategy of the Secretary to achieve significant reductions in the weight of body armor.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A brief description of each solution for body armor weight reduction that is being developed as of the date of the report.

(2) For each such solution—

(A) the costs, schedules, and performance requirements;

(B) the research and development funding profile;

(C) a description of the materials being used in the solution; and

(D) the feasibility and technology readiness levels of the solution and the materials.

(3) A strategy to provide resources for future research and development of body armor weight reduction.

(4) An explanation of how the Secretary is using a modular or tailorable solution to approach body armor weight reduction.

(5) A description of how the Secretary coordinates the research and development of body armor weight reduction being carried out by the military departments.

(6) Any other matter the Secretary considers appropriate.

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

Subtitle E—Other Matters

SEC. 261. ESTABLISHMENT OF COMMUNICATIONS SECURITY REVIEW AND ADVISORY BOARD.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

10 USC 189.

"§ 189. Communications Security Review and Advisory Board

"(a) ESTABLISHMENT.—There shall be in the Department of Defense a Communications Security Review and Advisory Board (in this section referred to as the 'Board') to review and assess the communications security, cryptographic modernization, and related key management activities of the Department and provide advice to the Secretary with respect to such activities.

Determination.

"(b) MEMBERS.—(1) The Secretary shall determine the number of members of the Board.

"(2) The Chief Information Officer of the Department of Defense shall serve as chairman of the Board.

Appointment.

"(3) The Secretary shall appoint officers in the grade of general or admiral and civilian employees of the Department of Defense in the Senior Executive Service to serve as members of the Board.

"(c) RESPONSIBILITIES.—The Board shall—

"(1) monitor the overall communications security, cryptographic modernization, and key management efforts of the Department, including activities under major defense acquisition programs (as defined in section 139c of this title), by—

"(A) requiring each Chief Information Officer of each military department to report the communications security activities of the military department to the Board;

"(B) tracking compliance of each military department with respect to communications security modernization efforts;

"(C) validating lifecycle communications security modernization plans for major defense acquisition programs;

"(2) validate the need to replace cryptographic equipment based on the expiration dates of the equipment and evaluate

the risks of continuing to use cryptographic equipment after such expiration dates;

"(3) convene in-depth program reviews for specific cryptographic modernization developments with respect to validating requirements and identifying programmatic risks;

"(4) develop a long-term roadmap for communications security to identify potential issues and ensure synchronization with major planning documents; and

"(5) advise the Secretary on the cryptographic posture of the Department, including budgetary recommendations.

"(d) EXCLUSION OF CERTAIN PROGRAMS.—The Board shall not include the consideration of programs funded under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 3003(6))) in carrying out this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 188 the following new item:

10 USC prec. 171.

"189. Communications Security Review and Advisory Board".

SEC. 262. EXTENSION AND EXPANSION OF MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.

(a) CLARIFICATION OF AVAILABILITY OF FUNDS.—Section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note) is amended—

(1) in subsection (a)(1)(D), by striking "and recapitalization" through the period at the end and inserting "recapitalization, or minor military construction of the laboratory infrastructure, in accordance with subsection (b).";

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

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

"(b) AVAILABILITY OF FUNDS FOR INFRASTRUCTURE PROJECTS.—

"(1) IN GENERAL.—Subject to the provisions of this subsection, funds available under a mechanism under subsection (a)(1)(D) that are solely intended to carry out a laboratory infrastructure project shall be available for such project until expended.

"(2) PRIOR NOTICE OF COSTS OF PROJECTS.—Funds shall be available in accordance with paragraph (1) for a project referred to in such paragraph only if the Secretary notifies the congressional defense committees of the total cost of the project before the date on which the Secretary uses a mechanism under subsection (a)(1)(D) for such project.

"(3) ACCUMULATION OF FUNDS FOR PROJECTS.—Funds may accumulate under a mechanism under subsection (a) for a project referred to in paragraph (1) for not more than five years.

"(4) COST LIMIT COMPLIANCE.—The Secretary shall ensure that a project referred to in paragraph (1) for which funds are made available in accordance with such paragraph complies with the applicable cost limitations in the following provisions of law:

"(A) Section 2805(d) of title 10, United States Code, with respect to revitalization and recapitalization projects.

"(B) Section 2811 of such title, with respect to repair projects.".

(b) EXTENSION.—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking "September 30, 2016" and inserting "September 30, 2020".

10 USC 2358 note.

(c) APPLICATION.—Subsection (b) of such section 219, as added by subsection (a)(3), shall apply with respect to funds made available under such section on or after the date of the enactment of this Act.

SEC. 263. EXTENSION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(f) of title 10, United States Code, is amended by striking "September 30, 2013" and inserting "September 30, 2018".

SEC. 264. FIVE-YEAR EXTENSION OF PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.

Section 243(d) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2358 note) is amended by striking "October 1, 2015" and inserting "October 1, 2020".

SEC. 265. BRIEFING ON BIOMETRICS ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

Deadline.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on an assessment of the future program structure for biometrics oversight and execution and architectural requirements for biometrics-enabling capability.

(b) MATTERS INCLUDED.—The briefing under subsection (a) shall include the following:

(1) An assessment of the roles and responsibilities of the principal staff assistant for biometrics, the program manager for biometrics, and the Defense Forensics and Biometrics Agency, including—

(A) the roles and responsibilities of each element of the Department of Defense, including each military department, with responsibility for biometrics and each such element that is responsible for requirements and testing regarding biometrics; and

(B) whether the executive management responsibilities of the Department of Defense program manager for biometrics should be retained by the Army or transferred to another element of the Department.

(2) An assessment of the current requirements for biometrics-enabling capability, including with respect to—

(A) a governance process for capturing, vetting, and validating requirements and business processes across military department, interagency, and international partners; and

(B) a process to determine resourcing business rules to establish and sustain such capabilities.

(3) An evaluation of the most appropriate element of the Department to take responsibility for defining and managing the end-to-end performance of the biometric enterprise, beginning and ending at the point of biometric encounter, as described in the report of the Comptroller General of the United States titled "Defense Biometrics: Additional Training for Leaders and More Timely Transmission of Data Could Enhance the Use of Biometrics in Afghanistan", numbered 12–442.

SEC. 266. SENSE OF CONGRESS ON IMPORTANCE OF ALIGNING COMMON MISSILE COMPARTMENT OF OHIO-CLASS REPLACEMENT PROGRAM WITH THE UNITED KINGDOM'S VANGUARD SUCCESSOR PROGRAM.

It is the sense of Congress that the Secretary of Defense and the Secretary of the Navy should make every effort to ensure that the common missile compartment associated with the Ohio-class ballistic missile submarine replacement program stays on schedule and is aligned with the Vanguard-successor program of the United Kingdom in order for the United States to fulfill its longstanding commitment to our ally and partner in sea-based strategic deterrence.

SEC. 267. SENSE OF CONGRESS ON COUNTER-ELECTRONICS HIGH POWER MICROWAVE MISSILE PROJECT.

It is the sense of the Congress that—

(1) in carrying out the non-kinetic counter-electronics developmental planning effort of the Air Force, the Secretary of Defense should consider the results of the successful joint technology capability demonstration that the counter-electronics high power microwave missile project conducted in 2012;

(2) an analysis of alternatives is an important step in the long-term development of a non-kinetic counter-electronic system;

(3) the Secretary should pursue both near- and far-term joint non-kinetic counter-electronic systems; and

(4) the counter-electronics high power microwave missile project (or a variant thereof) should be considered among the options for a possible materiel solution in response to any near-term joint urgent operational need, joint emergent operational need, or combatant command integrated priority for a non-kinetic counter-electronic system.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environment

Sec. 311. Deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.
Sec. 312. Facilitation of interagency cooperation in conservation programs of the Departments of Defense, Agriculture, and Interior to avoid or reduce adverse impacts on military readiness activities.
Sec. 313. Reauthorization of Sikes Act.
Sec. 314. Clarification of prohibition on disposing of waste in open-air burn pits.
Sec. 315. Limitation on availability of funds for procurement of drop-in fuels.

Subtitle C—Logistics and Sustainment

Sec. 321. Strategic policy for prepositioned materiel and equipment.
Sec. 322. Department of Defense manufacturing arsenal study and report.
Sec. 323. Consideration of Army arsenals' capabilities to fulfill manufacturing requirements.
Sec. 324. Strategic policy for the retrograde, reconstitution, and replacement of operating forces used to support overseas contingency operations.
Sec. 325. Littoral Combat Ship Strategic Sustainment Plan.
Sec. 326. Strategy for improving asset tracking and in-transit visibility.

Subtitle D—Reports

Sec. 331. Additional reporting requirements relating to personnel and unit readiness.
Sec. 332. Modification of authorities on prioritization of funds for equipment readiness and strategic capability.
Sec. 333. Revision to requirement for annual submission of information regarding information technology capital assets.
Sec. 334. Modification of annual corrosion control and prevention reporting requirements.

Subtitle E—Limitations and Extensions of Authority

Sec. 341. Certification for realignment of forces at Lajes Air Force Base, Azores.
Sec. 342. Limitation on performance of Department of Defense flight demonstration teams outside the United States.
Sec. 343. Limitation on funding for United States Special Operations Command National Capital Region.
Sec. 344. Limitation on availability of funds for Trans Regional Web Initiative.

Subtitle F—Other Matters

Sec. 351. Gifts made for the benefit of military musical units.
Sec. 352. Revised policy on ground combat and camouflage utility uniforms.

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, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. DEADLINE FOR SUBMISSION OF REPORTS ON PROPOSED BUDGETS FOR ACTIVITIES RELATING TO OPERATIONAL ENERGY STRATEGY.

Section 138c(e) of title 10, United States Code, is amended—

(1) in paragraph (4), by striking "Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year" and inserting "The Secretary of Defense shall submit to Congress a report on the proposed budgets for a fiscal year"; and

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

"(6) The report required by paragraph (4) for a fiscal year shall be submitted by the later of the following dates:

"(A) The date that is 30 days after the date on which the budget for that fiscal year is submitted to Congress pursuant to section 1105 of title 31.

"(B) March 31 of the previous fiscal year.".

SEC. 312. FACILITATION OF INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS OF THE DEPARTMENTS OF DEFENSE, AGRICULTURE, AND INTERIOR TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.

(a) USE OF FUNDS UNDER CERTAIN AGREEMENTS.—Section 2684a of title 10, United States Code, is amended—

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

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

"(h) INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.—In order to facilitate interagency cooperation and enhance the effectiveness of actions that will protect both the environment and military readiness, the recipient of funds provided pursuant an agreement under this section or under the Sikes Act (16 U.S.C. et seq.) may, with regard to the lands and waters within the scope of the agreement, use such funds to satisfy any matching funds or cost-sharing requirement of any conservation program of the Department of Agriculture or the Department of the Interior notwithstanding any limitation of such program on the source of matching or cost-sharing funds.".

(b) SUNSET.—This section and subsection (h) of section 2684a of title 10, United States Code, as added by this section, shall expire on October 1, 2019, except that any agreement referred to in such subsection that is entered into on or before September 30, 2019, shall continue according to its terms and conditions as if this section has not expired.

Extension.
10 USC 2684a note.

SEC. 313. REAUTHORIZATION OF SIKES ACT.

Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking "fiscal years 2009 through 2014" each place it appears and inserting "fiscal years 2014 through 2019".

SEC. 314. CLARIFICATION OF PROHIBITION ON DISPOSING OF WASTE IN OPEN-AIR BURN PITS.

Section 317(c)(2) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2249; 10 U.S.C. 2701 note) is amended—

(1) in subparagraph (B), by striking "and";

(2) by redesignating subparagraph (C) as subparagraph (Q); and

(3) by inserting after subparagraph (B) the following new subparagraphs:

"(C) tires;

"(D) treated wood;

"(E) batteries;

"(F) plastics, except insignificant amounts of plastic remaining after a good-faith effort to remove or recover plastic materials from the solid waste stream;

"(G) munitions and explosives, except when disposed of in compliance with guidance on the destruction of munitions and explosives contained in the Department of Defense Ammunition and Explosives Safety Standards, DoD Manual 6055.09-M;

"(H) compressed gas cylinders, unless empty with valves removed;

"(I) fuel containers, unless completely evacuated of its contents;

"(J) aerosol cans;

"(K) polychlorinated biphenyls;

"(L) petroleum, oils, and lubricants products (other than waste fuel for initial combustion);

"(M) asbestos;

"(N) mercury;

"(O) foam tent material;

"(P) any item containing any of the materials referred to in a preceding paragraph; and".

SEC. 315. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF DROP-IN FUELS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to make a bulk purchase of a drop-in fuel for operational purposes unless the cost of that drop-in fuel is cost-competitive with the cost of a traditional fuel available for the same purpose.

(b) WAIVER.—

(1) IN GENERAL.—Subject to the requirements of paragraph (2), the Secretary of Defense may waive the limitation under subparagraph (a) with respect to a purchase.

Deadline.

(2) NOTICE REQUIRED.—Not later than 30 days after issuing a waiver under this subsection, the Secretary shall submit to the congressional defense committees notice of the waiver. Any such notice shall include each of the following:

(A) The rationale of the Secretary for issuing the waiver

Certification.

(B) A certification that the waiver is in the national security interest of the United States.

(C) The expected cost of the purchase for which the waiver is issued.

(c) DEFINITIONS.—For the purposes of this section—

(1) The term "drop-in fuel" means a neat or blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment

(2) The term "traditional fuel" means a liquid hydrocarbon fuel derived or refined from petroleum.

(3) The term "operational purposes" means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms. Such term does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

Subtitle C—Logistics and Sustainment

SEC. 321. STRATEGIC POLICY FOR PREPOSITIONED MATERIEL AND EQUIPMENT.

(a) MODIFICATIONS TO STRATEGIC POLICY.—Section 2229(a) of title 10, United States Code, is amended to read as follows:

"(a) POLICY REQUIRED.—

"(1) IN GENERAL.—The Secretary of Defense shall maintain a strategic policy on the programs of the Department of Defense for prepositioned materiel and equipment. Such policy shall take into account national security threats, strategic mobility, service requirements, and the requirements of the combatant commands, and shall address how the Department's prepositioning programs, both ground and afloat, align with national defense strategies and departmental priorities.

"(2) ELEMENTS.—The strategic policy required under paragraph (1) shall include the following elements:

"(A) Overarching strategic guidance concerning planning and resource priorities that link the Department of Defense's current and future needs for prepositioned stocks, such as desired responsiveness, to evolving national defense objectives.

"(B) A description of the Department's vision for prepositioning programs and the desired end state.

"(C) Specific interim goals demonstrating how the vision and end state will be achieved.

"(D) A description of the strategic environment, requirements for, and challenges associated with, prepositioning.

"(E) Metrics for how the Department will evaluate the extent to which prepositioned assets are achieving defense objectives.

"(F) A framework for joint departmental oversight that reviews and synchronizes the military services' prepositioning strategies to minimize potentially duplicative efforts and maximize efficiencies in prepositioned materiel and equipment across the Department of Defense.

"(3) JOINT OVERSIGHT.—The Secretary of Defense shall establish joint oversight of the military services' prepositioning efforts to maximize efficiencies across the Department of Defense.".

(b) IMPLEMENTATION PLAN.—

10 USC 2229 note. Deadline.

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementation of the prepositioning strategic policy required under section 2229(a) of title 10, United States Code, as amended by subsection (a).

(2) ELEMENTS.—The implementation plan required under paragraph (1) shall include the following elements:

(A) Detailed guidance for how the Department of Defense will achieve the vision, end state, and goals outlined in the strategic policy.

(B) A comprehensive list of the Department's prepositioned materiel and equipment programs.

(C) A detailed description of how the plan will be implemented.

(D) A schedule with milestones for the implementation of the plan.

(E) An assignment of roles and responsibilities for the implementation of the plan.

(F) A description of the resources required to implement the plan.

(G) A description of how the plan will be reviewed and assessed to monitor progress.

(c) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall review the implementation plan submitted under subsection (b) and the prepositioning strategic policy required under section 2229(a) of title 10, United States Code, as amended by subsection (a), and submit to the congressional defense committees a report describing the findings of such review and including any additional information relating to the prepositioning strategic policy and plan that the Comptroller General determines appropriate.

SEC. 322. DEPARTMENT OF DEFENSE MANUFACTURING ARSENAL STUDY AND REPORT.

(a) REVIEW.—

Consultation.

(1) MANUFACTURING REQUIREMENTS.—The Secretary of Defense, in consultation with the military services and Defense Agencies, shall review—

(A) current and expected manufacturing requirements across the military services and Defense Agencies to identify critical manufacturing competencies and supplies, components, end items, parts, assemblies, and sub-assemblies for which there is no or limited domestic commercial source and which are appropriate for manufacturing within an arsenal owned by the United States in order to support critical manufacturing capabilities;

(B) how the Department of Defense can more effectively use and manage public-private partnerships to preserve critical industrial capabilities at such arsenals for future national security requirements while providing to the Department of the Army a return on its investment;

(C) the effectiveness of the strategy of the Department of Defense to assign workload to each of the arsenals and the potential for alternative strategies that could better identify workload for each arsenal;

(D) the impact of the rate structure driven by the Department of the Army working-capital funds on public-private partnerships at each such arsenal;

(E) the extent to which operations at each such arsenal can be streamlined, improved, or enhanced; and

(F) the effectiveness of the implementation by the Department of the Army of cooperative agreements authorized at manufacturing arsenals under section 4544 of title 10, United States Code.

(2) MECHANISMS FOR DETERMINING MANUFACTURING CAPABILITIES.—The Secretary shall review mechanisms within the Department of Defense for ensuring that appropriate consideration is given to the unique manufacturing capabilities of arsenals owned by the United States to fulfill manufacturing requirements of the Department of Defense for which there is no or limited domestic commercial capability.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes the results of the reviews conducted under subsection (a) and a

description of actions planned to support critical manufacturing capabilities within arsenals owned by the United States.

(c) COMPTROLLER GENERAL REPORT.—Not later than one year after the date on which the report required under subsection (b) is submitted, the Comptroller General shall submit to the congressional defense committees a report containing an assessment of the report together with the recommendations of the Comptroller General to improve the strategy of the Department of Defense to assign workload.

SEC. 323. CONSIDERATION OF ARMY ARSENALS' CAPABILITIES TO FULFILL MANUFACTURING REQUIREMENTS.

10 USC 4551 note.

(a) CONSIDERATION OF CAPABILITY OF ARSENALS.—When undertaking a make-or-buy analysis, a program executive officer or program manager of a military service or Defense Agency shall consider the capability of arsenals owned by the United States to fulfill a manufacturing requirement.

(b) NOTIFICATION OF SOLICITATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish and begin implementation of a system for ensuring that the arsenals owned by the United States are notified of any solicitation that fulfills a manufacturing requirement for which there is no or limited domestic commercial source and which may be appropriate for manufacturing within an arsenal owned by the United States.

Deadline.

SEC. 324. STRATEGIC POLICY FOR THE RETROGRADE, RECONSTITUTION, AND REPLACEMENT OF OPERATING FORCES USED TO SUPPORT OVERSEAS CONTINGENCY OPERATIONS.

10 USC 129a note.

(a) ESTABLISHMENT OF POLICY.—

(1) IN GENERAL.—The Secretary of Defense shall establish a policy setting forth the programs and priorities of the Department of Defense for the retrograde, reconstitution, and replacement of units and materiel used to support overseas contingency operations. The policy shall take into account national security threats, the requirements of the combatant commands, the current readiness of the operating forces of the military departments, and risk associated with strategic depth and the time necessary to reestablish required personnel, equipment, and training readiness in such operating forces.

(2) ELEMENTS.—The policy required under paragraph (1) shall include the following elements:

(A) Establishment and assignment of responsibilities and authorities within the Department for oversight and execution of the planning, organization, and management of the programs to reestablish the readiness of redeployed operating forces.

(B) Guidance concerning priorities, goals, objectives, timelines, and resources to reestablish the readiness of redeployed operating forces in support of national defense objectives and combatant command requirements.

(C) Oversight reporting requirements and metrics for the evaluation of Department of Defense and military department progress on restoring the readiness of redeployed operating forces in accordance with the policy required under paragraph (1).

(D) A framework for joint departmental reviews of military services' annual budgets proposed for retrograde,

reconstitution, or replacement activities, including an assessment of the strategic and operational risk assumed by the proposed levels of investment across the Department of Defense.

Deadlines.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementation of the policy required under this section.

(2) ELEMENTS.—The implementation plan required under paragraph (1) shall include the following elements:

(A) The assignment of responsibilities and authorities for oversight and execution of the planning, organization, and management of the programs to reestablish the readiness of redeployed operating forces.

(B) Establishment of priorities, goals, objectives, timelines, and resources to reestablish the readiness of redeployed operating forces in support of national defense objectives and combatant command requirements.

(C) A description of how the plan will be implemented, including a schedule with milestones to meet the goals of the plan.

(D) An estimate of the resources by military service and by year required to implement the plan, including an assessment of the risks assumed in the plan.

(3) UPDATES.—Not later than one year after submitting the plan required under paragraph (1), and annually thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees an update on progress toward meeting the goals of the plan.

(c) COMPTROLLER GENERAL REPORT.—Not later than 120 days after the date of the enactment of this Act, and annually after the submittal of each update to the implementation plan under subsection (b), the Comptroller General of the United States shall review the implementation plan submitted under subsection (b) and the policy required by subsection (a), and submit to the congressional defense committees a report describing the findings of such review and progress made toward meeting the goals of the plan and including any additional information relating to the policy and plan that the Comptroller General determines appropriate.

SEC. 325. LITTORAL COMBAT SHIP STRATEGIC SUSTAINMENT PLAN.

Deadline.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees and to the Comptroller General of the United States a strategic sustainment plan for the Littoral Combat Ship. Such plan shall include each of the following:

(1) An estimate of the cost and schedule of implementing the plan.

(2) An identification of the requirements and planning for the long-term sustainment of the Littoral Combat Ship and its mission modules in accordance with section 2366b of title 10, United States Code, as amended by section 801 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1482).

(3) A description of the current and future operating environments of the Littoral Combat Ship, as specified or referred to in strategic guidance and planning documents of the Department of Defense.

(4) The facility, supply, and logistics systems requirements, including contractor support, of the Littoral Combat Ship when forward deployed, and an estimate of the cost and personnel required to conduct the necessary maintenance activities.

(5) Any required updates to host-nation agreements to facilitate the forward-deployed maintenance requirements of the Littoral Combat Ship, including a discussion of overseas management of Ship ordnance and hazardous materials and delivery of equipment and spare parts needed for emergent repair.

(6) An evaluation of the forward-deployed maintenance requirements of the Littoral Combat Ship and a schedule of pier-side maintenance timelines when forward-deployed, including requirements for multiple ships and variants.

(7) An assessment of the total quantity of equipment, spare parts, permanently forward-stationed personnel, and size of fly away teams required to support forward-deployed maintenance requirements for the U.S.S. Freedom while in Singapore, and estimates for follow-on deployments of Littoral Combat Ships of both variants.

(8) A detailed description of the continuity of operations plans for the Littoral Combat Ship Squadron and of any plans to increase the number of Squadron personnel.

(9) An identification of mission critical single point of failure equipment for which a sufficient number spare parts are necessary to have on hand, and determination of Littoral Combat Ship forward deployed equipment and spare parts locations and levels.

(b) FORM.—The plan required under subsection (a) shall be submitted in unclassified form but may have a classified annex.

SEC. 326. STRATEGY FOR IMPROVING ASSET TRACKING AND IN-TRANSIT VISIBILITY.

(a) STRATEGY AND IMPLEMENTATION PLANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy for improving asset tracking and in-transit visibility across the Department of Defense, together with the plans of the military departments for implementing the strategy. Deadline.

(2) ELEMENTS.—The strategy and implementation plans required under paragraph (1) shall include the following elements:

(A) The overarching goals and objectives desired from implementation of the strategy.

(B) A description of steps to achieve those goals and objectives, as well as milestones and performance measures to gauge results.

(C) An estimate of the costs associated with executing the plan, and the sources and types of resources and investments, including skills, technology, human capital, information, and other resources, required to meet the goals and objectives.

(D) A description of roles and responsibilities for managing and overseeing the implementation of the strategy, including the role of program managers, and the establishment of mechanisms for multiple stakeholders to coordinate their efforts throughout implementation and make necessary adjustments to the strategy based on performance.

(E) A description of key factors external to the Department of Defense and beyond its control that could significantly affect the achievement of the long-term goals contained in the strategy.

(F) A detailed description of asset marking requirements and how automated information and data capture technologies could improve readiness, cost effectiveness, and performance.

(G) A defined list of all categories of items that program managers are required to identify for the purposes of asset marking.

(H) A description of steps to improve asset tracking and in-transit visibility for classified programs.

(I) Steps to be undertaken to facilitate collaboration with industry designed to capture best practices, lessons learned, and any relevant technical matters.

(J) A description of how improved asset tracking and in-transit visibility could enhance audit readiness, reduce counterfeit risk, enhance logistical processes, and otherwise benefit the Department of Defense.

(K) An operational security assessment designed to ensure that all Department of Defense assets are appropriately protected during the execution of the strategy and implementation plan.

(b) COMPTROLLER GENERAL REPORT.—Not later than one year after the strategy is submitted under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the strategy and accompanying implementation plans—

(1) include the elements set forth under subsection (a)(2);

(2) align to achieve the overarching asset tracking and in-transit visibility goals and objectives of the Department of Defense;

(3) incorporate, as appropriate, industry best practices related to automated information and data capture technologies for asset tracking and in-transit visibility;

(4) effectively execute the policies prescribed in Department of Defense Instruction 8320.04; and

(5) have been implemented.

Subtitle D—Reports

SEC. 331. ADDITIONAL REPORTING REQUIREMENTS RELATING TO PERSONNEL AND UNIT READINESS.

(a) ASSESSMENT OF ASSIGNED MISSIONS AND CONTRACTOR SUPPORT.—Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "The report for a quarter" and inserting "Each report"; and

(B) by striking "(e), and (f)" and inserting "(f), (g), (h), (i), (j), and (k), and the reports for the second and fourth quarters of a calendar year shall also contain the information required by subsection (e)";

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ", including the extent" and all that follows through the period at the end and inserting the following: ", including an assessment of the manning of units (authorized versus assigned numbers of personnel) for units not scheduled for deployment and the timing of the arrival of personnel into units preparing for deployments."; and

(ii) in subparagraph (B), by inserting "unit" before "personnel strength";

(B) by amending paragraph (2) to read as follows:

"(2) PERSONNEL TURBULENCE.—

"(A) Recruit quality.

"(B) Personnel assigned to a unit but not trained for the level of assigned responsibility or mission.

"(C) Fitness for deployment.

"(D) Recruiting and retention status.";

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

(D) in paragraph (3), as redesignated by subparagraph (C), by striking "Training commitments" and inserting "Mission rehearsals";

(3) by redesignating subsections (e), (f), and (g), as subsections (f), (g), and (l), respectively;

(4) by inserting after subsection (d)(3), as redesignated by paragraph (1)(C), the following new subsection:

"(e) LOGISTICS INDICATORS.—The reports for the second and fourth quarters of a calendar year shall also include information regarding the active components of the armed forces (and an evaluation of such information) with respect to each of the following logistics indicators:";

(5) in subsection (e), as designated by paragraph (4)—

(A) by redesignating paragraphs (5), (6), and (7) as paragraphs (1), (2), and (3), respectively;

(B) in paragraph (1), as redesignated by subparagraph (A), by striking subparagraph (E); and

(C) in paragraph (2), as so redesignated—

(i) in subparagraph (A), by striking "Maintenance" and inserting "Depot maintenance"; and

(ii) by inserting after subparagraph (A) the following new subparagraph:

"(B) Equipment not available due to a lack of supplies or parts."; and

(6) by inserting after subsection (g), as redesignated by paragraph (3), the following new subsections:

"(h) COMBATANT COMMAND ASSIGNED MISSION ASSESSMENTS.—(1) Each report shall also include an assessment by each commander of a geographic or functional combatant command of the ability of the command to successfully execute each of the assigned missions of the command. Each such assessment for a combatant command shall also include a list of the mission essential tasks for each assigned mission of the command and an assessment of the ability of the command to successfully complete each task within prescribed timeframes.

Definition.

"(2) For purposes of this subsection, the term 'assigned mission' means any contingency response program plan, theater campaign plan, or named operation that is approved and assigned by the Joint Chiefs of Staff.

"(i) RISK ASSESSMENT OF DEPENDENCE ON CONTRACTOR SUPPORT.—Each report shall also include an assessment by the Chairman of the Joint Chiefs of Staff of the level of risk incurred by using contract support in contingency operations as required under Department of Defense Instruction 1100.22, 'Policies and Procedures for Determining Workforce Mix'.

"(j) COMBAT SUPPORT AGENCIES ASSESSMENT.—(1) Each report shall also include an assessment by the Secretary of Defense of the military readiness of the combat support agencies, including, for each such agency—

"(A) a determination with respect to the responsiveness and readiness of the agency to support operating forces in the event of a war or threat to national security, including—

"(i) a list of mission essential tasks and an assessment of the ability of the agency to successfully perform those tasks;

"(ii) an assessment of how the ability of the agency to accomplish the tasks referred to in subparagraph (A) affects the ability of the military departments and the unified and geographic combatant commands to execute operations and contingency plans by number;

"(iii) any readiness deficiencies and actions recommended to address such deficiencies; and

"(iv) key indicators and other relevant information related to any deficiency or other problem identified;

"(B) any recommendations that the Secretary considers appropriate.

Definition.

"(2) In this subsection, the term 'combat support agency' means any of the following Defense Agencies:

"(A) The Defense Information Systems Agency.

"(B) The Defense Intelligence Agency.

"(C) The Defense Logistics Agency.

"(D) The National Geospatial-Intelligence Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense).

"(E) The Defense Contract Management Agency.

"(F) The Defense Threat Reduction Agency.

"(G) The National Reconnaissance Office.

"(H) The National Security Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense) and Central Security Service.

"(I) Any other Defense Agency designated as a combat support agency by the Secretary of Defense.

"(k) MAJOR EXERCISE ASSESSMENTS.—(1) Each report shall also include an after-action assessment of each major exercise by the commander of the geographic or functional combatant command concerned or the chief of the military service concerned, as appropriate, that includes—

"(A) a brief description of the exercise;

"(B) planned training objectives for the exercise;

"(C) a full summary of cost associated with the exercise, including in-kind and direct contributions to allies and partners; and

"(D) an executive summary of the lessons learned and training objectives met by conducting the exercise.

"(2) In this subsection, the term 'major exercise' means a named major training event, an integrated or joint exercise, or a unilateral major exercise.". Definition.

SEC. 332. MODIFICATION OF AUTHORITIES ON PRIORITIZATION OF FUNDS FOR EQUIPMENT READINESS AND STRATEGIC CAPABILITY. 10 USC 229 note.

(a) INCLUSION OF MARINE CORPS IN REQUIREMENTS.—Section 323 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (10 U.S.C. 229 note) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

"(2) the Secretary of the Army to meet the requirements of the Army, and the Secretary of the Navy to meet the requirements of the Marine Corps, for that fiscal year, in addition to the requirements under paragraph (1), for the reconstitution of equipment and materiel in prepositioned stocks in accordance with requirements under the policy or strategy implemented under the guidelines in section 2229 of title 10, United States Code."; and

(2) in subsection (b)(2), by striking subparagraph (B) and inserting the following new subparagraph (B):

"(B) the Army and the Marine Corps for the reconstitution of equipment and materiel in prepositioned stocks.".

(b) REPEAL OF REQUIREMENT FOR ANNUAL ARMY REPORT AND GAO REVIEW.—Such section is further amended by striking subsections (c) through (f) and inserting the following new subsection (c):

"(c) CONTINGENCY OPERATION DEFINED.—In this section, the term 'contingency operation' has the meaning given that term in section 101(a)(13) of title 10, United States Code.".

SEC. 333. REVISION TO REQUIREMENT FOR ANNUAL SUBMISSION OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.

Section 351(a)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 221 note) is amended by striking "in excess of $30,000,000" and all that follows and inserting "(as computed in fiscal year 2000 constant dollars) in excess of $32,000,000 or an estimated total cost for the future-years defense program for which the budget

is submitted (as computed in fiscal year 2000 constant dollars) in excess of $378,000,000, for all expenditures, for all increments, regardless of the appropriation and fund source, directly related to the assets definition, design, development, deployment, sustainment, and disposal.".

SEC. 334. MODIFICATION OF ANNUAL CORROSION CONTROL AND PREVENTION REPORTING REQUIREMENTS.

Section 903(b)(5) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2228 note) is amended—

(1) by inserting "(A)" after "(5)"; and

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

"(B) The report required under subparagraph (A) shall—

"(i) provide a clear linkage between the corrosion control and prevention program of the military department and the overarching goals and objectives of the long-term corrosion control and prevention strategy developed and implemented by the Secretary of Defense under section 2228(d) of title 10, United States Code; and

"(ii) include performance measures to ensure that the corrosion control and prevention program is achieving the goals and objectives described in clause (i).".

Subtitle E—Limitations and Extensions of Authority

SEC. 341. CERTIFICATION FOR REALIGNMENT OF FORCES AT LAJES AIR FORCE BASE, AZORES.

The Secretary of Defense shall certify to the congressional defense committees, prior to taking any action to realign forces at Lajes Air Force Base, Azores, that the action is supported by a European Infrastructure Consolidation Assessment initiated by the Secretary of Defense on January 25, 2013. The certification shall include a specific assessment of the efficacy of Lajes Air Force Base, Azores, in support of the United States overseas force posture.

SEC. 342. LIMITATION ON PERFORMANCE OF DEPARTMENT OF DEFENSE FLIGHT DEMONSTRATION TEAMS OUTSIDE THE UNITED STATES.

If, during fiscal year 2014 or 2015, any performance by a flight demonstration team under the jurisdiction of the Secretary of Defense that is scheduled for a location within the United States is cancelled by reason of budget reductions made pursuant to an order for sequestration issued by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, then no such flight demonstration team may perform at any location outside the United States during such fiscal year.

SEC. 343. LIMITATION ON FUNDING FOR UNITED STATES SPECIAL OPERATIONS COMMAND NATIONAL CAPITAL REGION.

Time period. Reports.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for the United States Special Operations Command National Capital

Region (USSOCOM–NCR) until 30 days after the Secretary of Defense submits to the congressional defense committees a report on the USSOCOM–NCR.

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

(1) A description of the purpose of the USSOCOM-NCR.

(2) A description of the activities to be performed by the USSOCOM–NCR.

(3) An explanation of the impact of the USSOCOM-NCR on existing activities at United States Special Operations Command headquarters.

(4) A detailed, by fiscal year, breakout of the staffing and other costs associated with the USSOCOM-NCR over the future-years defense program.

(5) A description of the relationship between the USSOCOM-NCR and the Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.

(6) A description of the role of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict in providing oversight of USSOCOM-NCR activities.

(7) Any other matters the Secretary determines appropriate.

SEC. 344. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANS REGIONAL WEB INITIATIVE.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated for fiscal year 2014 for the Department of Defense may be obligated or expended for the Trans Regional Web Initiative.

(b) EXCEPTION.—Notwithstanding subsection (a), of the amounts authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, not more than $2,000,000 may be obligated or expended for—

(1) the termination of the Trans Regional Web Initiative as managed by Special Operations Command; or

(2) transitioning appropriate capabilities of such Initiative to other agencies.

Subtitle F—Other Matters

SEC. 351. GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.

Section 974 of title 10, United States Code, is amended—

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

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

"(d) PRIVATE DONATIONS.—(1) The Secretary concerned may accept contributions of money, personal property, or services on the condition that such money, property, or services be used for the benefit of a military musical unit under the jurisdiction of the Secretary.

"(2) Any contribution of money under paragraph (1) shall be credited to the appropriation or account providing the funds for such military musical unit. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the

same conditions and limitations, as amounts in such appropriation or account.

Deadlines.

"(3) Not later than January 30 of each year, the Secretary concerned shall submit to Congress a report on any contributions of money, personal property, and services accepted under paragraph (1) during the fiscal year preceding the fiscal year during which the report is submitted.".

10 USC prec. 771 note.

SEC. 352. REVISED POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.

(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the Secretary of Defense shall eliminate the development and fielding of Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) PROHIBITION.—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of a military department may not adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force, unless—

(1) the new design or fabric is a combat or camouflage utility uniform or family of uniforms that will be adopted by all Armed Forces;

(2) the Secretary adopts a uniform already in use by another Armed Force; or

(3) the Secretary of Defense grants an exception based on unique circumstances or operational requirements.

(c) EXCEPTIONS.—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by personnel assigned to or operating in support of the unified combatant command for special operations forces described in section 167 of title 10, United States Code;

(2) prohibiting engineering modifications to existing uniforms that improve the performance of combat and camouflage utility uniforms, including power harnessing or generating textiles, fire resistant fabrics, and anti-vector, anti-microbial, and anti-bacterial treatments;

(3) prohibiting the Secretary of a military department from fielding ancillary uniform items, including headwear, footwear, body armor, and any other such items as determined by the Secretary;

(4) prohibiting the Secretary of a military department from issuing vehicle crew uniforms;

(5) prohibiting cosmetic service-specific uniform modifications to include insignia, pocket orientation, closure devices, inserts, and undergarments; or

(6) prohibiting the continued fielding or use of pre-existing service-specific or operation-specific combat uniforms as long as the uniforms continue to meet operational requirements.

(d) REGISTRATION REQUIRED.—The Secretary of a military department shall formally register with the Joint Clothing and Textiles Governance Board all uniforms in use by an Armed Force

under the jurisdiction of the Secretary and all such uniforms planned for use by such an Armed Force.

(e) LIMITATION ON RESTRICTION.—The Secretary of a military department may not prevent the Secretary of another military department from authorizing the use of any combat or camouflage utility uniform or family of uniforms.

(f) GUIDANCE REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section. Deadlines.

(2) CONTENT.—At a minimum, the guidance required by paragraph (1) shall require the Secretary of each of the military departments—

(A) in cooperation with the commanders of the combatant commands, including the unified combatant command for special operations forces, to establish, by not later than 180 days after the date of the enactment of this Act, joint criteria for combat and camouflage utility uniforms and families of uniforms, which shall be included in all new requirements documents for such uniforms; Criteria.

(B) to continually work together to assess and develop new technologies that could be incorporated into future combat and camouflage utility uniforms and families of uniforms to improve war fighter survivability;

(C) to ensure that new combat and camouflage utility uniforms and families of uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and

(D) to ensure that all new combat and camouflage utility uniforms and families of uniforms achieve interoperability with all components of individual war fighter systems, including body armor, organizational clothing and individual equipment, and other individual protective systems.

(g) REPEAL OF POLICY.—Section 352 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 123 Stat. 2262; 10 U.S.C. 771 note) is repealed. 10 USC prec. 771 note.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels and in annual limitation on certain end strength reductions.

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.

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.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS AND IN ANNUAL LIMITATION ON CERTAIN END STRENGTH REDUCTIONS.

(a) PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.—Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

"(1) For the Army, 510,000.
"(2) For the Navy, 323,600.
"(3) For the Marine Corps, 188,000.
"(4) For the Air Force, 327,600.".

(b) ANNUAL MAXIMUM AUTHORIZED REDUCTION IN END STRENGTHS.—

(1) ARMY END STRENGTHS.—Subsection (a) of section 403 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1708) is amended by striking "15,000 members" and inserting "25,000 members".

(2) MARINE CORPS END STRENGTHS.—Subsection (b) of such section is amended by striking "5,000 members" and inserting "7,500 members".

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

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2014, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 32,060.
(2) The Army Reserve, 16,261.
(3) The Navy Reserve, 10,159.
(4) The Marine Corps Reserve, 2,261.
(5) The Air National Guard of the United States, 14,734.
(6) The Air Force Reserve, 2,911.

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

The minimum number of military technicians (dual status) as of the last day of fiscal year 2014 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 27,210.
(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.—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 military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2014.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Sec. 501. Congressional notification requirements related to increases in number of general and flag officers on active duty or in joint duty assignments.
Sec. 502. Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer.
Sec. 503. Selective early retirement authority for regular officers and selective early removal of officers from reserve active-status list.

Subtitle B—Reserve Component Management

Sec. 511. Suicide prevention efforts for members of the reserve components.
Sec. 512. Removal of restrictions on the transfer of officers between the active and inactive National Guard.
Sec. 513. Limitations on cancellations of deployment of certain reserve component units and involuntary mobilizations of certain Reserves.
Sec. 514. Review of requirements and authorizations for reserve component general and flag officers in an active status.
Sec. 515. Feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

Subtitle C—General Service Authorities

Sec. 521. Provision of information under Transition Assistance Program about disability-related employment and education protections.
Sec. 522. Medical examination requirements regarding post-traumatic stress disorder or traumatic brain injury before administrative separation.
Sec. 523. Establishment and use of consistent definition of gender-neutral occupational standard for military career designators.
Sec. 524. Sense of Congress regarding the Women in Service Implementation Plan.
Sec. 525. Provision of military service records to the Secretary of Veterans Affairs in an electronic format.

Sec. 526. Review of Integrated Disability Evaluation System.

Subtitle D—Military Justice Matters, Other Than Sexual Assault Prevention and Response and Related Reforms

Sec. 531. Modification of eligibility for appointment as Judge on the United States Court of Appeals for the Armed Forces.
Sec. 532. Enhancement of protection of rights of conscience of members of the Armed Forces and chaplains of such members.
Sec. 533. Inspector General investigation of Armed Forces compliance with regulations for the protection of rights of conscience of members of the Armed Forces and their chaplains.
Sec. 534. Survey of military chaplains views on Department of Defense policy regarding chaplain prayers outside of religious services.

Subtitle E—Member Education and Training

Sec. 541. Additional requirements for approval of educational programs for purposes of certain educational assistance under laws administered by the Secretary of Defense.
Sec. 542. Enhancement of mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses.
Sec. 543. Report on the Troops to Teachers program.
Sec. 544. Secretary of Defense report on feasibility of requiring automatic operation of current prohibition on accrual of interest on direct student loans of certain members of the Armed Forces.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 552. Impact aid for children with severe disabilities.
Sec. 553. Treatment of tuition payments received for virtual elementary and secondary education component of Department of Defense education program.
Sec. 554. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.
Sec. 555. Sense of Congress on parental rights of members of the Armed Forces in child custody determinations.

Subtitle G—Decorations and Awards

Sec. 561. Repeal of limitation on number of medals of honor that may be awarded to the same member of the Armed Forces.
Sec. 562. Standardization of time-limits for recommending and awarding Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal.
Sec. 563. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll requirements.
Sec. 564. Prompt replacement of military decorations.
Sec. 565. Review of eligibility for, and award of, Purple Heart to victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas.
Sec. 566. Authorization for award of the Medal of Honor to former members of the Armed Forces previously recommended for award of the Medal of Honor.
Sec. 567. Authorization for award of the Medal of Honor for acts of valor during the Vietnam War.
Sec. 568. Authorization for award of the Distinguished-Service Cross for acts of valor during the Korean and Vietnam Wars.
Sec. 569. Authorization for award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War.

Subtitle H—Other Studies, Reviews, Policies, and Reports

Sec. 571. Report on feasibility of expanding performance evaluation reports to include 360-degree assessment approach.
Sec. 572. Report on Department of Defense personnel policies regarding members of the Armed Forces with HIV or Hepatitis B.
Sec. 573. Policy on military recruitment and enlistment of graduates of secondary schools.
Sec. 574. Comptroller General report on use of determination of personality disorder or adjustment disorder as basis to separate members from the Armed Forces.

Subtitle I—Other Matters

Sec. 581. Accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing and related reports.
Sec. 582. Expansion of privileged information authorities to debriefing reports of certain recovered persons who were never placed in a missing status.
Sec. 583. Revision of specified senior military colleges to reflect consolidation of North Georgia College and State University and Gainesville State College.
Sec. 584. Review of security of military installations, including barracks, temporary lodging facilities, and multi-family residences.
Sec. 585. Authority to enter into concessions contracts at Army National Military Cemeteries.
Sec. 586. Military salute during recitation of pledge of allegiance by members of the Armed Forces not in uniform and by veterans.
Sec. 587. Improved climate assessments and dissemination of results.

Subtitle A—Officer Personnel Policy Generally

SEC. 501. CONGRESSIONAL NOTIFICATION REQUIREMENTS RELATED TO INCREASES IN NUMBER OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY OR IN JOINT DUTY ASSIGNMENTS.

(a) CONGRESSIONAL NOTIFICATION REQUIRED; BASELINES.—Section 526 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively; and

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

"(h) ACTIVE-DUTY BASELINE.—

Effective date. Time period.

"(1) NOTICE AND WAIT REQUIREMENT.—If the Secretary of a military department proposes an action that would increase above the baseline the number of general officers or flag officers of an armed force under the jurisdiction of that Secretary who would be on active duty and would count against the statutory limit applicable to that armed force under subsection (a), the action shall not take effect until after the end of the 60-calendar day period beginning on the date on which the Secretary provides notice of the proposed action, including the rationale for the action, to the Committees on Armed Services of the House of Representatives and the Senate.

"(2) BASELINE DEFINED.—For purposes of paragraph (1), the term 'baseline' for an armed force means the lower of—

"(A) the statutory limit of general officers or flag officers of that armed force under subsection (a); or

"(B) the actual number of general officers or flag officers of that armed force who, as of January 1, 2014, counted toward the statutory limit of general officers or flag officers of that armed force under subsection (a).

"(3) LIMITATION.—If, at any time, the actual number of general officers or flag officers of an armed force who count toward the statutory limit of general officers or flag officers of that armed force under subsection (a) exceeds such statutory limit, then no increase described in paragraph (1) for that armed force may occur until the general officer or flag officer total for that armed force is reduced below such statutory limit.

"(i) JOINT DUTY ASSIGNMENT BASELINE.—

Effective date. Time period.

"(1) NOTICE AND WAIT REQUIREMENT.—If the Secretary of Defense, the Secretary of a military department, or the Chairman of the Joint Chiefs of Staff proposes an action that would

increase above the baseline the number of general officers and flag officers of the armed forces in joint duty assignments who count against the statutory limit under subsection (b)(1), the action shall not take effect until after the end of the 60-calendar day period beginning on the date on which the Secretary or Chairman, as the case may be, provides notice of the proposed action, including the rationale for the action, to the Committees on Armed Services of the House of Representatives and the Senate.

"(2) BASELINE DEFINED.—For purposes of paragraph (1), the term 'baseline' means the lower of—

"(A) the statutory limit on general officer and flag officer positions that are joint duty assignments under subsection (b)(1); or

"(B) the actual number of general officers and flag officers who, as of January 1, 2014, were in joint duty assignments counted toward the statutory limit under subsection (b)(1).

"(3) LIMITATION.—If, at any time, the actual number of general officers and flag officers in joint duty assignments counted toward the statutory limit under subsection (b)(1) exceeds such statutory limit, then no increase described in paragraph (1) may occur until the number of general officers and flag officers in joint duty assignments is reduced below such statutory limit.".

(b) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than February 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report specifying—

(A) the numbers of general officers and flag officers who, as of January 1, 2014, counted toward the service-specific limits of subsection (a) of section 526 of title 10, United States Code; and

(B) the number of general officers and flag officers in joint duty assignments who, as of January 1, 2014, counted toward the statutory limit under subsection (b)(1) of such section.

(2) ANNUAL REPORTS.—Section 526 of title 10, United States Code, is further amended by inserting after subsection (i), as added by subsection (a)(2) of this section, the following new subsection:

"(j) ANNUAL REPORT ON GENERAL OFFICER AND FLAG OFFICER NUMBERS.—Not later than March 1, 2015, and each March 1 thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report specifying—

"(1) the numbers of general officers and flag officers who, as of January 1 of the calendar year in which the report is submitted, counted toward the service-specific limits of subsection (a); and

"(2) the number of general officers and flag officers in joint duty assignments who, as of such January 1, counted toward the statutory limit under subsection (b)(1).".

(c) EFFECTIVE DATE.—The amendments made by this is section shall take effect on January 1, 2014. 10 USC 526 note.

SEC. 502. SERVICE CREDIT FOR CYBERSPACE EXPERIENCE OR ADVANCED EDUCATION UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.

Section 533 of title 10, United States Code, is amended—

(1) in subsections (a)(2) and (c), by inserting "or (g)" after "subsection (b)"; and

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

Regulations. Determination.

"(g)(1) Under regulations prescribed by the Secretary of Defense, if the Secretary of a military department determines that the number of commissioned officers with cyberspace-related experience or advanced education serving on active duty in an armed force under the jurisdiction of such Secretary is critically below the number needed, such Secretary may credit any person receiving an original appointment with a period of constructive service for the following:

"(A) Special experience or training in a particular cyberspace-related field if such experience or training is directly related to the operational needs of the armed force concerned.

"(B) Any period of advanced education in a cyberspace-related field beyond the baccalaureate degree level if such advanced education is directly related to the operational needs of the armed force concerned.

"(2) Constructive service credited an officer under this subsection shall not exceed one year for each year of special experience, training, or advanced education, and not more than three years total constructive service may be credited.

"(3) Constructive service credited an officer under this subsection is in addition to any service credited that officer under subsection (a) and shall be credited at the time of the original appointment of the officer.

Expiration date.

"(4) The authority to award constructive service credit under this subsection expires on December 31, 2018.".

SEC. 503. SELECTIVE EARLY RETIREMENT AUTHORITY FOR REGULAR OFFICERS AND SELECTIVE EARLY REMOVAL OF OFFICERS FROM RESERVE ACTIVE-STATUS LIST.

(a) REGULAR OFFICERS ON THE ACTIVE-DUTY LIST CONSIDERED FOR SELECTIVE EARLY RETIREMENT.—

(1) LIEUTENANT COLONELS AND COMMANDERS.—Subparagraph (A) of section 638a(b)(2) of title 10, United States Code, is amended by striking "would be subject to" and all that follows through "two or more times)" and inserting "have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion".

(2) COLONELS AND NAVY CAPTAINS.—Subparagraph (B) of such section is amended by striking "would be subject to" and all that follows through "not less than two years)" and inserting "have served on active duty in that grade for at least two years and whose names are not on a list of officers recommended for promotion".

(b) OFFICERS CONSIDERED FOR SELECTIVE EARLY REMOVAL FROM RESERVE ACTIVE-STATUS LIST.—Section 14704 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "(1)" before "Whenever";

(B) by striking "all officers on that list" and inserting "officers on the reserve active-status list";

(C) by striking "the reserve active-status list, in the number specified by the Secretary by each grade and competitive category." and inserting "that list."; and

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

"(2) Except as provided in paragraph (3), the list of officers in a reserve component whose names are submitted to a board under paragraph (1) shall include each officer on the reserve active-status list for that reserve component in the same grade and competitive category whose position on the reserve active-status list is between—

"(A) that of the most junior officer in that grade and competitive category whose name is submitted to the board; and

"(B) that of the most senior officer in that grade and competitive category whose name is submitted to the board.

"(3) A list submitted to a board under paragraph (1) may not include an officer who—

"(A) has been approved for voluntary retirement; or

"(B) is to be involuntarily retired under any provision of law during the fiscal year in which the board is convened or during the following fiscal year.";

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

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

"(b) SPECIFICATION OF NUMBER OF OFFICERS WHO MAY BE RECOMMENDED FOR SEPARATION.—The Secretary of the military department concerned shall specify the number of officers described in subsection (a)(1) that a board may recommend for separation under subsection (c).".

Subtitle B—Reserve Component Management

SEC. 511. SUICIDE PREVENTION EFFORTS FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) IMPROVED OUTREACH UNDER SUICIDE PREVENTION AND RESILIENCE PROGRAM.—Section 10219 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

"(f) OUTREACH FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.—(1) Upon the request of an adjutant general of a State, the Secretary may share with the adjutant general the contact information of members described in paragraph (2) who reside in such State in order for the adjutant general to include such members in suicide prevention efforts conducted under this section.

"(2) Members described in this paragraph are—

"(A) members of the Individual Ready Reserve; and

"(B) members of a reserve component who are individual mobilization augmentees.".

(b) INCLUSION IN DEPARTMENT OF DEFENSE COMMUNITY PARTNERSHIPS PILOT PROGRAM.—Section 706 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1800; 10 U.S.C. 10101 note) is amended—

(1) in subsections (a) and (e), by striking "and substance use disorders and traumatic brain injury" and inserting ", substance use disorders, traumatic brain injury, and suicide prevention"; and

(2) in subsection (c)(3), by striking "and substance use disorders and traumatic brain injury described in paragraph (1)" and inserting ", substance use disorders, traumatic brain injury, and suicide prevention".

Time period. Regulations. 32 USC prec. 301 note.

SEC. 512. REMOVAL OF RESTRICTIONS ON THE TRANSFER OF OFFICERS BETWEEN THE ACTIVE AND INACTIVE NATIONAL GUARD.

(a) ARMY NATIONAL GUARD.—During the period ending on December 31, 2016, under regulations prescribed by the Secretary of the Army:

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

(2) An officer of the Army National Guard transferred to the inactive Army National Guard pursuant to paragraph (1) may be transferred from the inactive Army National Guard to the active Army National Guard to fill a vacancy in a federally recognized unit.

(b) AIR NATIONAL GUARD.—During the period ending on December 31, 2016, under regulations prescribed by the Secretary of the Air Force:

(1) An officer of the Air National Guard who fills a vacancy in a federally recognized unit of the Air National Guard may be transferred from the active Air National Guard to the inactive Air National Guard.

(2) An officer of the Air National Guard transferred to the inactive Air National Guard pursuant to paragraph (1) may be transferred from the inactive Air National Guard to the active Air National Guard to fill a vacancy in a federally recognized unit.

Time periods. 10 USC 12301 note.

SEC. 513. LIMITATIONS ON CANCELLATIONS OF DEPLOYMENT OF CERTAIN RESERVE COMPONENT UNITS AND INVOLUNTARY MOBILIZATIONS OF CERTAIN RESERVES.

(a) LIMITATION ON CANCELLATION OF DEPLOYMENT OF CERTAIN UNITS WITHIN 180 DAYS OF SCHEDULED DEPLOYMENT.—

(1) LIMITATION.—The deployment of a unit of a reserve component of the Armed Forces described in paragraph (2) may not be cancelled during the 180-day period ending on the date on which the unit is otherwise scheduled for deployment without the approval, in writing, of the Secretary of Defense.

(2) COVERED DEPLOYMENTS.—A deployment of a unit of a reserve component described in this paragraph is a deployment whose cancellation as described in paragraph (1) is due to the deployment of a unit of a regular component of the Armed Forces to carry out the mission for which the unit of the reserve component was otherwise to be deployed.

(3) NOTICE TO CONGRESS AND GOVERNORS ON APPROVAL OF CANCELLATION OF DEPLOYMENT.—On approving the cancellation of deployment of a unit under paragraph (1), the Secretary shall submit to the congressional defense committees and the

Governor concerned a notice on the approval of cancellation of deployment of the unit.

(b) ADVANCE NOTICE TO CERTAIN RESERVES ON INVOLUNTARY MOBILIZATION.—

(1) ADVANCE NOTICE REQUIRED.—The Secretary concerned may not provide less than 120 days advance notice of an involuntary mobilization to a member of the reserve component of the Armed Forces described in paragraph (2) without the approval, in writing, of the Secretary of Defense.

(2) COVERED RESERVES.—A member of a reserve component described in this paragraph is a member as follows:

(A) A member who is not assigned to a unit organized to serve as a unit.

(B) A member who is to be mobilized apart from the member's unit.

(3) COMMENCEMENT OF APPLICABILITY.—This subsection shall apply with respect to members who are mobilized on or after the date that is 120 days after the date of the enactment of this Act.

(4) SECRETARY CONCERNED DEFINED.—In this subsection, the term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(5) SUNSET.—This subsection shall cease to apply as of the date of the completion of the withdrawal of United States combat forces from Afghanistan. Afghanistan.

(c) NONDELEGATION OF APPROVAL.—The Secretary of Defense may not delegate the approval of cancellations of deployments of units under subsection (a) or the approval of mobilization of Reserves without advance notice under subsection (b).

SEC. 514. REVIEW OF REQUIREMENTS AND AUTHORIZATIONS FOR RESERVE COMPONENT GENERAL AND FLAG OFFICERS IN AN ACTIVE STATUS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the general officer and flag officer requirements for members of the reserve component in an active status.

(b) PURPOSE OF REVIEW.—The purpose of the review is to ensure that the authorized strengths provided in section 12004 of title 10, United States Code, for reserve general officers and reserve flag officers in an active status—

(1) are based on an objective requirements process and are sufficient for the effective management, leadership, and administration of the reserve components;

(2) provide a qualified, sufficient pool from which reserve component general and flag officers can continue to be assigned on active duty in joint duty and in-service military positions;

(3) reflect a review of the appropriateness and number of exemptions provided by subsections (b), (c), and (d) of section 12004 of title 10, United States Code;

(4) reflect the efficiencies that can be achieved through downgrading or elimination of reserve component general or flag officer positions, including through the conversion of certain reserve component general or flag officer positions to senior civilian positions; and

(5) are subjected to periodic review, control, and adjustment.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review, including such recommendations for changes in law and policy related to authorized reserve general and flag officers strengths as the Secretary considers to be appropriate.

SEC. 515. FEASIBILITY OF ESTABLISHING A UNIT OF THE NATIONAL GUARD IN AMERICAN SAMOA AND IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) DETERMINATION REQUIRED.—The Secretary of Defense shall determine the feasibility of establishing—

(1) a unit of the National Guard in American Samoa; and

(2) a unit of the National Guard in the Commonwealth of the Northern Mariana Islands.

(b) FORCE STRUCTURE ELEMENTS.—In making the feasibility determination under subsection (a), the Secretary of Defense shall consider the following:

(1) The allocation of National Guard force structure and manpower to American Samoa and the Commonwealth of the Northern Mariana Islands in the event of the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands, and the impact of this allocation on existing National Guard units in the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

(2) The Federal funding that would be required to support pay, benefits, training operations, and missions of members of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, based on the allocation derived from paragraph (1), and the equipment, including maintenance, required to support such force structure.

(3) The presence of existing infrastructure to support a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the requirement for additional infrastructure, including information technology infrastructure, to support such force structure, based on the allocation derived from paragraph (1).

(4) How a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Island would accommodate the National Guard Bureau's "Essential Ten" homeland defense capabilities (i.e., aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, joint force headquarters, and communications) and reflect regional needs.

(5) The manpower cadre, both military personnel and full-time support, including National Guard technicians, required to establish, maintain, and sustain a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the ability of American Samoa and of the Commonwealth of the Northern Mariana Islands to support demographically a unit of the National Guard at each location.

(6) The ability of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands to maintain unit readiness and the logistical challenges associated with transportation, communications, supply/resupply, and training operations and missions.

(c) SUBMISSION OF CONCLUSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the results of the feasibility determination made under subsection (a). If the Secretary determines that establishment of a unit of the National Guard in American Samoa or the Commonwealth of the Northern Mariana Islands (or both) is feasible, the Secretary shall include in the notification the following: Deadline. Notification.

(1) A determination of whether the executive branch of American Samoa and of the Commonwealth of the Northern Mariana Islands has enacted and implemented statutory authorization for an organized militia as a prerequisite for establishing a unit of the National Guard, and a description of any other steps that such executive branches must take to request and carry out the establishment of a National Guard unit.

(2) A list of any amendments to titles 10, 32, and 37, United States Code, that would have to be enacted by Congress to provide for the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(3) A description of any required Department of Defense actions to establish a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(4) A suggested timeline for completion of the steps and actions described in the preceding paragraphs.

Subtitle C—General Service Authorities

SEC. 521. PROVISION OF INFORMATION UNDER TRANSITION ASSISTANCE PROGRAM ABOUT DISABILITY-RELATED EMPLOYMENT AND EDUCATION PROTECTIONS.

(a) ADDITIONAL ELEMENT OF PROGRAM.—Section 1144(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(9) Provide information about disability-related employment and education protections.".

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsection (b)(9) of such section, as added by subsection (a), by not later than April 1, 2015. Compliance. 10 USC 1144 note.

SEC. 522. MEDICAL EXAMINATION REQUIREMENTS REGARDING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY BEFORE ADMINISTRATIVE SEPARATION.

Section 1177(a)(2) of title 10, United States Code, is amended by inserting after "honorable" the following: ", including an administrative separation in lieu of court-martial,".

SEC. 523. ESTABLISHMENT AND USE OF CONSISTENT DEFINITION OF GENDER-NEUTRAL OCCUPATIONAL STANDARD FOR MILITARY CAREER DESIGNATORS.

(a) ESTABLISHMENT OF DEFINITIONS.—Section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

"(d) DEFINITIONS.—In this section:

"(1) GENDER-NEUTRAL OCCUPATIONAL STANDARD.—The term 'gender-neutral occupational standard', with respect to a military career designator, means that all members of the Armed Forces serving in or assigned to the military career designator must meet the same performance outcome-based standards for the successful accomplishment of the necessary and required specific tasks associated with the qualifications and duties performed while serving in or assigned to the military career designator.

"(2) MILITARY CAREER DESIGNATOR.—The term 'military career designator' refers to—

"(A) in the case of enlisted members and warrant officers of the Armed Forces, military occupational specialties, specialty codes, enlisted designators, enlisted classification codes, additional skill identifiers, and special qualification identifiers; and

"(B) in the case of commissioned officers (other than commissioned warrant officers), officer areas of concentration, occupational specialties, specialty codes, additional skill identifiers, and special qualification identifiers.".

(b) USE OF DEFINITIONS.—Such section is further amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "military occupational career field" and inserting "military career designator"; and

(B) in paragraph (1), by striking "common, relevant performance standards" and inserting "an occupational standard";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "any military occupational specialty" and inserting "any military career designator"; and

(ii) by striking "requirements for members in that specialty and shall ensure (in the case of an occupational specialty" and inserting "requirements as part of the gender-neutral occupational standard for members in that career designator and shall ensure (in the case of a career designator"; and

(B) in paragraph (2)—

(i) by striking "an occupational specialty" and inserting "a military career designator";

(ii) by striking "that occupational specialty" and inserting "that military career designator"; and

(iii) by striking "that specialty" and inserting "that military career designator"; and

(3) in subsection (c)—

(A) by striking "the occupational standards for a military occupational field" and inserting "the gender-neutral

occupational standard for a military career designator"; and

(B) by striking "that occupational field" and inserting "that military career designator".

SEC. 524. SENSE OF CONGRESS REGARDING THE WOMEN IN SERVICE IMPLEMENTATION PLAN. Deadlines.

It is the sense of Congress that the Secretaries of the military departments—

(1) no later than September 2015, should develop, review, and validate individual occupational standards, using validated gender-neutral occupational standards, so as to assess and assign members of the Armed Forces to units, including Special Operations Forces; and Standards.

(2) no later than January 1, 2016, should complete all assessments. Assessments.

SEC. 525. PROVISION OF MILITARY SERVICE RECORDS TO THE SECRETARY OF VETERANS AFFAIRS IN AN ELECTRONIC FORMAT. 10 USC 113 note.

(a) PROVISION IN ELECTRONIC FORMAT.—In accordance with subsection (b), the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall make the covered records of each member of the Armed Forces available to the Secretary of Veterans Affairs in an electronic format. Consultation.

(b) DEADLINE FOR PROVISION OF RECORDS.—With respect to a member of the Armed Forces who is discharged or released from the Armed Forces on or after January 1, 2014, the Secretary of Defense shall ensure that the covered records of the member are made available to the Secretary of Veterans Affairs not later than 90 days after the date of the member's discharge or release.

(c) SHARING OF PROTECTED HEALTH INFORMATION.—For purposes of the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 42 U.S.C. 1320d–2 note), making medical records available to the Secretary of Veterans Affairs under subsection (a) shall be treated as a permitted disclosure.

(d) RECORDS CURRENTLY AVAILABLE TO SECRETARY OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall ensure that the covered records of members of the Armed Forces that are available to the Secretary of Veterans Affairs as of the date of the enactment of this Act are made electronically accessible and available as soon as practicable after that date to the Veterans Benefits Administration. Consultation.

(e) COVERED RECORDS DEFINED.—In this section, the term "covered records" means, with respect to a member of the Armed Forces—

(1) service treatment records;

(2) accompanying personal records;

(3) relevant unit records; and

(4) medical records created by reason of treatment or services received pursuant to chapter 55 of title 10, United States Code.

SEC. 526. REVIEW OF INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) REVIEW.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall conduct a review of— Consultation.

(1) the backlog of pending cases in the Integrated Disability Evaluation System with respect to members of the reserve components of the Armed Forces for the purpose of addressing the matters specified in paragraph (1) of subsection (b); and

(2) the improvements to the Integrated Disability Evaluation System specified in paragraph (2) of such subsection.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services and Veterans' Affairs of the House of Representatives and the Senate a report on the review conducted under subsection (a). Such report shall include the following:

(1) With respect to the reserve components of the Armed Forces—

(A) the number of pending cases that exist as of the date of the report, listed by military department, component, and, with respect to the National Guard, State;

(B) as of the date of the report, the average time it takes the Department of Defense and the Department of Veterans Affairs to process a case through each phase or step of the Integrated Disability Evaluation System under that Department's control;

(C) a description of the measures the Secretary has taken, and will take, to resolve the backlog of cases in the Integrated Disability Evaluation System; and

(D) the date by which the Secretary plans to resolve such backlog for each military department.

(2) With respect to the regular components and reserve components of the Armed Forces—

(A) a description of the progress being made by both the Department of Defense and the Department of Veterans Affairs to transition the Integrated Disability Evaluation System to an integrated and readily accessible electronic format that a member of the Armed Forces may access to see the status of the member during each phase or step of the system;

(B) an estimate of the cost to complete the transition to an integrated and readily accessible electronic format; and

(C) an assessment of the feasibility of improving in-transit visibility of pending cases, including by establishing a method of tracking a pending case when—

(i) a military treatment facility is assigned a packet and pending case for action regarding a member; and

(ii) a packet is at the Veterans Tracking Application and Disability Rating Activity Site of the Department of Veterans Affairs.

(c) PENDING CASE DEFINED.—In this section, the term "pending case" means a case involving a member of the Armed Forces who, as of the date of the review under subsection (a), is within the Integrated Disability Evaluation System and has been referred to a medical evaluation board.

Subtitle D—Military Justice Matters, Other Than Sexual Assault Prevention and Response and Related Reforms

SEC. 531. MODIFICATION OF ELIGIBILITY FOR APPOINTMENT AS JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) MODIFICATION.—Paragraph (4) of section 942(b) of title 10, United States Code (article 142(b) of the Uniform Code of Military Justice), is amended to read as follows:

"(4) A person may not be appointed as a judge of the court within seven years after retirement from active duty as a commissioned officer of a regular component of an armed force.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to appointments to the United States Court of Appeals for the Armed Forces that occur on or after that date.

Applicability.
10 USC 942 note.

SEC. 532. ENHANCEMENT OF PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.

(a) IN GENERAL.—Subsection (a)(1) of section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note) is amended—

(1) by striking "The Armed Forces shall accommodate the beliefs" and inserting "Unless it could have an adverse impact on military readiness, unit cohesion, and good order and discipline, the Armed Forces shall accommodate individual expressions of belief";

(2) by inserting "sincerely held" before "conscience"; and

(3) by striking "use such beliefs" and inserting "use such expression of belief".

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the implementing regulations required by subsection (c) of such section. In prescribing such regulations, the Secretary shall consult with the official military faith-group representatives who endorse military chaplains.

Deadline.
10 USC prec. 1030 note.

Consultation.

SEC. 533. INSPECTOR GENERAL INVESTIGATION OF ARMED FORCES COMPLIANCE WITH REGULATIONS FOR THE PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND THEIR CHAPLAINS.

(a) INVESTIGATION INTO COMPLIANCE; REPORT.—Not later than 18 months after the date on which regulations are issued implementing the protections afforded by section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note), as amended by section 532, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report—

(1) setting forth the results of an investigation by the Inspector General during that 18-month period into the compliance by the Armed Forces with the elements of such regulations

Time period.

on adverse personnel actions, discrimination, or denials of promotion, schooling, training, or assignment for members of the Armed Forces based on conscience, moral principles, or religious beliefs; and

(2) identifying the number of times during the investigation period that the Inspector General of the Department of Defense or the Inspector General of a military department was contacted regarding an incident involving the conscience, moral principles, or religious beliefs of a member of the Armed Forces.

(b) CONSULTATION.—In conducting any analysis, investigation, or survey for purposes of this section, the Inspector General of the Department of Defense shall consult with the Armed Forces Chaplains Board, as appropriate.

SEC. 534. SURVEY OF MILITARY CHAPLAINS VIEWS ON DEPARTMENT OF DEFENSE POLICY REGARDING CHAPLAIN PRAYERS OUTSIDE OF RELIGIOUS SERVICES.

(a) SURVEY REQUIRED.—The Secretary of Defense shall conduct a survey among a statistically valid sample of military chaplains of the regular and reserve components of the Armed Forces, to be selected at random, to assess whether—

(1) restrictions placed on prayers offered in a public or non-religious setting have prevented military chaplains from exercising the tenets of their faith as prescribed by their endorsing faith group; and

(2) those restrictions have had an adverse impact on the ability of military chaplains to fulfill their duties to minister to members of the Armed Forces and their dependents.

(b) DEADLINE FOR COMPLETION.—The Secretary of Defense shall complete the survey required by subsection (a) within one year after the date of the enactment of this Act.

Deadline. Reports.

(c) SUBMISSION OF RESULTS.—Not later than 90 days after completing the survey required by subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—

(1) the survey questionnaire; and

(2) the results of the survey.

Subtitle E—Member Education and Training

SEC. 541. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF CERTAIN EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY THE SECRETARY OF DEFENSE.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2006 the following new section:

10 USC 2006a.

"§ 2006a. Assistance for education and training: availability of certain assistance for use only for certain programs of education

Effective date.

"(a) IN GENERAL.—Effective as of August, 1, 2014, an individual eligible for assistance under a Department of Defense educational assistance program or authority covered by this section may, except

as provided in subsection (b), only use such assistance for educational expenses incurred for a program as follows:

"(1) An eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) that is offered by an institution of higher education that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).

"(2) In the case of a program designed to prepare individuals for licensure or certification in any State, if the program meets the instructional curriculum licensure or certification requirements of such State.

"(3) In the case of a program designed to prepare individuals for employment pursuant to standards developed by a State board or agency in an occupation that requires approval or licensure for such employment, if the program is approved or licensed by such State board or agency.

"(b) WAIVER.—The Secretary of Defense may, by regulation, authorize the use of educational assistance under a Department of Defense educational assistance program or authority covered by this chapter for educational expenses incurred for a program of education that is not described in subsection (a) if the program— Regulations.

"(1) is accredited and approved by a nationally or regionally recognized accrediting agency or association recognized by the Department of Education;

"(2) was not an eligible program described in subsection (a) at any time during the most recent two-year period; Time period.

"(3) is a program that the Secretary determines would further the purposes of the educational assistance programs or authorities covered by this chapter, or would further the education interests of students eligible for assistance under the such programs or authorities; and

"(4) the institution providing the program does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

"(c) DEFINITIONS.—In this section:

"(1) The term 'Department of Defense educational assistance programs and authorities covered by this section' means the programs and authorities as follows:

"(A) The programs to assist military spouses in achieving education and training to expand employment and portable career opportunities under section 1784a of this title.

"(B) The authority to pay tuition for off-duty training or education of members of the armed forces under section 2007 of this title.

"(C) The program of educational assistance for members of the Selected Reserve under chapter 1606 of this title.

"(D) The program of educational assistance for reserve component members supporting contingency operations and certain other operations under chapter 1607 of this title.

Regulations.

"(E) Any other program or authority of the Department of Defense for assistance in education or training carried out under the laws administered by the Secretary of Defense that is designated by the Secretary, by regulation, for purposes of this section.

"(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act for 1965 (20 U.S.C. 1002).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2006 the following new item:

10 USC prec. 2001.

"2006a. Assistance for education and training: availability of certain assistance for use only for certain programs of education.".

10 USC 2006a note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2014.

10 USC 2015 note.

SEC. 542. ENHANCEMENT OF MECHANISMS TO CORRELATE SKILLS AND TRAINING FOR MILITARY OCCUPATIONAL SPECIALTIES WITH SKILLS AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS AND LICENSES.

(a) IMPROVEMENT OF INFORMATION AVAILABLE TO MEMBERS OF THE ARMED FORCES ABOUT CORRELATION.—

Coordination.

(1) IN GENERAL.—The Secretaries of the military departments, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable, make information on civilian credentialing opportunities available to members of the Armed Forces beginning with, and at every stage of, training of members for military occupational specialties, in order to permit members—

(A) to evaluate the extent to which such training correlates with the skills and training required in connection with various civilian certifications and licenses; and

(B) to assess the suitability of such training for obtaining or pursuing such civilian certifications and licenses.

(2) COORDINATION WITH TRANSITION GOALS PLANS SUCCESS PROGRAM.—Information shall be made available under paragraph (1) in a manner consistent with the Transition Goals Plans Success (GPS) program.

(3) TYPES OF INFORMATION.—The information made available under paragraph (1) shall include, but not be limited to, the following:

(A) Information on the civilian occupational equivalents of military occupational specialties (MOS).

(B) Information on civilian license or certification requirements, including examination requirements.

(C) Information on the availability and opportunities for use of educational benefits available to members of the Armed Forces, as appropriate, corresponding training, or continuing education that leads to a certification exam in order to provide a pathway to credentialing opportunities.

(4) USE AND ADAPTATION OF CERTAIN PROGRAMS.—In making information available under paragraph (1), the Secretaries of the military departments may use and adapt appropriate portions of the Credentialing Opportunities On-Line (COOL) programs of the Army and the Navy and the

Credentialing and Educational Research Tool (CERT) of the Air Force.

(b) IMPROVEMENT OF ACCESS OF ACCREDITED CIVILIAN CREDENTIALING AND RELATED ENTITIES TO MILITARY TRAINING CONTENT.—

Coordination.

(1) IN GENERAL.—The Secretaries of the military departments, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable consistent with national security and privacy requirements, make available to entities specified in paragraph (2), upon request of such entities, information such as military course training curricula, syllabi, and materials, levels of military advancement attained, and professional skills developed.

(2) ENTITIES.—The entities specified in this paragraph are the following:

(A) Civilian credentialing agencies.

(B) Entities approved by the Secretary of Veterans Affairs, or by State approving agencies, for purposes of the use of educational assistance benefits under the laws administered by the Secretary of Veterans Affairs.

(3) CENTRAL REPOSITORY.—The actions taken pursuant to paragraph (1) may include the establishment of a central repository of information on training and training materials provided members in connection with military occupational specialities that is readily accessible by entities specified in paragraph (2) in order to meet requests described in paragraph (1).

SEC. 543. REPORT ON THE TROOPS TO TEACHERS PROGRAM.

Not later than March 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Troops to Teachers program that includes each of the following:

(1) An evaluation of whether there is a need to broaden eligibility to allow service members and veterans without a bachelor's degree admission into the program and whether the program can be strengthened.

(2) An evaluation of whether a pilot program should be established to demonstrate the potential benefit of an institutional-based award for troops to teachers, as long as any such pilot program maximizes benefits to service members and minimizes administrative and other overhead costs at the participating academic institutions.

SEC. 544. SECRETARY OF DEFENSE REPORT ON FEASIBILITY OF REQUIRING AUTOMATIC OPERATION OF CURRENT PROHIBITION ON ACCRUAL OF INTEREST ON DIRECT STUDENT LOANS OF CERTAIN MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with relevant Federal agencies, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report addressing—

(1) the feasibility of automatic application of the benefits provided under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)) for members of the Armed Forces eligible for the benefits; and

Determination.

(2) if the Secretary determines automatic application of such benefits is feasible, how the Department of Defense would implement the automatic operation of the current prohibition on the accrual of interest on direct student loans of certain members, including the Federal agencies with which the Department of Defense would coordinate.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

SEC. 551. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2014 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term "local educational agency" has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 552. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2014 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

SEC. 553. TREATMENT OF TUITION PAYMENTS RECEIVED FOR VIRTUAL ELEMENTARY AND SECONDARY EDUCATION COMPONENT OF DEPARTMENT OF DEFENSE EDUCATION PROGRAM.

(a) CREDITING OF PAYMENTS.—Section 2164(l) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) Any payments received by the Secretary of Defense under this subsection shall be credited to the account designated by the Secretary for the operation of the virtual educational program under this subsection. Payments so credited shall be merged with other funds in the account and shall be available, to the extent provided in advance in appropriation Acts, for the same purposes and the same period as other funds in the account.".

10 USC 2164 note.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply only with respect to tuition payments received under section 2164(l) of title 10, United States Code, for

enrollments authorized by such section, after the date of the enactment of this Act, in the virtual elementary and secondary education program of the Department of Defense education program.

SEC. 554. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.

10 USC 1785 note.

(a) PILOT PROGRAMS AUTHORIZED.—Consistent with such regulations as the Secretary of Defense may prescribe to carry out this section, the Commander of the United States Special Operations Command may conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of members of the Armed Forces assigned to special operations forces. In selecting and conducting any pilot program under this subsection, the Commander shall coordinate with the Under Secretary of Defense for Personnel and Readiness.

Coordination.

(b) SELECTION OF PROGRAMS.—In selecting the pilot programs to be conducted under subsection (a), the Commander shall—

(1) identify family support activities that have a direct and concrete impact on the readiness of special operations forces, but that are not being provided by the Secretary of a military department to the immediate family members of members of the Armed Forces assigned to special operations forces; and

(2) conduct a cost-benefit analysis of each family support activity proposed to be included in a pilot program.

Analysis.

(c) EVALUATION.—The Commander shall develop outcome measurements to evaluate the success of each family support activity included in a pilot program under subsection (a).

(d) ADDITIONAL AUTHORITY.—The Commander may expend up to $5,000,000 during each fiscal year specified in subsection (f) to carry out the pilot programs under subsection (a).

(e) DEFINITIONS.—In this section:

(1) The term "Commander" means the Commander of the United States Special Operations Command.

(2) The term "immediate family members" has the meaning given that term in section 1789(c) of title 10, United States Code.

(3) The term "special operations forces" means those forces of the Armed Forces identified as special operations forces under section 167(i) of such title.

(f) DURATION OF PILOT PROGRAM AUTHORITY.—The authority provided by subsection (a) is available to the Commander during fiscal years 2014 through 2016.

(g) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after completing a pilot program under subsection (a), the Commander shall submit to the congressional defense committees a report describing the results of the pilot program. The Commander shall prepare the report in coordination with the Under Secretary of Defense for Personnel and Readiness.

Coordination.

(2) ELEMENTS OF REPORT.—The report shall include the following:

(A) A description of the pilot program to address family support requirements not being provided by the Secretary of a military department to immediate family members

of members of the Armed Forces assigned to special operations forces.

(B) An assessment of the impact of the pilot program on the readiness of members of the Armed Forces assigned to special operations forces.

(C) A comparison of the pilot program to other programs conducted by the Secretaries of the military departments to provide family support to immediate family members of members of the Armed Forces.

(D) Recommendations for incorporating the lessons learned from the pilot program into family support programs conducted by the Secretaries of the military departments.

(E) Any other matters considered appropriate by the Commander or the Under Secretary of Defense for Personnel and Readiness.

SEC. 555. SENSE OF CONGRESS ON PARENTAL RIGHTS OF MEMBERS OF THE ARMED FORCES IN CHILD CUSTODY DETERMINATIONS.

It is the sense of Congress that State courts should not consider a military deployment, including past, present, or future deployment, as the sole factor in determining child custody in a State court proceeding involving a parent who is a member of the Armed Forces. The best interest of the child should always prevail in custody cases, but members of the Armed Forces should not lose custody of their children based solely upon service in the Armed Forces in defense of the United States.

Subtitle G—Decorations and Awards

SEC. 561. REPEAL OF LIMITATION ON NUMBER OF MEDALS OF HONOR THAT MAY BE AWARDED TO THE SAME MEMBER OF THE ARMED FORCES.

(a) ARMY.—Section 3744(a) of title 10, United States Code, is amended by striking "medal of honor, distinguished-service cross," and inserting "distinguished-service cross".

(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, Air Force cross," and inserting "Air Force Cross".

SEC. 562. STANDARDIZATION OF TIME-LIMITS FOR RECOMMENDING AND AWARDING MEDAL OF HONOR, DISTINGUISHED-SERVICE CROSS, NAVY CROSS, AIR FORCE CROSS, AND DISTINGUISHED-SERVICE MEDAL.

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

(1) in subsection (b)—

(A) in paragraph (1), by striking "three years" and inserting "five years"; and

(B) in paragraph (2), by striking "two years" and inserting "three years"; and

(2) in subsection (d)(1), by striking "two years" and inserting "three years".

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

(1) in subsection (b)—

(A) in paragraph (1), by striking "three years" and inserting "five years"; and

(B) in paragraph (2), by striking "two years" and inserting "three years"; and

(2) in subsection (d)(1), by striking "two years" and inserting "three years".

SEC. 563. RECODIFICATION AND REVISION OF ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL REQUIREMENTS.

(a) AUTOMATIC ENROLLMENT AND FURNISHING OF CERTIFICATE.—

(1) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1134 the following new section:

"§ 1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll 10 USC 1134a.

"(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 in which the Coast Guard is operating a roll designated as the 'Army, Navy, Air Force, and Coast Guard Medal of Honor Roll'.

"(b) ENROLLMENT.—The Secretary concerned shall enter and record on the Army, Navy, Air Force, and Coast Guard Medal of Honor 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) ISSUANCE OF ENROLLMENT CERTIFICATE.—Each living person whose name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll shall be issued a certificate of enrollment on the roll.

"(d) ENTITLEMENT TO SPECIAL PENSION; NOTICE TO SECRETARY OF VETERANS AFFAIRS.—The Secretary concerned shall deliver to the Secretary of Veterans Affairs a certified copy of each certificate of enrollment issued under subsection (c). The copy of the certificate 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.". Certification.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1134 the following new item: 10 USC prec. 1121.

"1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.".

(b) SPECIAL PENSION.—

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

(A) by striking "each person" and inserting "each living person";

(B) by striking "Honor roll" and inserting "Honor Roll";

(C) by striking "subsection (c) of section 1561 of this title" and inserting "subsection (d) of section 1134a of title 10"; and

(D) by striking "date of application therefor under section 1560 of this title" and inserting "date on which the

person's name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll under subsection (b) of such section".

(2) ELECTION TO DECLINE SPECIAL PENSION.—Such section is further amended by adding at the end the following new subsection:

Notification.

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

"(2) Upon receipt of an election made by a person under paragraph (1) not to receive special pension, the Secretary shall cease payments of special pension to the person.".

(c) CONFORMING AMENDMENTS.—

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

38 USC prec. 1501.

(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.

10 USC 1134a note.

(d) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to Medals of Honor awarded on or after the date of the enactment of this Act.

SEC. 564. PROMPT REPLACEMENT OF MILITARY DECORATIONS.

Section 1135 of title 10, United States Code, is amended—

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

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

"(b) PROMPT REPLACEMENT REQUIRED.—When a request for the replacement of a military decoration is received under this section or section 3747, 3751, 6253, 8747, or 8751 of this title, the Secretary concerned shall ensure that—

"(1) all actions to be taken with respect to the request, including verification of the service record of the recipient of the military decoration, are completed within one year; and

Deadline.

"(2) the replacement military decoration is mailed to the person requesting the replacement military decoration within 90 days after verification of the service record.".

SEC. 565. REVIEW OF ELIGIBILITY FOR, AND AWARD OF, PURPLE HEART TO VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.

(a) REVIEW REGARDING SPECIFIED ATTACKS.—

(1) REVIEW AND AWARD REQUIRED.—The Secretary of the military department concerned shall—

(A) review the circumstances of the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009, in which members of the Armed Forces were killed and wounded; and

(B) award the Purple Heart to each member determined pursuant to such review to be eligible for the award of the Purple Heart in connection with the death or wounding of the member in the attacks.

(2) CONSIDERATION OF CERTAIN EVIDENCE.—In reviewing all the evidence related to the incidents described in paragraph (1) and the criteria established under Executive Order 11016 (Authorizing the Award of the Purple Heart), the Secretary

of the military department concerned shall specifically, but not exclusively, assess whether the members of the Armed Forces killed or wounded at Fort Hood and Little Rock qualify for award of the Purple Heart under the criteria as members of the Armed Forces who were killed or wounded as a result of an act of an enemy of the United States.

(3) SUBMISSION.—The results of the review shall be provided to the Committees on Armed Services of the Senate and the House of Representatives within 180 days after the date of the enactment of this Act. Deadline.

(4) EXCEPTION.—A Purple Heart may not be awarded pursuant to paragraph (1)(B) to a member of the Armed Forces whose death or wound in an attack described in paragraph (1)(A) was the result of the willful misconduct of the member.

(b) REVIEW OF THE CRITERIA FOR AWARDING PURPLE HEART.—

(1) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the criteria used to determine the eligibility of members of the Armed Forces for the award of the Purple Heart. The review shall include the policies and procedures for determining eligibility for the award of the Purple Heart to members who sustain injuries through acts of violence. The purpose of the review is to determine whether those criteria remain relevant for the broad range of circumstances in and outside the United States in which members are killed or wounded.

(2) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review. The report shall include the findings of the review and any recommendations the Secretary considers appropriate regarding modifying the criteria for eligibility for the Purple Heart. Deadline. Reports.

SEC. 566. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FORMER MEMBERS OF THE ARMED FORCES PREVIOUSLY RECOMMENDED FOR AWARD OF THE MEDAL OF HONOR.

Section 552(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 3741 note) is amended—

(1) by inserting "(1)" after "HONOR.—"; and

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

"(2) In addition to the authority provided by paragraph (1), a Medal of Honor may be awarded to a veteran of the Armed Forces who, although not a Jewish-American war veteran or Hispanic-American war veteran described in subsection (b), was identified during the review of service records conducted under subsection (a) and regarding whom the Secretary of Defense submitted, before January 1, 2014, a recommendation to the President that the President award the Medal of Honor to that veteran.". Deadline.

SEC. 567. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) SERGEANT FIRST CLASS BENNIE G. ADKINS.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the

awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Bennie G. Adkins of the United States Army for the acts of valor during the Vietnam War described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of then Sergeant First Class Bennie G. Adkins of the United States Army serving with Special Forces Detachment A–102 from March 9 to 12, 1966, during the Vietnam War for which he was originally awarded the Distinguished-Service Cross.

(b) SPECIALIST FOUR DONALD P. SLOAT.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Donald P. Sloat of the United States Army for the acts of valor during the Vietnam War described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of then Specialist Four Donald P. Sloat of the United States Army serving with 3rd Platoon, Delta Company, 2nd Battalion, 1st Infantry, 196th Light Infantry Brigade, Americal Division on January 17, 1970, during the Vietnam War.

SEC. 568. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR ACTS OF VALOR DURING THE KOREAN AND VIETNAM WARS.

(a) SERGEANT FIRST CLASS ROBERT F. KEISER.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to Sergeant First Class Robert F. Keiser for the acts of valor described in paragraph (2) during the Korean War.

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Robert F. Keiser's on November 30, 1950, as a member of the 2d Military Police Company, 2d Infantry Division, United States Army, during the Division's successful withdrawal from the Kunuri-Sunchon Pass.

(b) SERGEANT FIRST CLASS PATRICK N. WATKINS, JR..—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Patrick N. Watkins, Jr., for the acts of valor described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Sergeant First Class Patrick N. Watkins, Jr., from August 22 to August 23, 1968, as a member of the United States Army serving in the grade

of Sergeant First Class in the Republic of Vietnam while serving with Headquarters and Headquarters Company, 5th Special Forces Group (Airborne), 1st Special Forces Regiment.

(c) SPECIALIST FOUR ROBERT L. TOWLES.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Robert L. Towles for the acts of valor described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Specialist Four Robert L. Towles, on November 17, 1965, as a member of the United States Army serving in the grade of Specialist Four during the Vietnam War while serving in Company D, 2d Battalion, 7th Cavalry, 1st Cavalry Division, for which he was originally awarded the Bronze Star with "V" Device.

SEC. 569. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the Civil War.

Subtitle H—Other Studies, Reviews, Policies, and Reports

SEC. 571. REPORT ON FEASIBILITY OF EXPANDING PERFORMANCE EVALUATION REPORTS TO INCLUDE 360-DEGREE ASSESSMENT APPROACH.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of an assessment of the feasibility of including a 360-degree assessment approach, modeled after the current Department of the Army Multi-Source Assessment and Feedback (MSAF) Program, as part of performance evaluation reports.

SEC. 572. REPORT ON DEPARTMENT OF DEFENSE PERSONNEL POLICIES REGARDING MEMBERS OF THE ARMED FORCES WITH HIV OR HEPATITIS B.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees

on Armed Services of the Senate and the House of Representatives a report on Department of Defense personnel policies regarding members of the Armed Forces infected with human immunodeficiency virus (HIV) or Hepatitis B. The report shall include the following:

(1) A description of policies addressing the enlistment or commissioning of individuals with these conditions and retention policies, deployment policies, discharge policies, and disciplinary policies regarding individuals with these conditions.

(2) An assessment of these policies, including an assessment of whether the policies reflect an evidence-based, medically accurate understanding of how these conditions are contracted, how these conditions can be transmitted to other individuals, and the risk of transmission.

10 USC 503 note.

SEC. 573. POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

(1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) RULE OF CONSTRUCTION.—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

SEC. 574. COMPTROLLER GENERAL REPORT ON USE OF DETERMINATION OF PERSONALITY DISORDER OR ADJUSTMENT DISORDER AS BASIS TO SEPARATE MEMBERS FROM THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating—

(1) the use by the Secretaries of the military departments, since January 1, 2007, of the authority to separate members of the Armed Forces from the Armed Forces due of unfitness

for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder and the total number of members separated on such basis;

(2) the extent to which the Secretaries failed to comply with regulatory requirements in separating members of the Armed Forces on the basis of a personality or adjustment disorder; and

(3) the impact of such a separation on the ability of veterans so separated to access service-connected disability compensation, disability severance pay, and disability retirement pay.

Subtitle I—Other Matters

SEC. 581. ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING AND RELATED REPORTS.

(a) SYSTEM FOR ACCOUNTING FOR MISSING PERSONS.—Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking "and" at the end;

(2) in subparagraph (C), by striking the period at the end and inserting "; and"; and

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

"(D) the dissemination of appropriate information on the status of missing persons to authorized family members.".

(b) REPORT ON ACCOUNTING FOR POW/MIAS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on accounting for missing persons from covered conflicts.

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

(A) The total number of missing persons in all covered conflicts and in each covered conflict.

(B) The total number of missing persons in all covered conflicts, and in each covered conflict, that are considered unrecoverable, including—

(i) the total number in each conflict that are considered unrecoverable by being lost at sea or in inaccessible terrain;

(ii) the total number from the Korean War that are considered to be located in each of China, North Korea, and Russia.

(C) The total number of missing persons in all covered conflicts, and in each covered conflict, that were interred without identification, including the locations of interment.

(D) The number of remains in the custody of the Department of Defense that are awaiting identification, and the number of such remains estimated by the Department to be likely to be identified using current technology.

(E) The total number of identifications of remains that have been made since January 1, 1970, for all covered conflicts and for each covered conflict.

(F) The number of instances where next of kin have refused to provide a DNA sample for the identification of recovered remains, for each covered conflict.

(3) DEFINITIONS.—In this subsection:

(A) The term "appropriate committees of Congress" means—

(i) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

(B) The term "covered conflicts" means the conflicts specified in or designated under section 1509(a) of title 10, United States Code, as of the date of the report required by paragraph (1).

(C) The term "missing persons" has the meaning given that term in section 1513(1) of such title.

(c) REPORT ON POW/MIA ACCOUNTING COMMUNITY.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the POW/MIA accounting community.

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

(A) A description and assessment of the current structure of the POW/MIA accounting community.

(B) A description of how the Secretary of Defense will ensure increased oversight of the POW/MIA accounting mission regardless of changes to the POW/MIA accounting community.

(C) An assessment of the feasibility and advisability of reorganizing the community into a single, central command, including—

(i) an identification of the elements that could be organized into such command; and

(ii) an assessment of cost-savings, advantages, and disadvantages of—

(I) transferring the command and control of the Joint POW/MIA Accounting Command (JPAC) and the Central Identification Laboratory (CIL) from the United States Pacific Command to the Office of the Secretary of Defense;

(II) merging the Joint POW/MIA Accounting Command and the Central Identification Laboratory with the Defense Prisoner of War/Missing Personnel Office (DPMO); and

(III) merging the Central Identification Laboratory with the Armed Forces DNA Identification Lab (AF-DIL).

(D) A recommendation on the element of the Department of Defense to be responsible for directing POW/MIA accounting activities, and on whether all elements of the POW/MIA accounting community should report to that element.

(E) An estimate of the costs to be incurred, and the cost savings to be achieved—

(i) by relocating central POW/MIA accounting activities to the continental United States;

(ii) by closing or consolidating existing Joint POW/MIA Accounting Command facilities; and

(iii) through any actions with respect to the POW/MIA accounting community and POW/MIA accounting activities that the Secretary considers advisable for purposes of the report.

(F) An assessment of the feasibility and advisability of the use by the Department of university anthropology or archaeology programs to conduct field work, particularly in politically sensitive environments, including an assessment of—

(i) the potential cost of the use of such programs;

(ii) whether the use of such programs would result in a greater number of identifications; and

(iii) whether the use of such programs would be consistent with requirements to preserve the integrity of the identification process.

(G) A survey of the manner in which other countries conduct accounting for missing persons, and an assessment whether such practices can be used by the United States to enhance programs to recover and identify missing members of the United States Armed Forces.

(H) A recommendation as to the advisability of continuing to use a military model for recovery operations, including the impact of the use of such model on diplomatic relations with countries in which the United States seeks to conduct recovery operations.

(I) Such recommendations for the reorganization of the POW/MIA accounting community as the Secretary considers appropriate in light of the other elements of the report, including an estimate of the additional numbers of recoveries and identifications anticipated to be made by the accounting community as a result of implementation of the reorganization.

(3) BASIS IN PREVIOUS RECOMMENDATIONS.—The report required by paragraph (1) shall take into account recommendations previously made by the Director of Cost Assessment and Program Evaluation, the Inspector General of the Department of Defense, and the Comptroller General of the United States regarding the organization of the POW/MIA accounting community.

(4) DEFINITIONS.—In this subsection:

(A) The term "appropriate committees of Congress" means—

(i) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

(B) The term "POW/MIA accounting community" has the meaning given that term in section 1509(b)(2) of title 10, United States Code.

SEC. 582. EXPANSION OF PRIVILEGED INFORMATION AUTHORITIES TO DEBRIEFING REPORTS OF CERTAIN RECOVERED PERSONS WHO WERE NEVER PLACED IN A MISSING STATUS.

(a) EXPANSION OF COVERED REPORTS.—Section 1506 of title 10, United States Code, is amended—

(1) in subsection (d)—

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

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

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

(2) in subsection (f), by striking "paragraphs (2) and (3)" and inserting "paragraphs (3) and (4)".

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

"(9) The term 'survival, evasion, resistance, and escape debriefing' 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. 583. REVISION OF SPECIFIED SENIOR MILITARY COLLEGES TO REFLECT CONSOLIDATION OF NORTH GEORGIA COLLEGE AND STATE UNIVERSITY AND GAINESVILLE STATE COLLEGE.

Paragraph (6) of section 2111a(f) of title 10, United States Code, is amended to read as follows:

"(6) The University of North Georgia.".

SEC. 584. REVIEW OF SECURITY OF MILITARY INSTALLATIONS, INCLUDING BARRACKS, TEMPORARY LODGING FACILITIES, AND MULTI-FAMILY RESIDENCES.

(a) REVIEW OF SECURITY MEASURES.—The Secretary of Defense shall conduct a review of security measures on United States military installations, specifically with regard to access to barracks, temporary lodging facilities, and multi-family residences on military installations, for the purpose of ensuring the safety of members of the Armed Forces and their dependents who reside on military installations.

(b) ELEMENTS OF STUDY.—In conducting the review under subsection (a), the Secretary shall—

(1) identify security gaps on military installations; and

(2) evaluate the feasibility and effectiveness of using 24-hour electronic monitoring or other security measures to protect members and their dependents.

Deadline. Reports.

(c) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted

under subsection (a), including proposed security measures and an estimate of the costs—

(1) to eliminate all security gaps identified under subsection (b)(1); and

(2) to provide 24-hour security monitoring or other security measures as evaluated under subsection (b)(2).

SEC. 585. AUTHORITY TO ENTER INTO CONCESSIONS CONTRACTS AT ARMY NATIONAL MILITARY 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

10 USC 4727.

"(a) CONTRACTS AUTHORIZED.—The Secretary of the Army may enter into a contract with an appropriate entity for the provision of transportation, interpretative, or other necessary or appropriate concession services to visitors at the Army National Military Cemeteries.

"(b) SPECIAL REQUIREMENTS.—(1) The Secretary of the Army shall establish and include in each concession contract such requirements as the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under the contract.

"(2) A concession contract shall not include operation of the gift shop at Arlington National Cemetery without the specific prior authorization by an Act of Congress.

"(c) FRANCHISE FEES.—A concession contract shall provide for payment to the United States of a franchise fee or such other monetary consideration as determined by the Secretary of the Army. The Secretary shall ensure that the objective of generating revenue for the United States is 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 to the Cemeteries at reasonable rates.

"(d) SPECIAL ACCOUNT.—All franchise fees (and other monetary consideration) collected by the United States under subsection (c) shall be deposited into a special account established in the Treasury of the United States. The funds deposited in such account shall be available for expenditure by the Secretary of the Army, to the extent authorized and in such amounts as are provided in advance in appropriations Acts, to support activities at the Cemeteries. The funds deposited into the account shall remain available until expended.

"(e) CONCESSION CONTRACT DEFINED.—In this section, the term 'concession contract' means a contract authorized and entered into under this section.".

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

10 USC prec. 4721.

"4727. Cemetery concessions contracts.".

SEC. 586. MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: "Members of the Armed

Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.".

10 USC 1561 note.

SEC. 587. IMPROVED CLIMATE ASSESSMENTS AND DISSEMINATION OF RESULTS.

(a) IMPROVED DISSEMINATION OF RESULTS IN CHAIN OF COMMAND.—The Secretary of Defense shall ensure that the results of command climate assessments are provided to the relevant individual commander and to the next higher level of command.

(b) EVIDENCE OF COMPLIANCE.—The Secretary of each military department shall require in the performance evaluations and assessments used by each Armed Force under the jurisdiction of the Secretary a statement by the commander regarding whether the commander has conducted the required command climate assessments.

(c) EFFECT OF FAILURE TO CONDUCT ASSESSMENT.—The failure of a commander to conduct the required command climate assessments shall be noted in the commander's performance evaluation.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.
Sec. 602. Recognition of additional means by which members of the National Guard called into Federal service for a period of 30 days or less may initially report for duty for entitlement to basic pay.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.
Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.
Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.
Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.
Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.
Sec. 616. One-year extension of authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency.
Sec. 617. Authority to provide bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.
Sec. 618. Health Professions Stipend Program to obtain commissioned officers in the reserve components.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Technical and standardizing amendments to Department of Defense travel and transportation authorities in connection with reform of such authorities.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

Sec. 631. Clarification of prevention of retired pay inversion in the case of members whose retired pay is computed using high-three.
Sec. 632. Periodic notice to members of the Ready Reserve on early retirement credit earned for significant periods of active Federal status or active duty.
Sec. 633. Improved assistance for Gold Star spouses and other dependents.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Sec. 641. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.

Sec. 642. Modernization of titles of nonappropriated fund instrumentalities for purposes of certain civil service laws.

Subtitle F—Other Matters

Sec. 651. 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. 652. Study of the merits and feasibility of providing transitional compensation and other transitional benefits to dependents of members separated for violation of the Uniform Code of Military Justice.

Subtitle A—Pay and Allowances

SEC. 601. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 602. RECOGNITION OF ADDITIONAL MEANS BY WHICH MEMBERS OF THE NATIONAL GUARD CALLED INTO FEDERAL SERVICE FOR A PERIOD OF 30 DAYS OR LESS MAY INITIALLY REPORT FOR DUTY FOR ENTITLEMENT TO BASIC PAY.

Subsection (c) of section 204 of title 37, United States Code, is amended to read as follows:

"(c)(1) A member of the National Guard who is called into Federal service for a period of 30 days or less is entitled to basic pay from the date on which the member, in person or by authorized telephonic or electronic means, contacts the member's unit.

"(2) Paragraph (1) does not authorize any expenditure to be paid for a period before the date on which the unit receives the member's contact provided under such paragraph.

"(3) The Secretary of the Army, with respect to the Army National Guard, and the Secretary of the Air Force, with respect to the Air National Guard, shall prescribe such regulations as may be necessary to carry out this subsection.". Regulations.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking "December 31, 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 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

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

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking "December 31, 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.

(b) TITLE 37 AUTHORITIES.—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.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking "December 31, 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.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking "December 31, 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 special bonus and incentive pay authorities for officers in health professions.

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

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

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

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

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking "December 31, 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 armed forces.

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

SEC. 616. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

Section 316a(g) of title 37, United States Code is amended by striking "December 31, 2013" and inserting "December 31, 2014".

SEC. 617. AUTHORITY TO PROVIDE BONUS TO CERTAIN CADETS AND MIDSHIPMEN ENROLLED IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) BONUS AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by inserting after section 335 the following new section:

"§ 336. Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps 5 USC 336.

"(a) CONTRACTING BONUS AUTHORIZED.—The Secretary concerned may pay a bonus under this section to a cadet or midshipman

enrolled in the Senior Reserve Officers' Training Corps who executes a written agreement described in subsection (c).

"(b) AMOUNT OF BONUS.—The amount of a bonus under subsection (a) may not exceed $5,000.

"(c) AGREEMENT.—A written agreement referred to in subsection (a) is a written agreement by the cadet or midshipman—

"(1) to complete field training or a practice cruise under section 2104(b)(6)(A)(ii) of title 10;

"(2) to complete advanced training under chapter 103 of title 10;

"(3) to accept a commission or appointment as an officer of the armed forces; and

"(4) to serve on active duty.

"(d) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the bonus payable under the agreement becomes fixed. The agreement shall specify when the bonus will be paid and whether the bonus will be paid in a lump sum or in installments.

"(e) REPAYMENT.—A person who, having received all or part of a bonus under subsection (a), fails to fulfill the terms of the written agreement required by such subsection for receipt of the bonus shall be subject to the repayment provisions of section 373 of this title.

"(f) REGULATIONS.—The Secretary concerned shall issue such regulations as may be necessary to carry out this section.

"(g) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2014.".

37 USC prec. 301.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 335 the following new item:

"336. Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.".

SEC. 618. HEALTH PROFESSIONS STIPEND PROGRAM TO OBTAIN COMMISSIONED OFFICERS IN THE RESERVE COMPONENTS.

(a) AVAILABILITY OF STIPEND FOR REGISTERED NURSES IN CRITICAL SPECIALTIES.—Subsection (d) of section 16201 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following new subparagraph:

"(B) is eligible for appointment as a Reserve officer for service in a reserve component in a Nurse Corps or as a nurse; and"; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following new subparagraph:

"(B) the participant shall not be eligible to receive such stipend before being appointed as a Reserve officer for service in the Ready Reserve in a Nurse Corps or as a nurse;".

(b) SERVICE REQUIRED IN SELECTED RESERVE.—Such section is further amended—

(1) in subsection (a), by striking "the Ready Reserve" and inserting "the Selected Reserve of the Ready Reserve";

(2) in subsection (c)(2), by striking subparagraph (D) and inserting the following new subparagraph:

"(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve

for each six months, or part thereof, for which the stipend is provided.";

(3) in subsection (d)(2), by striking subparagraph (D) and inserting the following new subparagraph:

"(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six months, or part thereof, for which the stipend is provided."; and

(4) in subsection (e)(2)(D), by striking "the Ready Reserve" and inserting "the Selected Reserve".

(c) AMOUNT OF STIPEND.—Subsection (g) of such section is amended to read as follows:

"(g) AMOUNT OF STIPEND.—The amount of a stipend under an agreement under subsection (b), (c), (d), or (f) shall be the stipend rate in effect for participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of this title.".

Subtitle C—Travel and Transportation Allowances

SEC. 621. TECHNICAL AND STANDARDIZING AMENDMENTS TO DEPARTMENT OF DEFENSE TRAVEL AND TRANSPORTATION AUTHORITIES IN CONNECTION WITH REFORM OF SUCH AUTHORITIES.

(a) ESCORTS OF DEPENDENTS OF MEMBERS.—

(1) INCORPORATION OF ESCORTS OF DEPENDENTS UNDER GENERAL AUTHORITY.—Section 451(a)(2)(C) of title 37, United States Code, is amended by inserting before the period the following: "or as an escort or attendant for dependents of a member for necessary travel performed not later than one year after the member is unable to accompany the dependents who are incapable of traveling alone".

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1036 of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1036.

10 USC prec. 1030.

(b) TRAVEL AND TRANSPORTATION OF DEPENDENT PATIENTS.—Section 1040 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking "round-trip transportation" and all that follows through "may be paid at the expense of the United States" and inserting "travel and transportation allowances may be furnished to necessary attendants. The dependents and any attendants shall be furnished such travel and transportation allowances as specified in regulations prescribed under section 464 of title 37."; and

(2) by striking subsection (d).

(c) TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—

(1) INCORPORATION OF EXPENSES UNDER GENERAL AUTHORITY.—Section 453 of title 37, United States Code, is amended by adding at the end the following new subsection:

"(g) REIMBURSEMENT FOR TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—A member may be reimbursed as specified in regulations prescribed under section

464 of this title for travel and related expenses incurred by the member as a result of the cancellation of previously approved leave when the leave is cancelled in conjunction with the member's participation in a contingency operation and the cancellation occurs within 48 hours of the time the leave would have commenced. The settlement for reimbursement under this subsection is final and conclusive.".

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1053a of title 10, United States Code, is repealed.

10 USC prec. 1030.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1053a.

(d) TRAVEL AND TRANSPORTATION FOR TRAVEL FOR SPECIALTY HEALTH CARE.—Section 1074i of title 10, United States Code, is amended—

(1) in subsection (a), by striking "reimbursement for reasonable travel expenses" and inserting "travel and transportation allowances as specified in regulations prescribed under section 464 of title 37"; and

(2) in subsection (b), striking "REIMBURSEMENT FOR TRAVEL UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide reimbursement for reasonable travel expenses of" and inserting "ALLOWABLE TRAVEL AND TRANSPORTATION UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide travel and transportation allowances as specified in the regulations referred to in subsection (a) for".

(e) TRAVEL AND TRANSPORTATION IN CONNECTION WITH THE DISPOSITION OF REMAINS OF MEMBERS.—Section 1482(a)(8) of title 10, United States Code, is amended by striking "and roundtrip transportation and prescribed allowances" and inserting "and travel and transportation allowances as specified in regulations prescribed under section 464 of title 37".

(f) TRAVEL AND TRANSPORTATION IN CONNECTION WITH FUNERAL HONORS FUNCTIONS AT FUNERALS FOR VETERANS.—Section 1491(d)(1) of title 10, United States Code, is amended by striking "transportation (or reimbursement for transportation) and expenses" and inserting "travel and transportation allowances as specified in regulations prescribed under section 464 of title 37".

(g) REPEAL OF REDUNDANT AUTHORITY ON MOTOR VEHICLE TRANSPORTATION OR STORAGE FOR MEMBERS UNDERGOING PCS OR EXTENDED DEPLOYMENT.—

(1) REPEAL.—Section 2634 of title 10, United States Code, is repealed.

10 USC prec. 2631.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2634.

(h) CLARIFICATION OF LIMITATION ON TRANSPORTATION OF HOUSEHOLD GOODS.—Section 453(c)(3) of title 37, United States Code, is amended by striking "(including packing, crating, and household goods in temporary storage)" and inserting "(including household goods in temporary storage, but excluding packing and crating)".

Subtitle D—Disability, Retired Pay, and Survivor Benefits

SEC. 631. CLARIFICATION OF PREVENTION OF RETIRED PAY INVERSION IN THE CASE OF MEMBERS WHOSE RETIRED PAY IS COMPUTED USING HIGH-THREE.

(a) CLARIFICATION.—Subsection (f) of section 1401a of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "PREVENTION OF RETIRED PAY INVERSIONS.—Notwithstanding any other provision of law, the" and inserting "PREVENTION OF RETIRED PAY INVERSIONS FOR MEMBERS WITH RETIRED PAY COMPUTED USING FINAL BASIC PAY.—The"; and

(B) by inserting "who first became a member of a uniformed service before September 8, 1980, and" after "of an armed force";

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

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

"(2) PREVENTION OF RETIRED PAY INVERSIONS FOR MEMBERS WITH RETIRED PAY COMPUTED USING HIGH-THREE.—Subject to subsections (d) and (e), the monthly retired pay of a member or former member of an armed force who first became a member of a uniformed service on or after September 8, 1980, may not be less, on the date on which the member or former member initially becomes entitled to such pay, than the monthly retired pay to which the member or former member would be entitled on that date if the member or former member had become entitled to retired pay on an earlier date, adjusted to reflect any applicable increases in such pay under this section. However, in the case of a member or former member whose retired pay is computed subject to section 1407(f) of this title, paragraph (1) (rather than the preceding sentence) shall apply in the same manner as if the member or former member first became a member of a uniformed service before September 8, 1980, but only with respect to a calculation as of the date on which the member or former member first became entitled to retired pay.".

(b) CROSS-REFERENCE AMENDMENTS.—Such section is further amended by striking "subsection (f)(2)" in subsections (c)(1), (c)(2), (d), and (e) and inserting "subsection (f)(3)".

(c) APPLICABILITY.—Paragraph (2) of section 1401a(f) of title 10, United States Code, as added by the amendment made by subsection (a)(3), applies to the computation of retired pay or retainer pay of any person who first became a member of a uniformed service on or after September 8, 1980, regardless of when the member first becomes entitled to retired or retainer pay.

10 USC 1401a note.

SEC. 632. PERIODIC NOTICE TO MEMBERS OF THE READY RESERVE ON EARLY RETIREMENT CREDIT EARNED FOR SIGNIFICANT PERIODS OF ACTIVE FEDERAL STATUS OR ACTIVE DUTY.

Section 12731(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) The Secretary concerned shall periodically notify each member of the Ready Reserve described by paragraph (2) of the current eligibility age for retired pay of such member under this section, including any reduced eligibility age by reason of the operation of that paragraph. Notice shall be provided by such means as the Secretary considers appropriate taking into account the cost of provision of notice and the convenience of members.".

10 USC 1475 note.

SEC. 633. IMPROVED ASSISTANCE FOR GOLD STAR SPOUSES AND OTHER DEPENDENTS.

(a) ADVOCATES FOR GOLD STAR SPOUSES AND OTHER DEPENDENTS.—Each Secretary of a military department shall designate for each Armed Force under the jurisdiction of such Secretary a member of such Armed Force or civilian employee of such military department to assist spouses and other dependents of members of such Armed Force (including reserve components thereof) who die on active duty through the provision of the following services:

(1) Addressing complaints by spouses and other dependents of deceased members regarding casualty assistance or receipt of benefits authorized by law for such spouses and dependents.

(2) Providing support to such spouses and dependents regarding such casualty assistance or receipt of such benefits.

(3) Making reports to appropriate officers or officials in the Department of Defense or the military department concerned regarding resolution of such complaints, including recommendations regarding the settlement of claims with respect to such benefits, as appropriate.

(4) Performing such other actions as the Secretary of the military department concerned considers appropriate.

(b) TRAINING FOR CASUALTY ASSISTANCE PERSONNEL.—

(1) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall implement a standardized comprehensive training program on casualty assistance for the following personnel of the Department of Defense:

(A) Casualty assistance officers.

(B) Casualty assistance calls officers.

(C) Casualty assistance representatives.

(2) GENERAL ELEMENTS.—The training program required by paragraph (1) shall include training designed to ensure that the personnel specified in that paragraph provide the spouse and other dependents of a deceased member of the Armed Forces with accurate information on the benefits to which they are entitled and other casualty assistance available to them when the member dies while serving on active duty in the Armed Forces.

(3) SERVICE-SPECIFIC ELEMENTS.—The Secretary of the military department concerned may, in coordination with the Secretary of Defense, provide for the inclusion in the training program required by paragraph (1) that is provided to casualty assistance personnel of such military department such elements of training that are specific or unique to the requirements or particulars of the Armed Forces under the jurisdiction of such military department as the Secretary of the military department concerned considers appropriate.

(4) FREQUENCY OF TRAINING.—Training shall be provided under the program required by paragraph (1) not less often than annually.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 641. EXPANSION OF PROTECTION OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES FROM REPRISALS.

Section 1587(b) of title 10, United States Code, is amended by inserting after "take or fail to take" the following: ", or threaten to take or fail to take,".

SEC. 642. MODERNIZATION OF TITLES OF NONAPPROPRIATED FUND INSTRUMENTALITIES FOR PURPOSES OF CERTAIN CIVIL SERVICE LAWS.

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

Subtitle F—Other Matters

SEC. 651. AUTHORITY TO PROVIDE CERTAIN EXPENSES FOR CARE AND DISPOSITION OF HUMAN REMAINS THAT WERE RETAINED BY THE DEPARTMENT OF DEFENSE FOR FORENSIC PATHOLOGY INVESTIGATION.

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

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

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

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

"(g)(1) The payment of expenses incident to the recovery, care, and disposition of the remains of a decedent covered by section 1481(a)(10) of this title is limited to those expenses that, as determined under regulations prescribed by the Secretary of Defense, would not have been incurred but for the retention of those remains for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title.

"(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.

"(4) The Secretary concerned may pay any other expenses relating to the remains of such a decedent that are authorized to be paid under this section on a reimbursable basis. Amounts reimbursed to the Secretary concerned under this subsection shall be credited to appropriations available at the time of reimbursement for the payment of such expenses.".

(b) CLARIFICATION OF COVERAGE OF INURNMENT.—Section 1482(a)(9) of such title is amended by inserting "or inurnment" after "Interment".

(c) TECHNICAL AMENDMENT.—Section 1482(f) of such title is amended by striking the third sentence and inserting the following new sentence: "The Secretary concerned may pay any other expenses relating to the remains of such a decedent that are authorized to be paid under this section only on a reimbursable basis.".

SEC. 652. STUDY OF THE MERITS AND FEASIBILITY OF PROVIDING TRANSITIONAL COMPENSATION AND OTHER TRANSITIONAL BENEFITS TO DEPENDENTS OF MEMBERS SEPARATED FOR VIOLATION OF THE UNIFORM CODE OF MILITARY JUSTICE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study regarding the merits and feasibility of providing transitional compensation and other transitional benefits to dependents or former dependents of members of the Armed Forces who are separated from the Armed Forces for a violation of the Uniform Code of Military Justice under the circumstances described in subsection (b).

(b) COVERED MEMBERS AND CIRCUMSTANCES.—The scope of the study required by subsection (a) is limited to those circumstances in which members of the Armed Forces—

(1) are convicted by court-martial of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice);

(2) are separated from active duty pursuant to the sentence of the court-martial; and

(3) forfeit all pay and allowances pursuant to such sentence.

(c) STUDY ELEMENTS.—In conducting the study required by subsection (a), the Secretary of Defense shall consider the following:

(1) The appropriateness of providing transitional compensation and other benefits, including commissary and exchange benefits, to dependents or former dependents of members described in subsection (b), particularly in situations in which such dependents or former dependents would be entitled, or soon be entitled, to such benefits on account of the years of service of a member.

(2) Whether there may be instances in which the provision of such transitional compensation would not be appropriate.

(3) Whether such transitional compensation should be limited to dependent children of members described in subsection (b).

(4) The appropriate duration of such transitional compensation for such dependents or former dependents.

(5) The potential duplication of such transitional compensation with benefits otherwise available for such dependents or former dependents under title 10, United States Code, or other laws.

(d) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the study required by subsection (a), including the Secretary's determination regarding the need for transitional compensation.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Future availability of TRICARE Prime for certain beneficiaries enrolled in TRICARE Prime.
Sec. 702. Mental health care treatment through telemedicine.
Sec. 703. Comprehensive policy on improvements to care and transition of members of the Armed Forces with urotrauma.
Sec. 704. Pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

Subtitle B—Health Care Administration

Sec. 711. Authority of Uniformed Services University of Health Sciences to enter into contracts and agreements and make grants to other nonprofit entities.
Sec. 712. Pilot program on increased third-party collection reimbursements in military medical treatment facilities.
Sec. 713. Electronic health records of the Department of Defense and the Department of Veterans Affairs.

Subtitle C—Reports and Other Matters

Sec. 721. Display of budget information for embedded mental health providers of the reserve components.
Sec. 722. Report on role of Department of Veterans Affairs in certain Centers of Excellence.
Sec. 723. Report on memorandum regarding traumatic brain injuries.
Sec. 724. Report on provision of advanced prosthetics and orthotics to members of the Armed Forces and veterans.
Sec. 725. Comptroller General reports on TRICARE recovery audit program and availability of compounded pharmaceuticals.

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. FUTURE AVAILABILITY OF TRICARE PRIME FOR CERTAIN BENEFICIARIES ENROLLED IN TRICARE PRIME.

Section 732 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1816) is amended— 10 USC 1097a.

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

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

"(b) ACCESS TO TRICARE PRIME.—

"(1) ONE-TIME ELECTION.—Subject to paragraph (3), the Secretary shall ensure that each affected eligible beneficiary who is enrolled in TRICARE Prime as of September 30, 2013, may make a one-time election to continue such enrollment in TRICARE Prime, notwithstanding that a contract described in subsection (a)(2)(A) does not allow for such enrollment based on the location in which such beneficiary resides. The beneficiary may continue such enrollment in TRICARE Prime so

long as the beneficiary resides in the same ZIP code as the ZIP code in which the beneficiary resided at the time of such election.

"(2) ENROLLMENT IN TRICARE STANDARD.—If an affected eligible beneficiary makes the one-time election under paragraph (1), the beneficiary may thereafter elect to enroll in TRICARE Standard at any time in accordance with a contract described in subsection (a)(2)(A).

"(3) RESIDENCE AT TIME OF ELECTION.—An affected eligible beneficiary may not make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside—

"(A) in a ZIP code that is in a region described in subsection (c)(1)(B); and

"(B) within 100 miles of a military medical treatment facility.

"(4) NETWORK.—In continuing enrollment in TRICARE Prime pursuant to paragraph (1), the Secretary may determine whether to maintain a TRICARE network of providers in an area that is between 40 and 100 miles of a military medical treatment facility.".

10 USC 1145 note.

SEC. 702. MENTAL HEALTH CARE TREATMENT THROUGH TELEMEDICINE.

(a) PROVISION OF MENTAL HEALTH CARE VIA TELEMEDICINE.—

(1) IN GENERAL.—In carrying out the Transitional Assistance Management Program, the Secretary of Defense may extend the coverage of such program for covered individuals for an additional 180 days for mental health care provided through telemedicine.

(2) REPORT.—If the Secretary extends coverage under paragraph (1), by not later than one year after the date of carrying out such extension, the Secretary shall submit to the congressional defense committees a report that includes the following:

(A) The rate at which individuals are using the extended coverage provided pursuant to paragraph (1).

(B) A description of the mental health care provided pursuant to such subsection.

(C) An analysis of how the Secretary and the Secretary of Veterans Affairs coordinate the continuation of care with respect to veterans who are no longer eligible for the Transitional Assistance Management Program.

(D) Any other factors the Secretary of Defense determines necessary with respect to extending coverage of the Transitional Assistance Management Program.

(3) TERMINATION.—The authority of the Secretary to carry out subsection (a) shall terminate on December 31, 2018.

(b) REPORT ON USE OF TELEMEDICINE.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the use of telemedicine to improve the diagnosis and treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

(2) ELEMENTS.—The report under paragraph (1) shall address the following:

(A) The current status, as of the date of the report, of telemedicine initiatives within the Department of Defense to diagnose and treat post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

(B) Plans for integrating telemedicine into the military health care system, including in health care delivery, records management, medical education, public health, and private sector partnerships.

(C) The status of the integration of the telemedicine initiatives of the Department with the telemedicine initiatives of the Department of Veterans Affairs.

(D) A description and assessment of challenges to the use of telemedicine as a means of in-home treatment, outreach in rural areas, and in settings that provide group treatment or therapy in connection with treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and a description and assessment of efforts to address such challenges.

(E) A description of privacy issues related to the use of telemedicine for the treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and recommendations for mechanisms to remedy any privacy concerns relating to such use of telemedicine.

(F) A description of professional licensing issues with respect to licensed medical providers who provide treatment using telemedicine.

(c) DEFINITIONS.—In this section:

(1) The term "covered individual" means an individual who—

(A) during the initial 180-day period of being enrolled in the Transitional Assistance Management Program, received any mental health care; or

(B) during the one-year period preceding separation or discharge from the Armed Forces, received any mental health care.

(2) The term "telemedicine" means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient's medical condition.

SEC. 703. COMPREHENSIVE POLICY ON IMPROVEMENTS TO CARE AND TRANSITION OF MEMBERS OF THE ARMED FORCES WITH UROTRAUMA.

10 USC 1071 note.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering members of the Armed Forces with urotrauma.

Deadline.

(2) SCOPE OF POLICY.—The policy shall cover each of the following:

(A) The care and management of the specific needs of members who are urotrauma patients, including eligibility for the Recovery Care Coordinator Program pursuant to the Wounded Warrior Act (10 U.S.C. 1071 note).

(B) The return of members who have recovered to active duty when appropriate.

(C) The transition of recovering members from receipt of care and services through the Department of Defense to receipt of care and services through the Department of Veterans Affairs.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after implementing the policy under subsection (a)(1), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate congressional committees a report that includes—

(A) a review that identifies gaps in the care of members who are urotrauma patients; and

(B) suggested options to respond to such gaps.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means the following:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committees on Veterans' Affairs of the Senate and the House of Representatives.

10 USC 1074 note.

SEC. 704. PILOT PROGRAM ON INVESTIGATIONAL TREATMENT OF MEMBERS OF THE ARMED FORCES FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense shall carry out a pilot program under which the Secretary shall establish a process for randomized placebo-controlled clinical trials of investigational treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces in health care facilities other than military treatment facilities.

(b) CONDITIONS FOR APPROVAL.—The approval by the Secretary for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved, cleared, or made subject to an investigational use exemption by the Food and Drug Administration, and the use of the drug or device must comply with rules of the Food and Drug Administration applicable to investigational new drugs or investigational devices.

(2) The treatment must be approved by the Secretary following approval by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services, in addition to regulations issued by the Secretary of Defense regarding institutional review boards.

(3) The patient receiving the treatment may not be a retired member of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(c) ADDITIONAL RESTRICTIONS AUTHORIZED.—The Secretary may establish additional restrictions or conditions as the Secretary determines appropriate to ensure the protection of human research subjects, appropriate fiscal management, and the validity of the research results.

(d) DATA COLLECTION AND AVAILABILITY.—The Secretary shall develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretary shall ensure that the database preserves confidentiality and that any use of the database or disclosures of such data are limited to such use and disclosures permitted by law and applicable regulations.

(e) REPORTS TO CONGRESS.—Not later than 30 days after the last day of each fiscal year, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of this section and any available results on investigational treatment clinical trials authorized under this section during such fiscal year.

(f) TERMINATION.—The authority of the Secretary to carry out the pilot program authorized by subsection (a) shall terminate on December 31, 2018.

Subtitle B—Health Care Administration

SEC. 711. AUTHORITY OF UNIFORMED SERVICES UNIVERSITY OF HEALTH SCIENCES TO ENTER INTO CONTRACTS AND AGREEMENTS AND MAKE GRANTS TO OTHER NONPROFIT ENTITIES.

Section 2113(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B)—

(A) by inserting ", or any other nonprofit entity" after "Military Medicine"; and

(B) by inserting ", or nonprofit entity," after "such Foundation"; and

(2) in subparagraph (C)—

(A) by inserting ", or any other nonprofit entity," after "Military Medicine"; and

(B) by inserting ", or nonprofit entity," after "such foundation".

SEC. 712. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.

10 USC 1095 note.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to demonstrate and assess the feasibility of implementing processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.

(2) PROCESSES DESCRIBED.—The processes described in this paragraph are commercially available enhanced recovery practices for medical payment collection, including revenue-cycle management together with rates and percentages of collection in accordance with industry standards for such practices.

(b) REQUIREMENTS.—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice option, including commercial best practices, with respect to the processes

described in subsection (a)(2) that are used in nonmilitary health care facilities; and

(2) conduct a cost-benefit analysis to assess measurable results of the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) LOCATIONS.—The Secretary shall carry out the pilot program under subsection (a)(1)—

(1) at military installations that have a military medical treatment facility with inpatient and outpatient capabilities; and

(2) at a number of such installations of different military departments that the Secretary determines sufficient to fully assess the results of the pilot program.

Deadline.

(d) DURATION.—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) REPORT.—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities;

(3) an assessment of the program, including any recommendations to improve third-party collections; and

(4) an analysis of the methods employed by the military departments prior to the program with respect to collecting charges from third-party payers incurred at military medical treatment facilities, including specific data with respect to the dollar amount of third-party collections that resulted from each method used throughout the military departments.

10 USC 1071 note.

SEC. 713. ELECTRONIC HEALTH RECORDS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

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

(1) the Secretary of Defense and the Secretary of Veterans Affairs have failed to implement a solution that allows for seamless electronic sharing of medical health care data; and

(2) despite the significant amount of read-only information shared between the Department of Defense and Department of Veterans Affairs, most of the information shared as of the date of the enactment of this Act is not standardized or available in real time to support all clinical decisions.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretary of Veterans Affairs—

(1) shall each ensure that the electronic health record systems of the Department of Defense and the Department of Veterans Affairs are interoperable with an integrated display of data, or a single electronic health record, by complying with the national standards and architectural requirements identified by the Interagency Program Office of the Departments (in this section referred to as the "Office"), in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services; and

(2) shall each deploy modernized electronic health record software supporting clinicians of the Departments by no later than December 31, 2016, while ensuring continued support and compatibility with the interoperability platform and full standards-based interoperability.

(c) DESIGN PRINCIPLES.—The interoperable electronic health records with integrated display of data, or a single electronic health record, established under subsection (b) shall adhere to the following principles:

(1) To the extent practicable, efforts to establish such records shall be based on objectives, activities, and milestones established by the Joint Executive Committee Joint Strategic Plan Fiscal Years 2013–2015, as well as future addendums or revisions.

(2) Transition the current data exchanges between the Departments and private sector health care providers where practical to modern, open-architecture frameworks that use computable data mapped to national standards to make data available for determining medical trends and for enhanced clinician decision support.

(3) Principles with respect to open architecture standards, including—

(A) adoption of national data standards;

(B) if such national standards do not exist as of the date on which the record is being established, adoption of the articulation of data of the Health Data Dictionary until such national standards are established;

(C) use of enterprise investment strategies that maximize the use of commercial best practices to ensure robust competition and best value;

(D) aggressive life-cycle sustainment planning that uses proven technology insertion strategies and product upgrade techniques;

(E) enforcement of system design transparency, continuous design disclosure and improvement, and peer reviews that align with the requirements of the Federal Acquisition Regulation; and

(F) strategies for data management rights to ensure a level competitive playing field and access to alternative solutions and sources across the life-cycle of the programs.

(4) By the point of deployment, such record must be at a generation 3 level or better for a health information technology system.

(5) To the extent the Secretaries consider feasible and advisable, principles with respect to—

(A) the creation of a health data authoritative source by the Department of Defense and the Department of Veterans Affairs that can be accessed by multiple providers and standardizes the input of new medical information;

(B) the ability of patients of both the Department of Defense and the Department of Veterans Affairs to download, or otherwise receive electronically, the medical records of the patient; and

(C) the feasibility of establishing a secure, remote, network-accessible computer storage system to provide members of the Armed Forces and veterans the ability to upload the health care records of the member or veteran if the member or veteran elects to do so and allow medical providers of the Department of Defense and the Department of Veterans Affairs to access such records in the course of providing care to the member or veteran.

Deadline. Briefing.

(d) PROGRAMS PLAN.—Not later than January 31, 2014, the Secretaries shall prepare and brief the appropriate congressional committees with a detailed programs plan for the oversight and execution of the interoperable electronic health records with an integrated display of data, or a single electronic health record, established under subsection (b). This briefing and supporting documentation shall include—

(1) programs objectives;

(2) organization;

(3) responsibilities of the Departments;

(4) technical objectives and design principles;

(5) milestones, including a schedule for the development, acquisition, or industry competitions for capabilities needed to satisfy the technical system requirements;

(6) data standards being adopted by the programs;

(7) outcome-based metrics proposed to measure the performance and effectiveness of the programs; and

(8) the level of funding for fiscal years 2014 through 2017.

(e) LIMITATION ON FUNDS.—Not more than 25 percent of the amounts authorized to be appropriated by this Act or otherwise made available for development, procurement, modernization, or enhancement of the interoperable electronic health records with an integrated display of data, or a single electronic health record, established under subsection (b) for the Department of Defense or the Department of Veterans Affairs may be obligated or expended until the date on which the Secretaries brief the appropriate congressional committees of the programs plan under subsection (d).

(f) REPORTING.—

(1) QUARTERLY REPORTING.—On a quarterly basis, the Secretaries shall submit to the appropriate congressional committees a detailed financial summary.

(2) NOTIFICATION.—The Secretary of Defense and Secretary of Veterans Affairs shall submit to the appropriate congressional committees written notification prior to obligating funds for any contract or task order for electronic health record system modernization efforts that is in excess of $5,000,000.

(g) REQUIREMENTS.—

Deadline.

(1) IN GENERAL.—Not later than October 1, 2014, all health care data contained in the Department of Defense AHLTA and the Department of Veterans Affairs VistA systems shall

be computable in real time and comply with the existing national data standards and have a process in place to ensure data is standardized as national standards continue to evolve. On a quarterly basis, the Secretaries shall submit to the appropriate congressional committees updates on the progress of data sharing.

(2) CERTIFICATION.—At such time as the operational capability described in subsection (b)(1) is achieved, the Secretaries shall jointly certify to the appropriate congressional committees that the Secretaries have complied with such data standards described in paragraph (1).

(3) RESPONSIBLE OFFICIAL.—The Secretaries shall each identify a senior official to be responsible for the modern platforms supporting an interoperable electronic health record with an integrated display of data, or a single electronic health record, established under subsection (b). The Secretaries shall also each identify a senior official to be responsible for modernizing the electronic health record software of the respective Department. Such official shall have included within their performance evaluation performance metrics related to the execution of the responsibilities under this paragraph. Not later than 30 days after the date of the enactment of this Act, each Secretary shall submit to the appropriate congressional committees the name of each senior official selected under this paragraph. Deadline.

(4) COMPTROLLER GENERAL ASSESSMENT.—If both Secretaries do not meet the requirements under paragraph (1), the Comptroller General of the United States shall submit to the appropriate congressional committees an assessment of the performance of the compliance of both Secretaries of such requirements.

(h) EXECUTIVE COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretaries shall jointly establish an executive committee to support the development and validation of adopted standards, required architectural platforms and structure, and the capacity to enforce such standards, platforms, and structure as the Secretaries execute requirements and develop programmatic assessment as needed by the Secretaries to ensure interoperable electronic health records with an integrated display of data, or a single electronic health record, are established pursuant to the requirements of subsection (b). The Executive Committee shall annually certify to the appropriate congressional committees that such record meets the definition of "integrated" as specified in subsection (k)(4).

(2) MEMBERSHIP.—The Executive Committee established under paragraph (1) shall consist of not more than 6 members, appointed by the Secretaries as follows:

(A) Two co-chairs, one appointed by each of the Secretaries.

(B) One member from the technical community of the Department of Defense appointed by the Secretary of Defense.

(C) One member from the technical community of the Department of Veterans Affairs appointed by the Secretary of Veterans Affairs.

(D) One member from the clinical community of the Department of Defense appointed by the Secretary of Defense.

(E) One member from the clinical community of the Department of Veterans Affairs appointed by the Secretary of Veterans Affairs.

(3) REPORTING.—Not later than June 1, 2014, and on a quarterly basis thereafter, the Executive Committee shall submit to the appropriate congressional committees a report on the activities of the Committee.

Reports.

(i) INDEPENDENT REVIEW.—The Secretary of Defense shall request the Defense Science Board to conduct an annual review of the progress of the Secretary toward achieving the requirements in paragraphs (1) and (2) of subsection (b). The Defense Science Board shall submit to the Secretary a report of the findings of the review. Not later than 30 days after receiving the report, the Secretary shall submit to the appropriate congressional committees the report with any comments considered appropriate by the Secretary.

Deadline.

(j) DEADLINE FOR COMPLETION OF IMPLEMENTATION OF THE HEALTHCARE ARTIFACT AND IMAGE MANAGEMENT SOLUTION PROGRAM.—

(1) DEADLINE.—The Secretary of Defense shall complete the implementation of the Healthcare Artifact and Image Management Solution program of the Department of Defense by not later than the date that is 180 days after the date of the enactment of this Act.

(2) REPORT.—Upon completion of the implementation of the Healthcare Artifact and Image Management Solution program, the Secretary shall submit to the appropriate congressional committees a report describing the extent of the interoperability between the Healthcare Artifact and Image Management Solution program and the Veterans Benefits Management System of the Department of Veterans Affairs.

(k) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the congressional defense committees; and

(B) the Committees on Veterans' Affairs of the Senate and the House of Representatives.

(2) GENERATION 3.—The term "generation 3" means, with respect to an electronic health system, a system that has the technical capability to bring evidence-based medicine to the point of care and provide functionality for multiple care venues.

(3) INTEROPERABLE.—The term "interoperable" refers to the ability of different electronic health records systems or software to meaningfully exchange information in real time and provide useful results to one or more systems.

(4) INTEGRATED.—The term "integrated" refers to the integration of health data from the Department of Defense and the Department of Veterans Affairs and outside providers to provide clinicians with a comprehensive medical record that allows data existing on disparate systems to be shared or accessed across functional or system boundaries in order to make the most informed decisions when treating patients.

Subtitle C—Reports and Other Matters

SEC. 721. DISPLAY OF BUDGET INFORMATION FOR EMBEDDED MENTAL HEALTH PROVIDERS OF THE RESERVE COMPONENTS.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding after section 236, as added by section 141 of this Act, the following new section:

"§ 237. Embedded mental health providers of the reserve components: display of budget information 10 USC 237.

"The Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President's annual budget for the Department of Defense, a budget justification display with respect to embedded mental health providers within each reserve component, including the amount requested for each such component.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: 10 USC prec. 221.

"237. Embedded mental health providers of the reserve components: display of budget information.".

SEC. 722. REPORT ON ROLE OF DEPARTMENT OF VETERANS AFFAIRS IN CERTAIN CENTERS OF EXCELLENCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report on covered centers of excellence. Such report shall include the following with respect to each covered center of excellence:

(1) The amount of resources obligated by the Secretary of Veterans Affairs in support of the center beginning on the date on which the center was established, including the amount of funds, personnel, time, and functions provided in support of the center.

(2) An estimate of the amount of resources the Secretary plans to dedicate to the center during each of fiscal years 2014 through 2018.

(3) A description of the role of the Secretary.

(b) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means the following:

(A) The Committees on Armed Services and Veterans' Affairs of the House of Representatives.

(B) The Committees on Armed Services and Veterans' Affairs of the Senate.

(2) The term "covered centers of excellence" means the following:

(A) The centers established under sections 1621, 1622, and 1623 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note).

(B) The center established under section 721 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 1071 note).

(C) The center established under section 723 of such Act (Public Law 110–417; 122 Stat. 4508).

SEC. 723. REPORT ON MEMORANDUM REGARDING TRAUMATIC BRAIN INJURIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how the Secretary identifies, refers, and treats traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom before the effective date in June 2010 of directive type memorandum 09–033 titled "Policy Guidance for Management of Concussion/Mild Traumatic Brain Injury in the Deployed Setting", regarding using a 50-meter distance from an explosion as a criterion to properly identify, refer, and treat members for potential traumatic brain injury.

SEC. 724. REPORT ON PROVISION OF ADVANCED PROSTHETICS AND ORTHOTICS TO MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the plans of the Department of Defense and the Department of Veterans Affairs, respectively, to ensure that the most clinically appropriate prosthetics and orthotics are made available to injured members of the Armed Forces and veterans using technological advances as appropriate. Such report shall include a description of the processes of each Secretary with respect to coordinating and identifying care in the Department of Veterans Affairs for an injured member of the Armed Forces who, prior to the member being discharged or released from the Armed Forces, has an advanced technology prosthetic.

(b) COVERED PROSTHETICS AND ORTHOTICS.—The prosthetics and orthotics to be covered by the report under subsection (a) shall include powered prosthetics and orthotics that will enable members of the Armed Forces and veterans who have suffered amputation and, in the case of orthotics wearers, other injuries with limb salvage, to restore functionality to the maximum extent practicable.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 725. COMPTROLLER GENERAL REPORTS ON TRICARE RECOVERY AUDIT PROGRAM AND AVAILABILITY OF COMPOUNDED PHARMACEUTICALS.

(a) RECOVERY AUDIT PROGRAM.—

(1) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report that evaluates the similarities and differences of Medicare and the TRICARE program with respect to identifying and recovering improper payments.

(2) ELEMENTS.—The report shall contain an evaluation of the following:

(A) Claims processing efforts of both Medicare and the TRICARE program to prevent improper payments by denying claims prior to payment.

(B) Claims processing efforts of both Medicare and the TRICARE program to correct improper payments post-payment.

(C) The effectiveness of post-payment audit programs of both Medicare and the TRICARE program to identify and correct improper payments that are returned to Medicare or the TRICARE program, respectively.

(b) COMPOUNDED PHARMACEUTICALS.—

(1) REPORT.—Not later than September 30, 2014, the Comptroller General shall submit to the congressional defense committees a report on the availability of compounded pharmaceuticals in the military health care system.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the number of prescriptions for compounded pharmaceuticals processed, and the types of compounded pharmaceuticals dispensed, during fiscal year 2013 in pharmacy venues.

(B) A description of the categories of eligible beneficiaries who received compounded pharmaceuticals in each pharmacy venue during fiscal year 2013.

(C) A description of the claims reimbursement methodology used by the manager of the TRICARE pharmacy benefits program to reimburse pharmacy providers for compounded pharmaceuticals, and an assessment of the manner in which such methodology compares with reimbursement methodologies used by other health programs of the Federal Government.

(D) A review of the existing accreditation standards, as of the date of the report, intended to assure the safety and efficacy of compounded pharmaceuticals available through the military health care system.

(3) PHARMACY VENUE DEFINED.—In this subsection, the term "pharmacy venue" means facilities of the uniformed services, retail pharmacies, and the national mail-order pharmacy program, as described in section 1074g(a)(2)(E) of title 10, United States Code.

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

Subtitle A—Acquisition Policy and Management

Sec. 801. Enhanced transfer of technology developed at Department of Defense laboratories.

Sec. 802. Extension of limitation on aggregate annual amount available for contract services.

Sec. 803. Identification and replacement of obsolete electronic parts.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Government-wide limitations on allowable costs for contractor compensation.
Sec. 812. Inclusion of additional cost estimate information in certain reports.
Sec. 813. Amendment relating to compelling reasons for waiving suspension or debarment.
Sec. 814. Extension of pilot program on acquisition of military purpose nondevelopmental items.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

Sec. 821. Synchronization of cryptographic systems for major defense acquisition programs.
Sec. 822. Assessment of dedicated ground control system before Milestone B approval of major defense acquisition programs constituting a space program.
Sec. 823. Additional responsibility for product support managers for major weapon systems.
Sec. 824. Comptroller General review of Department of Defense processes for the acquisition of weapon systems.

Subtitle D—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

Sec. 831. Prohibition on contracting with the enemy.
Sec. 832. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Subtitle A—Acquisition Policy and Management

10 USC 2514 note.

SEC. 801. ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.

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

(1) The term "military department" has the meaning provided in section 101 of title 10, United States Code.

(2) The term "DOD laboratory" or "laboratory" means any facility or group of facilities that—

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

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

(b) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of a military department 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 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 Secretary of a military department 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.

(c) ROYALTIES.—

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

(A)(i) The Department of Defense or the military 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 of Defense or the military department may provide appropriate lesser incentives, from the 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 of Defense or the military 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 of Defense or the military 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 of Defense or military department other than its laboratories.

(B) The balance of the royalties or other payments shall be transferred by the Department of Defense or the military 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 of Defense, military department, or DOD

laboratory, and for other activities that increase the potential for transfer of the technology of the DOD laboratory;

(iv) for payment of expenses incidental to the administration and licensing of computer software or other intellectual property made at the 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

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

(C) All royalties or other payments retained by the Department of Defense, military 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 of the United States.

(2) EXCEPTION.—If, after payments under paragraph (1)(A), the balance of the royalties or other payments received by the Department of Defense or the military 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 the Department of Defense or military 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, United States Code).

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

(e) EXPIRATION.—The authority provided in this section shall expire on December 31, 2017.

SEC. 802. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489) is amended—

(1) in subsections (a) and (b), by striking "fiscal year 2012 or 2013" and inserting "fiscal year 2012, 2013, or 2014";

(2) in subsection (c)—

(A) by striking "during fiscal years 2012 and 2013" in the matter preceding paragraph (1);

(B) by striking paragraphs (1) and (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and

(C) in paragraph (3), as so redesignated, by striking "fiscal years 2012 and 2013" and inserting "fiscal years 2012, 2013, and 2014";

(3) in subsection (d)(4), by striking "fiscal year 2012 or 2013" and inserting "fiscal year 2012, 2013, or 2014"; and

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

"(e) CARRYOVER OF REDUCTIONS REQUIRED.—If the reductions required by subsection (c)(2) for fiscal years 2012 and 2013 are not implemented, the amounts remaining for those reductions in fiscal years 2012 and 2013 shall be implemented in fiscal year 2014.".

SEC. 803. IDENTIFICATION AND REPLACEMENT OF OBSOLETE ELECTRONIC PARTS.

10 USC prec. 2571 note.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall implement a process for the expedited identification and replacement of obsolete electronic parts included in acquisition programs of the Department of Defense.

Deadline.

(b) ISSUES TO BE ADDRESSED.—At a minimum, the expedited process established pursuant to subsection (a) shall—

(1) include a mechanism pursuant to which contractors, or other sources of supply, may provide to appropriate Department of Defense officials information that identifies—

(A) obsolete electronic parts that are included in the specifications for an acquisition program of the Department of Defense; and

(B) suitable replacements for such electronic parts;

(2) specify timelines for the expedited review and validation of information submitted by contractors, or other sources of supply, pursuant to paragraph (1);

(3) specify procedures and timelines for the rapid submission and approval of engineering change proposals needed to accomplish the substitution of replacement parts that have been validated pursuant to paragraph (2);

(4) provide for any incentives for contractor participation in the expedited process that the Secretary may determine to be appropriate; and

(5) provide that, in addition to the responsibilities under section 2337 of title 10, United States Code, a product support manager for a major weapon system shall work to identify obsolete electronic parts that are included in the specifications for an aquisition program of the Department of Defense and approve suitable replacements for such electronic parts.

(c) ADDITIONAL MATTERS.—For the purposes of this section—

(1) an electronic part is obsolete if—

(A) the part is no longer in production; and

(B) the original manufacturer of the part and its authorized dealers do not have sufficient parts in stock

to meet the requirements of such an acquisition program; and

(2) an electronic part is a suitable replacement for an obsolete electronic part if—

(A) the part could be substituted for an obsolete part without incurring unreasonable expense and without degrading system performance; and

(B) the part is or will be available in sufficient quantity to meet the requirements of such an acquisition program.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. GOVERNMENT-WIDE LIMITATIONS ON ALLOWABLE COSTS FOR CONTRACTOR COMPENSATION.

(a) AMENDMENT RELATING TO CONTRACTOR EMPLOYEES UNDER DEFENSE CONTRACTS.—Subparagraph (P) of section 2324(e)(1) of title 10, United States Code, is amended to read as follows:

"(P) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds $625,000 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the Secretary of Defense may establish exceptions for positions in the science, technology, engineering, mathematics, medical, and cybersecurity fields and other fields requiring unique areas of expertise upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities.".

(b) AMENDMENT RELATING TO CONTRACTOR EMPLOYEES UNDER CIVILIAN AGENCY CONTRACTS.—Paragraph (16) of section 4304(a) 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 compensation exceeds $625,000 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the executive agency may establish exceptions for positions in the science, technology, engineering, mathematics, medical, and cybersecurity fields and other fields requiring unique areas of expertise upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.".

(c) CONFORMING AMENDMENTS.—Chapter 11 of title 41, United States Code, is amended—

(1) by striking section 1127; and

41 USC prec. 1101.

(2) by striking the item relating to that section in the table of sections at the beginning of such chapter.

Applicability. Time period. 10 USC 2324 note.

(d) EFFECTIVE DATE.—The amendments made by this section 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.

SEC. 812. INCLUSION OF ADDITIONAL COST ESTIMATE INFORMATION IN CERTAIN REPORTS.

(a) ADDITIONAL INFORMATION REQUIRED TO BE INCLUDED IN SELECTED ACQUISITION REPORTS.—Section 2432(c)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (E), (F), and (G), respectively;

(2) by inserting after subparagraph (A) the following new subparagraphs (B), (C), and (D):

"(B) for each major defense acquisition program or designated major subprogram included in the report—

"(i) the Baseline Estimate (as that term is defined in section 2433(a)(2) of this title), along with the associated risk and sensitivity analysis of that estimate;

"(ii) the original Baseline Estimate (as that term is defined in section 2435(d)(1) of this title), along with the associated risk and sensitivity analysis of that estimate;

"(iii) if the original Baseline Estimate was adjusted or revised pursuant to section 2435(d)(2) of this title, such adjusted or revised estimate, along with the associated risk and sensitivity analysis of that estimate; and

"(iv) the primary risk parameters associated with the current procurement cost for the program (as that term is used in section 2432(e)(4) of this title);

"(C) a summary of the history of significant developments from the date each major defense acquisition program or designated major subprogram included in the report was first included in a Selected Acquisition Report and program highlights since the last Selected Acquisition Report;

"(D) the significant schedule and technical risks for each such program or subprogram, identified at each major milestone and as of the quarter for which the current report is submitted;";

(3) in subparagraph (E), as so redesignated—

(A) by striking "major defense acquisition program or designated major subprogram" and inserting "such program or subprogram";

(B) by inserting "program acquisition cost and" after "current";

(C) by striking "that cost" and inserting "those costs"; and

(D) by striking "date the program or subprogram was first included in a Selected Acquisition Report" and inserting "December 2001 reporting period"; and

(4) in subparagraph (F), as so redesignated—

(A) by striking "major defense acquisition program or designated major subprogram" and inserting "such program or subprogram"; and

(B) by striking "date the program or subprogram was first included in a Selected Acquisition Report" and inserting "December 2001 reporting period".

(b) PHASE-IN OF ADDITIONAL INFORMATION REQUIREMENTS.—Section 2432(c)(1) of title 10, United States Code, as amended

10 USC 2432 note.

by subsection (a), shall apply to Selected Acquisition Reports after the date of the enactment of this Act as follows:

(1) For the December 2014 reporting period, to Selected Acquisition Reports for five major defense acquisition programs or designated major subprograms, as determined by the Secretary.

(2) For the December 2019 reporting period and each reporting period thereafter, to Selected Acquisition Reports for all major defense acquisition programs or designated major subprograms.

(c) ADDITIONAL DUTIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION WITH RESPECT TO SELECTED ACQUISITION REPORTS.—

(1) REVIEW REQUIRED.—Section 2334(a) of title 10, United States Code, is amended—

(A) by striking "and" at the end of paragraph (6);

(B) by striking the period and inserting "; and" at the end of paragraph (7); and

(C) by adding at the end the following new paragraph (8):

"(8) annually review the cost and associated information required to be included, by section 2432(c)(1) of this title, in the Selected Acquisition Reports required by that section.".

(2) ADDITIONAL INFORMATION REQUIRED IN ANNUAL REPORT.—Section 2334(f)(1) of such title is amended—

(A) by striking "report, an assessment of—" and inserting "report—";

(B) in each of subparagraphs (A), (B), and (C), by inserting "an assessment of" before the first word of the text;

(C) in subparagraph (B), by striking "and" at the end;

(D) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(E) by adding at the end the following new subparagraph:

"(D) a summary of the cost and associated information reviewed under subsection (a)(8), an identification of any trends in that information, an aggregation of the cumulative risk of the portfolio of systems reviewed under that subsection, and recommendations for improving cost estimates on the basis of the review under that subsection.".

SEC. 813. AMENDMENT RELATING TO COMPELLING REASONS FOR WAIVING SUSPENSION OR DEBARMENT.

Section 2393(b) of title 10, United States Code, is amended in the second sentence by striking "in a file available for public inspection" and inserting "on a publicly accessible website to the maximum extent practicable".

SEC. 814. EXTENSION OF PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NONDEVELOPMENTAL ITEMS.

Section 866(f)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4296; 10 U.S.C. 2302 note) is amended by striking "the date that is five years after the date of the enactment of this Act." and inserting "December 31, 2019.".

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

SEC. 821. SYNCHRONIZATION OF CRYPTOGRAPHIC SYSTEMS FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Section 2366b(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (F), by striking "and" at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following new subparagraph (G):

"(G) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic systems and components during the production and procurement of the major defense acquisition program to be acquired; and".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to major defense acquisition programs which are subject to Milestone B approval on or after the date occurring six months after the date of the enactment of this Act.

Applicability. Time period. 10 USC 2366 note.

SEC. 822. ASSESSMENT OF DEDICATED GROUND CONTROL SYSTEM BEFORE MILESTONE B APPROVAL OF MAJOR DEFENSE ACQUISITION PROGRAMS CONSTITUTING A SPACE PROGRAM.

(a) COST BENEFIT ANALYSIS REQUIRED.—Section 2366b(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) in paragraph (3), by striking the period at the end and inserting "; and"; and

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

"(4) in the case of a space system, performs a cost benefit analysis for any new or follow-on satellite system using a dedicated ground control system instead of a shared ground control system, except that no cost benefit analysis is required to be performed under this paragraph for any Milestone B approval of a space system after December 31, 2019.".

(b) REQUIREMENT FOR PLAN AND BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

Deadline.

(1) develop a Department of Defense-wide long-term plan for satellite ground control systems, including the Department's Air Force Satellite Control Network; and

(2) brief the congressional defense committees on such plan.

SEC. 823. ADDITIONAL RESPONSIBILITY FOR PRODUCT SUPPORT MANAGERS FOR MAJOR WEAPON SYSTEMS.

Section 2337(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (G), by striking "and" at the end;

(2) in subparagraph (H), by striking the period at the end and inserting "; and"; and

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

"(I) ensure that product support arrangements for the weapon system describe how such arrangements will

ensure efficient procurement, management, and allocation of Government-owned parts inventories in order to prevent unnecessary procurements of such parts.".

SEC. 824. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE PROCESSES FOR THE ACQUISITION OF WEAPON SYSTEMS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall carry out a comprehensive review of the processes and procedures of the Department of Defense for the acquisition of weapon systems.

(b) OBJECTIVE OF REVIEW.—The objective of the review required by subsection (a) shall be to identify processes and procedures for the acquisition of weapon systems that provide little or no value added or for which any value added is outweighed by cost or schedule delays without adding commensurate value.

(c) REPORT.—Not later than January 31, 2015, the Comptroller General shall submit to the congressional defense committees a report on the results of the review required by subsection (a) and based on the objective set forth in subsection (b). The report shall include, at a minimum, the following:

(1) A statement of any processes, procedures, organizations, or layers of review that are recommended by the Comptroller General for modification or elimination, including the rationale for the modification or elimination recommended based on the objective set forth in subsection (b).

(2) Such other findings and recommendations, including recommendations for legislative or administrative action, as the Comptroller General considers appropriate in light of the review required by subsection (a) and the objective set forth in subsection (b).

Subtitle D—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

10 USC 2302 note.

SEC. 831. PROHIBITION ON CONTRACTING WITH THE ENEMY.

(a) AUTHORITY TO TERMINATE OR VOID CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS AND TO RESTRICT FUTURE AWARD.—

(1) IDENTIFICATION OF PERSONS AND ENTITIES.—The Secretary of Defense shall establish in each covered combatant command a program to identify persons or entities, within the area of responsibility of such covered combatant command, that—

(A) provide funds received under a contract, grant, or cooperative agreement of the Department of Defense directly or indirectly to a covered person or entity; or

(B) fail to exercise due diligence to ensure that none of the funds received under a contract, grant, or cooperative agreement of the Department of Defense are provided directly or indirectly to a covered person or entity.

(2) NOTICE OF PERSONS OR ENTITIES IDENTIFIED.—Upon the identification of a person or entity as meeting subparagraph (A) or (B) of paragraph (1), the commander of the combatant

command concerned, and any deputies of the commander specified by the commander for purposes of this section, shall be notified in writing of such identification of such person or entity.

(3) RESPONSIVE ACTIONS.—Upon receipt of a notice under paragraph (2), the commander of the combatant command concerned may, in consultation with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the appropriate Chief of Mission, notify the heads of appropriate contracting activities, in writing, of such identification and request that the heads of such contracting activities exercise the authorities provided pursuant to paragraph (4) and the Department of Defense Supplement to the Federal Acquisition Regulation, as revised, with respect to any contract, grant, or cooperative agreement that provides funding directly or indirectly to the person or entity covered by the notice. Consultation. Notification.

(4) AUTHORITIES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to authorize the head of a contracting activity in each covered combatant command, pursuant to a request from the commander of a covered combatant command under paragraph (3)— Deadline.

(A) to prohibit, limit, or otherwise place restrictions on the award of any Department of Defense contract, grant, or cooperative agreement to a person or entity identified pursuant to paragraph (1)(A);

(B) to terminate for default any Department contract, grant, or cooperative agreement awarded to a person or entity identified pursuant to paragraph (1)(B); or

(C) to void in whole or in part any Department contract, grant, or cooperative agreement awarded to a person or entity identified pursuant to paragraph (1)(A).

(b) CONTRACT CLAUSE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to require that— Deadline.

(A) the clause described in paragraph (2) shall be included in each covered contract, grant, and cooperative agreement of the Department of Defense that is awarded on or after the date of the enactment of this Act; and

(B) to the maximum extent practicable, each covered contract, grant, and cooperative agreement of the Department of Defense that is awarded before the date of the enactment of this Act shall be modified to include the clause described in paragraph (2).

(2) CLAUSE DESCRIBED.—The clause described in this paragraph is a clause that—

(A) requires the contractor, or the recipient of the grant or cooperative agreement, to exercise due diligence to ensure that none of the funds received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity; and

(B) notifies the contractor, or the recipient of the grant or cooperative agreement, of the authority of the head

of the contracting activity to terminate or void the contract, grant, or cooperative agreement, in whole or in part.

Definition.

(3) COVERED CONTRACT, GRANT, OR COOPERATIVE AGREEMENT.—In this subsection, the term "covered contract, grant, or cooperative agreement" means a contract, grant, or cooperative agreement with an estimated value in excess of $50,000.

(4) TREATMENT AS VOID.—For purposes of subsection (a)(4) and the exercise under subsection (a)(3) of the authorities in the Department of Defense Supplement to the Federal Acquisition Regulation pursuant to this subsection:

(A) A contract, grant, or cooperative agreement that is void is unenforceable as contrary to public policy.

(B) A contract, grant, or cooperative agreement that is void in part is unenforceable as contrary to public policy with regard to a segregable task or effort under the contract, grant, or cooperative agreement.

Deadlines.

(c) REQUIREMENTS FOLLOWING CONTRACT ACTIONS.—Not later than 30 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised as follows:

(1) To require that any head of contracting activity taking an action pursuant to subsection (a)(3) or (a)(4) to terminate, void, or restrict a contract, grant, or cooperative agreement notify in writing the contractor or recipient of the grant or cooperative agreement, as applicable, of the action.

(2) To permit, in such manner as the Department of Defense Supplement to the Federal Acquisition Regulation as so revised shall provide, the contractor or recipient of a grant or cooperative agreement subject to an action taken pursuant to subsection (a)(3) or (a)(4) to terminate or void the contract, grant, or cooperative agreement, as the case may be, an opportunity to challenge the action by requesting administrative review within 30 days after receipt of notice of the action.

(d) ANNUAL REVIEW.—The commanders of the covered combatant commands shall, on an annual basis, review the lists of persons and entities previously identified pursuant to subsection (a)(1) in order to determine whether or not such persons and entities continue to warrant identification pursuant to that subsection. If a commander determines pursuant to such a review that a person or entity no longer warrants identification pursuant to subsection (a)(1), the commander shall notify the heads of contracting activities of the Department of Defense in writing of such determination.

Determination. Notification.

(e) PROTECTION OF CLASSIFIED INFORMATION.—Classified information relied upon to make an identification pursuant to subsection (a)(1) may not be disclosed to a contractor or a recipient of a grant or cooperative agreement with respect to which an action is taken pursuant to subsection (a)(3) or (a)(4) or to their representatives, in the absence of a protective order issued by a court of competent jurisdiction established under Article I or Article III of the Constitution of the United States that specifically addresses the conditions upon which such classified information may be so disclosed.

(f) DELEGATION.—

(1) RESPONSIBILITIES RELATING TO IDENTIFICATION AND REVIEW.—The commander of a covered combatant command may delegate the responsibilities in subsection (a)(3) to any

deputies of the commander specified by the commander pursuant to that subsection. The commander may delegate any responsibilities under subsection (d) to the deputy commander of the combatant command. Any delegation of responsibilities under this paragraph shall be made in writing.

(2) NONDELEGATION OF RESPONSIBILITY FOR CONTRACT ACTIONS.—The authority provided by subsections (a)(3) and (a)(4) to terminate, void, or restrict contracts, grants, and cooperative agreements may not be delegated below the level of head of contracting activity.

(g) INCLUSION OF INFORMATION ON CONTRACT ACTIONS IN FAPIIS.—Upon the termination, voiding, or restriction of a contract, grant, or cooperative agreement pursuant to subsection (a)(3) or (a)(4), the head of contracting activity concerned shall provide for the inclusion in the Federal Awardee Performance and Integrity Information System (FAPIIS), or other formal system of records on contractors or entities, of appropriate information on the termination, voiding, or restriction of the contract, grant, or cooperative agreement.

(h) REPORTS.—

(1) IN GENERAL.—Not later than March 1 each year through 2019, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authorities in this section in the preceding calendar year, including the following:

(A) For each instance in which a contract, grant, or cooperative agreement was terminated or voided, or entry into contracts, grants, and cooperative agreements was restricted, pursuant to subsection (a)(3) or (a)(4), the following:

(i) An explanation of the basis for the action taken.

(ii) The value of the contract, grant, or cooperative agreement terminated or voided.

(iii) The value of all contracts, grants, or cooperative agreements of the Department of Defense in force with the person or entity concerned at the time the contract, grant, or cooperative agreement was terminated or voided.

(iv) Information on how the goods or services covered by the terminated or voided contract, grant, or cooperative agreement were otherwise obtained by the commander of the combatant command concerned.

(B) For each instance in which a contract, grant, or cooperative agreement of a person or entity identified pursuant to subsection (a)(1) was not terminated or voided pursuant to subsection (a)(3) or (a)(4), or the future award of contracts, grants, and cooperative agreements to such person or entity was not restricted pursuant to subsection (a)(3) or (a)(4), an explanation why such action was not taken.

(2) FORM.—Any report under this subsection may be submitted in classified form.

(i) OTHER DEFINITIONS.—In this section:

(1) The term "covered combatant command" means United States Central Command, United States European Command, United States Africa Command, United States Southern Command, or United States Pacific Command.

(2) The term "head of contracting activity" has the meaning given that term in subpart 601 of part 1 of the Federal Acquisition Regulation.

(3) The term "covered person or entity" means a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the armed forces are actively engaged in hostilities.

(j) SUNSET.—The provisions of this section shall cease to be effective on December 31, 2018.

SEC. 832. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) EXTENSION.—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as amended by section 841(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1845), is further amended by striking "December 31, 2014" and inserting "December 31, 2015".

(b) CLARIFICATION OF AUTHORITY.—Subsection (b)(1)(B) of such section is amended—

(1) by striking "and the NATO International Security Assistance Force" and inserting "or NATO forces"; and

(2) by striking "to Afghanistan" and inserting "to or from Afghanistan".

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Revisions to composition of transition plan for defense business enterprise architecture.
Sec. 902. Comptroller General report on potential relocation of Federal Government tenants onto military installations in the United States.
Sec. 903. Clarification of authority for the command acquisition executive of the United States Special Operations Command.
Sec. 904. Streamlining of Department of Defense management headquarters.
Sec. 905. Update of statutory statement of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education.
Sec. 906. Modification of reference to major Department of Defense headquarters activities instruction.
Sec. 907. Personnel security.

Subtitle B—Space Activities

Sec. 911. National security space satellite reporting policy.
Sec. 912. National security space defense and protection.
Sec. 913. Space acquisition strategy.
Sec. 914. Space control mission report.
Sec. 915. Responsive launch.
Sec. 916. Limitation on use of funds for Space Protection Program.
Sec. 917. Eagle Vision system.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

Sec. 921. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.
Sec. 922. Department of Defense intelligence priorities.
Sec. 923. Defense Clandestine Service.
Sec. 924. Prohibition on National Intelligence Program consolidation.

Subtitle D—Cyberspace-Related Matters

Sec. 931. Modification of requirement for inventory of Department of Defense tactical data link systems.

Sec. 932. Authorities, capabilities, and oversight of the United States Cyber Command.
Sec. 933. Mission analysis for cyber operations of Department of Defense.
Sec. 934. Modification of requirement for Report on Department of Defense Progress in Defending the Department and the Defense Industrial Base from Cyber Events.
Sec. 935. Additional requirements relating to the software licenses of the Department of Defense.
Sec. 936. Cyber outreach and threat awareness for small businesses.
Sec. 937. Joint Federated Centers for Trusted Defense Systems for the Department of Defense.
Sec. 938. Supervision of the acquisition of cloud computing capabilities.
Sec. 939. Cyber vulnerabilities of Department of Defense weapon systems and tactical communications systems.
Sec. 940. Control of the proliferation of cyber weapons.
Sec. 941. Integrated policy to deter adversaries in cyberspace.
Sec. 942. National Centers of Academic Excellence in Information Assurance Education matters.

Subtitle E—Total Force Management

Sec. 951. Reviews of appropriate manpower performance.

Subtitle A—Department of Defense Management

SEC. 901. REVISIONS TO COMPOSITION OF TRANSITION PLAN FOR DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.

Section 2222(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "defense business enterprise architecture" and inserting "target defense business systems computing environment described in subsection (d)(3)";

(2) in paragraph (2)—

(A) by striking "existing as of September 30, 2011 (known as 'legacy systems') that will not be part of the defense business enterprise architecture" and inserting "that will be phased out of the defense business systems computing environment within three years after review and certification as 'legacy systems' by the investment management process established under subsection (g)"; and

(B) by striking "that provides for reducing the use of those legacy systems in phases"; and

(3) in paragraph (3), by striking "legacy systems (referred to in subparagraph (B)) that will be a part of the target defense business systems computing environment described in subsection (d)(3)" and inserting "existing systems that are part of the target defense business systems computing environment".

SEC. 902. COMPTROLLER GENERAL REPORT ON POTENTIAL RELOCATION OF FEDERAL GOVERNMENT TENANTS ONTO MILITARY INSTALLATIONS IN THE UNITED STATES.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the results of a review of the potential for and obstacles to Federal agencies other than the Department of Defense relocating onto military installations to save costs or enhance security. At a minimum, the Comptroller General shall answer the following questions in the report:

(1) What opportunities exist to permit non-Department of Defense Federal agencies to locate operations onto military

installations having excess facilities adequate for the tenant agencies' mission needs?

(2) What factors would the Department of Defense and the potential tenant agencies need to consider in determining whether such tenancy would be viable?

(3) What obstacles exist to the consolidation of non-Department of Defense Federal agencies onto military installations having adequate excess capacity?

(4) What non-Federal organizations are tenants on the installations (such as those under the enhanced use leasing program)?

(b) SPECIFIC CONSIDERATION OF INSTALLATIONS THAT SUPPORT ARCTIC MISSIONS.—The report required under subsection (a) shall specifically evaluate the potential for and obstacles to consolidation of Federal tenants on installations that support Arctic missions, focusing on Federal entities with homeland security, defense, international trade, commerce, and other national security-related functions that are compatible with the missions of the military installations, or can be used to protect national interests in the Arctic region.

SEC. 903. CLARIFICATION OF AUTHORITY FOR THE COMMAND ACQUISITION EXECUTIVE OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

Section 167(e)(4)(C)(ii) of title 10, United States Code, is amended by inserting after "shall be" the following: "responsible to the commander for rapidly delivering acquisition solutions to meet validated special operations-peculiar requirements, subordinate to the Defense Acquisition Executive in matters of acquisition, subject to the same oversight as the service acquisition executives, and".

10 USC 111 note.

SEC. 904. STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT HEADQUARTERS.

Deadline.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan for streamlining Department of Defense management headquarters by changing or reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative programs and offices.

(b) ELEMENTS OF PLAN.—The plan required by subsection (a) shall include the following for each covered organization:

(1) A description of the planned changes or reductions in staffing and services provided by military personnel, civilian personnel, and contractor personnel.

(2) A description of the planned changes or reductions in management, functions, and programs and offices.

(3) The estimated cumulative savings to be achieved over a 10-fiscal-year period beginning with fiscal year 2015, and estimated savings to be achieved for each of fiscal years 2015 through 2024.

(c) COVERED ORGANIZATION.—In this section, the term "covered organization" includes each of the following:

(1) The Office of the Secretary of Defense.

(2) The Joint Staff.

(3) The Defense Agencies.

(4) The Department of Defense field activities.

(5) The headquarters of the combatant commands.

(6) Headquarters, Department of the Army, including the Office of the Secretary of the Army, the Office of the Chief of Staff of the Army, and the Army Staff.

(7) The major command headquarters of the Army.

(8) The Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and Headquarters, United States Marine Corps.

(9) The major command headquarters of the Navy and the Marine Corps.

(10) Headquarters, Department of the Air Force, including the Office of the Secretary of the Air Force, the Office of the Air Force Chief of Staff, and the Air Staff.

(11) The major command headquarters of the Air Force.

(12) The National Guard Bureau.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan required by subsection (a).

(2) STATUS REPORT.—The Secretary shall include with the Department of Defense materials submitted to Congress with the budget of the President for each of fiscal years 2016 through 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code) a report describing the implementation of the plan required by subsection (a) during the preceding fiscal year and any modifications to the plan required due to changing circumstances. Each such report shall include the following:

(A) A summary of savings achieved for each covered organization in the fiscal year covered by such report.

(B) A description of the savings through changes or reductions in staffing and services provided by military personnel, civilian personnel, and contractor personnel in the fiscal year covered by such report.

(C) A description of the savings through changes or reductions in management, functions, and programs and offices in the fiscal year covered by such report.

(D) In any case in which savings under the plan fall short of the objective of the plan for the fiscal year covered by such report, an explanation of the reasons for the shortfall.

(E) A description of any modifications to the plan made during the fiscal year covered by such report, and an explanation of the reasons for such modifications.

SEC. 905. UPDATE OF STATUTORY STATEMENT OF FUNCTIONS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO DOCTRINE, TRAINING, AND EDUCATION.

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

(1) in subparagraph (B), by inserting "and technical standards, and executing actions," after "policies";

(2) in subparagraph (C), by striking "and training"; and

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

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

"(E) Formulating policies for gathering, developing, and disseminating joint lessons learned for the armed forces.".

(b) CONFORMING AMENDMENT.—The heading of such paragraph is amended by striking "DOCTRINE, TRAINING, AND EDUCATION" and inserting "JOINT FORCE DEVELOPMENT ACTIVITIES".

SEC. 906. MODIFICATION OF REFERENCE TO MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES INSTRUCTION.

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, titled 'Major DoD Headquarters Activities'.".

10 USC 1564 note.

SEC. 907. PERSONNEL SECURITY.

(a) COMPARATIVE ANALYSIS.—

Deadline. Consultation. Reports.

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Director of Cost Assessment and Program Evaluation and in consultation with the Director of the Office of Management and Budget, submit to the appropriate committees of Congress a report setting forth a comprehensive analysis comparing the quality, cost, and timeliness of personnel security clearance investigations and reinvestigations for employees and contractor personnel of the Department of Defense that are conducted by the Office of Personnel Management with the quality, cost, and timeliness of personnel security clearance investigations and reinvestigations for such personnel that are conducted by components of the Department of Defense.

(2) ELEMENTS OF ANALYSIS.—The analysis under paragraph (1) shall do the following:

(A) Determine and compare, for each of the Office of Personnel Management and the components of the Department that conduct personnel security investigations as of the date of the analysis, the quality, cost, and timeliness associated with personnel security investigations and reinvestigations of each type and level of clearance, and identify the elements that contribute to such cost, schedule, and performance.

(B) Identify mechanisms for permanently improving the transparency of the cost structure of personnel security investigations and reinvestigations.

Determination. Plan. Deadline.

(b) PERSONNEL SECURITY FOR DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS.—If the Secretary of Defense determines that the current approach for obtaining personnel security investigations and reinvestigations for employees and contractor personnel of the Department of Defense is not the most efficient and effective approach for the Department, the Secretary shall develop a plan, by not later than October 1, 2014, for the transition of personnel security investigations and reinvestigations to the approach preferred by the Secretary.

(c) STRATEGY FOR MODERNIZING PERSONNEL SECURITY.—

Deadline.

(1) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Director of National Intelligence, and the Director of the Office of Management and Budget shall jointly develop, implement, and provide to the appropriate committees of Congress a strategy to modernize all aspects of personnel security for the Department of Defense with the objectives of improving quality, providing for continuous monitoring, decreasing

unauthorized disclosures of classified information, lowering costs, increasing efficiencies, and enabling and encouraging reciprocity.

(2) CONSIDERATION OF ANALYSIS.—In developing the strategy under paragraph (1), the Secretary and the Directors shall consider the results of the analysis required by subsection (a) and the results of any ongoing reviews of recent unauthorized disclosures of national security information.

(3) METRICS.—

(A) METRICS REQUIRED.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall jointly establish metrics to measure the effectiveness of the strategy in meeting the objectives specified in that paragraph.

(B) REPORT.—At the same time the budget of the President for each of fiscal years 2016 through 2019 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary and the Directors shall jointly submit to the appropriate committees of Congress a report on the metrics established under paragraph (1), including an assessment using the metrics of the effectiveness of the strategy in meeting the objectives specified in paragraph (1).

(4) ELEMENTS.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall address issues including but not limited to the following:

(A) Elimination of manual or inefficient processes in investigations and reinvestigations for personnel security, wherever practicable, and automating and integrating the elements of the investigation and adjudication processes, including in the following:

(i) The clearance application process.

(ii) Investigation case management.

(iii) Adjudication case management.

(iv) Investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records from investigative sources and between any case management systems.

(v) Records management for hiring and clearance decisions.

(B) Elimination or reduction, where possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, if appropriate and cost-effective, to enable electronic access and processing.

(C) Access and analysis of government, publically available, and commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines and termination standards to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(D) Use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to hiring and clearance determinations.

(E) Standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events.

(F) Establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof, including the ability to monitor the status of an individual and any events related to the continued eligibility of such individual for employment or clearance during intervals between investigations.

(G) Elimination or reduction of the scope of, or alteration of the schedule for, periodic reinvestigations of cleared personnel, when such action is appropriate in light of the information provided by continuous monitoring or evaluation technology.

(H) Electronic integration of personnel security processes and information systems with insider threat detection and monitoring systems, and pertinent law enforcement, counterintelligence and intelligence information, for threat detection and correlation, including those processes and systems operated by components of the Department of Defense for purposes of local security, workforce management, or other related purposes.

(5) RISK-BASED MONITORING.—The strategy required by paragraph (1) shall—

(A) include the development of a risk-based approach to monitoring and reinvestigation that prioritizes which cleared individuals shall be subject to frequent reinvestigations and random checks, such as the personnel with the broadest access to classified information or with access to the most sensitive classified information, including information technology specialists or other individuals with such broad access commonly known as "super users";

(B) ensure that if the system of continuous monitoring for all cleared individuals described in paragraph (4)(D) is implemented in phases, such system shall be implemented on a priority basis for the individuals prioritized under subparagraph (A); and

(C) ensure that the activities of individuals prioritized under subparagraph (A) shall be monitored especially closely.

(d) RECIPROCITY OF CLEARANCES.—The Secretary of Defense and the Director of National Intelligence shall jointly ensure the reciprocity of personnel security clearances among positions requiring personnel holding secret, top secret, or sensitive compartmented information clearances, to the maximum extent feasible consistent with national security requirements.

(e) COMPTROLLER GENERAL REVIEW.—

Deadline.

(1) REVIEW REQUIRED.—Not later than 150 days after the date of the enactment of this Act, the Comptroller General of the United States shall carry out a review of the personnel security process.

(2) OBJECTIVE OF REVIEW.—The objective of the review required by paragraph (1) shall be to identify the following:

(A) Differences between the metrics used by the Department of Defense and other departments and agencies that grant security clearances in granting reciprocity for security clearances, and the manner in which such differences can be harmonized.

(B) The extent to which existing Federal Investigative Standards are relevant, complete, and sufficient for guiding agencies and individual investigators as they conduct their security clearance background investigations.

(C) The processes agencies have implemented to ensure quality in the security clearance background investigation process.

(D) The extent to which agencies have developed and implemented outcome-focused performance measures to track the quality of security clearance investigations and any insights from these measures.

(E) The processes agencies have implemented for resolving incomplete or subpar investigations, and the actions taken against government employees and contractor personnel who have demonstrated a consistent failure to abide by quality assurance measures.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required by paragraph (1).

(f) TASK FORCE ON RECORDS ACCESS FOR SECURITY CLEARANCE BACKGROUND INVESTIGATIONS.—

(1) ESTABLISHMENT.—The Suitability and Security Clearance Performance Accountability Council, as established by Executive Order No. 13467, shall convene a task force to examine the different policies and procedures that determine the level of access to public records provided by State and local authorities in response to investigative requests by Federal Government employees or contracted employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities.

(2) MEMBERSHIP.—The members of the task force shall include, but need not be limited to, the following:

(A) The Chair of the Suitability and Security Clearance Performance and Accountability Council, who shall serve as chair of the task force.

(B) A representative from the Office of Personnel Management.

(C) A representative from the Office of the Director of National Intelligence.

(D) A representative from the Department of Defense responsible for administering security clearance background investigations.

(E) Representatives from Federal law enforcement agencies within the Department of Justice and the Department of Homeland Security involved in security clearance background investigations.

(F) Representatives from State and local law enforcement agencies, including—

(i) agencies in rural areas that have limited resources and less than 500 officers; and

(ii) agencies that have more than 1,000 officers and significant technological resources.

(G) A representative from Federal, State, and local law enforcement associations involved with security clearance background administrative actions and appeals.

(H) Representatives from Federal, State, and local judicial systems involved in the sharing of records to support security clearance background investigations.

Deadline.

(3) INITIAL MEETING.—The task force shall convene its initial meeting not later than 45 days after the date of the enactment of this Act.

(4) DUTIES.—The task force shall do the following:

(A) Analyze the degree to which State and local authorities comply with investigative requests made by Federal Government employees or contractor employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities, including the degree to which investigative requests are required but never formally requested.

(B) Analyze limitations on the access to public records provided by State and local authorities in response to investigative requests by Federal Government employees and contractor employees described in subparagraph (A), including, but not be limited to, limitations relating to budget and staffing constraints on State and local authorities, any procedural and legal obstacles impairing Federal access to State and local law enforcement records, or inadequate investigative procedural standards for background investigators.

(C) Provide recommendations for improving the degree of cooperation and records-sharing between State and local authorities and Federal Government employees and contractor employees described in subparagraph (A).

(5) REPORT.—Not later than 120 days after the date of the enactment of this Act, the task force shall submit to the appropriate committees of Congress a report setting forth a detailed statement of the findings and conclusions of the task force pursuant to this subsection, together with the recommendations of the task force for such legislative or administrative action as the task force considers appropriate.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle B—Space Activities

SEC. 911. NATIONAL SECURITY SPACE SATELLITE REPORTING POLICY.

(a) NOTIFICATION OF FOREIGN INTERFERENCE OF NATIONAL SECURITY SPACE.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2278. Notification of foreign interference of national security space 10 USC 2278.

"(a) NOTICE REQUIRED.—The Commander of the United States Strategic Command shall, with respect to each intentional attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability, provide to the appropriate congressional committees— Determinations.

"(1) not later than 48 hours after the Commander determines that there is reason to believe such attempt occurred, notice of such attempt; and

"(2) not later than 10 days after the date on which the Commander determines that there is reason to believe such attempt occurred, a notification described in subsection (b) with respect to such attempt.

"(b) NOTIFICATION DESCRIPTION.—A notification described in this subsection is a written notification that includes—

"(1) the name and a brief description of the national security space capability that was impacted by an attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability;

"(2) a description of such attempt, including the foreign actor, the date and time of such attempt, and any related capability outage and the mission impact of such outage; and

"(3) any other information the Commander considers relevant.

"(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

"(1) the congressional defense committees; and

"(2) with respect to a notice or notification related to an attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability that is intelligence-related, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.".

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following item: 10 USC prec. 2271.

"2278. Notification of foreign interference of national security space.".

SEC. 912. NATIONAL SECURITY SPACE DEFENSE AND PROTECTION.

(a) REVIEW.—The Secretary of Defense and the Director of National Intelligence shall jointly enter into an arrangement with the National Research Council to respond to the near-term and long-term threats to the national security space systems of the United States by—

(1) conducting a review of—

(A) the range of options available to address such threats, in terms of deterring hostile actions, defeating

hostile actions, and surviving hostile actions until such actions conclude;

(B) strategies and plans to counter such threats, including resilience, reconstitution, disaggregation, and other appropriate concepts; and

(C) existing and planned architectures, warfighter requirements, technology development, systems, workforce, or other factors related to addressing such threats; and

(2) recommending architectures, capabilities, and courses of action to address such threats and actions to address the affordability, technology risk, and any other potential barriers or limiting factors in implementing such courses of action.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the National Research Council shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing the results of the review conducted pursuant to the arrangement under subsection (a) and the recommended courses of action identified pursuant to such arrangement.

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

(c) SPACE PROTECTION STRATEGY.—Section 911(f)(1) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amended by striking "including each of the matters required by subsection (c)." and inserting the following: "including—

"(A) each of the matters required by subsection (c); and

"(B) a description of how the Department of Defense and the intelligence community plan to provide necessary national security capabilities, through alternative space, airborne, or ground systems, if a foreign actor degrades, denies access to, or destroys United States national security space capabilities.".

SEC. 913. SPACE ACQUISITION STRATEGY.

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

(1) commercial satellite services, particularly communications, are needed to satisfy Department of Defense requirements;

(2) the Department predominately uses one-year leases to obtain commercial satellite services, which are often the most expensive and least strategic method to acquire necessary commercial satellite services; and

(3) consistent with the required authorization and appropriations, Congress encourages the Department to pursue a variety of methods to reduce cost and meet the necessary military requirements, including multi-year leases and procurement of Government-owned payloads on commercial satellites.

Consultation.

(b) STRATEGY REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall establish a strategy to enable the multi-year procurement of commercial satellite services.

(c) BASIS.—The strategy required under subsection (b) shall include and be based on—

(1) an analysis of financial or other benefits to acquiring satellite services through multi-year acquisition approaches;

(2) an analysis of the risks associated with such acquisition approaches;

(3) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including methods to address potential termination liability or cancellation costs generally associated with multi-year contracts;

(4) an identification of any changes needed in the requirements development and approval processes of the Department of Defense to facilitate effective and efficient implementation of such strategy, including an identification of any consolidation of requirements for such services across the Department that may achieve increased buying power and efficiency; and

(5) an identification of any necessary changes to policies, procedures, regulations, or statutes.

(d) BRIEFINGS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall provide to the congressional defense committees a briefing regarding the strategy required under subsection (b), including the elements required under subsection (c). Deadline.

(2) INTERIM BRIEFING.—At the same time that the budget for fiscal year 2015 is submitted to Congress under section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall provide to the congressional defense committees an interim briefing regarding the strategy required under subsection (b). Consultation.

SEC. 914. SPACE CONTROL MISSION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the space control mission of the Department of Defense. Such report shall include—

(1) an identification of existing offensive and defensive space control systems, policies, and technical possibilities of future systems;

(2) an identification of any gaps or risks in existing space control system architecture and possibilities for improvement or mitigation of such gaps or risks;

(3) a description of existing and future sensor coverage and ground processing capabilities for space situational awareness;

(4) an explanation of the extent to which all relevant and available information is being utilized for space situational awareness to detect, track, and identify objects in space;

(5) a description of existing space situational awareness data sharing practices, including what information is being shared and what the benefits and risks of such sharing are to the national security of the United States; and

(6) plans for the future space control mission, including force levels and structure.

SEC. 915. RESPONSIVE LAUNCH.

(a) FINDINGS.—Congress finds the following:

(1) United States Strategic Command has identified three needs as a result of dramatically increased demand and dependence on space capabilities as follows:

(A) To rapidly augment existing space capabilities when needed to expand operational capability.

(B) To rapidly reconstitute or replenish critical space capabilities to preserve continuity of operations capability.

(C) To rapidly exploit and infuse space technological or operational innovations to increase the advantage of the United States.

(2) Operationally responsive low cost launch could assist in addressing such needs of the combatant commands.

(b) STUDY.—The Department of Defense Executive Agent for Space shall conduct a study on responsive, low-cost launch efforts. Such study shall include—

(1) a review of existing and past operationally responsive, low-cost launch efforts by domestic or foreign governments or industry;

(2) an identification of the conditions or requirements for responsive launch that would provide the necessary military value, including the requisite payload capacity, timelines for responsiveness, and the target launch costs;

(3) a technology assessment of various methods to develop an operationally responsive, low-cost launch capability; and

(4) an assessment of the viability of greater utilization of innovative methods, including the use of secondary payload adapters on existing launch vehicles.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a report containing—

(1) the results of the study conducted under subsection (b); and

(2) a consolidated plan for development within the Department of Defense of an operationally responsive, low-cost launch capability.

Deadline.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 60 days after the date on which the report required under subsection (c) is submitted to the congressional defense committees, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of such report and any related findings or recommendations that the Comptroller General considers appropriate.

SEC. 916. LIMITATION ON USE OF FUNDS FOR SPACE PROTECTION PROGRAM.

Records.

Of the amount authorized to be appropriated for fiscal year 2014 by section 201 for the Department of Defense for research, test, development, and evaluation, Air Force, and available for the Space Protection Program (PE# 0603830F) as specified in the funding table in section 4201, $10,000,000 may not be obligated or expended until the Secretary of Defense submits to the congressional defense committees a copy of the study conducted at the

direction of the Deputy Secretary of Defense on the counter space strategy of the Department of Defense that resulted in significant revisions to that strategy by the Department.

SEC. 917. EAGLE VISION SYSTEM.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief of Staff of the Air Force shall submit to the congressional defense committees a report on the Eagle Vision system.

(2) ELEMENTS.—The report required by paragraph (1) shall include a description and assessment of the various commands, components of the Armed Forces, and Defense Agencies to which control of the Eagle Vision system could be transferred from the Headquarters of the Air Force, including the actions to be completed before transfer, potential schedules for transfer, and the effects of transfer on the capabilities of the system or use of the system by other elements of the Department.

(b) LIMITATION ON CERTAIN ACTIONS.—The Secretary of the Air Force may not undertake any changes to the organization or control of the Eagle Vision system until 90 days after the date of the submittal to the congressional defense committees of the report required by subsection (a). Time period.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

SEC. 921. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) CONGRESSIONAL SUBMISSION FOR REQUIRED AUDITS.—The second sentence of section 432(b)(2) of title 10, United States Code, is amended by striking "the intelligence committees" and all that follows and inserting "the congressional defense committees and the congressional intelligence committees (as defined in section 437(c) of this title).".

(b) REPEAL OF DESIGNATION OF DEFENSE INTELLIGENCE AGENCY AS REQUIRED OVERSIGHT AUTHORITY WITHIN DEPARTMENT OF DEFENSE.—Section 436(4) of title 10, United States Code, is amended—

(1) by striking "Defense Intelligence Agency" and inserting "Department of Defense"; and

(2) by striking "management and supervision" and inserting "oversight".

(c) CONGRESSIONAL OVERSIGHT.—Section 437 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "the intelligence committees" and inserting "congressional defense committees and the congressional intelligence committees";

(2) in subsection (b)—

(A) by striking "Consistent with" and all that follows through "the Secretary" and insert "The Secretary"; and

(B) by striking "the intelligence committees" and inserting "congressional defense committees and the congressional intelligence committees"; and

(3) 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 the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).".

10 USC prec. 421 note.

SEC. 922. DEPARTMENT OF DEFENSE INTELLIGENCE PRIORITIES.

Deadline.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

Policy.

(1) establish a written policy governing the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense;

(2) identify any significant intelligence gaps of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments; and

Briefing.

(3) provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on the policy established under paragraph (1) and the gaps identified under paragraph (2).

10 USC prec. 421 note.

SEC. 923. DEFENSE CLANDESTINE SERVICE.

(a) CERTIFICATION REQUIRED.—Not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise available to the Department of Defense for the Defense Clandestine Service for fiscal year 2014 may be obligated or expended for the Defense Clandestine Service until such time as the Secretary of Defense certifies to the covered congressional committees that—

(1) the Defense Clandestine Service is designed primarily to—

(A) fulfill priorities of the Department of Defense that are unique to the Department of Defense or otherwise unmet; and

(B) provide unique capabilities to the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))); and

(2) the Secretary of Defense has designed metrics that will be used to ensure that the Defense Clandestine Service is employed as described in paragraph (1).

Deadlines.

(b) ANNUAL ASSESSMENTS.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the covered congressional committees a detailed assessment of Defense Clandestine Service employment and performance based on the metrics referred to in subsection (a)(2).

(c) NOTIFICATION OF FUTURE CHANGES TO DESIGN.—Following the submittal of the certification referred to in subsection (a), in the event that any significant change is made to the Defense Clandestine Service, the Secretary shall promptly notify the covered congressional committees of the nature of such change.

(d) QUARTERLY BRIEFINGS.—The Secretary of Defense shall quarterly provide to the covered congressional committees a briefing on the deployments and collection activities of personnel of the Defense Clandestine Service.

(e) COVERED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "covered congressional committees" means the congressional defense committees, the Permanent Select Committee

on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

SEC. 924. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to execute— Time period.

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) BRIEFING REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing regarding any planning relating to the future execution of the activities described in subsection (a) that has occurred during the two-year period ending on such date and any anticipated future planning relating to such execution or related efforts. Deadline.

(c) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term "National Intelligence Program" has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term "National Intelligence Program budget" means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

Subtitle D—Cyberspace-Related Matters

SEC. 931. MODIFICATION OF REQUIREMENT FOR INVENTORY OF DEPARTMENT OF DEFENSE TACTICAL DATA LINK SYSTEMS. 10 USC 2225 note.

Section 934(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1885; 10 U.S.C. 2225 note) is amended by inserting "and an assessment of vulnerabilities to such systems in anti-access or area-denial environments" before the semicolon.

SEC. 932. AUTHORITIES, CAPABILITIES, AND OVERSIGHT OF THE UNITED STATES CYBER COMMAND. 10 USC 2224 note.

(a) PROVISION OF CERTAIN OPERATIONAL CAPABILITIES.—The Secretary of Defense shall take such actions as the Secretary considers appropriate to provide the United States Cyber Command operational military units with infrastructure and equipment enabling access to the Internet and other types of networks to permit the United States Cyber Command to conduct the peacetime and wartime missions of the Command.

(b) CYBER RANGES.—

(1) IN GENERAL.—The Secretary shall review existing cyber ranges and adapt one or more such ranges, as necessary, to support training and exercises of cyber units that are assigned to execute offensive military cyber operations.

(2) ELEMENTS.—Each range adapted under paragraph (1) shall have the capability to support offensive military operations against targets that—

(A) have not been previously identified and prepared for attack; and

(B) must be compromised or neutralized immediately without regard to whether the adversary can detect or attribute the attack.

(c) PRINCIPAL ADVISOR ON MILITARY CYBER FORCE MATTERS.—

(1) DESIGNATION.—The Secretary shall designate, from among the personnel of the Office of the Under Secretary of Defense for Policy, a Principal Cyber Advisor to act as the principal advisor to the Secretary on military cyber forces and activities. The Secretary may only designate an official under this paragraph if such official was appointed to the position in which such official serves by and with the advice and consent of the Senate.

(2) RESPONSIBILITIES.—The Principal Cyber Advisor shall be responsible for the following:

(A) Overall supervision of cyber activities related to offensive missions, defense of the United States, and defense of Department of Defense networks, including oversight of policy and operational considerations, resources, personnel, and acquisition and technology.

(B) Such other matters relating to offensive military cyber forces as the Secretary shall specify for purposes of this subsection.

(3) CROSS-FUNCTIONAL TEAM.—The Principal Cyber Advisor shall—

(A) integrate the cyber expertise and perspectives of appropriate organizations within the Office of the Secretary of Defense, Joint Staff, military departments, Defense Agencies, and combatant commands, by establishing and maintaining a full-time cross-functional team of subject matter experts from those organizations; and

(B) select team members, and designate a team leader, from among those personnel nominated by the heads of such organizations.

(d) TRAINING OF CYBER PERSONNEL.—The Secretary shall establish and maintain training capabilities and facilities in the Armed Forces and, as the Secretary considers appropriate, at the United States Cyber Command, to support the needs of the Armed Forces and the United States Cyber Command for personnel who are assigned offensive and defensive cyber missions in the Department of Defense.

SEC. 933. MISSION ANALYSIS FOR CYBER OPERATIONS OF DEPARTMENT OF DEFENSE.

Deadline.

(a) MISSION ANALYSIS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a mission analysis of the cyber operations of the Department of Defense.

(b) ELEMENTS.—The mission analysis under subsection (a) shall include the following:

(1) The concept of operations and concept of employment for cyber operations forces.

(2) An assessment of the manpower needs for cyber operations forces, including military requirements for both active and reserve components and civilian requirements.

(3) An assessment of the mechanisms for improving recruitment, retention, and management of cyber operations forces, including through focused recruiting; educational, training, or certification scholarships; bonuses; or the use of short-term or virtual deployments without the need for permanent relocation.

(4) A description of the alignment of the organization and reporting chains of the Department, the military departments, and the combatant commands.

(5) An assessment of the current, as of the date of the analysis, and projected equipping needs of cyber operations forces.

(6) An analysis of how the Secretary, for purposes of cyber operations, depends upon organizations outside of the Department, including industry and international partners.

(7) Methods for ensuring resilience, mission assurance, and continuity of operations for cyber operations.

(8) An evaluation of the potential roles of the reserve components in the concept of operations and concept of employment for cyber operations forces required under paragraph (1), including—

Consultation.

(A) in consultation with the Secretaries of the military departments and the Commander of the United States Cyber Command, an identification of the Department of Defense cyber mission requirements that could be discharged by members of the reserve components;

Consultation.

(B) in consultation with the Secretary of Homeland Security, consideration of ways to ensure that the Governors of the several States, through the Council of Governors, as appropriate, have an opportunity to provide the Secretary of Defense and the Secretary of Homeland Security an independent evaluation of State cyber capabilities, and State cyber needs that cannot be fulfilled through the private sector;

(C) an identification of the existing capabilities, facilities, and plans for cyber activities of the reserve components, including—

(i) an identification of current positions in the reserve components serving Department cyber missions;

(ii) an inventory of the existing cyber skills of reserve component personnel, including the skills of units and elements of the reserve components that are transitioning to cyber missions;

(iii) an inventory of the existing infrastructure of the reserve components that contributes to the cyber missions of the United States Cyber Command, including the infrastructure available to units and elements of the reserve components that are transitioning to such missions; and

(iv) an assessment of the manner in which the military departments plan to use the reserve components to meet total force resource requirements, and the effect of such plans on the potential ability of members of the reserve components to support the cyber missions of the United States Cyber Command;

(D) an assessment of whether the National Guard, when activated in a State status (either State Active Duty or in a duty status under title 32, United States Code) can operate under unique and useful authorities to support domestic cyber missions and requirements of the Department or the United States Cyber Command;

(E) an assessment of the appropriateness of hiring on a part-time basis non-dual status technicians who possess appropriate cyber security expertise for purposes of assisting the National Guard in protecting critical infrastructure and carrying out cyber missions;

(F) an assessment of the current and potential ability of the reserve components to—

(i) attract and retain personnel with substantial, relevant cyber technical expertise who use those skills in the private sector;

(ii) organize such personnel into units at the State, regional, or national level under appropriate command and control arrangements for Department cyber missions;

(iii) meet and sustain the training standards of the United States Cyber Command; and

(iv) establish and manage career paths for such personnel;

(G) a determination of how the reserve components could contribute to total force solutions to cyber operations requirements of the United States Cyber Command; and

(H) development of an estimate of the personnel, infrastructure, and training required, and the costs that would be incurred, in connection with implementing a strategy for integrating the reserve components into the total force for support of the cyber missions of the Department and United States Cyber Command, including by taking into account the potential savings under the strategy through use of personnel referred to in subparagraph (C)(i), provided that for specific cyber units that exist or are transitioning to a cyber mission, the estimate shall examine whether there are misalignments in existing plans between unit missions and facility readiness to support such missions.

(c) LIMITATIONS ON CERTAIN ACTIONS.—

(1) REDUCTION IN PERSONNEL OF AIR NATIONAL GUARD CYBER UNITS.—No reduction in personnel of a cyber unit of the Air National Guard of the United States may be implemented or carried out in fiscal year 2014 before the submittal of the report required by subsection (d).

Certification.

(2) REDUCTION IN PERSONNEL AND CAPACITY OF AIR NATIONAL GUARD RED TEAMS.—No reduction in the personnel or capacity of a Red Team of the Air National Guard of the United States may be implemented or carried out unless the report required by subsection (d) includes a certification that

the personnel or capacity to be reduced is directly related to Red Team capabilities that are no longer required.

(d) REPORT REQUIRED.—Not later than 30 days after the completion of the mission analysis under subsection (a), the Secretary shall submit to the congressional defense committees a report containing—

(1) the results of the mission analysis;

(2) recommendations for improving or changing the roles, organization, missions, concept of operations, or authorities related to the cyber operations of the Department; and

(3) any other matters concerning the mission analysis that the Secretary considers appropriate.

(e) NATIONAL GUARD ASSESSMENT.—Not later than 30 days after the date on which the Secretary submits the report required under subsection (d), the Chief of the National Guard Bureau shall submit to the congressional defense committees an assessment of the role of the National Guard in supporting the cyber operations mission of the Department of Defense as such mission is described in such report. Deadline.

(f) FORM.—The report under subsection (d) shall be submitted in unclassified form, but may include a classified annex.

SEC. 934. MODIFICATION OF REQUIREMENT FOR REPORT ON DEPARTMENT OF DEFENSE PROGRESS IN DEFENDING THE DEPARTMENT AND THE DEFENSE INDUSTRIAL BASE FROM CYBER EVENTS.

Section 935(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4339) is amended—

(1) in subparagraph (A), by striking "capabilities." and inserting "capabilities, including estimated economic impacts."; and

(2) in subparagraph (B), by striking "remediation." and inserting "remediation and estimates of economic losses resulting from such event.".

SEC. 935. ADDITIONAL REQUIREMENTS RELATING TO THE SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE. 10 USC 2223 note.

(a) UPDATED PLAN.—

(1) UPDATE.—The Chief Information Officer of the Department of the Defense shall, in consultation with the chief information officers of the military departments and the Defense Agencies, update the plan for the inventory of selected software licenses of the Department of Defense required under section 937 of the National Defense Authorization Act for 2013 (Public Law 112–239; 10 U.S.C. 2223 note) to include a plan for the inventory of all software licenses of the Department of Defense for which a military department spends more than $5,000,000 annually on any individual title, including a comparison of licenses purchased with licenses in use. Consultation.

(2) ELEMENTS.—The update required under paragraph (1) shall—

(A) include plans for implementing an automated solution capable of reporting the software license compliance position of the Department and providing a verified audit trail, or an audit trail otherwise produced and verified by an independent third party;

(B) include details on the process and business systems necessary to regularly perform reviews, a procedure for validating and reporting deregistering and registering new software, and a mechanism and plan to relay that information to the appropriate chief information officer; and

(C) a proposed timeline for implementation of the updated plan in accordance with paragraph (3).

Deadline.

(3) SUBMISSION.—Not later than September 30, 2015, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees the updated plan required under paragraph (1).

Determination.

(b) PERFORMANCE PLAN.—If the Chief Information Officer of the Department of Defense determines through the implementation of the process and business systems in the updated plan required by subsection (a) that the number of software licenses of the Department for an individual title for which a military department spends greater than $5,000,000 annually exceeds the needs of the Department for such software licenses, or the inventory discloses that there is a discrepancy between the number of software licenses purchased and those in actual use, the Chief Information Officer of the Department of Defense shall implement a plan to bring the number of such software licenses into balance with the needs of the Department and the terms of any relevant contract.

SEC. 936. CYBER OUTREACH AND THREAT AWARENESS FOR SMALL BUSINESSES.

Deadline. Briefing. Plans.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on options for strengthening outreach and threat awareness programs for small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are awarded contracts by the Department of Defense to assist such businesses to—

(1) understand the gravity and scope of cyber threats;

(2) develop a plan to protect intellectual property; and

(3) develop a plan to protect the networks of such businesses.

10 USC 2224 note.

SEC. 937. JOINT FEDERATED CENTERS FOR TRUSTED DEFENSE SYSTEMS FOR THE DEPARTMENT OF DEFENSE.

(a) FEDERATION REQUIRED.—

Establishment.

(1) IN GENERAL.—The Secretary of Defense shall provide for the establishment of a joint federation of capabilities to support the trusted defense system needs of the Department of Defense (in this section referred to as the "federation").

(2) PURPOSE.—The purpose of the federation shall be to serve as a joint, Department-wide federation of capabilities to support the trusted defense system needs of the Department to ensure security in the software and hardware developed, acquired, maintained, and used by the Department, pursuant to the trusted defense systems strategy of the Department and supporting policies related to software assurance and supply chain risk management.

(b) DISCHARGE OF ESTABLISHMENT.—In providing for the establishment of the federation, the Secretary shall consider whether the purpose of the federation can be met by existing centers in the Department. If the Department determines that there are capabilities gaps that cannot be satisfied by existing

Determination. Strategy.

centers, the Department shall devise a strategy for creating and providing resources for such capabilities to fill such gaps.

(c) CHARTER.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a charter for the federation. The charter shall— Deadline.

(1) be established pursuant to the trusted defense systems strategy of the Department and supporting policies related to software assurance and supply chain risk management; and

(2) set forth—

(A) the role of the federation in supporting program offices in implementing the trusted defense systems strategy of the Department;

(B) the software and hardware assurance expertise and capabilities of the federation, including policies, standards, requirements, best practices, contracting, training, and testing;

(C) the requirements for the discharge by the federation, in coordination with the Center for Assured Software of the National Security Agency, of a program of research and development to improve automated software code vulnerability analysis and testing tools;

(D) the requirements for the federation to procure, manage, and distribute enterprise licenses for automated software vulnerability analysis tools; and

(E) the requirements for the discharge by the federation, in coordination with the Defense Microelectronics Activity, of a program of research and development to improve hardware vulnerability, testing, and protection tools.

(d) REPORT.—The Secretary shall submit to the congressional defense committees, at the time of the submittal to Congress of the budget of the President for fiscal year 2016 pursuant to section 1105 of title 31, United States Code, a report on the funding and management of the federation. The report shall set forth such recommendations as the Secretary considers appropriate regarding the optimal placement of the federation within the organizational structure of the Department, including responsibility for the funding and management of the federation.

SEC. 938. SUPERVISION OF THE ACQUISITION OF CLOUD COMPUTING CAPABILITIES. 10 USC 2223a note.

(a) SUPERVISION.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Under Secretary of Defense for Intelligence, the Chief Information Officer of the Department of Defense, and the Chairman of the Joint Requirements Oversight Council, supervise the following:

(A) Review, development, modification, and approval of requirements for cloud computing solutions for data analysis and storage by the Armed Forces and the Defense Agencies, including requirements for cross-domain, enterprise-wide discovery and correlation of data stored in cloud and non-cloud computing databases, relational and non-relational databases, and hybrid databases.

(B) Review, development, modification, approval, and implementation of plans for the competitive acquisition

of cloud computing systems or services to meet requirements described in subparagraph (A), including plans for the transition from current computing systems to systems or services acquired.

(C) Development and implementation of plans to ensure that the cloud systems or services acquired pursuant to subparagraph (B) are interoperable and universally accessible and usable through attribute-based access controls.

(D) Integration of plans under subparagraphs (B) and (C) with enterprise-wide plans of the Armed Forces and the Department of Defense for the Joint Information Environment and the Defense Intelligence Information Environment.

Deadline.

(2) DIRECTION.—The Secretary shall provide direction to the Armed Forces and the Defense Agencies on the matters covered by paragraph (1) by not later than March 15, 2014.

Coordination.

(b) INTEGRATION WITH INTELLIGENCE COMMUNITY EFFORTS.—The Secretary shall coordinate with the Director of National Intelligence to ensure that activities under this section are integrated with the Intelligence Community Information Technology Enterprise in order to achieve interoperability, information sharing, and other efficiencies.

(c) LIMITATION.—The requirements of subparagraphs (B), (C), and (D) of subsection (a)(1) shall not apply to a contract for the acquisition of cloud computing capabilities in an amount less than $1,000,000.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter or affect the authorities or responsibilities of the Director of National Intelligence under section 102A of the National Security Act of 1947 (50 U.S.C. 3024).

SEC. 939. CYBER VULNERABILITIES OF DEPARTMENT OF DEFENSE WEAPON SYSTEMS AND TACTICAL COMMUNICATIONS SYSTEMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of the capability of each military department to operate in non-permissive and hostile cyber environments.

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

(1) A description and assessment of potential cyber threats or threat systems to major weapon systems and tactical communications systems that could emerge in the next five years.

(2) A description and assessment of cyber vulnerabilities of current major weapon and tactical communications systems.

(3) A detailed description of the current strategy to detect, deter, and defend against cyber attacks on current and planned major weapon systems and tactical communications systems.

(4) An estimate of the costs anticipated to be incurred in addressing cyber vulnerabilities to Department of Defense weapon systems and tactical communications systems over the next five years.

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

SEC. 940. CONTROL OF THE PROLIFERATION OF CYBER WEAPONS. President.

(a) INTERAGENCY PROCESS FOR ESTABLISHMENT OF POLICY.—The President shall establish an interagency process to provide for the establishment of an integrated policy to control the proliferation of cyber weapons through unilateral and cooperative law enforcement activities, financial means, diplomatic engagement, and such other means as the President considers appropriate.

(b) INDUSTRY PARTICIPATION.—The President shall include, to the extent practicable, private industry participation in the process established under subsection (a).

(c) OBJECTIVES.—The objectives of the interagency process established under subsection (a) shall be as follows:

(1) To identify the intelligence, law enforcement, and financial sanctions tools that can and should be used to suppress the trade in cyber tools and infrastructure that are or can be used for criminal, terrorist, or military activities while preserving the ability of governments and the private sector to use such tools for legitimate purposes of self-defense.

(2) To establish a statement of principles to control the proliferation of cyber weapons, including principles for controlling the proliferation of cyber weapons that can lead to expanded cooperation and engagement with international partners.

(d) RECOMMENDATIONS.—The interagency process established under subsection (a) shall develop, by not later than 270 days after the date of the enactment of this Act, recommendations on means for the control of the proliferation of cyber weapons, including a draft statement of principles and a review of applicable legal authorities. Deadline.

SEC. 941. INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

(a) INTEGRATED POLICY.—The President shall establish an interagency process to provide for the development of an integrated policy to deter adversaries in cyberspace. President.

(b) OBJECTIVE.—The objective of the interagency process established under subsection (a) shall be to develop a deterrence policy for reducing cyber risks to the United States and our allies.

(c) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a report setting forth the integrated policy developed pursuant to subsection (a).

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

SEC. 942. NATIONAL CENTERS OF ACADEMIC EXCELLENCE IN INFORMATION ASSURANCE EDUCATION MATTERS. Deadlines.

(a) PRESERVATION OF DESIGNATION DURING ACADEMIC YEARS 2013–2014 AND 2014–2015.—Each institution of higher education that was designated by the National Security Agency and the Department of Homeland Security as a National Center of Academic Excellence in Information Assurance Education as of January 1, 2013, shall continue to be designated as such a Center through June 30, 2015, provided that such institution maintains the standards by which such institution was originally designated as such a Center. Extension.

Consultation.

(b) ASSESSMENT AND RECOMMENDATION OF ACCREDITATION OR DESIGNATION PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, the Director of the National Security Agency, and other appropriate departments and agencies of the Federal Government and non-Federal organizations, shall—

(1) assess the National Centers of Academic Excellence in Information Assurance Education program strengths and weaknesses, including processes and criteria used to develop curricula and designate an institution of higher education as a National Center of Academic Excellence in Information Assurance Education;

(2) assess the maturity of information assurance as an academic discipline;

(3) assess the role the Federal Government should play in the future development of curricula and other criteria for designating or accrediting information assurance education programs of institutions of higher education as National Centers of Academic Excellence in Information Assurance Education;

(4) assess the advantages and disadvantages of broadening the governance structure of such Centers;

(5) assess the extent to which existing and emerging curricula and other criteria for designation as such a Center is aligned with the National Initiative for Cybersecurity Education and will provide the knowledge and skills needed by the information assurance workforce for existing and future employment;

(6) make recommendations for improving and evolving the mechanisms and processes for developing the curricula and other criteria for accrediting or designating information assurance programs of institutions of higher education as Centers; and

(7) make recommendations on transitioning the responsibility for developing the curricula and other criteria for accrediting or designating information assurance programs of institutions of higher education as Centers from the sole administration of the National Security Agency.

(c) ASSESSMENT OF DEPARTMENT OF DEFENSE COLLABORATION WITH CENTERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall assess the collaboration of the Department of Defense with the National Centers of Academic Excellence in Information Assurance Education. Such assessment shall include—

(1) the extent to which the information security scholarship program of the Department of Defense established under chapter 112 of title 10, United States Code, contributes to—

(A) building the capacity to educate the information assurance and cybersecurity workforce needed for the future; and

(B) employing exceptional information assurance and cybersecurity workers in the Department; and

(2) mechanisms for increasing Department employment of graduates of such Centers.

(d) PLAN.—

Consultation.

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in

consultation with the Secretary of Homeland Security, the Director of the National Security Agency, and other appropriate departments and agencies of the Federal Government and non-Federal organizations, shall submit to Congress—

(A) a plan for implementing the recommendations made pursuant to subsection (b) on improving and evolving the mechanisms and processes for developing the curricula and other criteria for accrediting or designating the information assurance programs of institutions of higher education as National Centers of Academic Excellence in Information Assurance Education;

(B) the results of the assessments conducted under subsections (b) and (c); and

(C) the recommendations made under subsection (b).

(2) CONSULTATION.—In developing the plan under paragraph (1), the Secretary shall consult with appropriate representatives of information assurance interests in departments and agencies of the Federal Government, State and local governments, academia, and the private sector.

(e) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

Subtitle E—Total Force Management

SEC. 951. REVIEWS OF APPROPRIATE MANPOWER PERFORMANCE.

(a) REPORTS REQUIRED.—Section 2330a of title 10, United States Code, is amended—

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

(2) by inserting after subsection (f) the following new subsections (g) and (h):

"(g) INSPECTOR GENERAL REPORT.—Not later than May 1 of each year, beginning with 2014 and ending with 2016, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report containing the Inspector General's assessment of—

"(1) the efforts by the Department of Defense to compile the inventory pursuant to subsection (c); and

"(2) the reviews conducted under subsection (e), including the actions taken to resolve the findings of the reviews in accordance with section 2463 of this title.

"(h) COMPTROLLER GENERAL REPORT.—Not later than September 30 of each year, beginning with 2014 and ending with 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the Comptroller General's assessment of the efforts by the Department of Defense to implement subsections (e) and (f).".

(b) EXTENSION OF COMPTROLLER GENERAL REPORT ON INVENTORY.—Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2402) is amended by striking "2011 and 2012" and inserting "2011, 2012, 2013, 2014, and 2015".

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Budgetary effects of this Act.
Sec. 1003. Audit of Department of Defense fiscal year 2018 financial statements.
Sec. 1004. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia.
Sec. 1012. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1013. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Modification of requirements for annual long-range plan for the construction of naval vessels.
Sec. 1022. Clarification of sole ownership resulting from ship donations at no cost to the Navy.
Sec. 1023. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.
Sec. 1024. Extension and remediation of Navy contracting actions.
Sec. 1025. Report comparing costs of DDG 1000 and DDG 51 Flight III ships.
Sec. 1026. Report on naval vessels and the Force Structure Assessment.
Sec. 1027. Modification of policy relating to major combatant vessels of the strike forces of the Navy.

Subtitle D—Counterterrorism

Sec. 1031. Clarification of procedures for use of alternate members on military commissions.
Sec. 1032. Modification of Regional Defense Combating Terrorism Fellowship Program reporting requirement.
Sec. 1033. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1034. Prohibition on the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1035. Transfers to foreign countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1036. Report on information relating to individuals detained at Parwan, Afghanistan.
Sec. 1037. Grade of chief prosecutor and chief defense counsel in military commissions established to try individuals detained at Guantanamo.
Sec. 1038. Report on capability of Yemeni government to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen.
Sec. 1039. Report on attachment of rights to individuals detained at Guantanamo if transferred to the United States.

Subtitle E—Sensitive Military Operations

Sec. 1041. Congressional notification of sensitive military operations.
Sec. 1042. Counterterrorism operational briefings.
Sec. 1043. Report on process for determining targets of lethal or capture operations.

Subtitle F—Nuclear Forces

Sec. 1051. Notification required for reduction or consolidation of dual-capable aircraft based in Europe.
Sec. 1052. Council on Oversight of the National Leadership Command, Control, and Communications System.
Sec. 1053. Modification of responsibilities and reporting requirements of Nuclear Weapons Council.
Sec. 1054. Modification of deadline for report on plan for nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system.
Sec. 1055. Prohibition on elimination of nuclear triad.

Sec. 1056. Implementation of New START Treaty.
Sec. 1057. Retention of capability to redeploy multiple independently targetable reentry vehicles.
Sec. 1058. Report on New START Treaty.
Sec. 1059. Report on implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report.
Sec. 1060. Sense of Congress on further strategic nuclear arms reductions with the Russian Federation.
Sec. 1061. Sense of Congress on compliance with nuclear arms control treaty obligations.
Sec. 1062. Senses of Congress on ensuring the modernization of the nuclear forces of the United States.

Subtitle G—Miscellaneous Authorities and Limitations

Sec. 1071. Enhancement of capacity of the United States Government to analyze captured records.
Sec. 1072. Strategic plan for the management of the electromagnetic spectrum.
Sec. 1073. Extension of authority to provide military transportation services to certain other agencies at the Department of Defense reimbursement rate.
Sec. 1074. Notification of modifications to Army force structure.
Sec. 1075. Aircraft joint training.

Subtitle H—Studies and Reports

Sec. 1081. Online availability of reports submitted to Congress.
Sec. 1082. Oversight of combat support agencies.
Sec. 1083. Inclusion in annual report of description of interagency coordination relating to humanitarian demining technology.
Sec. 1084. Repeal and modification of reporting requirements.
Sec. 1085. Repeal of requirement for Comptroller General assessment of Department of Defense efficiencies.
Sec. 1086. Review and assessment of United States Special Operations Forces and United States Special Operations Command.
Sec. 1087. Reports on unmanned aircraft systems.
Sec. 1088. Report on foreign language support contracts for the Department of Defense.
Sec. 1089. Civil Air Patrol.

Subtitle I—Other Matters

Sec. 1091. Technical and clerical amendments.
Sec. 1092. Reduction in costs to report critical changes to major automated information system programs.
Sec. 1093. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.
Sec. 1094. Extension of Ministry of Defense Advisor Program and authority to waive reimbursement of costs of activities for certain nongovernmental personnel.
Sec. 1095. Amendments to certain national commissions.
Sec. 1096. Strategy for future military information operations capabilities.
Sec. 1097. Sense of Congress on collaboration on border security.
Sec. 1098. Transfer of aircraft to other departments for wildfire suppression and other purposes; tactical airlift fleet of the Air Force.

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred. Determination.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer

under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

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

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

10 USC 2222 note.

SEC. 1003. AUDIT OF DEPARTMENT OF DEFENSE FISCAL YEAR 2018 FINANCIAL STATEMENTS.

Deadlines.

(a) AUDIT OF DOD FINANCIAL STATEMENTS.—In addition to the requirement under section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) that the Financial Improvement and Audit Readiness Plan describe specific actions to be taken and the costs associated with ensuring that the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017, upon the conclusion of fiscal year 2018, the Secretary of Defense shall ensure that a full audit is performed on the financial statements of the Department of Defense for such fiscal year. The Secretary shall submit to Congress the results of that audit by not later than March 31, 2019.

(b) INCLUSION OF AUDIT IN FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.—Section 1003(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended—

(1) in clause (i), by striking "and" at the end;

(2) in clause (ii), by inserting "and" after the semicolon; and

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

Deadline.

"(iii) ensuring the audit of the financial statements of the Department of Defense for fiscal year 2018 occurs by not later than March 31, 2019.".

SEC. 1004. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2014 is less than $8,400,000,000 (the amount projected to be required for such activities in fiscal year 2014 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2014 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

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

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) EXTENSION.—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1010 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1907), is amended—

(1) in subsection (a), by striking "2013" and inserting "2014"; and

(2) in subsection (c), by striking "2013" and inserting "2014".

(b) NOTICE TO CONGRESS ON ASSISTANCE.—Not later than 15 days before providing assistance under section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (as amended by subsection (a)) using funds available for fiscal year 2014, the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the anticipated completion date and duration of the provision of such assistance. Deadline.

SEC. 1012. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1594; 10 U.S.C. 371 note), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1907) is amended by striking "2013" and inserting "2015".

SEC. 1013. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1557), is further amended by striking "2013" and inserting "2016".

(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (e)(2) of such section 1033, as so amended, is further amended by striking "2013" and inserting "2016".

(c) ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.—Subsection (b) of such section 1033, as so amended, is further amended by adding at the end the following new paragraphs:

"(36) Government of Chad.
"(37) Government of Libya.
"(38) Government of Mali.
"(39) Government of Niger.".

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. MODIFICATION OF REQUIREMENTS FOR ANNUAL LONG-RANGE PLAN FOR THE CONSTRUCTION OF NAVAL VESSELS.

(a) ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.—Subsection (b) of section 231 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "should be designed" both places it appears and inserting "shall be designed"; and

(B) by striking "is capable of supporting" both places it appears and inserting "supports"; and

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting "and capabilities" after "naval vessel force structure"; and

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

"(D) The estimated total cost of construction for each vessel used to determine estimated levels of annual funding under subparagraph (C).".

(b) ASSESSMENT WHEN CONSTRUCTION PLAN DOES NOT MEET FORCE STRUCTURE REQUIREMENTS.—Such section is further amended by striking subsection (c) and inserting the following new subsection (c):

"(c) ASSESSMENT WHEN ANNUAL NAVAL VESSEL CONSTRUCTION PLAN DOES NOT MEET FORCE STRUCTURE REQUIREMENTS.—If the

annual naval vessel construction plan for a fiscal year under subsection (b) does not result in a force structure or capabilities that meet the requirements identified in subsection (b)(2)(B), the Secretary shall include with the defense budget materials for that fiscal year an assessment of the extent of the strategic and operational risk to national security associated with the reduced force structure of naval vessels over the period of time that the required force structure or capabilities are not achieved. Such assessment shall include an analysis of whether the risks are acceptable, and plans to mitigate such risks. Such assessment shall be coordinated in advance with the commanders of the combatant commands and the Nuclear Weapons Council under section 179 of this title.".

SEC. 1022. 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) 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) Notwithstanding any other law, the Department of Defense, and the officers and employees of the Department of Defense, 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 THE DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Subsection (c) of such section is amended—

(A) 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,"; and

(B) by striking "the United States" and inserting "the Department of Defense".

(2) CLERICAL AMENDMENT.—The heading for subsection (c) of such section is amended by striking "UNITED STATES" and inserting "DEPARTMENT OF DEFENSE".

(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:

10 USC prec. 7291.

"7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.'".

SEC. 1023. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) EXCEPTION.—Notwithstanding subsection (a), the funds referred to in such subsection may be obligated or expended to retire the U.S.S. Denver, LPD9.

SEC. 1024. EXTENSION AND REMEDIATION OF NAVY CONTRACTING ACTIONS.

(a) AUTHORITY FOR SHORT-TERM EXTENSION OR RENEWAL OF LEASES FOR VESSELS SUPPORTING THE TRANSIT PROTECTION SYSTEM ESCORT PROGRAM.—

Time periods.

(1) IN GENERAL.—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Navy may extend or renew the lease of not more than four blocking vessels supporting the Transit Protection System Escort Program after the date of the expiration of the lease of such vessels, as in effect on the date of the enactment of this Act. Such an extension shall be for a term that is the shorter of—

Determination.

(A) the period beginning on the date of the expiration of the lease in effect on the date of the enactment of this Act and ending on the date on which the Secretary determines that a substitute is available for the capabilities

provided by the lease, or that the capabilities provided by the vessel are no longer required; or

(B) 180 days.

(2) FUNDING.—Amounts authorized to be appropriated by section 301 and available for operation and maintenance, Navy, as specified in the funding tables in section 4301, may be available for the extension or renewal of a lease under paragraph (1).

(3) NOTICE TO CONGRESS.—Prior to extending or renewing a lease under paragraph (1), the Secretary of the Navy shall submit to the congressional defense committees notification of the proposed extension or renewal. Such notification shall include—

(A) a detailed description of the term of the proposed contract for the extension or renewal of the lease and a justification for extending or renewing the lease rather than obtaining the capability provided for by the lease, charter, or services involved through purchase of the vessel; and

(B) a plan for meeting the capability provided for by the lease upon the completion of the term of the lease contract, as extended or renewed under paragraph (1).

(b) AUTHORITY FOR ACCEPTANCE OF PAYMENT IN KIND IN SETTLEMENT OF A–12 AIRCRAFT LITIGATION.—Notwithstanding any other provision of law, during fiscal year 2014 and any subsequent fiscal year, the Secretary of the Navy is authorized to accept and retain the following consideration in lieu of a monetary payment for purposes of the settlement of A–12 aircraft litigation arising from the default termination of Contract No. N00019-88-C-0050:

(1) From General Dynamics Corporation, credit in an amount not to exceed $198,000,000 toward the design, construction, and delivery of the steel deckhouse, hangar, and aft missile launching system for the DDG 1002.

(2) From the Boeing Company, three EA-18G Growler aircraft, with installed Airborne Electric Attack kits, valued at an amount not to exceed $198,000,000, at no cost to the Department of the Navy.

SEC. 1025. REPORT COMPARING COSTS OF DDG 1000 AND DDG 51 FLIGHT III SHIPS.

Not later than March 15, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report providing an updated comparison of the costs and risks of acquiring DDG 1000 and DDG 51 Flight III vessels equipped for enhanced ballistic missile defense capability. The report shall include each of the following:

(1) An updated estimate of the total cost to develop, procure, operate, and support ballistic missile defense capable DDG 1000 destroyers equipped with the air and missile defense radar.

(2) The estimate of the Secretary of the total cost of the current plan to develop, procure, operate, and support Flight III DDG 51 destroyers.

(3) Details on the assumed ballistic missile defense requirements and construction schedules for both the DDG 1000 and DDG 51 Flight III destroyers referred to in paragraphs (1) and (2), respectively.

(4) An updated comparison of the program risks and the resulting ship capabilities in all dimensions (not just ballistic missile defense) of the options referred to in paragraphs (1) and (2).

(5) Any other information the Secretary determines appropriate.

SEC. 1026. REPORT ON NAVAL VESSELS AND THE FORCE STRUCTURE ASSESSMENT.

Time period.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the submittal of the annual naval vessel construction plan required under section 231 of title 10, United States Code, for fiscal year 2015, the Chief of Naval Operations shall submit to the congressional defense committees a report on the current requirements for combatant vessels of the Navy and the anticipated requirements for such vessels during the 30-year period following the submittal of the report.

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

(1) A description of the naval capability requirements identified by the combatant commands in developing the Force Structure Assessment in 2005 and revalidating that Assessment in 2010.

(2) The capabilities for each class of vessel that was assumed in the Force Structure Assessment.

(3) An assessment of the capabilities of the current fleet of combatant vessels of the Navy to meet current and anticipated requirements.

(4) An assessment of how the Navy is currently managing deployment schedules to meet combatant commander requirements with a smaller force than specified in the Force Structure Assessment of 2005, including the impact on—

(A) the material condition of the naval force due to longer deployment times; and

(B) long-term retention rates, especially in critical specialties.

(5) An assessment of the capabilities of the anticipated fleet of combatant vessels of the Navy to meet emerging threats over the next 30 years.

(6) An assessment of how the Navy will meet combatant command requirements for forward-deployed naval capabilities with a smaller number of ships and submarines.

(7) An assessment of how the Navy will manage the risk of massing a greater set of capabilities on a smaller number of ships while facing an expanding range of asymmetrical threats, including—

(A) anti-access/area-denial capabilities;

(B) diesel-electric submarines;

(C) mines; and

(D) anti-ship cruise and ballistic missiles.

(8) The assessment of the Commandant of the Marine Corps of—

(A) the operational risk associated with the current and the planned number of ships of the amphibious assault force, including vessels designated as LHA, LHD, LPD, or LSD; and

(B) the capabilities required to meet the needs of the Marine Corps for future ships of the amphibious assault force.

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

SEC. 1027. MODIFICATION OF POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE NAVY.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 7291 note) is amended—

(1) by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(2) in subsection (a), as so redesignated—

(A) by striking "the request shall be for" and inserting "the request shall include a specific assessment of"; and

(B) by inserting "in the analysis of alternatives" after "nuclear power system".

Subtitle D—Counterterrorism

SEC. 1031. 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)"; and

(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 "members"; 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. 1032. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 2249c(c) of title 10, United States Code, is amended—

(1) in paragraph (3), by inserting ", including engagement activities for program alumni," after "subsection (a)";

(2) in paragraph (4), by inserting after "program" the following: ", including a list of any unfunded or unmet training requirements and requests"; and

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

"(5) A discussion and justification of how the program fits within the theater security priorities of each of the commanders of the geographic combatant commands.".

Applicability.
10 USC 2249c note.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a report submitted for a fiscal year beginning after the date of the enactment of this Act.

SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Time period.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may

be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term "individual detained at Guantanamo" has the meaning given that term in section 1035(e)(2).

SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Khalid Sheikh Mohammed.

No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1035. TRANSFERS TO FOREIGN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

10 USC 801 note.

(a) AUTHORITY TO TRANSFER UNDER CERTAIN CIRCUMSTANCES.—The Secretary of Defense is authorized to transfer or release any individual detained at Guantanamo to the individual's country of origin, or any other foreign country, if—

Determination.

(1) the Secretary determines, following a review conducted in accordance with the requirements of section 1023 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 801 note) and Executive Order No. 13567, that the individual is no longer a threat to the national security of the United States; or

(2) such transfer or release outside the United States is to effectuate an order affecting disposition of the individual by a court or competent tribunal of the United States having jurisdiction.

(b) DETERMINATION REQUIRED PRIOR TO TRANSFER.—Except as provided in subsection (a), the Secretary of Defense may transfer an individual detained at Guantanamo to the custody or control of the individual's country origin, or any other foreign country, only if the Secretary determines that—

(1) actions that have been or are planned to be taken will substantially mitigate the risk of such individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States persons or interests; and

(2) the transfer is in the national security interest of the United States.

(c) FACTORS TO BE CONSIDERED IN MAKING DETERMINATION.—In making the determination specified in subsection (b), the Secretary of Defense shall specifically evaluate and take into consideration the following factors:

(1) The recommendations of the Guantanamo Detainee Review Task Force established pursuant to Executive Order No. 13492 and the recommendations of the Periodic Review Boards established pursuant to No. Executive Order 13567, as applicable.

(2) The security situation in the foreign country to which the individual is to be transferred, including whether or not the country is a state sponsor of terrorism, the presence of foreign terrorist groups, and the threat posed by such groups to the United States.

(3) Any confirmed case in which an individual transferred to the foreign country to which the individual is to be transferred subsequently engaged in terrorist or other hostile activity that threatened the United States or United States persons or interests.

(4) Any actions taken by the United States or the foreign country to which the individual is to be transferred, or change in circumstances in such country, that reduce the risk of reengagement of the type described in paragraph (3).

(5) Any assurances provided by the government of the foreign country to which the individual is to be transferred, including that—

(A) such government maintains control over any facility at which the individual is to be detained if the individual is to be housed in a government-controlled facility; and

(B) such government has taken or agreed to take actions to substantially mitigate the risk of the individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States persons or interests.

(6) An assessment of the capacity, willingness, and past practices (if applicable) of the foreign country described in paragraph (5) in meeting any assurances it has provided, including assurances under paragraph (5) regarding its capacity and willingness to mitigate the risk of reengagement.

(7) Any record of cooperation by the individual to be transferred with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense, and any agreements and effective mechanisms that may be in place, to the extent relevant and necessary, to provide continued cooperation with United States intelligence and law enforcement authorities.

(8) In the case of an individual who has been tried in a court or competent tribunal of the United States having jurisdiction on charges based on the same conduct that serves as a basis for the determination that the individual is an enemy combatant, whether or not the individual has been acquitted of such charges or has been convicted and has completed serving the sentence pursuant to the conviction.

(d) NOTIFICATION.—The Secretary of Defense shall notify the appropriate committees of Congress of a determination of the Secretary under subsection (a) or (b) not later than 30 days before the transfer or release of the individual under such subsection. Each notification shall include, at a minimum, the following: Deadline.

(1) A detailed statement of the basis for the transfer or release.

(2) An explanation of why the transfer or release is in the national security interests of the United States.

(3) A description of any actions taken to mitigate the risks of reengagement by the individual to be transferred or released, including any actions taken to address factors relevant to a prior case of reengagement described in subsection (c)(3).

(4) A copy of any Periodic Review Board findings relating to the individual.

(5) A description of the evaluation conducted pursuant to subsection (c), including a summary of the assessment required by paragraph (6) of such subsection.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "individual detained at Guantanamo" means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(f) REPEAL OF SUPERSEDED AUTHORITIES.—The following provisions of law are repealed:

(1) Section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1567; 10 U.S.C. 801 note).

(2) Section 1028 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1914; 10 U.S.C. 801 note).

SEC. 1036. REPORT ON INFORMATION RELATING TO INDIVIDUALS DETAINED AT PARWAN, AFGHANISTAN.

(a) CLASSIFIED REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a classified report on information relating to the individuals detained by the Department of Defense at the Detention Facility at Parwan, Afghanistan, pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) who have been determined to represent an enduring security threat to the United States. Such

report shall cover any individual detained at such facility as of the date of the enactment of this Act. Such report shall include for each such covered individual—

(1) a description of the relevant organization or organizations with which the individual is affiliated;

(2) whether the individual had ever been in the custody or under the effective control of the United States at any time before being detained at such facility and, if so, where the individual had been in such custody or under such effective control; and

(3) whether the individual has been directly linked to the death of any member of the United States Armed Forces or any United States Government employee.

(b) DECLASSIFICATION REVIEW.—Upon submittal of the classified report required under subsection (a), the Secretary of Defense shall conduct a declassification review of such report to determine what information, if any, may be made publicly available in an unclassified summary of the information contained in the report. In conducting such declassification review, the Secretary shall make such summary information publicly available to the maximum extent practicable, consistent with national security.

Public information.

10 USC 948k note.

SEC. 1037. GRADE OF CHIEF PROSECUTOR AND CHIEF DEFENSE COUNSEL IN MILITARY COMMISSIONS ESTABLISHED TO TRY INDIVIDUALS DETAINED AT GUANTANAMO.

(a) IN GENERAL.—For purposes of any military commission established under chapter 47A of title 10, United States Code, to try an alien unprivileged enemy belligerent (as such terms are defined in section 948a of such title) who is detained at United States Naval Station, Guantanamo Bay, Cuba, the chief defense counsel and the chief prosecutor shall have the same grade (as that term is defined in section 101(b)(7) of such title).

(b) WAIVER.—

Determination.

(1) IN GENERAL.—The Secretary of Defense may temporarily waive the requirement specified in subsection (a), if the Secretary determines that compliance with such subsection would—

(A) be infeasible due to a non-availability of qualified officers of the same grade to fill the billets of chief defense counsel and chief prosecutor; or

(B) cause a significant disruption to proceedings established under chapter 47A of title 10, United States Code.

(2) REPORTS.—Not later than 30 days after the Secretary issues a waiver under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the following:

(A) A copy of the waiver and the determination of the Secretary to issue the waiver.

(B) A statement of the basis for the determination, including an explanation of the non-availability of qualified officers or the significant disruption concerned.

(C) Notice of the time period during which the waiver is in effect.

Deadline.

(c) GUIDANCE.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to ensure that the office of the chief defense counsel and the office of the chief prosecutor receive equitable resources, personnel

support, and logistical support for conducting their respective duties in connection with any military commission established under chapter 47A of title 10, United States Code, to try an alien unprivileged enemy belligerent (as such terms are defined in section 948a of such title) who is detained at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. REPORT ON CAPABILITY OF YEMENI GOVERNMENT TO DETAIN, REHABILITATE, AND PROSECUTE INDIVIDUALS DETAINED AT GUANTANAMO WHO ARE TRANSFERRED TO YEMEN.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the capability of the government of Yemen to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen. Such report shall include an assessment of any humanitarian issues that may be encountered in transferring individuals detained at Guantanamo to Yemen.

(b) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term "individual detained at Guantanamo" has the meaning given such term in section 1035(e)(2).

SEC. 1039. REPORT ON ATTACHMENT OF RIGHTS TO INDIVIDUALS DETAINED AT GUANTANAMO IF TRANSFERRED TO THE UNITED STATES.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of Defense, shall submit to the congressional defense committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate a report on the legal rights, if any, for which an individual detained at Guantanamo (as such term is defined in section 1035(e)(2)), if transferred to the United States, may become eligible, by reason of such transfer. Consultation.

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

(1) An assessment of the extent to which an individual detained at Guantanamo, if transferred to the United States, could become eligible, by reason of such transfer, for—

(A) relief from removal from the United States, including pursuant to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(B) any required release from immigration detention, including pursuant to the decision of the Supreme Court in *Zadvydas* v. *Davis*;

(C) asylum or withholding of removal; or

(D) any additional constitutional right.

(2) For any right referred to in paragraph (1) for which the Attorney General determine such an individual could become eligible if so transferred, a description of the reasoning behind such determination and an explanation of the nature of the right.

(3) An analysis of the extent to which legislation or other steps could address any legal rights described in paragraph (1).

Subtitle E—Sensitive Military Operations

SEC. 1041. CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

(a) NOTIFICATION REQUIRED.—

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

10 USC 130f.

"§ 130f. Congressional notification of sensitive military operations

"(a) IN GENERAL.—The Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of any sensitive military operation conducted under this title following such operation. Department of Defense support to operations conducted under the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is addressed in the classified annex prepared to accompany the National Defense Authorization Act for Fiscal Year 2014.

"(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity.

"(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

"(c) BRIEFING REQUIREMENT.—The Secretary of Defense shall periodically brief the congressional defense committees on Department of Defense personnel and equipment assigned to sensitive military operations.

"(d) SENSITIVE MILITARY OPERATION DEFINED.—The term 'sensitive military operation' means a lethal operation or capture operation conducted by the armed forces outside the United States and outside a theater of major hostilities pursuant to—

"(1) the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note); or

"(2) any other authority except—

"(A) a declaration of war; or

"(B) a specific statutory authorization for the use of force other than the authorization referred to in paragraph (1).

"(e) EXCEPTION.—The notification requirement under subsection (a) shall not apply with respect to a sensitive military operation executed within the territory of Afghanistan pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

"(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50

U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item: 10 USC prec. 121.

"130f. Congressional notification regarding sensitive military operations.".

(b) EFFECTIVE DATE.—Section 130f of title 10, United States Code, as added by subsection (a), shall apply with respect to any sensitive military operation (as defined in subsection (d) of such section) executed on or after the date of the enactment of this Act. Applicability. 10 USC 130f note.

(c) DEADLINE FOR SUBMITTAL OF PROCEDURES.—The Secretary of Defense shall submit to the congressional defense committees the procedures required under section 130f(b) of title 10, United States Code, as added by subsection (a), by not later than 60 days after the date of the enactment of this Act. 10 USC 130f note.

SEC. 1042. COUNTERTERRORISM OPERATIONAL BRIEFINGS.

(a) BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after section 484 the following new section:

"§ 485. Quarterly counterterrorism operations briefings 10 USC 485.

"(a) BRIEFINGS REQUIRED.—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings outlining Department of Defense counterterrorism operations and related activities.

"(b) ELEMENTS.—Each briefing under subsection (a) shall include each of the following:

"(1) A global update on activity within each geographic combatant command and how such activity supports the respective theater campaign plan.

"(2) An overview of authorities and legal issues, including limitations.

"(3) An overview of interagency activities and initiatives.

"(4) Any other matters the Secretary considers appropriate.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 484 the following new item: 10 USC prec. 480.

"485. Quarterly counterterrorism operations briefings.".

(b) CONFORMING REPEAL.—Section 1031 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1570; 10 U.S.C. 167 note) is hereby repealed.

SEC. 1043. REPORT ON PROCESS FOR DETERMINING TARGETS OF LETHAL OR CAPTURE OPERATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an explanation of the legal and policy considerations and approval processes used in determining whether an individual or group of individuals could be the target of a lethal operation or capture operation conducted by the Armed Forces of the United States outside the United States and outside of Afghanistan.

Subtitle F—Nuclear Forces

SEC. 1051. NOTIFICATION REQUIRED FOR REDUCTION OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT BASED IN EUROPE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should not reduce or consolidate the basing of dual-capable aircraft of the United States that are based in Europe unless—

(1) the President takes into account whether the Russian Federation has carried out similar reductions or consolidations with respect to dual-capable aircraft of Russia;

(2) the Secretary of Defense has consulted with the member states of the North Atlantic Treaty Organization (NATO) with respect to the planned reduction or consolidation of dual-capable aircraft of the United States; and

(3) there is a consensus among such member states that the nuclear posture of NATO is not adversely affected by such reduction or consolidation.

(b) NOTIFICATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, is amended by inserting after section 497 the following new section:

10 USC 497a.

"§ 497a. Notification required for reduction or consolidation of dual-capable aircraft based in Europe

Deadline.

"(a) NOTIFICATION.—Not less than 90 days before the date on which the Secretary of Defense reduces or consolidates the dual-capable aircraft of the United States that are based in Europe, the Secretary shall submit to the congressional defense committees a notification of such planned reduction or consolidation, including the following:

"(1) The reasons for such planned reduction or consolidation.

"(2) Any effects of such planned reduction or consolidation on the extended deterrence mission of the United States.

"(3) The manner in which the military requirements of the North Atlantic Treaty Organization (NATO) will continue to be met in light of such planned reduction or consolidation.

"(4) A statement by the Secretary on the response of NATO to such planned reduction or consolidation.

"(5) Whether there is any change in the force posture of the Russian Federation as a result of such planned reduction or consolidation, including with respect to the nonstrategic nuclear weapons of Russia that are within range of the member states of NATO.

"(b) DUAL-CAPABLE AIRCRAFT DEFINED.—In this section, the term 'dual-capable aircraft' means aircraft that can perform both conventional and nuclear missions.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 497 the following new item: 10 USC prec. 491.

"497a. Notification required for reduction or consolidation of dual-capable aircraft based in Europe.".

SEC. 1052. COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 171 the following new section:

"§ 171a. Council on Oversight of the National Leadership Command, Control, and Communications System 10 USC 171a.

"(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the 'Council on Oversight of the National Leadership Command, Control, and Communications System' (in this section referred to as the 'Council').

"(b) MEMBERSHIP.—The members of the Council shall be as follows:

"(1) The Under Secretary of Defense for Policy.

"(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

"(3) The Vice Chairman of the Joint Chiefs of Staff.

"(4) The Commander of the United States Strategic Command.

"(5) The Director of the National Security Agency.

"(6) The Chief Information Officer of the Department of Defense.

"(7) Such other officers of the Department of Defense as the Secretary may designate.

"(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

"(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the command, control, and communications system for the national leadership of the United States, including nuclear command, control, and communications.

"(2) In carrying out the responsibility for oversight of the command, control, and communications system as specified in paragraph (1), the Council shall be responsible for the following:

"(A) Oversight of performance assessments (including interoperability).

"(B) Vulnerability identification and mitigation.

"(C) Architecture development.

"(D) Resource prioritization.

"(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

"(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

"(1) A description and assessment of the activities of the Council during the previous fiscal year.

"(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

"(3) Any changes to the requirements of the command, control, and communications system for the national leadership of the United States made during the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of the system.

"(4) A breakdown of each program element in such budget that relates to the system, including how such program element relates to the operation and sustainment, research and development, procurement, or other activity of the system.

Deadlines. Assessment.

"(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

"(A) whether such budget allows the Federal Government to meet the required capabilities of the command, control, and communications system for the national leadership of the United States during the fiscal year covered by the budget and the four subsequent fiscal years; and

Determination.

"(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

"(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

"(A) such assessment as it was submitted to the Chairman; and

"(B) any comments of the Chairman.

Notification.

"(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the command, control, and communications system for the national leadership of the United States that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

Deadline.

"(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the nuclear command, control, and communications system for the national leadership of the United States that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

Deadline.

"(2) In this subsection, the term 'anomaly' means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

"(h) NATIONAL LEADERSHIP OF THE UNITED STATES DEFINED.—In this section, the term 'national leadership of the United States' means the following:

"(1) The President.

"(2) The Vice President.

"(3) Such other civilian officials of the United States Government as the President shall designate for purposes of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 171 the following new item: 10 USC prec. 171.

"171a. Council on Oversight of the National Leadership Command, Control, and Communications System.".

(3) REPORT ON ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, as added by paragraph (1), including the following:

(A) The charter and organizational structure of the Council.

(B) Such recommendations for legislative action as the Secretary considers appropriate to improve the authorities relating to the Council.

(C) A funding plan over the period of the current future-years defense program under section 221 of title 10, United States Code, to ensure a robust and modern nuclear command, control, and communications capability.

(b) CONFORMING AMENDMENTS.—Section 491 of title 10, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 1053. MODIFICATION OF RESPONSIBILITIES AND REPORTING REQUIREMENTS OF NUCLEAR WEAPONS COUNCIL.

(a) RESPONSIBILITIES.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) and (12) as paragraphs (10) and (11), respectively.

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

"(6) A description and assessment of the joint efforts of the Secretary of Defense and the Secretary of Energy to develop common security practices that improve the security of the nuclear weapons and facilities of the Department of Defense and the Department of Energy.".

(c) TECHNICAL AMENDMENT.—Such subsection (g) is further amended in the matter preceding paragraph (1) by striking "on the following" and inserting "that includes the following".

SEC. 1054. MODIFICATION OF DEADLINE FOR REPORT ON PLAN FOR NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) is amended—

(1) in the subsection heading, by striking "ON THE PLAN" and all that follows through "CONTROL SYSTEM" and inserting "REQUIRED";

(2) in paragraph (1), by striking "Together with the budget of the President submitted to Congress" and inserting "Not later than 30 days after the submission to Congress of the budget of the President"; and

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

"(4) EXTENSION OF DEADLINE FOR REPORT.—

Determination.

"(A) IN GENERAL.—Subject to subparagraph (B), if the Secretary of Defense and the Secretary of Energy jointly determine that a report required by paragraph (1) for a fiscal year will not be able to be transmitted to the committees specified in that paragraph by the time required under that paragraph, such Secretaries shall—

Notification.

"(i) promptly, and before the submission to Congress of the budget of the President for that fiscal year under section 1105(a) of title 31, United States Code, notify those committees of the expected date for the transmission of the report; and

"(ii) not later than 30 days after the submission of that budget to Congress, provide a briefing to those committees on the content of the report.

"(B) LIMITATION.—In no case may the President transmit a report required by paragraph (1) for a fiscal year to the committees specified in that paragraph later than 60 days after the submission to Congress of the budget of the President for that fiscal year.".

SEC. 1055. PROHIBITION ON ELIMINATION OF NUCLEAR TRIAD.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

(b) NUCLEAR TRIAD DEFINED.—In this section, the term "nuclear triad" means the nuclear deterrent capabilities of the United States composed of the following:

(1) Land-based intercontinental ballistic missiles.

(2) Submarine-launched ballistic missiles and associated ballistic missile submarines.

(3) Nuclear-certified strategic bombers.

SEC. 1056. IMPLEMENTATION OF NEW START TREATY.

(a) IMPLEMENTATION.—

(1) FISCAL YEAR 2014 ACTIVITIES.—With respect to reductions to the nuclear forces of the United States necessary to meet the New START Treaty levels, the Secretary of Defense may only use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 to carry out activities to prepare for such reductions. Subject to the limitation in subsection (b), such activities may include the preparation of any documents needed to support an environmental assessment process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that may be required to support such reductions.

10 USC 494 note.

(2) CONSOLIDATED BUDGET DISPLAY.—The Secretary shall include with the defense budget materials for each fiscal year specified in paragraph (3) a consolidated budget justification

display that individually covers each program and activity associated with the implementation of the New START Treaty for the period covered by the future-years defense program submitted under section 221 of title 10, United States Code, at or about the time as such defense budget materials are submitted.

(3) FISCAL YEAR SPECIFIED.—A fiscal year specified in this paragraph is each fiscal year that occurs during the period beginning with fiscal year 2015 and ending on the date on which the New START Treaty is no longer in force.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for environmental assessment activities to support reductions to the nuclear forces of the United States, not more than 50 percent may be obligated or expended until—

(1) the Secretary of Defense submits to Congress the plan required by subsection (a) of section 1042 of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575), including a description of various options for the nuclear force structure of the United States under the New START Treaty, including the preferred force structure option of the Secretary (such plan and options may be subject to modification based on the results of the environmental assessment and other subsequent developments); Plan.

(2) the Commander of the United States Strategic Command submits to the congressional defense committees a report providing the assessment of the Commander with respect to the options contained in the plan described in paragraph (1), including the preferred force structure option of the Secretary; and Reports.

(3) the Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that conducting such environmental assessment activities will not imperil the ability of the military to comply with the New START Treaty levels by February 2018. Certification. Deadline.

(c) MODIFICATION OF LIMITATION ON RETIREMENT OF B–52 AIRCRAFT.—

(1) COMMON CONVENTIONAL CAPABILITY CONFIGURATION.—Subsection (a)(1)(C) of section 131 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2111), as added by section 137(a)(1)(C) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 32), is amended by striking "common capability configuration" and inserting "common conventional capability configuration".

(2) CONVERSION.—Notwithstanding such section 131 or any other provision of law, the Secretary of Defense may not convert a B–52 aircraft described in subsection (a)(1)(C) of such section 131 to a configuration that does not allow the aircraft to perform nuclear missions unless the Secretary has submitted to Congress the information required under subsection (b).

(d) REPORT ON COLLABORATION AMONG THE STRATEGIC FORCES OF THE ARMED FORCES.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on collaboration among the Army, the Navy, and the Air Force

on activities related to strategic systems to provide efficiencies, improve technology sharing, and yield other potential benefits.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of current collaboration among the Army, the Navy, and the Air Force on strategic system programs, including strategic missiles systems, conventional prompt global strike, and other strategic forces as the Secretary determines appropriate.

(B) A description and assessment of any additional opportunities for such collaboration, including the benefits that may be realized by such efforts, the risks and costs to existing programs, and potential effects on the defense industrial base that supports strategic systems.

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

(1) the successful implementation of the New START Treaty requires the partnership of the President and Congress;

(2) the force structure required by the New START Treaty should preserve Minuteman III intercontinental ballistic missile silos that contain a deployed missile as of the date of the enactment of this Act in, at a minimum, a warm status that enables such silo to be made fully operational with a deployed missile and remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(3) the distribution of any such warm-status silos should not disproportionally affect the force structure of any one operational intercontinental ballistic missile wing.

10 USC 494 note.

(f) DEFINITIONS.—In this section:

(1) The term "defense budget materials" has the meaning given that term in section 231(f) of title 10, United States Code.

(2) The term "New START Treaty" means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

10 USC 495 note.

SEC. 1057. RETENTION OF CAPABILITY TO REDEPLOY MULTIPLE INDEPENDENTLY TARGETABLE REENTRY VEHICLES.

(a) DEPLOYMENT CAPABILITY.—The Secretary of the Air Force shall ensure that the Air Force is capable of—

(1) deploying multiple independently targetable reentry vehicles to Minuteman III intercontinental ballistic missiles; and

(2) commencing such deployment not later than 180 days after the date on which the President determines such deployment necessary.

(b) WARHEAD CAPABILITY.—The Nuclear Weapons Council established by section 179 of title 10, United States Code, shall ensure that—

(1) the nuclear weapons stockpile contains a sufficient number of nuclear warheads that are capable of being deployed as multiple independently targetable reentry vehicles with respect to Minuteman III intercontinental ballistic missiles; and

(2) such deployment is capable of being commenced not later than 180 days after the date on which the President determines such deployment necessary.

Deadline. President. Determination.

SEC. 1058. REPORT ON NEW START TREATY.

Not later than January 15, 2014, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on whether the New START Treaty (as defined in section 494(a)(2)(D)(ii) of title 10, United States Code) is in the national security interests of the United States.

SEC. 1059. REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PALOMARES NUCLEAR WEAPONS ACCIDENT REVISED DOSE EVALUATION REPORT.

Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report released by the Air Force in April 2001.

SEC. 1060. SENSE OF CONGRESS ON FURTHER STRATEGIC NUCLEAR ARMS REDUCTIONS WITH THE RUSSIAN FEDERATION.

(a) IN GENERAL.—It is the sense of Congress that, if the United States seeks further strategic nuclear arms reductions with the Russian Federation that are below the levels of the New START Treaty, such reductions should—

(1) be pursued through a mutually negotiated agreement with Russia;

(2) be verifiable;

(3) be made pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution; and

(4) take into account the full range of nuclear weapon capabilities that threaten the United States and the forward-deployed forces and allies of the United States, including such capabilities relating to nonstrategic nuclear weapons.

(b) NEW START TREATY DEFINED.—The term "New START Treaty" means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1061. SENSE OF CONGRESS ON COMPLIANCE WITH NUCLEAR ARMS CONTROL TREATY OBLIGATIONS.

It is the sense of Congress that, if the President determines that a foreign nation is in substantial noncompliance with its obligations under a nuclear arms control treaty to which the United States is a party in a manner that adversely affects the national security of the United States or its allies or alliances, the President should—

(1) conduct an assessment of the effect of such noncompliance on the national security interests of the United States and its allies;

(2) determine what further actions are warranted by the United States in response to such noncompliance;

(3) determine whether such noncompliance threatens the viability of such treaty;

(4) take appropriate steps to resolve the noncompliance issue;

(5) keep Congress informed of developments relating to such noncompliance issue;

(6) inform Congress of the assessment and plan of the President to resolve such noncompliance issue, including any plans to address the issue diplomatically with the government of the noncompliant nation and the affected allies and alliances;

(7) consider if the United States should, in light of such noncompliance, engage in future nuclear arms control negotiations with the government of the noncompliant nation; and

(8) consider the potential effect of such noncompliance on the consideration by the Senate of a future nuclear arms reduction treaty involving the government of the noncompliant nation.

10 USC 495 note.

SEC. 1062. SENSES OF CONGRESS ON ENSURING THE MODERNIZATION OF THE NUCLEAR FORCES OF THE UNITED STATES.

(a) POLICY.—It is the policy of the United States to—

(1) modernize or replace the triad of strategic nuclear delivery systems;

(2) proceed with a robust stockpile stewardship program;

(3) maintain and modernize the nuclear weapons production capabilities that will ensure the safety, security, reliability, and performance of the nuclear forces of the United States at the levels required by the New START Treaty; and

(4) underpin deterrence by meeting the requirements for hedging against possible international developments or technical problems, in accordance with the policies of the United States.

(b) SENSE OF CONGRESS ON MODERNIZATION OF NUCLEAR FORCES.—It is the sense of Congress that—

(1) Congress is committed to providing the resources needed to achieve the objectives stated in subsection (a) at a minimum at the level set forth in the 10-year plan provided to Congress on an annual basis pursuant to section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as amended;

(2) Congress supports the modernization or replacement of the triad of strategic nuclear delivery systems consisting of—

(A) a heavy bomber and air-launched cruise missile;

(B) an intercontinental ballistic missile; and

(C) a ballistic missile submarine and submarine-launched ballistic missile; and

(3) the President and Congress should work together to meet the objectives stated in subsection (a) in the most cost-efficient manner possible.

(b) SENSE OF CONGRESS ON LONG-RANGE STRIKE BOMBER AIRCRAFT.—It is the sense of Congress that—

(1) advancements in air-to-air and surface-to-air weapons systems by foreign powers will require increasingly sophisticated long-range strike capabilities;

(2) upgrading the existing bomber aircraft fleet of the United States consisting of B–1B, B–2, and B–52 bomber aircraft must remain a high budget priority in order to maintain the combat effectiveness of such fleet; and

(3) the Air Force should continue to prioritize development and acquisition of the long-range strike bomber program.

Subtitle G—Miscellaneous Authorities and Limitations

SEC. 1071. ENHANCEMENT OF CAPACITY OF THE UNITED STATES GOVERNMENT TO ANALYZE CAPTURED RECORDS.

(a) IN GENERAL.—Chapter 21 of title 10, United States Code, is amended by inserting after section 426 the following new section:

"§ 427. Conflict Records Research Center

10 USC 427.

"(a) CENTER AUTHORIZED.—The Secretary of Defense may establish a center to be known as the 'Conflict Records Research Center' (in this section referred to as the 'Center').

"(b) PURPOSES.—The purposes of the Center shall be the following:

"(1) To establish a digital research database, including translations, and to facilitate research and analysis of records captured from countries, organizations, and individuals, now or once hostile to the United States, with rigid adherence to academic freedom and integrity.

"(2) Consistent with the protection of national security information, personally identifiable information, and intelligence sources and methods, to make a significant portion of these records available to researchers as quickly and responsibly as possible while taking into account the integrity of the academic process and risks to innocents or third parties.

"(3) To conduct and disseminate research and analysis to increase the understanding of factors related to international relations, counterterrorism, and conventional and unconventional warfare and, ultimately, enhance national security.

"(4) To collaborate with members of academic and broad national security communities, both domestic and international, on research, conferences, seminars, and other information exchanges to identify topics of importance for the leadership of the United States Government and the scholarly community.

"(c) CONCURRENCE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Secretary of Defense shall seek the concurrence of the Director of National Intelligence to the extent the efforts and activities of the Center involve the entities referred to in subsection (b)(4).

"(d) SUPPORT FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS OR AGENCIES.—The head of any non-Department of Defense department or agency of the United States Government may—

"(1) provide to the Secretary of Defense services, including personnel support, to support the operations of the Center; and

"(2) transfer funds to the Secretary of Defense to support the operations of the Center.

"(e) ACCEPTANCE OF GIFTS AND DONATIONS.—(1) Subject to paragraph (3), the Secretary of Defense may accept from any source specified in paragraph (2) any gift or donation for purposes of defraying the costs or enhancing the operations of the Center.

"(2) The sources specified in this paragraph are the following:

"(A) The government of a State or a political subdivision of a State.

"(B) The government of a foreign country.

"(C) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

"(D) Any source in the private sector of the United States or a foreign country.

"(3) The Secretary may not accept a gift or donation under this subsection if acceptance of the gift or donation would compromise or appear to compromise—

"(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

"(B) the integrity of any program of the Department or of any person involved in such a program.

Guidance. Criteria.

"(4) The Secretary shall provide written guidance setting forth the criteria to be used in determining the applicability of paragraph (3) to any proposed gift or donation under this subsection.

"(f) CREDITING OF FUNDS TRANSFERRED OR ACCEPTED.—Funds transferred to or accepted by the Secretary of Defense under this section shall be credited to appropriations available to the Department of Defense for the Center, and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged. Any funds so transferred or accepted shall remain available until expended.

"(g) DEFINITIONS.—In this section:

"(1) The term 'captured record' means a document, audio file, video file, or other material captured during combat operations from countries, organizations, or individuals, now or once hostile to the United States.

"(2) The term 'gift or donation' means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services).".

(b) 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 426 the following new item:

10 USC prec. 421.

"427. Conflict Records Research Center.".

SEC. 1072. STRATEGIC PLAN FOR THE MANAGEMENT OF THE ELECTROMAGNETIC SPECTRUM.

(a) IN GENERAL.—Section 488 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "other year, and in time for submission to Congress under subsection (b)," and inserting "three years";

(B) by inserting after "Secretary of Defense" the following: ", in consultation with the Director of National Intelligence and the Secretary of Commerce,";

(C) by striking "the mission of the Department of Defense." and inserting "the national security of the United States. Each such strategic plan shall include each of the following:"; and

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

"(1) An inventory of the uses of the electromagnetic spectrum for national security purposes and other purposes.

"(2) An estimate of the need for electromagnetic spectrum for national security and other purposes over each of the periods specified in subsection (b).

"(3) Any other matters that the Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of Commerce, considers appropriate for the strategic plan.";

Consultation.

(2) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection (b):

"(b) PERIODS COVERED BY STRATEGIC PLAN.—Each strategic plan prepared under subsection (a) shall cover each of the following periods (counting from the date of the issuance of the plan):

"(1) Zero to five years.

"(2) Five to ten years.

"(3) Ten to thirty years.";

(3) in subsection (c), as so redesignated—

(A) by striking "The Secretary" and inserting "(1) The Secretary"; and

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

"(2) Each strategic plan submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.".

(b) CLERICAL AMENDMENTS.—

(1) HEADING.—The section heading for section 488 of title 10, United States Code, is amended by striking "**: biennial strategic plan**".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 488 and inserting the following new item:

10 USC prec. 480.

"488. Management of electromagnetic spectrum.".

SEC. 1073. EXTENSION OF AUTHORITY TO PROVIDE MILITARY TRANSPORTATION SERVICES TO CERTAIN OTHER AGENCIES AT THE DEPARTMENT OF DEFENSE REIMBURSEMENT RATE.

(a) IN GENERAL.—Subsection (a) of section 2642 of title 10, United States Code, is amended—

(1) by striking "airlift" each place it appears and inserting "transportation"; and

(2) in paragraph (3)—

(A) by striking "October 28, 2014" and inserting "September 30, 2019";

(B) by inserting and "military transportation services provided in support of foreign military sales" after "Department of Defense"; and

(C) by striking "air industry" and inserting "transportation industry".

(b) TECHNICAL AMENDMENT.—The heading for such section is amended by striking "**Airlift**" and inserting "**Transportation**".

10 USC prec. 2631.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2642 and inserting the following new item:

"2642. Transportation services provided to certain other agencies: use of Department of Defense reimbursement rates.".

SEC. 1074. NOTIFICATION OF MODIFICATIONS TO ARMY FORCE STRUCTURE.

(a) CERTIFICATION OF ENVIRONMENTAL COMPLIANCE.—The Secretary of the Army shall certify to the congressional defense committees that Army force structure modifications, reductions, and additions authorized as of the date of the enactment of this Act that will utilize funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of the Army are compliant with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

10 USC 993 note.

(b) NOTIFICATION OF NECESSARY ASSESSMENTS OR STUDIES.—The Secretary of the Army, when making a congressional notification in accordance with section 993 of title 10, United States Code, shall include the Secretary's assessment of whether or not the changes covered by the notification require an Environmental Assessment or Environmental Impact Statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and, if an assessment or study is required, the plan for conducting such assessment or study.

49 USC 40101 note.

SEC. 1075. AIRCRAFT JOINT TRAINING.

(a) UNMANNED AIRCRAFT JOINT TRAINING AND USAGE PLAN.—

(1) METHODS.—The Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly develop and implement plans and procedures to review the potential of joint testing and evaluation of unmanned aircraft equipment and systems with other appropriate departments and agencies of the Federal Government that may serve the dual purpose of providing capabilities to the Department of Defense to meet the future requirements of combatant commanders and domestically to strengthen international border security.

(2) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly submit to Congress a report on the status of the development of the plans and procedures required under paragraph (1), including a cost-benefit analysis of the shared expenses between the Department of Defense and other appropriate departments and agencies of the Federal Government to support such plans.

(b) AIRCRAFT SIMULATOR TRAINING.—It is the sense of Congress that—

(1) the use of aircraft simulators offers cost savings and provides members of the Armed Forces cost-effective preparation for combat; and

(2) existing synergies between the Department of Defense and entities in the private sector should be maintained and cultivated to provide members of the Armed Forces with the most cost-effective aircraft simulation capabilities possible.

Subtitle H—Studies and Reports

SEC. 1081. ONLINE AVAILABILITY OF REPORTS SUBMITTED TO CONGRESS.

(a) IN GENERAL.—Subsection (a) of section 122a of title 10, United States Code, is amended to read as follows:

"(a) IN GENERAL.—To the maximum extent practicable, on or after the date on which each report described in subsection (b) is submitted to Congress, the Secretary of Defense, acting through the Office of the Assistant Secretary of Defense for Public Affairs, shall ensure that the report is made available to the public by— Public information.

"(1) posting the report on a publicly accessible Internet website of the Department of Defense; and Web posting.

"(2) upon request, transmitting the report by other means, as long as such transmission is at no cost to the Department.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reports submitted to Congress after the date of the enactment of this Act. Applicability. 10 USC 122a note.

SEC. 1082. OVERSIGHT OF COMBAT SUPPORT AGENCIES.

Section 193(a)(1) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by inserting "and the congressional defense committees" after "the Secretary of Defense".

SEC. 1083. INCLUSION IN ANNUAL REPORT OF DESCRIPTION OF INTERAGENCY COORDINATION RELATING TO HUMANITARIAN DEMINING TECHNOLOGY.

Section 407(d) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period and inserting "; and"; and

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

"(5) a description of interagency efforts to coordinate and improve research, development, test, and evaluation for humanitarian demining technology and mechanical clearance methods, including the transfer of relevant counter-improvised explosive device technology with potential humanitarian demining applications.".

SEC. 1084. REPEAL AND MODIFICATION OF REPORTING REQUIREMENTS.

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

(1)(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. 10 USC prec. 480.

(2) Section 2216 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(3) 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".

(b) ANNUAL NATIONAL DEFENSE AUTHORIZATION ACTS.—

(1) FISCAL YEAR 2009.—Section 903(b)(5) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2228 note), as amended

by section 334, is further amended by striking subparagraph (A), as designated by such section, and inserting the following new subparagraph (A):

Recommendations.

"(A) Not later than December 31 of 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. Such report shall include recommendations for the funding levels necessary for the executive to carry out the duties of the executive under this section.".

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

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

(i) in subparagraph (A), by striking "The Secretary" and inserting "Except as provided in subparagraph (D), the Secretary"; and

(ii) by adding at the end the following new subparagraph:

"(D) EXCEPTIONS.—Subparagraph (A) does not apply to determinations made with respect to the following individuals:

"(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.

"(ii) An individual described in paragraph (2)(E).".

Repeal.

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

Repeal. 10 USC 2911 note.

(3) FISCAL YEAR 2007.—Section 226 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2131) is repealed.

SEC. 1085. REPEAL OF REQUIREMENT FOR COMPTROLLER GENERAL ASSESSMENT OF DEPARTMENT OF DEFENSE EFFICIENCIES.

Section 1054 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1582) is repealed.

SEC. 1086. REVIEW AND ASSESSMENT OF UNITED STATES SPECIAL OPERATIONS FORCES AND UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall conduct a review of the United States Special Operations Forces organization, capabilities, structure, and oversight.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under subsection (a). Such report shall include an analysis and, where appropriate, an assessment of the adequacy of each of the following:

(1) The organizational structure of the United States Special Operations Command and each subordinate component, as in effect as of the date of the enactment of this Act.

(2) The policy and civilian oversight structures for Special Operations Forces within the Department of Defense, as in effect as of the date of the enactment of this Act, including

the statutory structures and responsibilities of the Office of the Secretary of Defense for Special Operations and Low Intensity Conflict and the alignment of resources, including human capital, with regard to such responsibilities within the Department.

(3) The roles and responsibilities of United States Special Operations Command and Special Operations Forces under section 167 of title 10, United States Code.

(4) Current and future special operations peculiar requirements of the commanders of the geographic combatant commands and Theater Special Operations Commands.

(5) Command relationships between United States Special Operations Command, its subordinate component commands, and the geographic combatant commands.

(6) The funding authorities, uses, acquisition processes, and civilian oversight mechanisms of Major Force Program–11.

(7) Changes to structure, authorities, acquisition processes, oversight mechanisms, Major Force Program–11 funding, roles, and responsibilities assumed in the 2014 Quadrennial Defense Review.

(8) Any other matters the Secretary of Defense determines are appropriate to ensure a comprehensive review and assessment.

(c) IN GENERAL.—Not later than 60 days after the date on which the report required by subsection (b) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of the report. Such review shall include an assessment of—

(1) United States Special Operations Forces organization, force structure, capabilities, authorities, acquisition processes, and civilian oversight mechanisms;

(2) how the special operations force structure is aligned with conventional force structures and national military strategies; and

(3) any other matters the Comptroller General determines are relevant.

SEC. 1087. REPORTS ON UNMANNED AIRCRAFT SYSTEMS.

(a) REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall submit jointly to the appropriate congressional committees a report setting forth the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and

Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(b) REPORT ON RESOURCE REQUIREMENTS NEEDED FOR UNMANNED AIRCRAFT SYSTEMS DESCRIBED IN THE 5-YEAR ROADMAP.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, on behalf of the UAS Executive Committee, shall submit to the appropriate congressional committees a report setting forth the resource requirements needed to meet the milestones for unmanned aircraft systems integration described in the 5-year roadmap under section 332(a)(5) of the FAA Modernization and Reform Act (Public Law 112–95; 49 U.S.C. 40101 note).

(c) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Commerce, Science and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

(2) The term "UAS Executive Committee" means the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

SEC. 1088. REPORT ON FOREIGN LANGUAGE SUPPORT CONTRACTS FOR THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the current approach of the Department of Defense to managing foreign language support contracts for the Department.

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

(1) A description and analysis of the spending by the Department on all types of foreign language support services and products acquired by the components of the Department.

(2) An assessment, in light of the analysis under paragraph (1), of whether any adjustment is needed in the management of foreign language support contracts for the Department in order to obtain efficiencies in contracts for all types of foreign language support for the Department.

SEC. 1089. CIVIL AIR PATROL.

(a) REPORT.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the Civil Air Patrol fleet.

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

(1) An assessment of whether the current number of aircraft, operating locations, and types of aircraft in the Civil Air Patrol fleet are suitable for each of the following:

(A) Emergency missions in support of the Air Force, the Federal Emergency Management Agency, State and local governments, and others.

(B) Other operational missions in support of the Air Force, other Federal agencies, State and local governments, and others.

(C) Flight proficiency, flight training, and operational mission training and support for cadet orientation and cadet flight training programs in every State Civil Air Patrol wing.

(2) An assessment of the ideal overall size of the Civil Air Patrol aircraft fleet, including a description of the factors used in determining that size.

(3) An assessment of the process used by the Civil Air Patrol and the Air Force to determine aircraft operating locations, and whether State wing commanders are appropriately involved in that process.

(4) An assessment of the process used by the Civil Air Patrol, the Air Force, the Federal Emergency Management Agency, and others to determine the type of aircraft and number of aircraft to be needed to support emergency, operational, and training missions.

Subtitle I—Other Matters

SEC. 1091. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10.—Title 10, United States Code, is amended as follows: 10 USC prec. 101.

(1) The table of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 24 and inserting the following:

"24. Nuclear Posture ..... 491".

(2) The table of sections at the beginning of chapter 3 is amended by striking the item relating to section 130e and inserting the following new item: 10 USC prec. 121.

"130e. Treatment under Freedom of Information Act of critical infrastructure security information.".

(3) Section 179(a)(5) is amended by striking "commander" and inserting "Commander".

(4) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 231 and inserting the following new item: 10 USC prec. 221.

"231. Budgeting for construction of naval vessels: annual plan and certification.".

(5) Section 231a(a) is amended by striking "fiscal year of Defense" and inserting "fiscal year, the Secretary of Defense".

(6) Chapter 24 is amended by adding a period at the end of the enumerator of section 498.

(7) Section 494(c) is amended by striking "the date of the enactment of this Act" each place it appears and inserting "December 31, 2011".

(8) Section 673(a) is amended by inserting "of the Uniform Code of Military Justice" after "120c".

(9) Section 1401a is amended by striking "before the enactment of the National Defense Authorization Act for Fiscal Year 2008" in subsections (d) and (e) and inserting "before January 28, 2008".

(10) Section 2359b(k)(4)(B) is amended by adding a period at the end.

(11) Section 2461(a)(5)(E)(i) is amended by striking "the a" and inserting "the".

10 USC 493 note. Effective date.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Effective as of January 2, 2013, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) is amended as follows:

10 USC 2366b.

(1) Section 322(e)(2) (126 Stat. 1695) is amended by striking "Section 2366b(A)(3)(F)" and inserting "Section 2366b(a)(3)(F)".

10 USC 2583.

(2) Section 371(a)(1) (126 Stat. 1706) is amended by striking "subsections (f) and (g) as subsections (g) and (h), respectively" and inserting "subsection (f) as subsection (g)".

37 USC 478a.

(3) Section 611(7) (126 Stat. 1776) is amended by striking "Section 408a(e)" and inserting "Section 478a(e)".

10 USC 2304 note.

(4) Section 822(b) (126 Stat. 1830) is amended by striking "such Act" and inserting "such section".

10 USC 493.

(5) Section 1031(b)(3)(B) (126 Stat. 1918) is amended by striking the subclause (III) immediately below clause (iv).

10 USC 492 note.

(6) Section 1031(b)(4) (126 Stat. 1919) is amended by striking "Section 1031(b)" and inserting "Section 1041(b)".

42 USC 3791 note.

(7) Section 1086(d)(1) (126 Stat. 1969) is amended by striking "paragraph (1)" and inserting "paragraph (2)".

(8) Section 1221(a)(2) (126 Stat. 1992) is amended by striking "FISCAL" both places it appears and inserting "FISCAL".

15 USC 2229a.

(9) Section 1804 (126 Stat. 2111) is amended—

(A) in subsection (h)(1)(B), by striking "inserting '; and';" and inserting "inserting a semicolon;"; and

(B) in subsection (i), by inserting after "it appears" the following: "(except in those places in which 'Administrator of FEMA' already appears)".

16 USC 670f note. Effective date.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

16 USC 670f.

(1) Section 312(b)(6)(F) (125 Stat. 1354) is amended by striking "subsection (D)" and inserting "subsection (d)".

(2) Section 585(a)(1) (125 Stat. 1434; 10 U.S.C. 1561 note) is amended by striking "experts sexual" and inserting "experts in sexual".

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 338(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 321 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1694), is amended by striking "subsection 4703" and inserting "section 4703".

(e) AMENDMENT TO TITLE 41.—Section 4712(i) is amended by inserting before "the enactment" the following: "that is 180 days after the date".

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act. 10 USC 101 note.

SEC. 1092. 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 operationally effective and suitable by an independent test agency or the Director of Operational Test and Evaluation, beyond the scope planned in the original estimate or information originally submitted on the program.".

(b) REPORTS ON CRITICAL CHANGES IN MAIS PROGRAMS.—Subsection (d) of section 2445c of such title is amended—

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

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

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

"(2) CERTIFICATION WHEN VARIANCE DUE TO EXTENSION OF PROGRAM.—If an official with milestone decision authority for a program who, following receipt of a quarterly report described in paragraph (1) and making a determination described in paragraph (3), also determines that the circumstances resulting in the determination described in paragraph (3) (A) is primarily due to an extension of a program, and (B) involves minimal developmental risk, 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 certification that the official has made those determinations. If such a certification is submitted, the limitation in subsection (g)(1) does not apply with respect to that determination under paragraph (3).". Deadline.

(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.—Title 10, United States Code, is further amended—

(1) in section 2445b(b)(3), by striking "development costs" and inserting "total acquisition costs"; and

(2) in section 2445c—

(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".

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

SEC. 1093. 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 Transportation to provide insurance and reinsurance for a department, agency, or instrumentality of the United States Government under section 44305 is not effective after December 31, 2018.".

Termination date.

10 USC 168 note.

SEC. 1094. EXTENSION OF MINISTRY OF DEFENSE ADVISOR PROGRAM AND AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR CERTAIN NONGOVERNMENTAL PERSONNEL.

(a) EXTENSION OF MINISTER OF DEFENSE ADVISOR PROGRAM AUTHORITY.—

(1) Subsection (b) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended—

(A) in paragraph (1), by striking "September 30, 2014" and inserting "September 30, 2017"; and

(B) in paragraph (2), by striking "fiscal year 2012, 2013, or 2014" and inserting "a fiscal year ending on or before that date".

(2) UPDATE OF POLICY GUIDANCE ON AUTHORITY.—The Under Secretary of Defense for Policy shall issue an update of the policy of the Department of Defense for assignment of civilian employees of the Department as advisors to foreign ministries of defense under the authority in section 1081 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section.

(3) ADDITIONAL ANNUAL REPORTS.—Subsection (c) of such section is amended by striking "2014" and inserting "2017".

(4) TECHNICAL AMENDMENT.—Subsection (c)(4) of such section is amended by striking "carried out such by such" and inserting "carried out by such".

(5) DATE FOR SUBMITTAL OF COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Subsection (d) of such section is amended by striking "December 30, 2013" and inserting "December 31, 2014"

(b) EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.—Section 941(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 184 note) is amended by striking "through 2013" and inserting "through 2014".

SEC. 1095. AMENDMENTS TO CERTAIN NATIONAL COMMISSIONS.

(a) NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE.—

(1) REVISION OF MEMBERS COMPENSATION.—Section 365(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1705) is amended—

(A) by striking "shall be compensated" and inserting "may be compensated";

(B) by striking "equal to" and inserting "not to exceed"; and

(C) by inserting "of $155,400" after "annual rate".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to compensation for a duty performed on or after April 2, 2013. Applicability.

(b) MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.—

(1) SCOPE OF MILITARY COMPENSATION SYSTEM.—Section 671(c)(5) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1788) is amended by inserting before the period the following ", and includes any other laws, policies, or practices of the Federal Government that result in any direct payment of authorized or appropriated funds to the persons specified in subsection (b)(1)(A)".

(2) COMMISSION AUTHORITIES.—Section 673 of such Act (126 Stat. 1790) is amended by adding at the end the following new subsections:

"(g) USE OF GOVERNMENT INFORMATION.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out its duties. Upon such request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

"(h) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

"(i) AUTHORITY TO ACCEPT GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority in this subsection does not extend to gifts of money.

"(j) PERSONAL SERVICES.—

"(1) AUTHORITY TO PROCURE.—The Commission may—

"(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

"(B) pay in connection with such services travel expenses of individuals, including transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

"(2) LIMITATION.—The total number of experts or consultants procured pursuant to paragraph (1) may not exceed five experts or consultants.

"(3) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.".

(3) COMMISSION REPORT AND RECOMMENDATIONS.—Section 674(f) of such Act (126 Stat. 1792) is amended—

(A) in paragraph (1)—

(i) by striking "15 months" and inserting "24 months"; and

(ii) by inserting "and recommendations for administrative actions" after "legislative language"; and

Web posting. Public information.

(B) in paragraph (6), by inserting ", and shall publish a copy of that report on an Internet website available to the public," after "its report to Congress".

(4) PRESIDENTIAL CONSIDERATION OF COMMISSION RECOMMENDATIONS.—Section 675 of such Act (126 Stat. 1793) is amended by striking subsection (d).

(5) COMMISSION STAFF.—

(A) DETAILEES RECEIVING MILITARY RETIRED PAY.—Subsection (b)(3) of section 677 of such Act (126 Stat. 1794) is amended—

(i) in the paragraph heading, by striking "ELIGIBLE FOR" and inserting "RECEIVING"; and

(ii) by striking "eligible for or receiving military retired pay" and inserting "who are receiving military retired pay or who, but for being under the eligibility age applicable under section 12731 of title 10, United States Code, would be eligible to receive retired pay".

(B) PERFORMANCE REVIEWS.—Subsection (c) of such section is amended—

(i) in the matter preceding paragraph (1), by inserting "other than a member of the uniformed services or officer or employee who is detailed to the Commission," after "executive branch department,"; and

(ii) in paragraph (2), by inserting "(other than for administrative accuracy)" before the semicolon.

(6) TERMINATION OF COMMISSION.—Section 679 of such Act (126 Stat. 1795) is amended by striking "26 months" and inserting "35 months".

(7) FUNDING.—Section 680 of such Act (126 Stat. 1795) is amended—

(A) by striking "$10,000,000" and inserting "$15,000,000"; and

(B) by adding at the end the following new sentence: "Amounts made available under this section after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014 shall be derived from fiscal year 2013 balances that remain available for obligation on that date.".

10 USC 113 note.

SEC. 1096. STRATEGY FOR FUTURE MILITARY INFORMATION OPERATIONS CAPABILITIES.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall develop and implement a strategy for developing and sustaining through fiscal year 2020 information operations capabilities for future contingencies. The Secretary shall submit such strategy to the congressional defense committees by not later than 180 days after the date of the enactment of this Act.

Deadline.

(b) CONTENTS OF STRATEGY.—The strategy required by subsection (a) shall include each of the following:

(1) A plan for the sustainment of existing capabilities that have been developed during the ten-year period prior to the date of the enactment of this Act, including such capabilities developed using funds authorized to be appropriated for overseas contingency operations determined to be of enduring value for continued sustainment.

(2) A discussion of how the capabilities referred to in paragraph (1) are integrated into policy, doctrine, and operations.

(3) An assessment of the force structure that is required to sustain operational planning and potential contingency operations, including the integration across the active and reserve components.

(4) Estimates of the steady-state resources needed to support the force structure referred to in paragraph (3), as well as estimates for resources that might be needed based on selected operational plans, contingency plans, and named operations.

(5) An assessment of the impact of how new and emerging technologies can be incorporated into policy, doctrine, and operations.

(6) A description of ongoing research into new capabilities that may be needed to fill any identified gaps and programs that might be required to develop such capabilities.

(7) Potential policy implications or legal challenges that may prevent the integration of new and emerging technologies into the projected force structure.

(8) Potential policy implications or challenges to the better leveraging of capabilities from interagency partners.

SEC. 1097. SENSE OF CONGRESS ON COLLABORATION ON BORDER SECURITY.

It is the sense of Congress that the Secretary of Defense and the Secretary of Homeland Security should, consistent with existing law and authorities, seek to collaborate on enhanced United States border security, including by identifying excess property of the Department of Defense, if any, that may be suitable for use by the Department of Homeland Security to support border security efforts.

SEC. 1098. TRANSFER OF AIRCRAFT TO OTHER DEPARTMENTS FOR WILDFIRE SUPPRESSION AND OTHER PURPOSES; TACTICAL AIRLIFT FLEET OF THE AIR FORCE.

(a) TRANSFER OF HC–130H AIRCRAFT.—

(1) TRANSFER BY DEPARTMENT OF HOMELAND SECURITY.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act and subject to the certification requirement under subsection (f), the Secretary of Homeland Security, in consultation with the Secretary of Agriculture and the Secretary of Defense, shall begin transfer, without reimbursement, of— Deadline. Consultation.

(i) the seven demilitarized HC–130H aircraft specified in subparagraph (C) to the Secretary of the Air Force; and

(ii) initial spares and necessary ground support equipment for HC–130H aircraft to the Secretary of

Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(B) CALCULATION OF INITIAL SPARES.—For purposes of clause (ii) of subparagraph (A), initial spares shall be calculated based on shelf stock support for seven aircraft and each aircraft flying 400 hours each year.

(C) AIRCRAFT SPECIFIED.—The aircraft specified in this subparagraph are the HC–130H Coast Guard aircraft with serial numbers 1706, 1708, 1709, 1713, 1714, 1719, and 1721.

(2) AIR FORCE ACTIONS.—

(A) IN GENERAL.—The Secretary of the Air Force shall accept the HC–130H aircraft transferred by the Secretary of Homeland Security under paragraph (1) and, subject to the availability of funds as supplemented by transfers under paragraph (4), shall—

(i) at the first available opportunity, promptly schedule and serially synchronize with the Secretary of Homeland Security and the Secretary of Agriculture the induction of HC–130H aircraft to minimize maintenance induction on-ramp wait time of HC–130H aircraft;

(ii) except as provided in subparagraph (B), perform center and outer wing-box replacement modifications, programmed depot-level maintenance, and modifications necessary to procure and integrate a gravity-drop aerial fire retardant dispersal system in each such HC–130H aircraft; and

(iii) after modifications described in clause (ii) are completed for each such HC–130H aircraft, transfer each such aircraft, without reimbursement, to the Secretary of Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(B) EXCEPTIONS.—Notwithstanding subparagraph (A), the Secretary of the Air Force may not—

(i) perform center wing-box replacement modifications on the HC–130H aircraft with serial numbers 1706, 1708, 1714, and 1721; or

(ii) perform an outer wing-box replacement modification on the HC–130H aircraft with serial number 1721.

(C) LIMITATIONS ON OBLIGATION OF FUNDS.—The Secretary of the Air Force may not obligate more than—

(i) $5,000,000 per each HC–130H aircraft transferred under paragraph (1) to perform the modifications necessary to procure and integrate a gravity-drop aerial fire retardant dispersal system in each such HC–130H aircraft unless, by reimbursable order, the Secretary of Agriculture provides the additional funding necessary to the Secretary of the Air Force to complete such modifications; and

(ii) $130,000,000 to perform all programmed depot-level maintenance and modifications described in subparagraph (A)(ii) for all such aircraft unless, by reimbursable order, the Secretary of Agriculture provides the additional funding necessary to the Secretary of the Air Force to complete such modifications.

(3) COAST GUARD ACTIONS.—In the case of any HC–130 aircraft that is identified for transfer to the Secretary of the Air Force and requires induction into depot-level maintenance, the Commandant of the Coast Guard may utilize, on a limited basis, such aircraft prior to depot-level maintenance to fulfill high-priority maritime patrol mission requirements of the Coast Guard. The authority under this paragraph does not include aircraft that are modified under paragraph (2)(A)(ii).

(4) TRANSFER OF FUNDS.—

(A) IN GENERAL.—The Secretary of Defense may use any appropriations or funds of the Department of Defense available for obligation as of the date of the enactment of this Act, and shall make transfers as necessary to supplement accounts of the Department of the Air Force, to perform the HC–130H modifications described under paragraph (2).

(B) RELATIONSHIP TO OTHER AUTHORITY.—Transfer authority provided under this paragraph is in addition to any other transfer authority available to the Secretary of Defense for fiscal year 2014.

(C) NOTICE TO CONGRESS.—Not later than 15 days after making a transfer pursuant to this paragraph, the Secretary of Defense shall notify the congressional defense committees of such transfer. Deadline.

(b) TRANSFER OF C–23B+ SHERPA AIRCRAFT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, not later than 45 days after the date of the enactment of this Act, and subject to the certification requirement under subsection (f), the Secretary of Defense, in coordination with the Secretary of Agriculture, shall begin transfer, without reimbursement, of— Deadline.

(A) not more than 15 demilitarized C–23B+ Sherpa aircraft to the Secretary of Agriculture, subject to the quantity of C–23B+ Sherpa aircraft that the Director of Aviation and Fire Management of the Forest Service determines are required to meet fire-fighting requirements; and

(B) initial spares and necessary ground support equipment for operation of C–23B+Sherpa aircraft to the Secretary of Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(2) CALCULATION OF INITIAL SPARES.—For purposes of paragraph (1), initial spares shall be calculated based on shelf stock support for the quantity of aircraft the Director of Aviation and Fire Management of the Forest Service determines necessary to meet fire-fighting requirements and each aircraft flying 300 hours each year.

(c) CONDITIONS OF TRANSFERS.—Aircraft transferred to the Secretary of Agriculture under this section—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance; and

(3) may not be sold by the Secretary of Agriculture after transfer.

(d) COSTS AFTER TRANSFER.—Any costs of operation, maintenance, sustainment, and disposal of excess aircraft, initial spares, and ground support equipment transferred to the Secretary of Agriculture under this section that are incurred after the date of transfer shall be borne by the Secretary of Agriculture.

(e) TRANSFER OF C–27J AIRCRAFT.—Promptly following the completion of the certification requirement under subsection (f) and notwithstanding section 1091 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1971; 10 U.S.C. 2576 note), the Secretary of Defense shall begin transfer, without reimbursement, of—

(1) 14 C–27J aircraft to the Secretary of Homeland Security; and

(2) excess initial spares and necessary ground support equipment for 14 C–27J aircraft to the Secretary of Homeland Security for use by the Commandant of the Coast Guard as maritime patrol aircraft.

Deadline.

(f) CERTIFICATION REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of Defense may not transfer any aircraft to either the Secretary of Agriculture or the Secretary of Homeland Security until the Secretary of Defense and the Director of the Office of Management and Budget submit, by not later than 45 days after the date of the enactment of this Act, to the congressional defense committees certification that adequate funding has been transferred to the Department of the Air Force for the purpose of modifying HC–130H aircraft identified for transfer pursuant to subsection (a).

(g) TRANSFER OF CERTAIN C–23 AIRCRAFT.—

(1) IN GENERAL.—

Deadline.
Alaska.

(A) OFFER OF TRANSFER.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Defense shall extend to the chief executive officer of the State of Alaska the opportunity to take title to not more than eight C–23 aircraft with tail numbers specified in subparagraph (B).

(B) TAIL NUMBERS.—The tail numbers of the C–23 aircraft subject to transfer under subparagraph (A) are as follows: 93–01319, 93–01329, 94–00308, 94–00309, 88–01869, 90–07015, 90–07016, and 90–07012.

Applicability.

(2) REQUIREMENTS.—Subsections (b) and (c) of section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1318) shall apply with respect to the transfer of any C–23 aircraft under this subsection in the same manner as the transfer of aircraft under such section.

(h) TACTICAL AIRLIFT FLEET OF THE AIR FORCE.—

(1) CONSIDERATION OF UPGRADES OF CERTAIN AIRCRAFT IN RECAPITALIZATION OF FLEET.—The Secretary of the Air Force shall consider, as part of the recapitalization of the tactical airlift fleet of the Air Force, upgrades to C–130H aircraft designed to help such aircraft meet the fuel efficiency goals of the Department of the Air Force and retention of such aircraft, as so upgraded, in the tactical airlift fleet.

(2) MANNER OF UPGRADES.—The Secretary shall ensure that upgrades to the C–130H aircraft fleet are made in a manner that is proportional to the number of C–130H aircraft

in the force structure of the regular Air Force, the Air Force Reserve, and the Air National Guard.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1102. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
Sec. 1103. Extension of voluntary reduction-in-force authority for civilian employees of the Department of Defense.
Sec. 1104. Extension of authority to make lump-sum severance payments to Department of Defense employees.
Sec. 1105. Revision to amount of financial assistance under Department of Defense Science, Mathematics, and Research for Transformation (SMART) Defense Education Program and assessment of STEM and other programs.
Sec. 1106. Extension of program for exchange of information-technology personnel.
Sec. 1107. Temporary authorities for certain positions at Department of Defense research and engineering facilities.
Sec. 1108. Compliance with law regarding availability of funding for civilian personnel.
Sec. 1109. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.

SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective date.

Effective January 1, 2014, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1973), is further amended by striking "through 2013" and inserting "through 2014".

SEC. 1102. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 125 Stat. 1973), is further amended by striking "2014" and inserting "2015".

SEC. 1103. EXTENSION OF VOLUNTARY REDUCTION-IN-FORCE AUTHORITY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking "September 30, 2014" and inserting "September 30, 2018".

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. REVISION TO AMOUNT OF FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM AND ASSESSMENT OF STEM AND OTHER PROGRAMS.

(a) REVISION TO FINANCIAL ASSISTANCE FOR SMART PROGRAM.—

(1) REVISION.—Paragraph (2) of section 2192a(b) of title 10, United States Code, 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".

Deadline.

(2) BRIEFING REQUIRED.—The Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives, within 60 days after the date of the enactment of this Act, a briefing that assesses the impacts of the rising costs of higher education tuition on the number of students that the Department of Defense can accept into the Science, Mathematics, and Research for Transformation (SMART) Defense Education Program under section 2192a of title 10, United States Code.

(b) ASSESSMENT OF ELEMENTARY AND SECONDARY SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS OF THE DEPARTMENT OF DEFENSE.—

(1) ASSESSMENT REQUIRED.—

Reports.

(A) The Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of each program as follows:

(i) The Army Educational Outreach Program (AEOP).

(ii) The STEM2Stern program of the Navy.

(iii) The DoD STARBASE program carried out by the Under Secretary of Defense for Personnel and Readiness.

(iv) Prekindergarten through 12th grade activities of the National Defense Education Program.

Consultation.

(B) The Secretary of Defense shall conduct assessments under this paragraph in consultation with the Secretary of Education and the heads of other appropriate Federal agencies.

(2) ELEMENTS.—The assessment of a program under paragraph (1) shall include the following:

(A) An assessment of the current status of the program.

(B) A determination to retain, terminate, or transfer the program to another agency, together with a justification for the determination.

(C) For a program determined under subparagraph (B) to be terminated, a justification why the science, technology, engineering, and mathematics education requirements of the program are no longer required.

(D) For a program determined under subparagraph (B) to be transferred to the jurisdiction of another agency—

(i) the name of such agency;

(ii) the funding anticipated to be provided the program by such agency during the five-year period beginning on the date of transfer; and

(iii) mechanisms to ensure that education under the program will continue to meet the science, technology, engineering, and mathematics education requirements of the Department of Defense, including requirements for the dependents covered by the program.

(E) Metrics to assess whether a program under subparagraph (C) or (D) is meeting the requirements applicable to such program under such subparagraph.

(3) LIMITATION ON CERTAIN ACTIONS ON PROGRAMS PENDING SUBMITTAL OF ASSESSMENT.—A program specified in paragraph (1)(A) may not be terminated or transferred to the jurisdiction of another agency until 30 days after the date on which the report required by that paragraph is submitted to the congressional defense committees. Time period.

(c) ASSESSMENT OF THE NATIONAL SECURITY SCIENCE AND ENGINEERING FACULTY FELLOWSHIP.—The Secretary of Defense shall provide to the congressional defense committees, within 90 days after the date of the enactment of this Act, a briefing that assesses the National Security Science and Engineering Faculty Fellowship (in this subsection referred to as the "Fellowship"). The briefing shall include an assessment of the following: Deadline. Briefing.

(1) The return on investment and qualitative impact of the research funded by Fellowship awardees.

(2) Distribution of researcher awards from the past three years, including identification of researchers (if any) that have not done research with the Department of Defense in the past five years.

(3) The number of new and continuing students supported by Fellowship funding, as well as the number of those students that later receive employment by the Department of Defense, Department of Defense contractors, or other academic institutions supported by Department of Defense grants.

(4) A description of Fellowship awards and the use of the award funds.

(5) Recommendations for improving the effectiveness or efficiency of the Fellowship.

SEC. 1106. EXTENSION OF PROGRAM FOR EXCHANGE OF INFORMATION-TECHNOLOGY PERSONNEL.

(a) IN GENERAL.—Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note) is amended by striking "2013." and inserting "2018.".

(b) REPORTING REQUIREMENT.—Section 1110(i) of such Act is amended by striking "2015," and inserting "2019,".

SEC. 1107. TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES. 10 USC 2358 note.

(a) AUTHORITY TO MAKE DIRECT APPOINTMENTS.—

(1) CANDIDATES FOR SCIENTIFIC AND ENGINEERING POSITIONS AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.—The director of any Science and Technology Reinvention Laboratory (hereinafter in this section referred to as an "STRL") may appoint qualified candidates possessing a bachelor's degree to positions described in paragraph (1) of subsection (b) as an employee in a laboratory described in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title).

(2) VETERAN CANDIDATES FOR SIMILAR POSITIONS AT RESEARCH AND ENGINEERING FACILITIES.—The director of any STRL may appoint qualified veteran candidates to positions described in paragraph (2) of subsection (b) as an employee at a laboratory, agency, or organization specified in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) COVERED POSITIONS.—

(1) CANDIDATES FOR SCIENTIFIC AND ENGINEERING POSITIONS.—The positions described in this paragraph are scientific and engineering positions that may be temporary, term, or permanent in any laboratory designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note) as a Department of Defense science and technology reinvention laboratory.

(2) QUALIFIED VETERAN CANDIDATES.—The positions described in this paragraph are scientific, technical, engineering, and mathematics positions, including technicians, in the following:

(A) Any laboratory referred to in paragraph (1).

(B) Any other Department of Defense research and engineering agency or organization designated by the Secretary for purposes of subsection (a)(2).

(c) LIMITATION ON NUMBER OF APPOINTMENTS ALLOWABLE IN A CALENDAR YEAR.—The authority under subsection (a) may not, in any calendar year and with respect to any laboratory, agency, or organization described in subsection (b), be exercised with respect to a number of candidates greater than the following:

(1) In the case of a laboratory described in subsection (b)(1), with respect to appointment authority under subsection (a)(1), the number equal to 3 percent of the total number of scientific and engineering positions in such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) In the case of a laboratory, agency, or organization described in subsection (b)(2), with respect to appointment authority under subsection (a)(2), the number equal to 1 percent of the total number of scientific, technical, engineering, mathematics, and technician positions in such laboratory, agency, or organization that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) DEFINITIONS.—In this section:

(1) The term "employee" has the meaning given that term in section 2105 of title 5, United States Code.

(2) The term "veteran" has the meaning given that term in section 101 of title 38, United States Code.

(e) SUNSET.—Appointments under subsection (a) may not be made after December 31, 2019.

(f) SENIOR SCIENTIFIC TECHNICAL MANAGERS.—

(1) ESTABLISHMENT.—There is hereby established in each STRL a category of senior professional scientific and technical positions, the incumbents of which shall be designated as "senior scientific technical managers" and which shall be positions classified above GS–15 of the General Schedule, notwithstanding section 5108(a) of title 5, United States Code. The primary functions of such positions shall be—

(A) to engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the mission of such STRL; and

(B) to carry out technical supervisory responsibilities.

(2) APPOINTMENTS.—The positions described in paragraph (1) may be filled, and shall be managed, by the director of the STRL involved, under criteria established pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721), relating to personnel demonstration projects at laboratories of the Department of Defense, except that the director of the laboratory involved shall determine the number of such positions at such laboratory, not to exceed 1 percent of the number of scientists and engineers employed at such laboratory as of the close of the last fiscal year before the fiscal year in which any appointments subject to that numerical limitation are made.

(3) SUNSET.—Appointments under this subsection may not be made after December 31, 2019.

(g) REPORTING REQUIREMENT.—The Secretary of Defense shall submit to the congressional defense committees an annual report on the operation of this section. Each such report shall include, for the period covered by such report—

(1) the total number of individuals appointed under subsection (a)(1) during such period;

(2) the total number of individuals appointed under subsection (a)(2) during such period; and

(3) the total number of senior scientific technical managers at each STRL as of the end of such period.

(h) EXCLUSION FROM PERSONNEL LIMITATIONS.—

(1) IN GENERAL.—The director of an STRL shall manage the workforce strength, structure, positions, and compensation of such STRL—

(A) without regard to any limitation on appointments, positions, or funding with respect to such STRL, subject to subparagraph (B); and

(B) in a manner consistent with the budget available with respect to such STRL.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to Senior Executive Service positions (as defined in section 3132(a) of title 5, United States Code) or scientific and professional positions authorized under section 3104 of such title.

SEC. 1108. COMPLIANCE WITH LAW REGARDING AVAILABILITY OF FUNDING FOR CIVILIAN PERSONNEL.

(a) REGULATIONS.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations implementing the authority in subsection (a) of section

Deadline.

1111 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 1580 note prec.).

Consultation.

(b) COORDINATION.—The Under Secretary of Defense (Comptroller), in consultation with the Under Secretary of Defense for Personnel and Readiness, shall be responsible for coordinating the preparation of the regulations required under subsection (a).

(c) LIMITATIONS.—The regulations required under subsection (a) shall not be restricted by any civilian full-time equivalent or end-strength limitation, nor shall such regulations require offsetting civilian pay funding, civilian full-time equivalents, or civilian end-strengths.

SEC. 1109. 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—

(1) by striking "sections 3304, 5333, and 5753 of title 5" and inserting "section 3304 of title 5"; and

(2) in clause (ii), by striking "the authorities in such sections" and inserting "the authority in such section".

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
Sec. 1202. Global Security Contingency Fund.
Sec. 1203. Training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.
Sec. 1204. Authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.
Sec. 1205. Authorization of National Guard State Partnership Program.
Sec. 1206. United States security and assistance strategies in Africa.
Sec. 1207. Assistance to the Government of Jordan for border security operations.
Sec. 1208. Support of foreign forces participating in operations to disarm the Lord's Resistance Army.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

Sec. 1211. Commanders' Emergency Response Program in Afghanistan.
Sec. 1212. One-year extension of authority to use funds for reintegration activities in Afghanistan.
Sec. 1213. Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1214. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1215. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.
Sec. 1216. Requirement to withhold Department of Defense assistance to Afghanistan in amount equivalent to 100 percent of all taxes assessed by Afghanistan to extent such taxes are not reimbursed by Afghanistan.

Sec. 1217. Extension of certain authorities for support of foreign forces supporting or participating with the United States Armed Forces.
Sec. 1218. Extension and improvement of the Iraqi special immigrant visa program.
Sec. 1219. Improvement of the Afghan special immigrant visa program.

Subtitle C—Matters Relating to Afghanistan Post 2014

Sec. 1221. Report on plans to disrupt and degrade Haqqani Network activities and finances.
Sec. 1222. Completion of accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces.
Sec. 1223. Defense intelligence plan.
Sec. 1224. Limitation on availability of funds for certain authorities for Afghanistan.

Subtitle D—Matters Relating to Iran

Sec. 1231. Report on United States military partnership with Gulf Cooperation Council countries.
Sec. 1232. Additional elements in annual report on military power of Iran.
Sec. 1233. Integrated air and missile defense programs at training locations in Southwest Asia.

Subtitle E—Reports and Other Matters

Sec. 1241. Two-year extension of authorization for non-conventional assisted recovery capabilities.
Sec. 1242. Element on 5th generation fighter program in annual report on military and security developments involving the People's Republic of China.
Sec. 1243. Report on posture and readiness of the Armed Forces to respond to an attack or other contingency against United States diplomatic facilities overseas.
Sec. 1244. Limitation on establishment of Regional Special Operations Forces Coordination Centers.
Sec. 1245. Additional reports on military and security developments involving the Democratic People's Republic of Korea.
Sec. 1246. Sense of Congress on missile defense cooperation with the Russian Federation and limitations on providing certain missile defense information to the Russian Federation.
Sec. 1247. Amendments to annual report under Arms Control and Disarmament Act.
Sec. 1248. Report on actions to reduce support for ballistic missile proliferation.
Sec. 1249. Reports on international agreements relating to the Department of Defense.
Sec. 1250. Revision of statutory references to former NATO support organizations and related NATO agreements.
Sec. 1251. Executive agreements with the Russian Federation relating to ballistic missile defense.
Sec. 1252. Rule of construction.
Sec. 1253. Limitation on availability of funds to implement the Arms Trade Treaty.
Sec. 1254. Report on military and security developments involving the Russian Federation.
Sec. 1255. Prohibition on use of funds to enter into contracts or agreements with Rosoboronexport.

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION AND EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) AUTHORITY.—Subsection (a) 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 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4625), is further amended by adding at the end the following new paragraph:

"(3) To build the capacity of a foreign country's security forces to conduct counterterrorism operations.".

(b) AVAILABILITY OF FUNDS.—Subsection (c)(5) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, 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—

(1) 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

(2) by striking "each of fiscal years 2012, 2013, and 2014" and inserting "each fiscal year through fiscal year 2017".

Reports.

(c) LIMITATION ON FISCAL YEAR 2015 FUNDS.—Of the funds authorized to be appropriated to carry out section 1206 of the National Defense Authorization Act for Fiscal Year 2006 or otherwise made available for fiscal year 2015, not more than $262,500,000 may be obligated or expended until the Secretary of Defense, with the concurrence of the Secretary of State, submits to the congressional defense committees a report on the proposed planning and execution of programs intended to be conducted or supported under subsection (a)(3) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as added by subsection (a), during fiscal year 2015, including a description of the proposed planning and execution of the amount of funds to be made available for such programs.

Consultation.

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report on the scope of counterterrorism operations for which assistance is authorized to be provided under section 1206 of the National Defense Authorization Act for Fiscal Year 2006. The report shall include the following:

(1) A statement of the purposes for which assistance may be provided under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, consistent with the Presidential Policy Directive on United States Security Sector Assistance issued on April 5, 2013.

(2) A description of the types of activities that are appropriately within the scope of capacity building assistance under such authority.

(3) A description and assessment of the monitoring and evaluation procedures for such assistance, including measures of effectiveness applicable to counterterrorism capacity building activities under such authority.

(4) A prioritized list and discussion of the primary security threats as of the date of the report against which counterterrorism capacity building under such authority is or may be directed, in light of the end of combat operations in Iraq and the expected completion of combat operations by coalition forces in Afghanistan by December 2014.

(e) TERMINATION OF PROGRAM.—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2013, is further amended by striking "2014" each place it appears and inserting "2017".

SEC. 1202. GLOBAL SECURITY CONTINGENCY FUND.

(a) AUTHORITY.—Subsection (b) 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 paragraph (1), by inserting "or regions" after "countries"; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "and other national security forces" and inserting "or other national security forces"; and

(B) in subparagraph (A)—

(i) by striking "and counterterrorism operations" and inserting "or counterterrorism operations"; and

(ii) by striking "and" at the end and inserting "or".

(b) NOTICES TO CONGRESS.—Subsection (l) of such section is amended to read as follows:

"(l) NOTICES TO CONGRESS.—Not less than 30 days before initiating an activity under a program of assistance under subsection (b), the Secretary of State and the Secretary of Defense shall jointly submit to the specified congressional committees a notification that includes the following: Deadline.

"(1) A notification of the intent to transfer funds into the Fund under subsection (f) or any other authority, including the original source of the funds.

"(2) A detailed justification for the total anticipated program for each country, including total anticipated costs and the specific activities contained therein.

"(3) The budget, execution plan and timeline, and anticipated completion date for the activity.

"(4) A list of other security-related assistance or justice sector and stabilization assistance that the United States is currently providing the country concerned and that is related to or supported by the activity.

"(5) Such other information relating to the program or activity as the Secretary of State or Secretary of Defense considers appropriate.".

(c) TRANSITIONAL AUTHORITIES; GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.—Such section, as so amended, is further amended—

(1) by striking subsection (n);

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

(3) by inserting after subsection (l), as so amended, the following new subsection (m):

"(m) GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.—Not later than 15 days after the date on which guidance and processes for implementation of the authority in subsection (b) have been issued, the Secretary of State and the Secretary of Defense shall jointly submit a report to the specified congressional committees on such guidance and processes. The Secretary of State and Secretary of Defense shall jointly submit additional reports not later than 15 days after the date on which any future modifications to the guidance and processes for implementation of the authority in subsection (b) are issued.". Deadlines. Reports.

(d) ANNUAL REPORTS.—Subsection (n) of such section, as redesignated by subsection (c)(2) of this section, is amended—

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

(2) by striking "subsection (q)" and inserting "subsection (p)".

(e) FUNDING.—Such section, as so amended, is further amended—

(1) by striking subsection (o); and

(2) by redesignating subsections (p) and (q) as subsections (o) and (p), respectively.

10 USC 2011 note.

SEC. 1203. TRAINING OF GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

(a) TRAINING AUTHORIZED.—

(1) IN GENERAL.—Under regulations prescribed under subsection (f), general purpose forces of the United States Armed Forces may train with the military forces or other security forces of a friendly foreign country if the Secretary of Defense determines that it is in the national security interests of the United States to do so. Training may be conducted under this section only with the prior approval of the Secretary of Defense.

(2) CONCURRENCE.—Before conducting a training event in or with a foreign country under this subsection, the Secretary of Defense shall seek the concurrence of the Secretary of State in such training event.

(b) TYPES OF TRAINING AUTHORIZED.—Any training conducted by the United States Armed Forces pursuant to subsection (a) shall, to the maximum extent practicable—

(1) support the mission essential tasks for which the training unit providing such training is responsible;

(2) be with a foreign unit or organization with equipment that is functionally similar to such training unit; and

(3) include elements that promote—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority within the foreign country or countries concerned.

(c) AUTHORITY TO PAY EXPENSES.—

(1) IN GENERAL.—The Secretary of a military department or the 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 general purpose forces of the United States Armed Forces pursuant to subsection (a).

(2) LIMITATION.—The amount of incremental expenses payable under paragraph (1) in any fiscal year may not exceed $10,000,000.

Deadline.

(d) NOTICE BEFORE COMMENCEMENT OF TRAINING.—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 15 days before the commencement of any training event pursuant to subsection (a). The notice on a training event shall include a description of the event and the foreign country or countries involved in the event.

(e) ANNUAL REPORTS TO CONGRESS.—Not later than April 1 of each year following a fiscal year in which training is conducted pursuant to subsection (a), the Secretary of Defense shall submit

to the appropriate committees of Congress a report on the training conducted pursuant to that subsection. Each report shall specify the following:

(1) For the fiscal year covered by such report, the following:

(A) Each country in which training was conducted.

(B) The type of training conducted, the duration of such training, and the number of members of the United States Armed Forces involved in such training.

(C) The extent of participation in such training by foreign military forces and other security forces, including the number and service affiliation of foreign military and other security force personnel involved and the physical and financial contribution of each country specified in subparagraph (A) in such training.

(D) The relationship of such training to other overseas training programs conducted by the United States Armed Forces, such as military exercise programs sponsored by the Joint Chiefs of Staff, military exercise programs sponsored by a combatant command, and military training activities sponsored by a military department (including deployments for training, short duration exercises, and other similar unit training events).

(E) A summary of the expenditures under subsection (c) in connection with such training.

(F) A description and assessment of the unique military training benefits for members of the United States Armed Forces involved in such training.

(2) A list of the training events to be conducted during the 12-month period beginning on April 1 of the year in which such report is submitted. List. Time period.

(f) REGULATIONS.—Any training conducted pursuant to subsection (a) shall be conducted under regulations prescribed by the Secretary of Defense for the administration of this section. The regulations shall be prescribed not later than 180 days after the date of the enactment of this Act. Deadline.

(g) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term "incremental expenses", with respect to a friendly foreign country, means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by such country as a direct result of that country's participation in training conducted pursuant to subsection (a), except that such term does not include pay, allowances, and other normal costs of such country's military or security force personnel.

(3) The term "other security forces" includes national security forces that conduct border and maritime security, but does not include civilian police.

(h) EXPIRATION.—The authority under this section may not be exercised after September 30, 2017.

10 USC 401 note.

SEC. 1204. 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 may, with the concurrence of the Secretary of State, provide assistance to the military and civilian first responder organizations of countries that share a border with Syria in order to enhance the capability of such countries to respond effectively to potential incidents involving weapons of mass destruction in Syria and the surrounding region.

(b) AVAILABILITY OF AUTHORITY FOR OTHER COUNTRIES.—

(1) IN GENERAL.—If the Secretary of Defense determines, with the concurrence of the Secretary of State, that the Department of Defense should provide the assistance authorized in subsection (a) to countries other than the countries described in subsection (a), the Secretary of Defense may provide such assistance to such other countries.

Notification.

(2) LIMITATION.—The Secretary of Defense may not provide assistance under paragraph (1) until the Secretary provides written notification to the congressional defense committees of the Secretary's intention to provide such assistance, together with an explanation of the scope of the assistance and the reasons for providing the assistance.

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

(d) AVAILABILITY OF FUNDS.—

(1) FUNDS AVAILABLE.—Amounts for assistance under this section in a fiscal year shall be derived from amounts authorized to be appropriated for the Department of Defense for Operation and Maintenance, Defense-wide, and available for the Defense Threat Reduction Agency for such fiscal year.

(2) AVAILABILITY ACROSS FISCAL YEARS.—Amounts available under paragraph (1) may be available for assistance that begins in a fiscal year and ends in the next fiscal year.

(e) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—If the amount of assistance to be provided under this section in a fiscal year is anticipated to exceed $4,000,000, the Secretary of Defense shall notify the congressional defense committees in writing of that fact.

Compliance.

(f) INTERAGENCY COORDINATION.—In carrying out this section, the Secretary of Defense shall comply with all applicable requirements for coordination and consultation within the Executive Branch.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the authority in subsection (a) is first exercised and 60 days after the end of any fiscal year in which the authority under this section is exercised, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(A) A list of the countries to which the assistance has been or is being provided under the authority in this section, and a description of the assistance provided to each country under such authority.

(B) A description of how such assistance advances the national security interests of the United States and is consistent with broader United States national security

policy and strategy in each country provided assistance and within the applicable region.

(C) The amount of funds used to provide such assistance to each country during the fiscal year covered by the report.

(D) Any other matters the Secretary of Defense considers appropriate.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) EXPIRATION.—The authority to provide assistance under this section may not be exercised after September 30, 2017.

SEC. 1205. AUTHORIZATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM. 32 USC 107 note.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to establish a program of exchanges of members of the National Guard of a State or territory and the military forces, or security forces or other government organizations whose primary functions include disaster response or emergency response, of a foreign country.

(2) STATE PARTNERSHIP PROGRAM.—Each program established under this subsection shall be known as a "State Partnership Program".

(b) LIMITATION.—An activity under a program established under subsection (a) that involves the security forces or other government organizations whose primary functions include disaster response or emergency response of a foreign country, or an activity that the Secretary of Defense determines is a matter within the core competencies of the National Guard of a State or territory, may be carried out only if the Secretary of Defense, with the concurrence of the Secretary of State, determines and notifies the appropriate congressional committees not less than 15 days before initiating such activity that the activity is in the national security interests of the United States. Determination. Notification. Deadline.

(c) REGULATIONS.— Deadlines.

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall establish accounting procedures to ensure that expenditures of funds to carry out this section are accounted for and appropriate.

(2) NOTIFICATION.—Not later than 15 days after the date on which such regulations have been prescribed, the Secretary of Defense—

(A) shall notify the appropriate congressional committees that the regulations have been prescribed; and

(B) shall provide to the appropriate congressional committees a copy of the regulations. Records.

(d) AVAILABILITY OF AUTHORIZED FUNDS FOR PROGRAM.—

(1) IN GENERAL.—Funds authorized to be appropriated to the Department of Defense, including funds authorized to be appropriated for the Army National Guard and Air National Guard, are authorized to be available—

(A) for payment of costs incurred by the National Guard of a State or territory to conduct activities under a program established under subsection (a); and

(B) for payment of incremental expenses of a foreign country to conduct activities under a program established under subsection (a).

(2) LIMITATIONS.—

(A) ACTIVE DUTY REQUIREMENT.—Funds shall not be available under paragraph (1) for the participation of a member of the National Guard of a State or territory in activities in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation

(B) INCREMENTAL EXPENSES.—The total amount of payments for incremental expenses of foreign countries as authorized under paragraph (1)(B) for activities under programs established under subsection (a) in any fiscal year may not exceed $10,000,000.

(e) REPORTS AND NOTIFICATIONS.—

(1) REVIEW AND REPORT OF EXISTING PROGRAMS.—

(A) REVIEW.—The Secretary of Defense, with the concurrence of the Secretary of State, shall conduct a comprehensive review of each program under the State Partnership Program as in effect on the day before the date of the enactment of this Act.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on—

(i) the findings of the review conducted under subparagraph (A); and

(ii) any recommendations with respect to the review conducted under subparagraph (A).

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than January 31 of each year following a fiscal year in which activities under a program established under subsection (a) are carried out, the Secretary of Defense shall submit to the appropriate congressional committees a report on such activities under the program.

(B) MATTERS TO BE INCLUDED.—Each report shall specify, for the fiscal year covered by such report, the following:

(i) Each foreign country in which the activities were conducted.

(ii) The type of activities conducted, the duration of the activities, and the number of members of the National Guard of each State or territory involved in such activities.

(iii) The extent of participation in the activities by the military forces and security forces of such foreign country.

(iv) A summary of expenditures to conduct the activities, including the annual cost of the activities, with a breakdown of such expenditures by geographic combatant command.

(v) With respect to activities described in subsection (b), the objective of the activities, and a description of how the activities support the theater campaign plan of the commander of the geographic combatant command with responsibility for the country or countries in which the training occurred.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede any authority under title 10, United States Code, as in effect on the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) INCREMENTAL EXPENSES.—The term "incremental expenses", with respect to a foreign country—

(A) means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the country's participation in activities conducted under subsection (a); and

(B) does not include—

(i) any form of lethal assistance (excluding training ammunition); or

(ii) pay, allowances, and other normal costs of the personnel of the country.

(h) REPEAL OF SUPERSEDED AUTHORITY.—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

(i) TERMINATION.—The authority granted under subsection (a) shall terminate on September 30, 2016.

SEC. 1206. UNITED STATES SECURITY AND ASSISTANCE STRATEGIES IN AFRICA.

22 USC 2151 note.

(a) STRATEGIC FRAMEWORK FOR COUNTERTERRORISM ASSISTANCE AND COOPERATION IN THE SAHEL AND THE MAGHREB REGIONS.—

(1) IN GENERAL.—The Secretary of Defense shall, in coordination with the Secretary of State, develop a strategic framework for United States counterterrorism assistance and cooperation in the Sahel and Maghreb regions of Africa, including for programs conducted under the Trans-Sahara Counter Terrorism Partnership, Operation Enduring Freedom–Trans Sahara, and related security assistance authorities.

Coordination.

(2) ELEMENTS.—The strategic framework required by paragraph (1) shall include the following:

(A) An evaluation of the threat of terrorist organizations operating in the Sahel and Maghreb regions to the national security of the United States.

(B) An identification on a regional basis of the primary objectives, priorities, and desired end-states of United

States counterterrorism assistance and cooperation programs in the region, and of the resources required to achieve such objectives, priorities, and end-states.

(C) A methodology for assessing the effectiveness of United States counterterrorism assistance and cooperation programs in the region in making progress towards the objectives and desired end-states identified pursuant to subparagraph (B), including an identification of key benchmarks of such progress.

(D) Criteria for bilateral and multilateral partnerships in the region.

(E) Plans for enhancing coordination among United States and international agencies for planning and implementation of United States counterterrorism assistance and cooperation programs for the region on a regional basis, rather than a country-by-country basis, in order to improve coordination among United States regional and bilateral counterterrorism assistance and cooperation programs in the region.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report that includes the following:

(A) A comprehensive description of the strategic framework required by paragraph (1).

(B) A description of lessons learned regarding the organization and implementation of United States counterterrorism assistance and cooperation programs for the Sahel and Maghreb regions of Africa, including an evaluation of the performance and commitment of regional partners in the Sahel and Maghreb regions, including Mali in particular, in 2012 and 2013.

(b) STRATEGY TO SUPPORT CONSOLIDATION OF SECURITY AND GOVERNANCE GAINS IN SOMALIA.—

Deadline. President.

(1) REQUIREMENT FOR STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a strategy to guide future United States policy and programs in Somalia to counter armed threats and support regional security, and in support of Somali and international efforts to foster economic growth and opportunity, counter armed threats to stability, and develop credible, transparent, and representative government systems and institutions.

(2) CONTENT OF STRATEGY.—The strategy required under paragraph (1) should include the following elements:

(A) An interagency framework to plan, coordinate and review diplomatic, military, intelligence, development, and humanitarian elements of the United States policy regarding Somalia.

(B) Plans and benchmarks for strengthening efforts, as appropriate, of the Government of Somalia, the African Union, and regional governments to stabilize the security situation within Somalia and further degrade al-Shabaab's capabilities, in order to enable the eventual transfer of security operations to Somali security forces capable of—

(i) maintaining and expanding security and stability within Somalia;

(ii) confronting transnational security threats; and

(iii) preventing human rights abuses.

(C) A plan to support the development and professionalization of credible, civilian led, Somali security forces that are representative of the population, including the infrastructure and procedures required to ensure chain of custody and the safe storage of military equipment and an assessment of the benefits and risks of the provision of weaponry to the Somali security forces by the United States.

(D) A description of United States national security objectives addressed through military-to-military cooperation activities with Somali security forces.

(E) A description of security risks to any United States personnel conducting security cooperation activities within Somalia and plans to assist the Somali security forces in preventing infiltration and insider attacks, including through the application of lessons learned in United States military training efforts in Afghanistan.

(F) A description of United States tools for monitoring and responding to violations of the United Nations Security Council arms embargo, charcoal ban, and other international agreements affecting the stability of Somalia.

(G) A description of mechanisms for coordinating United States military and non-military assistance with other international donors, regional governments, and relevant multilateral organizations.

(H) A plan to support the consolidation of political gains at the national level, while also encouraging and supporting complementary processes at the local and regional levels and encouraging improved collaboration among Somali national and regional administrations.

(I) Any plans to increase United States diplomatic engagement with Somalia, including through the future establishment of an embassy or other diplomatic posts in Mogadishu.

(J) Any other element the President determines appropriate.

(3) REPORTS.—Not later than 180 days after the date of the submission of the strategy required under paragraph (1), and annually thereafter for three years, the President shall submit to the appropriate committees of Congress an update on implementation of the strategy and progress made in Somalia and associated benchmarks for security, stability, development, and governance. President.

(4) FORM.—The strategy required under paragraph (1) and the reports required under paragraph (3) shall be submitted in unclassified form, but may include a classified annex.

(c) INTELLIGENCE ASSESSMENT AND REPORT ON AL-SHABAAB.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a classified intelligence assessment of the terrorist organization known as al-Shabaab. Such assessment shall include the following: Classified information.

(1) A description of organizational structure, operational objectives, and funding sources for al-Shabaab.

(2) An assessment of the extent to which al-Shabaab threatens security and stability within Somalia and surrounding countries.

(3) An assessment of the extent to which al-Shabaab threatens the security of United States citizens or the national security or interests of the United States.

(4) The description of the relationship between al-Shabaab and al-Qaeda and al-Qaeda affiliates.

(5) An assessment of the capacity of the Government of Somalia to counter the threat posed by al-Shabaab.

(6) An assessment of the capacity of regional countries and organizations, including the African Union, to counter the threat posed by al-Shabaab.

Deadline. President.

(d) DESIGNATION OF GOVERNMENT OFFICIAL FOR AFRICA EXPORT POLICY.—Not later than 60 days after the date of the enactment of this Act, and for the following three years, the President shall designate an existing senior United States Government official with existing interagency authority for export policy for Africa to coordinate among various United States Government agencies existing export strategies with the goal of significantly increasing United States exports to Africa in real dollar value.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

22 USC 2151 note.

SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance on a reimbursement basis to the Government of Jordan for purposes of supporting and maintaining efforts of the armed forces of Jordan to increase security and sustain increased security along the border between Jordan and Syria.

(2) FREQUENCY.—Assistance under this subsection may be provided on a quarterly basis.

(3) CERTIFICATION.—Assistance may be provided under this subsection only if the Secretary of Defense certifies to the specified congressional committees that the Government of Jordan is continuing to support and maintain efforts of the armed forces of Jordan to increase security or sustain increased security along the border between Jordan and Syria.

(b) FUNDS AVAILABLE FOR ASSISTANCE.—Amounts authorized to be appropriated for fiscal year 2014 by title XV and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) as specified in the funding table in section 4302 may be used to provide assistance under the authority in subsection (a).

(c) LIMITATIONS.—

(1) LIMITATION ON AMOUNT.—The total amount of assistance provided under the authority in subsection (a) may not exceed $150,000,000.

(2) PROHIBITION ON CONTRACTUAL OBLIGATIONS.—The Secretary of Defense may not enter into any contractual obligation to provide assistance under the authority in subsection (a).

(d) NOTICE BEFORE EXERCISE.—Not later than 15 days before providing assistance under the authority in subsection (a), the Secretary of Defense shall submit to the specified congressional committees a report setting forth a full description of the assistance to be provided, including the amount of assistance to be provided, and the timeline for the provision of such assistance. Deadline. Reports.

(e) SPECIFIED CONGRESSIONAL COMMITTEES.—In this section, the term "specified congressional committees" means— Definition.

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(f) EXPIRATION OF AUTHORITY.—No assistance may be provided under the authority in subsection (a) after December 31, 2015.

SEC. 1208. SUPPORT OF FOREIGN FORCES PARTICIPATING IN OPERATIONS TO DISARM THE LORD'S RESISTANCE ARMY. 22 USC 2151 note.

(a) AUTHORITY.—Pursuant to the policy established by the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172; 124 Stat. 1209), the Secretary of Defense may, with the concurrence of Secretary of State, provide logistic support, supplies, and services, and intelligence support, to foreign forces participating in operations to mitigate and eliminate the threat posed by the Lord's Resistance Army as follows:

(1) The national military forces of Uganda.

(2) The national military forces of any other country determined by the Secretary of Defense to be participating in such operations.

(b) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance, not more than $50,000,000 may be used in such fiscal year to provide support under subsection (a).

(2) AVAILABILITY OF FUNDS ACROSS FISCAL YEARS.—Amounts available under this subsection for a fiscal year for support under the authority in subsection (a) may be used for support under that authority that begins in such fiscal year but ends in the next fiscal year.

(c) LIMITATIONS.—

(1) IN GENERAL.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support that is otherwise prohibited by any provision of law.

(2) AVAILABILITY OF FUNDS FOR FISCAL YEAR 2014.—Of the amount available under subsection (b) for fiscal year 2014, not more than $37,500,000 may be obligated or expended to provide support under subsection (a) until the Secretary submits to the appropriate committees of Congress a report on Operation Observant Compass, including the specific goals of the campaign to counter the Lord's Resistance Army, the precise Reports.

metrics used to measure progress in the campaign, and the actions that will be taken to transition the campaign if it is determined that it is no longer necessary for the United States to support the mission of the campaign.

Deadline.

(d) NOTICE TO CONGRESS ON SUPPORT TO BE PROVIDED.—Not less than 15 days before the date on which funds are obligated to provide support under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice setting forth the following:

(1) The type of support to be provided.

(2) The national military forces to be supported.

(3) The objectives of such support.

(4) The estimated cost of such support.

(5) The intended duration of such support.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term "logistic support, supplies, and services" has the meaning given that term in section 2350(1) of title 10, United States Code.

(f) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2017.

(g) REPEAL OF SUPERSEDED AUTHORITY.—Section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1624; 22 U.S.C. 2151 note) is repealed.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1211. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) ONE YEAR EXTENSION.—

(1) IN GENERAL.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), is further amended by striking "fiscal year 2013" each place it appears and inserting "fiscal year 2014".

(2) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking "FOR FISCAL YEAR 2013".

(b) FUNDS AVAILABLE DURING FISCAL YEAR 2014.—Subsection (a) of such section, as so amended, 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).

(d) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Department of Defense Office of the Inspector General, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for Iraq Reconstruction, and the Government Accountability Office, shall submit to Congress a comprehensive report on lessons learned and best practices from execution of the Commanders' Emergency Response Program (CERP) from Iraq and Afghanistan. Deadline. Reports.

(e) CONTENTS OF REPORT.—The report required by subsection (d) shall include the following:

(1) A description of any modifications to CERP since the commencement of the program.

(2) A description of CERP best practices and lessons learned related to the following:

(A) Requirements, training, and certifications for CERP managers in the field and headquarters.

(B) Project planning, execution, management, closeout, sustainability, and transfer to host government.

(C) Project approval process, including appropriate approval levels for higher-value projects.

(D) Project monitoring and evaluation.

(E) Control and accountability of funds.

(F) Procurement procedures, including local procurement.

(G) Processes to maintain flexibility and rapid implementation of funds, but retain accountability of CERP projects.

(H) Reporting requirements to the Department of Defense and Congress.

(I) Recommendations for the use of CERP in future contingency operations.

(J) Recommendations for developing a CERP handbook for use by future CERP administrators.

(3) A description and assessment of the application of CERP practices in the success of reconstruction efforts and of commanders' pursuit of their missions.

SEC. 1212. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as most recently amended by section 1218 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1990), is further amended—

(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. 1213. 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 National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2000), is further amended by striking "fiscal year 2013" and inserting "fiscal year 2014".

(b) LIMITATION ON AMOUNT AVAILABLE.—Subsection (d)(1) of such section 1233, as so amended, is further 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".

(c) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1213(d) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1630), is further amended by striking "September 30, 2013" and inserting "September 30, 2014".

(d) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Subsection (d) of section 1227 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2000) is amended—

(1) in the subsection heading, by striking "IN FISCAL YEAR 2013"; and

(2) in paragraph (1), by striking "Effective as of the date of the enactment of this Act," and all that follows through "remain available for obligation" and inserting "No amounts authorized to be appropriated for the Department of Defense for fiscal year 2014 or any prior fiscal year".

10 USC 113 note.

SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION AND MODIFICATION OF AUTHORITY.—Subsection (f) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) by striking "(f)" and all that follows through "fiscal year 2013," and inserting the following:

"(f) ADDITIONAL AUTHORITY FOR ACTIVITIES OF OSCI.—

"(1) IN GENERAL.—During fiscal year 2014,"; and

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

"(2) REQUIRED ELEMENTS OF TRAINING.—The training conducted under paragraph (1) shall include elements that promote the following:

"(A) Observance of and respect for human rights and fundamental freedoms.

"(B) Military professionalism.

"(C) Respect for legitimate civilian authority within Iraq.".

(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".

(d) UPDATES OF REPORT ON ACTIVITIES OF OSCI.—Section 1211(d)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1983) is amended—

(1) by striking "UPDATE REQUIRED.—Not later than September 30, 2013," and inserting "UPDATES REQUIRED.—Not later than September 30, 2013, and every 180 days thereafter until the authority in section 1215 of the National Defense Authorization Act for Fiscal Year 2012 expires,"; and Deadlines.

(2) by striking "including" and all that follows and inserting "including the following:

"(A) A description of any changes to the specific element or process described in subparagraphs (A) through (F) of paragraph (2).

"(B) An evaluation of the activities of the Office of Security Cooperation in Iraq based on the measures of effectiveness described in paragraph (2)(F) and a discussion of any determinations to expand, alter, or terminate specific activities of the Office based on those measures.

"(C) An evaluation of the effectiveness of the training provided pursuant to section 1215(f)(2) of the National Defense Authorization Act for Fiscal Year 2012 in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.".

SEC. 1215. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN. 22 USC 7513 note.

(a) EXTENSION OF AUTHORITY.—Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393), as most recently amended by section 1219 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1991), is further amended—

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

"(C) Up to $250,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2014.";

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting ", or phase of a project," after "each project";

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

(C) by inserting after subparagraph (B) the following new subparagraph (C):

"(C) An assessment of the capability of the Afghan National Security Forces (ANSF) to provide security for such project after January 1, 2015, including an estimate of the ANSF force levels, if any, required to secure such project. Such assessment should include the estimated costs of providing security and whether or not the Government of Afghanistan is committed to providing such security."; and

(3) 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.

(c) REPORT ON TRANSITION OF PROJECT MANAGEMENT.—

Consultation.

(1) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, submit to the congressional defense committees a plan for the transition to the Government of Afghanistan, or a utility entity owned by the Government of Afghanistan, of the project management of projects funded with amounts authorized by this Act for the Afghanistan Infrastructure Fund. Such transition shall be planned to be completed by not later December 31, 2014.

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

(A) A description of the projects to be transitioned as described in that paragraph, the cost of such projects, and the timelines for completion and other key implementation milestones for such projects.

(B) For each such project, the following:

(i) An estimate of the financial and other requirements necessary to manage such project, and sustain the infrastructure developed through such project, on an annual basis after the completion of such project.

(ii) An assessment of the capacity of the Government of Afghanistan or such utility entity to manage such project, and maintain and use the infrastructure developed through such project, after the completion of such project.

(iii) A description of any arrangements, and an estimate of associated costs, to support the Government of Afghanistan or such utility entity if the Government of Afghanistan or such utility entity, as the case may be, lacks the capacity (in either financial or human resources) to manage such project, or sustain the infrastructure developed through such project, after the completion of such project.

(C) An assessment of the ministries or organizations of Afghanistan that will be responsible for the management of such projects after transition, including an assessment of any critical institutional shortfalls of such ministries and organizations that must be addressed for such ministries and organization to acquire the capacity required to assume project management responsibilities for such projects.

SEC. 1216. REQUIREMENT TO WITHHOLD DEPARTMENT OF DEFENSE ASSISTANCE TO AFGHANISTAN IN AMOUNT EQUIVALENT TO 100 PERCENT OF ALL TAXES ASSESSED BY AFGHANISTAN TO EXTENT SUCH TAXES ARE NOT REIMBURSED BY AFGHANISTAN.

Certification. Reports.

(a) REQUIREMENT TO WITHHOLD ASSISTANCE TO AFGHANISTAN.—An amount equivalent to 100 percent of the total taxes assessed during fiscal year 2013 by the Government of Afghanistan

on all Department of Defense assistance shall be withheld by the Secretary of Defense from obligation from funds appropriated for such assistance for fiscal year 2014 to the extent that the Secretary of Defense certifies and reports in writing to the Committees on Armed Services of the Senate and the House of Representatives that such taxes have not been reimbursed by the Government of Afghanistan to the Department of Defense or the grantee, contractor, or subcontractor concerned.

(b) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement in subsection (a) if the Secretary determines that such a waiver is necessary to achieve United States goals in Afghanistan.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total taxes assessed during fiscal year 2013 by the Government of Afghanistan on all Department of Defense assistance.

(d) DEPARTMENT OF DEFENSE ASSISTANCE DEFINED.—In this section, the term "Department of Defense assistance" means funds provided during fiscal year 2013 to Afghanistan by the Department of Defense, either directly or through grantees, contractors, or subcontractors.

(e) TERMINATION.—This section shall terminate at the close of the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that the United States and Afghanistan have signed a bilateral security agreement and such agreement has entered into force.

SEC. 1217. EXTENSION OF CERTAIN AUTHORITIES FOR SUPPORT OF FOREIGN FORCES SUPPORTING OR PARTICIPATING WITH THE UNITED STATES ARMED FORCES.

(a) LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING UNITED STATES MILITARY OPERATIONS IN AFGHANISTAN.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1216(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1989), is further amended—

(1) in subsection (a), by striking "fiscal year 2013" and inserting "fiscal year 2014";

(2) in subsection (d), by striking "in fiscal year 2013" and inserting "during the period beginning on October 1, 2013, and ending on December 31, 2014,"; and

(3) in subsection (e)(1), by striking "of fiscal year 2013" and inserting "through December 31, 2014".

(b) USE OF ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND CERTAIN MILITARY EQUIPMENT TO CERTAIN FOREIGN FORCES FOR PERSONNEL PROTECTION AND SURVIVABILITY.—Section 1202(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2413), as most recently amended by section 1202(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), is further amended by striking "September 30, 2014" and inserting "December 31, 2014".

SEC. 1218. EXTENSION AND IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by striking subsection (c) and inserting the following:

"(c) IMPROVED APPLICATION PROCESS.—

Deadlines. Consultation.

"(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under section 1244(a), are processed so that all steps under the control of the respective departments incidental to the issuance of such visas, including required screenings and background checks, should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa.

"(2) CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of a Secretary referred to in paragraph (1) to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time.

"(d) REPRESENTATION.—An alien applying for admission to the United States pursuant to this subtitle may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.";

(2) in section 1244—

(A) in subsection (b)—

(i) in paragraph (4)—

(I) by striking "A recommendation" and inserting the following:

"(A) IN GENERAL.—Except as provided under subparagraph (B), a recommendation"; and

(II) by adding at the end the following:

"(B) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

"(i) IN GENERAL.—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

Notice.

"(I) receive a written decision that provides, to the maximum extent feasible, information describing the basis for the denial, including the facts and inferences underlying the individual determination; and

"(II) be provided not more than one written appeal—

Deadline.

"(aa) that shall be submitted not more than 120 days after the date that the applicant receives such decision in writing; and

"(bb) that may request reopening of such decision and provide additional information,

clarify existing information, or explain any unfavorable information.

"(ii) IRAQI SPECIAL IMMIGRANT VISA COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, an Iraqi Special Immigrant Visa Coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given— Designation.

"(I) sufficiently high security clearance to review information supporting Chief of Mission denials if an appeal of a denial is filed;

"(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I); and

"(III) responsibility for ensuring that every applicant is provided a reasonable opportunity to provide additional information, clarify existing information, or explain any unfavorable information pursuant to clause (i)(II)."; and

(ii) by adding at the end the following:

"(5) EVIDENCE OF SERIOUS THREAT.—A credible sworn statement depicting dangerous country conditions, together with official evidence of such country conditions from the United States Government, should be considered as a factor in determination of whether the alien has experienced or is experiencing an ongoing serious threat as a consequence of the alien's employment by the United States Government for purposes of paragraph (1)(D)."; and

(B) in subsection (c)(3), by striking subparagraph (C) and inserting the following:

"(C) LIMITATION ON NUMBER OF VISAS.—

"(i) IN GENERAL.—The total number of principal aliens who may be provided special immigrant status under this section after January 1, 2014, shall be not more than 2500.

"(ii) EMPLOYMENT PERIOD.—The 1-year period during which the principal alien is required to have been employed by or on behalf of the United States Government in Iraq under subsection (b)(1)(B) shall begin on or after March 20, 2003, and end on or before September 30, 2013.

"(iii) APPLICATION DEADLINE.—The principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with subsection (b)(4) not later than September 30, 2014."; and

(3) in section 1248, by adding at the end the following:

"(f) REPORT ON IMPROVEMENTS.—

"(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to— Consultation. Classified information.

"(A) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

"(B) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

"(2) CONTENTS.—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

"(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

"(i) support immigration security; and

"(ii) provide for the orderly processing of such applications without significant delay;

"(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

"(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

"(D) the reasons for the failure to process any applications that have been pending for longer than 9 months;

"(E) the total number of applications that are pending due to the failure—

"(i) to receive approval from the Chief of Mission;

"(ii) of U.S. Citizenship and Immigration Services to complete the adjudication of the Form I–360;

"(iii) to conduct a visa interview; or

"(iv) to issue the visa to an eligible alien;

"(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

"(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

"(H) the reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

Consultation. Web posting.

"(g) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).

"(h) SENIOR COORDINATING OFFICIALS.—

"(1) REQUIREMENT TO DESIGNATE.—The Secretary of Homeland Security, the Secretary of State, and the Secretary of Defense shall each designate a senior coordinating official, with sufficient expertise, authority, and resources, to carry out the duties described in paragraph (2), with regard to the issuance of special immigrant visas under this subtitle and the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

"(2) DUTIES.—Each senior coordinating official designated under paragraph (1) shall—

"(A) develop proposals to improve the efficiency and effectiveness of the process for issuing special immigrant visas under this subtitle and the Afghan Allies Protection Act of 2009;

"(B) coordinate and monitor the implementation of such proposals;

"(C) include such proposals in the report required by subsection (f) and in each quarterly report required by subsection (g); and

"(D) implement appropriate actions as authorized by law to carry out the improvements described in the report required by subsection (f).

"(3) SUBMISSION TO CONGRESS.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Homeland Security, the Secretary of State, and the Secretary of Defense shall each submit to the committees set out in subparagraphs (A) and (B) of subsection (f)(1) the name and title of the senior coordinating official designated under paragraph (1) by each such Secretary, along with a description of the relevant expertise, authority, and resources of such official.". Deadline.

SEC. 1219. IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) by striking "A recommendation" and inserting the following:

"(i) IN GENERAL.—Except as provided under clause (ii), a recommendation"; and

(ii) by adding at the end the following:

"(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

"(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall— Notice.

"(aa) receive a written decision that provides, to the maximum extent feasible, information describing the basis for the denial, including the facts and inferences underlying the individual determination; and

"(bb) be provided not more than one written appeal—

"(AA) that shall be submitted not more than 120 days after the date that the applicant receives such decision in writing; and Deadline.

"(BB) that may request reopening of such decision and provide additional information, clarify existing information, or explain any unfavorable information.

"(II) AFGHAN SPECIAL IMMIGRANT VISA COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Designation.

Afghanistan, an Afghan Special Immigrant Visa Coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

"(aa) sufficiently high security clearance to review information supporting Chief of Mission denials if an appeal of a denial is filed;

"(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa); and

"(cc) responsibility for ensuring that every applicant is provided a reasonable opportunity to provide additional information, clarify existing information, or explain any unfavorable information pursuant to clause (I)(bb)."; and

(B) by adding at the end the following:

"(E) EVIDENCE OF SERIOUS THREAT.—A credible sworn statement depicting dangerous country conditions, together with official evidence of such country conditions from the United States Government, should be considered as a factor in determination of whether the alien has experienced or is experiencing an ongoing serious threat as a consequence of the alien's employment by the United States Government for purposes of subparagraph (A)(iv).

"(F) REPRESENTATION.—An alien applying for admission to the United States pursuant to this title may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.";

(2) in paragraph (4)—

(A) in the heading, by striking "PROHIBITION ON FEES.—" and inserting "APPLICATION PROCESS.—"; and

(B) by striking "The Secretary" and inserting the following:

Deadlines. Consultation.

"(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1), are processed so that all steps under the control of the respective departments incidental to the issuance of such visas, including required screenings and background checks, should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa.

"(B) CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of a Secretary referred to in subparagraph (A) to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time.

"(C) PROHIBITION ON FEES.—The Secretary"; and

(3) by adding at the end the following:

"(12) REPORT ON IMPROVEMENTS.—

"(A) REQUIREMENT FOR REPORT.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary. Consultation. Classified information.

"(B) CONTENTS.—The report required by subparagraph (A) shall describe the implementation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

"(i) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

"(I) support immigration security; and

"(II) provide for the orderly processing of such applications without significant delay;

"(ii) the financial, security, and personnel considerations and resources necessary to carry out this section;

"(iii) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

"(iv) the reasons for the failure to process any applications that have been pending for longer than 9 months;

"(v) the total number of applications that are pending due to the failure—

"(I) to receive approval from the Chief of Mission;

"(II) of U.S. Citizenship and Immigration Services to complete the adjudication of the Form I–360;

"(III) to conduct a visa interview; or

"(IV) to issue the visa to an eligible alien;

"(vi) the average wait times for an applicant at each of the stages described in clause (v);

"(vii) the number of denials or rejections at each of the stages described in clause (v); and

"(viii) the reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

"(13) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in clauses (iii) through (viii) of paragraph (12)(B).". Consultation. Web posting.

Subtitle C—Matters Relating to Afghanistan Post 2014

SEC. 1221. REPORT ON PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.

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

(1) disrupting and degrading the Haqqani Network should be a high priority; and

(2) the Administration should use the full extent of its authority to deny the organization the finances required to carry out its activities.

(b) REPORT ON ACTIVITIES AND PLAN TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.—

President.

(1) REPORT REQUIRED.—Not later than nine months after the date of the enactment of this Act, the President shall report to the appropriate committees of Congress on activities and the plan to disrupt and degrade Haqqani Network activities and finances.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared by the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Director of National Intelligence, and any other department or agency of the United States Government that has lead responsibility for activities directed at disrupting and degrading the Haqqani Network.

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

(A) A description of the current activities of the Department of Defense, the Department of State, the Department of the Treasury, the Department of Justice, and the elements of the intelligence community to disrupt and degrade Haqqani Network activities, finances, and resources.

(B) An assessment of the intelligence community—

(i) of the operations of the Haqqani Network in Afghanistan and Pakistan, and its activities outside the region; and

(ii) of the relationships, networks, and vulnerabilities of the Haqqani Network, including with Pakistan's military, intelligence services, and government officials, including provincial and district officials.

(C) A review of the plans and intentions of the Haqqani Network with respect to the continued drawdown of United States and coalition troops.

(D) A review of the current United States policies, activities, and funding, and a description of a plan, for applying sustained and systemic pressure against the Haqqani Network's financial infrastructure, including—

(i) identification of the agencies that would participate in implementing the plan;

(ii) a description of the legal authorities under which the plan would be conducted;

(iii) a description of the objectives and desired outcomes of the plan, including specific steps to achieve these objectives and outcomes;

(iv) metrics to measure the success of the plan; and

(v) the identity of the agency or office to be designated as the lead agency in implementing the plan.

(E) An examination of the extent, if any, to which current United States and coalition contracting processes have furthered the financial interests of the Haqqani Network, and how the activities and plans specified in paragraph (1) would mitigate the unintended consequences of such processes.

(F) An assessment of formal and informal business sectors penetrated by the Haqqani Network in Afghanistan, Pakistan, and other countries, particularly in the Persian Gulf region, and a description of steps to counter these activities.

(G) An estimate of costs associated with the implementation of the plan to disrupt and degrade the Haqqani Network's financial activities.

(H) A description of how activities and plans specified in paragraph (1) fit in the broader United States efforts to stabilize Afghanistan and prevent the region from being a safe haven for al Qaeda and its affiliates.

(4) UPDATE OF REPORT ON ACTIVITIES AND PLAN.—Not later than 180 days after the submission of the report required by paragraph (1), the President shall submit an update of the report to the appropriate committees of Congress. President.

(5) FORM.—The report required by paragraph (1) and the update required by paragraph (4) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1222. COMPLETION OF ACCELERATED TRANSITION OF SECURITY RESPONSIBILITY FROM UNITED STATES ARMED FORCES TO THE AFGHAN NATIONAL SECURITY FORCES. 22 USC 7556 note.

(a) IN GENERAL.—It is the policy of the United States, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, that—

(1) the accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces and the associated draw down of United States Armed Forces from Afghanistan shall be completed by not later than December 31, 2014;

(2) the United States shall support an Afghan-led and Afghan-owned peace negotiation process leading to a political settlement of the conflict in Afghanistan, with the goal of establishing a secure and independent Afghanistan and promoting regional security and stability; and

(3) any political settlement resulting from such peace negotiations must result in insurgent groups breaking ties with al Qaeda, renouncing violence, and accepting the Afghanistan constitution, including its protections for women and minorities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, before making a public announcement regarding a decision on a United States military presence in Afghanistan after December 31, 2014, the President should consult with Congress regarding the size, mission, and estimated duration of such a presence.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to limit or prohibit any authority of the President to modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces draw down from Afghanistan.

SEC. 1223. DEFENSE INTELLIGENCE PLAN.

Deadline.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a Department of Defense plan regarding covered defense intelligence assets in relation to the drawdown of the United States Armed Forces in Afghanistan. Such plan shall include—

(1) a description of the covered defense intelligence assets;

(2) a description of any such assets to remain in Afghanistan after December 31, 2014, to continue to support military operations;

(3) a description of any such assets that will be or have been reallocated to other locations outside of the United States in support of the Department of Defense;

(4) the defense intelligence priorities that will be or have been addressed with the reallocation of such assets from Afghanistan;

(5) the necessary logistics, operations, and maintenance plans to operate in the locations where such assets will be or have been reallocated, including personnel, basing, and any host country agreements; and

(6) a description of any such assets that will be or have been returned to the United States.

(b) COVERED DEFENSE INTELLIGENCE ASSETS DEFINED.—In this section, the term "covered defense intelligence assets" means Department of Defense intelligence assets and personnel supporting military operations in Afghanistan at any time during the one-year period ending on the date of the enactment of this Act.

SEC. 1224. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN AUTHORITIES FOR AFGHANISTAN.

(a) LIMITATION.—

Deadline.

(1) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 to carry out each of the provisions of law described in paragraph (2), not more than 50 percent may be obligated or expended until 15 days after the date on which the Secretary of Defense submits to the specified congressional committees the certification described in subsection (b).

(2) PROVISIONS OF LAW.—The provisions of law referred to in paragraph (1) are the following:

(A) Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619; relating to the Commanders' Emergency Response Program in Afghanistan).

(B) Section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393; relating to authority for program to develop and carry out infrastructure projects in Afghanistan).

(C) Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428; relating to the Afghanistan Security Forces Fund).

(b) CERTIFICATION DESCRIBED.—The certification referred to in subsection (a) is a certification of the Secretary of Defense, in consultation with the Secretary of State, that the United States and Afghanistan have signed a bilateral security agreement that is in the national security interests of the United States. Consultation.

(c) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of the limitation in subsection (a)(1) if the Secretary determines that the waiver is in the national security interests of the United States. Determination.

(d) SPECIFIED CONGRESSIONAL COMMITTEES.—In this section, the term "specified congressional committees" means— Definition.

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Subtitle D—Matters Relating to Iran

SEC. 1231. REPORT ON UNITED STATES MILITARY PARTNERSHIP WITH GULF COOPERATION COUNCIL COUNTRIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the United States military partnership with Gulf Cooperation Council countries.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An explanation of the steps that the Department of Defense has taken and is planning to take to improve the coordination, effectiveness, and interoperability of the regional missile defense systems and capabilities of the United States and Gulf Cooperation Council countries, both bilaterally and multilaterally.

(2) An outline of the defense agreements with Gulf Cooperation Council countries, including caveats and restrictions on United States operations.

(3) An outline of United States efforts in Gulf Cooperation Council countries that are funded by overseas contingency operations funding, an explanation of overseas contingency operations funding for such efforts, and a plan to transition overseas contingency operations funding for such efforts to long-term, sustainable funding sources.

(c) FORM.—The report required by subsection (a) may be submitted in classified or unclassified form.

SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) in subparagraph (D), by striking the period at the end and inserting "; and" ; and

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

"(E) a description of the structure of Iran's global network of terrorist and criminal groups and an analysis of the capability of such network of groups and how such network of groups operates to support and reinforce Iran's grand strategy.".

Applicability.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, on or after that date.

SEC. 1233. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

Section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)(1)) is amended—

(1) in the first sentence, by inserting after "programs" the following: "and integrated air and missile defense programs"; and

(2) in the second sentence, by adding at the end before the period the following: "and integrated air and missile defense training".

Subtitle E—Reports and Other Matters

SEC. 1241. TWO-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(h) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as amended by section 1205(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1624), is further amended by striking "2013" and inserting "2015".

SEC. 1242. ELEMENT ON 5TH GENERATION FIGHTER PROGRAM IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended by adding at the end the following new paragraph:

"(20) The status of the 5th generation fighter program of the People's Republic of China, including an assessment of each individual aircraft type, estimated initial and full operational capability dates, and the ability of such aircraft to provide air superiority.".

SEC. 1243. REPORT ON POSTURE AND READINESS OF THE ARMED FORCES TO RESPOND TO AN ATTACK OR OTHER CONTINGENCY AGAINST UNITED STATES DIPLOMATIC FACILITIES OVERSEAS.

(a) REPORT REQUIRED.—Not later than April 1, 2014, the Secretary of Defense shall, in consultation with the Secretary of State and the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report on the posture and readiness of the United States Armed Forces to respond to a request by the Department of State to supplement or support existing embassy security assets in the case of an attack or other contingency against a United States diplomatic facility overseas. Consultation.

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

(1) A description and assessment of the posture and readiness of the United States Armed Forces that are expected or available to be tasked to supplement or support United States embassy security, including an assessment of the following:

(A) Forward deployed assets that are capable of responding to an attack or other contingency against a United States diplomatic facility overseas.

(B) Department of Defense support of the efforts of the Department of State to improve diplomatic security at United States diplomatic facilities overseas (in terms of both personnel and installations).

(C) Potential enhancements of intelligence support to ensure that the United States Armed Forces in the vicinity of high threat, high risk United States diplomatic facilities overseas are in an appropriate posture to respond to an attack or other contingency against such facilities.

(2) A description of any unfulfilled Marine Security Detachment requirements with respect to high threat, high risk United States diplomatic facilities overseas, a description and assessment of mitigation efforts to meet such requirements, and a schedule for meeting such requirements.

(c) FORM.—The report required by subsection (a) may be submitted in classified or unclassified form.

SEC. 1244. LIMITATION ON ESTABLISHMENT OF REGIONAL SPECIAL OPERATIONS FORCES COORDINATION CENTERS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to establish Regional Special Operations Forces Coordination Centers (RSCCs).

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional committees specified in subsection (c) a report on the following:

(1) A detailed description of the intent and purpose of the RSCCs concept.

(2) Defined and validated requirements justifying the establishment of RSCCs or similar entities within each geographic combatant command, to include how such RSCCs or similar entities have been coordinated and de-conflicted with existing regional and multilateral frameworks or approaches.

(3) The relevance to and coordination with other multilateral engagement activities and academic institutions supported by the geographic combatant commanders and the Department of State.

(4) Cost estimates across the Future Years Defense Program for RSCCs or similar entities, to include estimates of contributions of participating nations.

(5) Any legislative authorities that may be needed to establish RSCCs or similar entities.

(6) Any other matters that the Secretary of Defense or Secretary of State determines appropriate.

(c) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees referred to in subsection (b) are—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1245. ADDITIONAL REPORTS ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) REPORT.—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641), as amended by section 1292 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2042), is further amended by striking "November 1, 2012, and November 1, 2013," and inserting "November 1, 2013, November 1, 2015, and November 1, 2017,".

(b) UPDATE.—Section 1236 of the National Defense Authorization Act for Fiscal Year 2012 is amended—

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

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

"(c) UPDATE.—The Secretary of Defense shall revise or supplement the most recent report submitted pursuant to subsection (a) if, in the Secretary's estimation, interim events or developments occurring in a period between reports required under subsection (a) warrant revision or supplement.".

SEC. 1246. SENSE OF CONGRESS ON MISSILE DEFENSE COOPERATION WITH THE RUSSIAN FEDERATION AND LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

(a) FINDING.—Congress finds that the President certified to the Senate on February 2, 2011, pursuant to condition (5) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (commonly referred to as the "New START Treaty"), signed in Prague on April 8, 2010, the following: "The New START Treaty does not require, at any point during which it will be in force, the United States to provide to the Russian Federation telemetric information under Article IX of the New START Treaty, Part Seven of the Protocol, and the Annex on Telemetric Information to the Protocol for the launch of (a) any missile defense interceptor, as defined in paragraph 44 of Part One of the Protocol to the New START Treaty; (b) any satellite launches, missile defense sensor targets,

and missile defense intercept targets, the launch of which uses the first stage of an existing type of United States intercontinental ballistic missile (ICBM) or submarine-launched ballistic missile (SLBM) listed in paragraph 8 of Article III of the New START Treaty; or (c) any missile described in clause (a) of paragraph 7 of Article III of the New START Treaty.".

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

(1) as stated in declaration (1) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the New START Treaty—

(A) "further limitations on the missile defense capabilities of the United States are not in the national security interest of the United States"; and

(B) "[t]he New START Treaty and the April 7, 2010, unilateral statement of the Russian Federation on missile defense do not limit in any way, and shall not be interpreted as limiting, activities that the United States Government currently plans or that might be required over the duration of the New START Treaty to protect the United States pursuant to the National Missile Defense Act of 1999, or to protect United States Armed Forces and United States allies from limited ballistic missile attack, including further planned enhancements to the Ground-based Midcourse Defense system and all phases of the Phased Adaptive Approach to missile defense in Europe.";

(2) as stated in declaration (2) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the New START Treaty, "the United States will welcome steps by the Russian Federation also to adopt a fundamentally defensive strategic posture that no longer views robust strategic defensive capabilities as undermining the overall strategic balance, and stands ready to cooperate with the Russian Federation on strategic defensive capabilities, as long as such cooperation is aimed at fostering and in no way constrains the defensive capabilities of both sides";

(3) any missile defense cooperation with the Russian Federation should not in any way limit United States' or NATO's missile defense capabilities, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide the Russian Federation with sensitive missile defense information that would in any way compromise United States national security, including "hit-to-kill" technology and telemetry data for missile defense interceptors or target vehicles; and

(5) the sovereignty of the United States and its ability to unilaterally pursue its own missile defense program shall be protected.

(c) LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.—

(1) CERTAIN "HIT-TO-KILL" TECHNOLOGY AND TELEMETRY DATA.—No funds authorized to be appropriated or otherwise made available for fiscal years 2014 through 2016 for the Department of Defense may be used to provide the Russian Federation with "hit-to-kill" technology and telemetry data for missile defense interceptors or target vehicles.

(2) OTHER SENSITIVE MISSILE DEFENSE INFORMATION.—No funds authorized to be appropriated or otherwise made available for fiscal year 2014 for the Department of Defense may be used to provide the Russian Federation with sensitive missile defense information that would in any way compromise United States national security.

Deadline.
22 USC 5922 note.

(3) CONGRESSIONAL NOTIFICATION.—If the Secretary of Defense intends to provide the Russian Federation with any sensitive missile defense information that the Secretary determines will not compromise United States national security, the Secretary shall notify the congressional defense committees of the Secretary's intent to provide such information not less than 7 days prior to the provision of such information, including an explanation of the reasons for providing the information and the reasons why providing the information will not compromise United States national security.

SEC. 1247. AMENDMENTS TO ANNUAL REPORT UNDER ARMS CONTROL AND DISARMAMENT ACT.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended—

(1) in subsection (a), by striking "the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate" and inserting "the appropriate congressional committees";

(2) in subsection (c), by striking "Congress" and inserting "appropriate congressional committees"; and

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

"(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.".

(b) CONGRESSIONAL BRIEFING.—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), as amended by subsection (a) of this section, is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

Deadlines.
President.

"(e) CONGRESSIONAL BRIEFING.—Not later than May 15 of each year, the President shall provide to the appropriate congressional committees a briefing on the most-recent report required by this section.".

SEC. 1248. REPORT ON ACTIONS TO REDUCE SUPPORT FOR BALLISTIC MISSILE PROLIFERATION.

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

(1) the United States Government should develop a plan to reduce the spread of technology and expertise that could support the ballistic missile development programs of Iran, North Korea, and Syria, as well as any other nation determined by the United States Government to be a ballistic missile proliferation risk; and

(2) such plan should include efforts to secure the cooperation of the Russian Federation and the People's Republic of China to help reduce the spread of such ballistic missile technology and expertise.

(b) REPORT.—

(1) IN GENERAL.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report on steps that have been taken, and that are planned to be taken, to reduce the spread of technology and expertise that could support the ballistic missile development programs of Iran, North Korea, and Syria, as well as any other nation the Secretary determines to be a ballistic missile proliferation risk. Consultation.

(2) DEFINITION.—In this subsection, the term "appropriate congressional committees" means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex, if necessary.

SEC. 1249. REPORTS ON INTERNATIONAL AGREEMENTS RELATING TO THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—The Secretary of Defense, in coordination with the Secretary of State, shall semi-annually submit to the Committees on Armed Services of the Senate and the House of Representatives a report on agreements described in subsection (b) which have entered into force, have been amended, or have been terminated during the previous 6-month period and with respect to which such agreements were previously notified by the Secretary of State to the Congress pursuant to section 112b of title 1, United States Code (commonly known as the "Case-Zablocki Act"). Coordination. Time period.

(b) AGREEMENTS DESCRIBED.—Agreements referred to in subsection (a) are agreements relating to matters primarily or significantly related to or involving the Department of Defense, including, but not limited to—

(1) matters such as where the Department of Defense will carry out activities under the agreement; and

(2) matters such as where Department of Defense personnel are able to be present in a foreign country in light of the status protections, exemptions, and responsibilities afforded by the agreement.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede the requirements of section 112b of title 1, United States Code.

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act, and shall apply with respect to an agreement described in subsection (b) on or after that date. Applicability.

(e) TERMINATION.—The section shall terminate at the close of December 31, 2019.

SEC. 1250. 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) in subsection (a)(1)—

(A) by striking "Weapon System Partnership Agreements" and inserting "Support Partnership Agreements"; and

(B) in subparagraph (B), by striking "a specific weapon system" and inserting "activities"; and

(3) in subsections (b), (c), (d), and (e), by striking "Weapon System Partnership Agreement" each place it appears and inserting "Support Partnership Agreement".

(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) in subparagraphs (A) and (C)(i), by striking "Maintenance and Supply Agency of the North Atlantic Treaty Organization" and inserting "North Atlantic Treaty Organization (NATO) Support Organization and its executive agencies";

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

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

SEC. 1251. EXECUTIVE AGREEMENTS WITH THE RUSSIAN FEDERATION RELATING TO BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any executive agreement between the United States and the Russian Federation relating to ballistic missile defense should not limit the development or deployment of ballistic missile defense systems or capabilities of the United States or of the North Atlantic Treaty Organization.

President. 22 USC 5952 note.

(b) BRIEFING.—Prior to signing an executive agreement with the Russian Federation relating to ballistic missile defense, the President, or the President's designee, shall brief the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the objectives and contents of the executive agreement.

22 USC 8784 note.

SEC. 1252. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.

SEC. 1253. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change

to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by the Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

SEC. 1254. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than June 1, 2014, the Secretary of Defense shall submit to the specified congressional committees a report on the security and military strategy of the Russian Federation.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) An assessment of the security priorities and objectives of Russia.

(2) The goals and factors shaping Russian security and military strategy, including military spending and investment priorities.

(3) An assessment of the Russian military's force structure.

(4) Recent developments in Russian military doctrine and training.

(5) The current state of United States military-to-military cooperation with Russia's armed forces, which shall include the following:

(A) A comprehensive and coordinated strategy for such military-to-military cooperation.

(B) A summary of all such military-to-military cooperation during the one-year period preceding the report, including a summary of topics discussed.

(C) A description of such military-to-military cooperation planned for the 12-month period following such report.

(D) The Secretary's assessment of the benefits the Russians expect to gain from such military-to-military cooperation.

(E) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military cooperation, and any concerns regarding such cooperation.

(F) The Secretary's assessment of how such military-to-military cooperation fit into the larger security relationship between the United States and the Russian Federation.

(6) A description of Russia's key military-to-military relationships with other countries, and how these relationships fit into Russia's larger security and military strategy.

(7) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITION.—In this section the term "specified congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1255. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2014 may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

Determination.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States.

(c) REQUIREMENTS RELATING TO USE OF FUNDS PURSUANT TO WAIVER.—

Deadline.

(1) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to the waiver under subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(2) REPORT.—Not later than 15 days after the submittal of the notice under paragraph (1), the Secretary shall submit to Congress a report setting forth the following:

(A) An assessment of the number, if any, of S–300 advanced anti-aircraft missiles that Rosoboronexport has delivered to the Assad regime in Syria.

(B) A list of the known contracts, if any, that Rosoboronexport has signed with the Assad regime since January 1, 2013.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prohibit the use of funds authorized to be appropriated for the Department of Defense to enter into a contract or other agreement with Rosoboronexport for the purpose of supplying spare parts for the sustained maintenance of helicopters operated by the Afghan National Security Forces.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of cooperative threat reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Extension of authority for utilization of contributions to the cooperative threat reduction program.
Sec. 1304. Strategy to modernize cooperative threat reduction and prevent the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2014 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term "fiscal year 2014 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2014, 2015, and 2016.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $528,455,000 authorized to be appropriated to the Department of Defense for fiscal year 2014 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $5,700,000.

(2) For chemical weapons destruction, $13,000,000.

(3) For global nuclear security, $32,808,000.

(4) For cooperative biological engagement, $306,325,000.

(5) For proliferation prevention, $136,072,000.

(6) For threat reduction engagement, $6,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, $28,175,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2014 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2014 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law. Deadline.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2014 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification. Time period.

(d) ENHANCED AUTHORITY.—

(1) IN GENERAL.—The percentage limitation specified in subsection (a) of section 1305 of the National Defense Authorization Act for Fiscal Year 2010 (22 U.S.C. 5965) shall not apply with respect to amounts appropriated or otherwise made available for fiscal year 2014 or 2015 for the Cooperative Threat Reduction Program of the Department of Defense to the extent that amounts expended in excess of such percentage limitation for either such fiscal year are expended for activities undertaken under that section with respect to Syria.

(2) QUARTERLY BRIEFINGS.—

(A) INITIAL BRIEFING.—Not later than April 15, 2014, the Secretary shall provide to the appropriate congressional committees a briefing on activities described in subsection (a) that includes the following:

(i) A comprehensive assessment of the chemical weapons stockpiles in Syria, including names, types, and quantities of chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities.

(ii) An assessment of undeclared chemical weapons stockpiles, munitions, and facilities.

(iii) A detailed plan for carrying out such activities.

(iv) Estimated costs, timelines, and milestones for carrying out the plan, including accounting of funds expended between September 27, 2013, and the date of the initial briefing.

(v) A discussion of the planned final disposition of equipment and facilities procured using funds authorized for such activities.

(vi) A detailed list of pledges made and funds received by foreign nations and multilateral organizations.

(vii) Any other issues or events that reflect the current status of the efforts to remove and destroy Syria's chemical weapons.

(B) SUBSEQUENT BRIEFINGS.—Not later than 90 days after providing the briefing required by subparagraph (A), and each 90-day period thereafter, the Secretary shall provide to the appropriate congressional committees a briefing on the activities carried out under subsection (a) that includes the following:

(i) An accounting of the funds expended as of the date of the briefing to carry out such activities.

(ii) An estimate of the funds that are expected to be expended for such activities in the 90-day period following the briefing.

(iii) An identification of recipients of assistance pursuant to such activities.

(iv) A description of the types of equipment and services procured in carrying out such activities.

(v) A detailed list of pledges made and funds received by foreign nations and multilateral organizations.

(vi) Any other issues or events that reflect the current status of the efforts to remove and destroy Syria's chemical weapons.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1303. EXTENSION OF AUTHORITY FOR UTILIZATION OF CONTRIBUTIONS TO THE COOPERATIVE THREAT REDUCTION PROGRAM.

Section 1303(g) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2557; 22 U.S.C. 5952 note) is amended by striking "December 31, 2015" and inserting "December 31, 2018".

SEC. 1304. STRATEGY TO MODERNIZE COOPERATIVE THREAT REDUCTION AND PREVENT THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION AND RELATED MATERIALS IN THE MIDDLE EAST AND NORTH AFRICA REGION.

Coordination.

(a) STRATEGY REQUIRED.—The Secretary of Defense, in coordination with the Secretary of State and the Secretary of Energy, shall establish a comprehensive and broad nonproliferation strategy to advance cooperative efforts with the governments of countries in the Middle East and North Africa to reduce the threat from the proliferation of weapons of mass destruction and related materials.

(b) ELEMENTS.—The strategy required by subsection (a) shall—

(1) build upon the current activities of the nonproliferation programs of the Department of Defense, the Department of State, the Department of Energy, and other departments and agencies of the Federal Government designed to mitigate the range of threats posed by weapons of mass destruction and related materials in the Middle East and North Africa region;

(2) review issues relating to the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region on a regional basis as well as on a country-by-country basis;

(3) review the activities and achievements in the Middle East and North Africa region of—

(A) the Cooperative Threat Reduction program of the Department of Defense;

(B) the nonproliferation programs of the Department of State and the Department of Energy; and

(C) programs of other departments and agencies of the Federal Government designed to address nuclear, chemical, and biological safety and security issues;

(4) ensure the continued coordination of cooperative nonproliferation efforts within the Federal Government;

(5) mobilize and leverage additional resources from countries that cooperate with the United States with respect to nonproliferation efforts, nongovernmental and multilateral organizations, and international institutions;

(6) include an assessment of what countries are financially, materially, or technologically supporting proliferation in the Middle East and North Africa region and how the strategy will prevent, stop, or interdict such support;

(7) include an estimate of associated costs required to plan and execute the proposed cooperative threat reduction activities under the strategy; and

(8) include a discussion of the metrics to measure the success of the strategy and such activities in reducing the regional threat of the proliferation of weapons of mass destruction.

(c) INTEGRATION AND COORDINATION.—The strategy required by subsection (a) shall include—

(1) an assessment of gaps in current cooperative efforts to reduce the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region;

(2) an articulation of the priorities of the United States with respect to reducing such threat;

(3) the establishment of appropriate metrics for determining success with respect to reducing such threat; and

(4) methods for ensuring that the strategy conforms to broader efforts by the United States to reduce the threat from weapons of mass destruction.

(d) CONSULTATIONS.—In establishing the strategy required by subsection (a), the Secretary of Defense shall consult with governmental and nongovernmental experts in matters relating to nonproliferation that present a diverse set of views.

(e) SUBMISSION OF STRATEGY AND IMPLEMENTATION PLAN.—

Deadline.

(1) IN GENERAL.—Not later than March 31, 2014, the Secretary of Defense shall submit to the appropriate congressional committees the strategy required by subsection (a) and a plan for the implementation of the strategy.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

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

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. National Defense Sealift Fund.
Sec. 1403. Chemical Agents and Munitions Destruction, Defense.
Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1405. Defense Inspector General.
Sec. 1406. Defense Health Program.

Subtitle B—National Defense Stockpile

Sec. 1411. Use of National Defense Stockpile for the conservation of a strategic and critical materials supply.
Sec. 1412. Authority to acquire additional materials for the National Defense Stockpile.

Subtitle C—Other Matters

Sec. 1421. 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. 1422. Authorization of appropriations for Armed Forces Retirement Home.
Sec. 1423. Cemeterial expenses.

Subtitle A—Military Programs

SEC. 1401. 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 working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. 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, as specified in the funding table in section 4501.

SEC. 1405. 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, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—National Defense Stockpile

SEC. 1411. USE OF NATIONAL DEFENSE STOCKPILE FOR THE CONSERVATION OF A STRATEGIC AND CRITICAL MATERIALS SUPPLY.

(a) PRESIDENTIAL RESPONSIBILITY FOR CONSERVATION OF STOCKPILE MATERIALS.—Section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)) is 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) provide for the appropriate recovery of any strategic and critical materials under section 3(a) that may be available from excess materials made available for recovery purposes by other Federal agencies;".

(b) USES OF NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.—Section 9(b)(2) of such Act (50 U.S.C. 98h(b)(2)) is amended—

(1) by redesignating subparagraphs (D) through (L) as subparagraphs (E) through (M), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

"(D) Encouraging the appropriate conservation of strategic and critical materials.".

(c) DEVELOPMENT OF DOMESTIC SOURCES.—Section 15(a) of such Act (50 U.S.C. 98h–6(a)) is amended, in the matter preceding paragraph (1), by inserting "and appropriate conservation" after "development".

50 USC 98d note.

SEC. 1412. AUTHORITY TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) ACQUISITION AUTHORITY.—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:

(1) Ferroniobium.

(2) Dysprosium Metal.

(3) Yttrium Oxide.

(4) Cadmium Zinc Tellurium Substrate Materials.

(5) Lithium Ion Precursors.

(6) Triamino-Trinitrobenzene and Insensitive High Explosive Molding Powders.

(b) AMOUNT OF AUTHORITY.—The National Defense Stockpile Manager may use up to $41,000,000 of the National Stockpile Transaction Fund for acquisition of the materials specified in subsection (a).

(c) FISCAL YEAR LIMITATION.—The authority under this section is available for purchases during fiscal year 2014 through fiscal year 2019.

Subtitle C—Other Matters

SEC. 1421. 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 by section 1406 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. 1422. 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.

SEC. 1423. CEMETERIAL EXPENSES.

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2014 for cemeterial expenses, not otherwise provided for, in the amount of $45,800,000.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

Sec. 1501. Purpose.
Sec. 1502. Procurement.
Sec. 1503. Research, development, test, and evaluation.
Sec. 1504. Operation and maintenance.
Sec. 1505. Military personnel.
Sec. 1506. Working capital funds.
Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1508. Defense Inspector General.
Sec. 1509. Defense Health Program.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.

Sec. 1522. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1531. Afghanistan Security Forces Fund.
Sec. 1532. Joint Improvised Explosive Device Defeat Fund.
Sec. 1533. Future role of Joint Improvised Explosive Device Defeat Organization.
Sec. 1534. Extension of authority for Task Force for Business and Stability Operations in Afghanistan.

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle 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. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 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, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

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 military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. 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, as specified in the funding table in section 4502.

SEC. 1508. 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, as specified in the funding table in section 4502.

SEC. 1509. 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, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATIONS ON USE OF FUNDS IN FUND.—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).

(b) REVISION OF PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND.—

(1) REVISION AND PURPOSE.—The Secretary of Defense shall revise the plan required by section 1531(e) of the National

Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2056) regarding use of the Afghanistan Security Forces Fund through September 30, 2017, to ensure that an office or official of the Department of Defense is identified as responsible for each program or activity supported using funds available to the Department of Defense through the Afghanistan Security Forces Fund.

(2) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional committees the plan as revised pursuant to paragraph (1).

(c) PROMOTION OF RECRUITMENT AND RETENTION OF WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014, no less than $25,000,000 shall be available to be used for programs and activities to support the recruitment, integration, retention, training, and treatment of women in the Afghanistan National Security Forces (ANSF).

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include, but are not limited to—

(A) efforts to recruit women into the ANSF, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the ANSF;

(E) efforts to increase female security personnel in connection with elections in Afghanistan; and

(F) improvements to infrastructure that address the requirements of women serving in the ANSF.

10 USC 2302 note. Notification.

(d) EQUIPMENT DISPOSAL.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—The Secretary of Defense may accept equipment procured using funds authorized under prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States if the Secretary provides written notification to the congressional defense committees of the Secretary's intention to accept such equipment.

(2) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—The equipment described in paragraph (1), and equipment not yet transferred to the security forces of Afghanistan that is determined by the Commander, Combined Security Transition Command-Afghanistan (or the Commander'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 of such treatment.

(3) REPORTS.—

(A) INITIAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that details all equipment that was transferred to

the security forces of Afghanistan and returned by such forces to the United States, including type of equipment and reason for its return.

(B) SUBSEQUENT REPORTS.—Not later than 30 days after the end of the first two fiscal year quarters of fiscal year 2014, and not later than 30 days after the end of each fiscal half-year thereafter, the Secretary shall submit to the congressional defense committees a report on the equipment accepted under paragraph (1) during such fiscal year quarter or half-year, as the case may be. Each report shall include, for the period covered by such report, a list of all equipment accepted under paragraph (1) that was treated as the stocks of the Department pursuant to paragraph (2).

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2014. Applicability.

(b) TERMINATION OF NOTIFICATION REQUIREMENT.—Effective December 31, 2014, paragraph (4) of subsection (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as amended by section 1503(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), is repealed. Effective date. Repeal.

(c) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c)(4) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(d) SEMIANNUAL OBLIGATIONS AND EXPENDITURE REPORTS.—Not later April 15 and October 15, 2014, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining commitments, obligations, and expenditures by line of operation during the preceding six months.

SEC. 1533. FUTURE ROLE OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the future plans of the Department of Defense for the Joint Improvised Explosive Device Defeat Organization (JIEDDO). The Secretary shall prepare the report in consultation with the Chairman of the Joint Chiefs of Staff. Consultation.

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

(1) The operational and enduring requirements considered in determining the future plans for JIEDDO.

(2) If the Secretary of Defense plans to discontinue JIEDDO—

(A) a description of how JIEDDO's major programs, capabilities, and lines of operations will be integrated into other components within the Department of Defense or discontinued; and

(B) a statement of the estimated costs to other components of the Department for any JIEDDO program, capability, or line of operations reassigned to such components.

(3) If the Secretary of Defense plans to continue JIEDDO—

(A) a statement of the expected mission of JIEDDO;

(B) a description of the expected organizational structure for JIEDDO, including the reporting structure and lines of operation within the Department and personnel strength, including contractors; and

(C) a statement of the estimated costs and budgetary impacts related to implementing any changes to the mission of JIEDDO and its organizational structure.

(4) A timeline for implementation of the selected alternative described in paragraph (2) or (3).

(5) A description of how the Department will identify and incorporate lessons learned from establishing and managing JIEDDO and its programs.

SEC. 1534. EXTENSION OF AUTHORITY FOR TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(a) EXTENSION.—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426), as most recently amended by section 1533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2058), is further amended—

(1) in paragraph (6), by striking "and October 31, 2011, October 31, 2012, and October 31, 2013" and inserting "October 31 of each of 2011 through 2014"; and

(2) in paragraph (8), by striking "September 30, 2013" and inserting "December 31, 2014".

(b) FUNDING.—Subparagraph (B) of paragraph (4) of such subsection, as so amended, is further amended—

(1) in clause (i), by striking "and" at the end;

(2) in clause (ii), by striking the period at the end and inserting "; and"; and

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

"(iii) may not exceed $63,800,000 for fiscal year 2014.".

(c) ADDITIONAL LIMITATION ON AVAILABILITY OF FUNDS.—Paragraph (4) of such subsection is further amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

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

Certification.

"(C) LIMITATION ON AVAILABILITY OF FUNDS FOR FISCAL YEAR 2014.—None of the funds available for fiscal year 2014 pursuant to subparagraph (B)(iii) may be obligated to assist the Government of Afghanistan in the purchase of equipment, supplies, or materials for mining and oil and gas resources during fiscal year 2014 or the installation of such equipment, supplies, or materials, until the date

on which the Secretary of Defense certifies to the Committees on Armed Services of the Senate and the House of Representatives that the Government of Afghanistan has agreed to reimburse the Government of the United States for the amount of any such funds, from royalties received from mining or oil and gas contracts awarded by the Government of Afghanistan."; and

(3) in subparagraph (D), as redesignated by paragraph (1), by inserting "OF FUNDS ACROSS FISCAL YEARS" after "AVAILABILITY".

(d) CONVERSION OF UPDATE OF IMPLEMENTATION OF TRANSITION ACTION PLAN FROM QUARTERLY TO BIANNUALLY.—Paragraph (7)(B) of such subsection, as so amended, is further amended by striking "90 days" and inserting "180 days".

TITLE XVI—INDUSTRIAL BASE MATTERS

Subtitle A—Defense Industrial Base Matters

Sec. 1601. Periodic audits of contracting compliance by Inspector General of Department of Defense.
Sec. 1602. Foreign space activities.
Sec. 1603. Proof of Concept Commercialization Pilot Program.

Subtitle B—Matters Relating to Small Business Concerns

Sec. 1611. Advancing small business growth.
Sec. 1612. Amendments relating to Procurement Technical Assistance Cooperative Agreement Program.
Sec. 1613. Reporting on goals for procurement contracts awarded to small business concerns.
Sec. 1614. Credit for certain small business subcontractors.
Sec. 1615. Inapplicability of requirement to review and justify certain contracts.

Subtitle A—Defense Industrial Base Matters

SEC. 1601. PERIODIC AUDITS OF CONTRACTING COMPLIANCE BY INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.

10 USC 2533a note.

(a) REQUIREMENT FOR PERIODIC AUDITS OF CONTRACTING COMPLIANCE.—The Inspector General of the Department of Defense shall conduct periodic audits of contracting practices and policies related to procurement under section 2533a of title 10, United States Code.

(b) REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.—The Inspector General of the Department of Defense shall ensure that findings and other information resulting from audits conducted pursuant to subsection (a) are included in the semiannual report transmitted to congressional committees under section 8(f)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

SEC. 1602. FOREIGN SPACE ACTIVITIES.

(a) CONTRACTS WITH CERTAIN FOREIGN ENTITIES.—

(1) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 911(a) of this Act, is further amended by adding at the end the following new section:

10 USC 2279.

"§ 2279. Foreign commercial satellite services

"(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of Defense may not enter into a contract for satellite services with a foreign entity if the Secretary reasonably believes that—

"(1) the foreign entity is an entity in which the government of a covered foreign country has an ownership interest that enables that government to affect satellite operations; or

"(2) the foreign entity plans to or is expected to provide launch or other satellite services under the contract from a covered foreign country.

"(b) NOTICE AND EXCEPTION.—The prohibition in subsection (a) shall not apply to a contract if—

Determination.

"(1) the Secretary determines it is in the national security of the United States to enter into such contract; and

Deadline.
Consultation.
Assessment.

"(2) not later than 7 days before entering into such contract, the Secretary, in consultation with the Director of National Intelligence, submits to the congressional defense committees a national security assessment for such contract that includes the following:

"(A) The projected period of performance (including any period covered by options to extend the contract), the financial terms, and a description of the services to be provided under the contract.

"(B) To the extent practicable, a description of the ownership interest that a covered foreign country has in the foreign entity providing satellite services to the Department of Defense under the contract and the launch or other satellite services that will be provided in a covered foreign country under the contract.

"(C) A justification for entering into a contract with such foreign entity and a description of the actions necessary to eliminate the need to enter into such a contract with such foreign entity in the future.

"(D) A risk assessment of entering into a contract with such foreign entity, including an assessment of mission assurance and security of information and a description of any measures necessary to mitigate risks found by such risk assessment.

"(c) DELEGATION OF NOTICE AND EXCEPTION AUTHORITY.—The Secretary of Defense may only delegate the authority under subsection (b) to enter into a contract subject to the prohibition under subsection (a) to the Deputy Secretary of Defense, the Under Secretary of Defense for Policy, or the Under Secretary of Defense for Acquisition, Technology, and Logistics and such authority may not be further delegated.

"(d) FORM OF ASSESSMENTS.—Each assessment under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

"(e) COVERED FOREIGN COUNTRY DEFINED.—In this section, the term 'covered foreign country' means a country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2019).".

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 911(b)

of this Act, is further amended by adding at the end the following item: 10 USC prec. 2271.

"2279. Foreign commercial satellite services.".

(b) LIMITATION ON CONSTRUCTION ON UNITED STATES TERRITORY OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.— 10 USC 2281 note.

(1) CERTIFICATION.—

(A) IN GENERAL.—The President may not authorize or permit the construction of a global navigation satellite system ground monitoring station directly or indirectly controlled by a foreign government (including a ground monitoring station owned, operated, or controlled on behalf of a foreign government) in the territory of the United States unless the Secretary of Defense and the Director of National Intelligence jointly certify to the appropriate congressional committees that such ground monitoring station will not possess the capability or potential to be used for the purpose of gathering intelligence in the United States or improving any foreign weapon system.

(B) FORM.—Each certification under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense and the Director of National Intelligence may jointly waive the certification requirement in paragraph (1) for a ground monitoring station if—

(A) the Secretary and the Director jointly determine that the waiver is in the vital interests of the national security of the United States; and Determination.

(B) the Secretary and the Director ensure that—

(i) all data collected or transmitted from ground monitoring stations covered by the waiver are not encrypted;

(ii) all persons involved in the construction, operation, and maintenance of such ground monitoring stations are United States persons;

(iii) such ground monitoring stations are not located in geographic proximity to sensitive United States national security sites;

(iv) the United States approves all equipment to be located at such ground monitoring stations;

(v) appropriate actions are taken to ensure that any such ground monitoring stations do not pose a cyber espionage or other threat, including intelligence or counterintelligence, to the national security of the United States; and

(vi) any improvements to such ground monitoring stations do not reduce or compete with the advantages of Global Positioning System technology for users.

(3) WAIVER REPORT.—For each waiver under paragraph (2), the Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of State, shall jointly submit to the appropriate congressional committees a report containing— Consultation.

(A) the reason why it is not possible to provide the certification under paragraph (1) for the ground monitoring stations covered by such waiver;

(B) an assessment of the impact of the exercise of authority under paragraph (2) with respect to such ground monitoring stations on the national security of the United States;

(C) a description of the means to be used to mitigate any such impact to the United States for the duration that such ground monitoring stations are operated in the territory of the United States; and

(D) any other information in connection with the waiver that the Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of State, consider appropriate.

Deadline.

(4) NOTICE.—Not later than 30 days before the exercise of the authority to waive under paragraph (2) the certification requirement under paragraph (1) for a ground monitoring station, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the appropriate congressional committees notice of the exercise of such authority and the report required under paragraph (3) with respect to such ground monitoring station.

(5) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

Repeal.

(6) SUNSET.—Effective on the date that is five years after the date of the enactment of this Act, paragraphs (1) through (5) are repealed.

10 USC 2359 note.

SEC. 1603. PROOF OF CONCEPT COMMERCIALIZATION PILOT PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, may establish and implement a pilot program, to be known as the "Proof of Concept Commercialization Pilot Program", in accordance with this section.

(b) PURPOSE.—The purpose of the pilot program is to accelerate the commercialization of basic research innovations from qualifying institutions.

(c) AWARDS.—

(1) IN GENERAL.—Under the pilot program, the Secretary shall make financial awards to qualifying institutions in accordance with this subsection.

(2) COMPETITIVE, MERIT-BASED PROCESS.—An award under the pilot program shall be made using a competitive, merit-based process.

(3) ELIGIBILITY.—A qualifying institution shall be eligible for an award under the pilot program if the institution agrees to—

(A) use funds from the award for the uses specified in paragraph (5); and

(B) oversee the use of the funds through—

(i) a rigorous, diverse review board comprised of experts in translational and proof of concept research, including industry, start-up, venture capital, technical, financial, and business experts and university technology transfer officials;

(ii) technology validation milestones focused on market feasibility;

(iii) simple reporting on program progress; and

(iv) a process to reallocate funding from poor performing projects to those with more potential.

(4) CRITERIA.—An award may be made under the pilot program to a qualifying institution in accordance with the following criteria:

(A) The extent to which a qualifying institution—

(i) has an established and proven technology transfer or commercialization office and has a plan for engaging that office in the program's implementation or has outlined an innovative approach to technology transfer that has the potential to increase or accelerate technology transfer outcomes and can be adopted by other qualifying institutions;

(ii) can assemble a project management board comprised of industry, start-up, venture capital, technical, financial, and business experts;

(iii) has an intellectual property rights strategy or office; and

(iv) demonstrates a plan for sustainability beyond the duration of the funding from the award.

(B) Such other criteria as the Secretary determines necessary.

(5) USE OF AWARD.—

(A) IN GENERAL.—Subject to subparagraph (B), the funds from an award may be used to evaluate the commercial potential of existing discoveries, including activities that contribute to determining a project's commercialization path, including technical validations, market research, clarifying intellectual property rights, and investigating commercial and business opportunities.

(B) LIMITATIONS.—

(i) The amount of an award may not exceed $500,000 a year.

(ii) Funds from an award may not be used for basic research, or to fund the acquisition of research equipment or supplies unrelated to commercialization activities.

(d) REPORT.—Not later than one year after the establishment of the pilot program, the Secretary shall submit to the congressional defense committees and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating the effectiveness of the activities of the pilot program. The report shall include—

(1) a detailed description of the pilot program, including incentives and activities undertaken by review board experts;

(2) an accounting of the funds used in the pilot program;

(3) a detailed description of the institutional selection process;

(4) a detailed compilation of results achieved by the pilot program; and

(5) an analysis of the program's effectiveness, with data supporting the analysis.

(e) QUALIFYING INSTITUTION DEFINED.—In this section, the term "qualifying institution" means a nonprofit institution, as defined in section 4(3) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(3)), or a Federal laboratory, as defined in section 4(4) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(4)).

(f) LIMITATION.—Not more than $5,000,000 may be obligated or expended to conduct the pilot program under this section.

(g) TERMINATION.—The pilot program conducted under this section shall terminate on September 30, 2018.

Subtitle B—Matters Relating to Small Business Concerns

SEC. 1611. ADVANCING SMALL BUSINESS GROWTH.

(a) ADVANCING SMALL BUSINESS GROWTH.—

(1) IN GENERAL.—Chapter 142 of title 10, United States Code, is amended—

(A) by redesignating section 2419 as section 2420; and

(B) by inserting after section 2418 the following new section 2419:

10 USC 2419.

"§ 2419. Advancing small business growth

"(a) CONTRACT CLAUSE REQUIRED.—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall require the clause described in paragraph (2) to be included in each covered contract awarded by the Department of Defense.

"(2) The clause described in this paragraph is a clause that—

"(A) requires the contractor to acknowledge that acceptance of the contract may cause the business to exceed the applicable small business size standards (established pursuant to section 3(a) of the Small Business Act) for the industry concerned and that the contractor may no longer qualify as a small business concern for that industry; and

"(B) encourages the contractor to develop capabilities and characteristics typically desired in contractors that are competitive as an other-than-small business in that industry.

"(b) AVAILABILITY OF ASSISTANCE.—Covered small businesses may be provided assistance as part of any procurement technical assistance furnished pursuant to this chapter.

"(c) DEFINITIONS.—In this section:

"(1) The term 'covered contract' means a contract—

"(A) awarded to a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act; and

"(B) with an estimated annual value—

"(i) that will exceed the applicable receipt-based small business size standard; or

"(ii) if the contract is in an industry with an employee-based size standard, that will exceed $70,000,000.

"(2) The term 'covered small business' means a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act that has entered into a contract with the Department of Defense that includes a contract clause described in subsection (a)(2).".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 2419 and inserting the following: 10 USC prec. 2411.

"2419. Advancing small business growth.
"2420. Regulations.".

(b) EXCEPTION TO LIMITATION ON FUNDING.—Section 2414 of such title is amended—

(1) in subsection (a), by striking "The value" and inserting "Except as provided in subsection (c), the value"; and

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

"(c) EXCEPTION.—The value of the assistance provided in accordance with section 2419(b) of this title is not subject to the limitations in subsection (a).".

(c) REVISIONS TO COOPERATIVE AGREEMENTS.—

(1) FULL FUNDING ALLOWED FOR CERTAIN ASSISTANCE.—Section 2413(b) of such title is amended—

(A) by striking "except that in the case" and inserting: "except that—

"(1) in the case";

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

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

"(2) in the case of a program sponsored by such an entity that provides assistance for covered small businesses pursuant to section 2419(b) of this title, the Secretary may agree to furnish the full cost of such assistance.".

(2) ADDITIONAL CONSIDERATIONS.—Section 2413 of such title is further amended by adding at the end the following new subsection:

"(e) In determining the level of funding to provide under an agreement under subsection (b), the Secretary shall consider the forecast by the eligible entity of demand for procurement technical assistance, and, in the case of an established program under this chapter, the outlays and receipts of such program during prior years of operation.".

(3) CONFORMING AMENDMENT.—Section 2413(d) of such title is amended by striking "and in determining the level of funding to provide under an agreement under subsection (b),".

(d) REPORT REQUIRED.—Not later than March 15, of 2015, 2016, and 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the amendments made by this section, along with any recommendations for improving the Procurement Technical Assistance Cooperative Agreement Program. Recommendations.

SEC. 1612. AMENDMENTS RELATING TO PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

(a) INCREASE IN GOVERNMENT SHARE.—Section 2413(b) of title 10, United States Code, is amended—

(1) by striking "one-half" both places it appears and inserting "65 percent"; and

(2) by striking "three-fourths" and inserting "75 percent".

(b) INCREASE IN LIMITATIONS ON VALUE OF ASSISTANCE.—Section 2414(a) of such title is amended—

(1) in paragraphs (1) and (4), by striking "$600,000" and inserting "$750,000";

(2) in paragraph (2), by striking "$300,000" and inserting "$450,000"; and

(3) in paragraph (3), by striking "$150,000" and inserting "$300,000".

SEC. 1613. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Subsection (h)(1) of section 15 of the Small Business Act (15 U.S.C. 644) 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) a remediation plan with proposed new practices to better meet such goals, including analysis of factors leading to any failure to achieve such goals.".

SEC. 1614. CREDIT FOR CERTAIN SMALL BUSINESS SUBCONTRACTORS.

(a) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) in paragraph (6)(D), by adding before the semicolon at the end the following: ", and assurances at a minimum that the offeror or bidder, and all subcontractors required to maintain subcontracting plans pursuant to this paragraph, will—

"(i) review and approve subcontracting plans submitted by their subcontractors;

"(ii) monitor subcontractor compliance with their approved subcontracting plans;

"(iii) ensure that subcontracting reports are submitted by their subcontractors when required;

"(iv) acknowledge receipt of their subcontractors' reports;

"(v) compare the performance of their subcontractors to subcontracting plans and goals; and

"(vi) discuss performance with subcontractors when necessary to ensure their subcontractors make a good faith effort to comply with their subcontracting plans";

(2) in paragraph (6)(F), by striking "and" at the end;

(3) by redesignating subparagraph (G) of paragraph (6) as subparagraph (H), and inserting after subparagraph (F) of paragraph (6) the following new subparagraph (G):

"(G) a recitation of the types of records the successful offeror or bidder will maintain to demonstrate procedures which have been adopted to ensure subcontractors at all tiers comply

with the requirements and goals set forth in the plan established in accordance with subparagraph (D) of this paragraph, including—

"(i) the establishment of source lists of small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women; and

"(ii) efforts to identify and award subcontracts to such small business concerns; and";

(4) by adding at the end the following:

"(16) CREDIT FOR CERTAIN SUBCONTRACTORS.—

"(A) For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

"(i) if the subcontracting goals pertain only to a single contract with the executive agency, the prime contractor shall receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the dollar value of work awarded to such small business concerns; and

"(ii) if the subcontracting goals pertain to more than one contract with one or more executive agencies, or to one contract with more than one executive agency, the prime contractor may only count first tier subcontractors that are small business concerns.

"(B) Nothing in this paragraph shall abrogate the responsibility of a prime contractor to make a good-faith effort to achieve the first tier small business subcontracting goals negotiated under paragraph (6)(A), or the requirement for subcontractors with further opportunities for subcontracting to make a good-faith effort to achieve the goals established under paragraph (6)(D).".

(b) DEFINITIONS PERTAINING TO SUBCONTRACTING.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

"(dd) DEFINITIONS PERTAINING TO SUBCONTRACTING.—In this Act:

"(1) SUBCONTRACT.—The term 'subcontract' means a legally binding agreement between a contractor that is already under contract to another party to perform work, and a third party, hereinafter referred to as the subcontractor, for the subcontractor to perform a part, or all, of the work that the contractor has undertaken.

"(2) FIRST TIER SUBCONTRACTOR.—The term 'first tier subcontractor' means a subcontractor who has a subcontract directly with the prime contractor.

"(3) AT ANY TIER.—The term 'at any tier' means any subcontractor other than a subcontractor who is a first tier subcontractor.".

(c) IMPLEMENTATION AND EFFECTIVE DATE.—

(1) REQUIREMENT FOR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Administrator of

Deadline.
15 USC 632 note.

the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall submit to the Committee on Small Business and the Committee on Armed Services of the House of Representatives and the Committee on Small Business and Entrepreneurship and the Committee on Armed Services of the Senate a plan to implement this section and the amendments made by this section. The plan shall contain assurances that the appropriate tracking mechanisms are in place to enable transparency of subcontracting activities at all tiers.

(2) COMPLETION OF PLAN ACTIONS.—Not later than one year after the date of the enactment of this Act, the Administrator of the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall complete the actions required by the plan.

Deadline.

(3) REGULATIONS.—No later than 18 months after the date of the enactment of this Act, the Administrator of the Small Business Administration shall promulgate any regulations necessary, and the Federal Acquisition Regulation shall be revised, to implement this section and the amendments made by this section.

(4) APPLICABILITY.—Any regulations promulgated pursuant to paragraph (3) shall apply to contracts entered into after the last day of the fiscal year in which the regulations are promulgated.

15 USC 657s note.

SEC. 1615. INAPPLICABILITY OF REQUIREMENT TO REVIEW AND JUSTIFY CERTAIN CONTRACTS.

In the case of a contract to which the provisions of section 46 of the Small Business Act (15 U.S.C. 657s) apply, the requirements under section 802 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1824; 10 U.S.C. 2304 note) do not apply.

TITLE XVII—SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED REFORMS

Subtitle A—Reform of Uniform Code of Military Justice

Sec. 1701. Extension of crime victims' rights to victims of offenses under the Uniform Code of Military Justice.
Sec. 1702. Revision of Article 32 and Article 60, Uniform Code of Military Justice.
Sec. 1703. Elimination of five-year statute of limitations on trial by court-martial for additional offenses involving sex-related crimes.
Sec. 1704. Defense counsel interview of victim of an alleged sex-related offense in presence of trial counsel, counsel for the victim, or a Sexual Assault Victim Advocate.
Sec. 1705. Discharge or dismissal for certain sex-related offenses and trial of such offenses by general courts-martial.
Sec. 1706. Participation by victim in clemency phase of courts-martial process.
Sec. 1707. Repeal of the offense of consensual sodomy under the Uniform Code of Military Justice.
Sec. 1708. Modification of Manual for Courts-Martial to eliminate factor relating to character and military service of the accused in rule on initial disposition of offenses.
Sec. 1709. Prohibition of retaliation against members of the Armed Forces for reporting a criminal offense.

Subtitle B—Other Amendments to Title 10, United States Code

Sec. 1711. Prohibition on service in the Armed Forces by individuals who have been convicted of certain sexual offenses.
Sec. 1712. Issuance of regulations applicable to the Coast Guard regarding consideration of request for permanent change of station or unit transfer by victim of sexual assault.
Sec. 1713. Temporary administrative reassignment or removal of a member of the Armed Forces on active duty who is accused of committing a sexual assault or related offense.
Sec. 1714. Expansion and enhancement of authorities relating to protected communications of members of the Armed Forces and prohibited retaliatory actions.
Sec. 1715. Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.
Sec. 1716. Designation and availability of Special Victims' Counsel for victims of sex-related offenses.

Subtitle C—Amendments to Other Laws

Sec. 1721. Tracking of compliance of commanding officers in conducting organizational climate assessments for purposes of preventing and responding to sexual assaults.
Sec. 1722. Advancement of submittal deadline for report of independent panel on assessment of military response systems to sexual assault.
Sec. 1723. Retention of certain forms in connection with Restricted Reports and Unrestricted Reports on sexual assault involving members of the Armed Forces.
Sec. 1724. Timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves.
Sec. 1725. Qualifications and selection of Department of Defense sexual assault prevention and response personnel and required availability of Sexual Assault Nurse Examiners.
Sec. 1726. Additional responsibilities of Sexual Assault Prevention and Response Office for Department of Defense sexual assault prevention and response program.

Subtitle D—Studies, Reviews, Policies, and Reports

Sec. 1731. Independent reviews and assessments of Uniform Code of Military Justice and judicial proceedings of sexual assault cases.
Sec. 1732. Review and policy regarding Department of Defense investigative practices in response to allegations of Uniform Code of Military Justice violations.
Sec. 1733. Review of training and education provided members of the Armed Forces on sexual assault prevention and response.
Sec. 1734. Report on implementation of Department of Defense policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces.
Sec. 1735. Review of the Office of Diversity Management and Equal Opportunity role in sexual harassment cases.

Subtitle E—Other Matters

Sec. 1741. Enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training.
Sec. 1742. Commanding officer action on reports on sexual offenses involving members of the Armed Forces.
Sec. 1743. Eight-day incident reporting requirement in response to unrestricted report of sexual assault in which the victim is a member of the Armed Forces.
Sec. 1744. Review of decisions not to refer charges of certain sex-related offenses for trial by court-martial.
Sec. 1745. Inclusion and command review of information on sex-related offenses in personnel service records of members of the Armed Forces.
Sec. 1746. Prevention of sexual assault at military service academies.
Sec. 1747. Required notification whenever members of the Armed Forces are completing Standard Form 86 of the Questionnaire for National Security Positions.

Subtitle F—Sense of Congress Provisions

Sec. 1751. Sense of Congress on commanding officer responsibility for command climate free of retaliation.

Sec. 1752. Sense of Congress on disposition of charges involving certain sexual misconduct offenses under the Uniform Code of Military Justice through courts-martial.
Sec. 1753. Sense of Congress on the discharge in lieu of court-martial of members of the Armed Forces who commit sex-related offenses.

Subtitle A—Reform of Uniform Code of Military Justice

SEC. 1701. EXTENSION OF CRIME VICTIMS' RIGHTS TO VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) VICTIMS' RIGHTS.—

(1) IN GENERAL.—Subchapter I of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

10 USC 806b.

"§ 806b. Art. 6b. Rights of the victim of an offense under this chapter

"(a) RIGHTS OF A VICTIM OF AN OFFENSE UNDER THIS CHAPTER.—A victim of an offense under this chapter has the following rights:

"(1) The right to be reasonably protected from the accused.

"(2) The right to reasonable, accurate, and timely notice of any of the following:

"(A) A public hearing concerning the continuation of confinement prior to trial of the accused.

"(B) A preliminary hearing under section 832 of this title (article 32) relating to the offense.

"(C) A court-martial relating to the offense.

"(D) A public proceeding of the service clemency and parole board relating to the offense.

"(E) The release or escape of the accused, unless such notice may endanger the safety of any person.

"(3) The right not to be excluded from any public hearing or proceeding described in paragraph (2) unless the military judge or investigating officer, as applicable, after receiving clear and convincing evidence, determines that testimony by the victim of an offense under this chapter would be materially altered if the victim heard other testimony at that hearing or proceeding.

"(4) The right to be reasonably heard at any of the following:

"(A) A public hearing concerning the continuation of confinement prior to trial of the accused.

"(B) A sentencing hearing relating to the offense.

"(C) A public proceeding of the service clemency and parole board relating to the offense.

"(5) The reasonable right to confer with the counsel representing the Government at any proceeding described in paragraph (2).

"(6) The right to receive restitution as provided in law.

"(7) The right to proceedings free from unreasonable delay.

"(8) The right to be treated with fairness and with respect for the dignity and privacy of the victim of an offense under this chapter.

"(b) VICTIM OF AN OFFENSE UNDER THIS CHAPTER DEFINED.—In this section, the term 'victim of an offense under this chapter' means a person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense under this chapter (the Uniform Code of Military Justice).

"(c) LEGAL GUARDIAN FOR CERTAIN VICTIMS.—In the case of a victim of an offense under this chapter who is under 18 years of age, incompetent, incapacitated, or deceased, the military judge shall designate a legal guardian from among the representatives of the estate of the victim, a family member, or other suitable person to assume the victim's rights under this section. However, in no event may the person so designated be the accused.

"(d) RULE OF CONSTRUCTION.—Nothing in this section (article) shall be construed—

"(1) to authorize a cause of action for damages; or

"(2) to create, to enlarge, or to imply any duty or obligation to any victim of an offense under this chapter or other person for the breach of which the United States or any of its officers or employees could be held liable in damages.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 47 of such title (the Uniform Code of Military Justice) is amended by adding at the end the following new item:

10 USC prec. 801.

"806b. Art. 6b. Rights of the victim of an offense under this chapter.".

(b) IMPLEMENTATION.—

10 USC 806b note.

(1) ISSUANCE.—Not later than one year after the date of the enactment of this Act—

Deadline.

(A) the Secretary of Defense shall recommend to the President changes to the Manual for Courts-Martial to implement section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by subsection (a); and

(B) the Secretary of Defense and Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall prescribe such regulations as each such Secretary considers appropriate to implement such section.

Regulations.

(2) MECHANISMS FOR AFFORDING RIGHTS.—The recommendations and regulations required by paragraph (1) shall include the following:

(A) Mechanisms for ensuring that victims are notified of, and accorded, the rights specified in section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by subsection (a).

(B) Mechanisms for ensuring that members of the Armed Forces and civilian personnel of the Department of Defense and the Coast Guard make their best efforts to ensure that victims are notified of, and accorded, the rights specified in such section.

(C) Mechanisms for the enforcement of such rights, including mechanisms for application for such rights and for consideration and disposition of applications for such rights.

(D) The designation of an authority within each Armed Force to receive and investigate complaints relating to the provision or violation of such rights.

(E) Disciplinary sanctions for members of the Armed Forces and other personnel of the Department of Defense and Coast Guard who willfully or wantonly fail to comply with requirements relating to such rights.

SEC. 1702. REVISION OF ARTICLE 32 AND ARTICLE 60, UNIFORM CODE OF MILITARY JUSTICE.

(a) USE OF PRELIMINARY HEARINGS.—

(1) IN GENERAL.—Section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 832. Art. 32. Preliminary hearing

"(a) PRELIMINARY HEARING REQUIRED.—(1) No charge or specification may be referred to a general court-martial for trial until completion of a preliminary hearing.

"(2) The purpose of the preliminary hearing shall be limited to the following:

"(A) Determining whether there is probable cause to believe an offense has been committed and the accused committed the offense.

"(B) Determining whether the convening authority has court-martial jurisdiction over the offense and the accused.

"(C) Considering the form of charges.

"(D) Recommending the disposition that should be made of the case.

"(b) HEARING OFFICER.—(1) A preliminary hearing under subsection (a) shall be conducted by an impartial judge advocate certified under section 827(b) of this title (article 27(b)) whenever practicable or, in exceptional circumstances in which the interests of justice warrant, by an impartial hearing officer who is not a judge advocate. If the hearing officer is not a judge advocate, a judge advocate certified under section 827(b) of this title (article 27(b)) shall be available to provide legal advice to the hearing officer.

"(2) Whenever practicable, when the judge advocate or other hearing officer is detailed to conduct the preliminary hearing, the officer shall be equal to or senior in grade to military counsel detailed to represent the accused or the Government at the preliminary hearing.

"(c) REPORT OF RESULTS.—After conducting a preliminary hearing under subsection (a), the judge advocate or other officer conducting the preliminary hearing shall prepare a report that addresses the matters specified in subsections (a)(2) and (f).

"(d) RIGHTS OF ACCUSED AND VICTIM.—(1) The accused shall be advised of the charges against the accused and of the accused's right to be represented by counsel at the preliminary hearing under subsection (a). The accused has the right to be represented at the preliminary hearing as provided in section 838 of this title (article 38) and in regulations prescribed under that section.

"(2) The accused may cross-examine witnesses who testify at the preliminary hearing and present additional evidence in defense and mitigation, relevant to the limited purposes of the hearing, as provided for in paragraph (4) and subsection (a)(2).

"(3) A victim may not be required to testify at the preliminary hearing. A victim who declines to testify shall be deemed to be not available for purposes of the preliminary hearing.

"(4) The presentation of evidence and examination (including cross-examination) of witnesses at a preliminary hearing shall be limited to the matters relevant to the limited purposes of the hearing, as provided in subsection (a)(2).

"(e) RECORDING OF PRELIMINARY HEARING.—A preliminary hearing under subsection (a) shall be recorded by a suitable recording device. The victim may request the recording and shall have access to the recording as prescribed by the Manual for Courts-Martial.

"(f) EFFECT OF EVIDENCE OF UNCHARGED OFFENSE.—If evidence adduced in a preliminary hearing under subsection (a) indicates that the accused committed an uncharged offense, the hearing officer may consider the subject matter of that offense without the accused having first been charged with the offense if the accused—

"(1) is present at the preliminary hearing;

"(2) is informed of the nature of each uncharged offense considered; and

"(3) is afforded the opportunities for representation, cross-examination, and presentation consistent with subsection (d).

"(g) EFFECT OF VIOLATION.—The requirements of this section are binding on all persons administering this chapter, but failure to follow the requirements does not constitute jurisdictional error.

"(h) VICTIM DEFINED.—In this section, the term 'victim' means a person who—

"(1) is alleged to have suffered a direct physical, emotional, or pecuniary harm as a result of the matters set forth in a charge or specification being considered; and

"(2) is named in one of the specifications.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VI of chapter 47 of such title is amended by striking the item relating to section 832 and inserting the following new item: 10 USC prec. 830.

"832. Art 32. Preliminary hearing.".

(b) ELIMINATION OF UNLIMITED COMMAND PREROGATIVE AND DISCRETION; IMPOSITION OF ADDITIONAL LIMITATIONS.—Subsection (c) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended to read as follows:

"(c)(1) Under regulations of the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

"(2)(A) Action on the sentence of a court-martial shall be taken by the convening authority or by another person authorized to act under this section. Subject to regulations of the Secretary concerned, such action may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.

"(B) Except as provided in paragraph (4), the convening authority or another person authorized to act under this section may approve, disapprove, commute, or suspend the sentence of the court-martial in whole or in part.

"(C) If the convening authority or another person authorized to act under this section acts to disapprove, commute, or suspend, in whole or in part, the sentence of the court-martial for an offense (other than a qualifying offense), the convening authority or other

Records.

person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.

"(3)(A) Action on the findings of a court-martial by the convening authority or by another person authorized to act under this section is not required.

"(B) If the convening authority or another person authorized to act under this section acts on the findings of a court-martial, the convening authority or other person—

"(i) may not dismiss any charge or specification, other than a charge or specification for a qualifying offense, by setting aside a finding of guilty thereto; or

"(ii) may not change a finding of guilty to a charge or specification, other than a charge or specification for a qualifying offense, to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge or specification.

"(C) If the convening authority or another person authorized to act under this section acts on the findings to dismiss or change any charge or specification for an offense (other than a qualifying offense), the convening authority or other person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.

Records.

Definition.

"(D)(i) In this subsection, the term 'qualifying offense' means, except in the case of an offense excluded pursuant to clause (ii), 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.

"(ii) Such term does not include any of the following:

"(I) An offense under subsection (a) or (b) of section 920 of this title (article 120).

"(II) An offense under section 920b or 925 of this title (articles 120b and 125).

"(III) Such other offenses as the Secretary of Defense may specify by regulation.

"(4)(A) Except as provided in subparagraph (B) or (C), the convening authority or another person authorized to act under this section may not disapprove, commute, or suspend in whole or in part an adjudged sentence of confinement for more than six months or a sentence of dismissal, dishonorable discharge, or bad conduct discharge.

"(B) Upon the recommendation of the trial counsel, in recognition of the substantial assistance by the accused in the investigation or prosecution of another person who has committed an offense, the convening authority or another person authorized to act under this section shall have the authority to disapprove, commute, or suspend the adjudged sentence in whole or in part, even with respect to an offense for which a mandatory minimum sentence exists.

"(C) If a pre-trial agreement has been entered into by the convening authority and the accused, as authorized by Rule for Courts–Martial 705, the convening authority or another person authorized to act under this section shall have the authority to

approve, disapprove, commute, or suspend a sentence in whole or in part pursuant to the terms of the pre-trial agreement, subject to the following limitations for convictions of offenses that involve a mandatory minimum sentence:

"(i) If a mandatory minimum sentence of a dishonorable discharge applies to an offense for which the accused has been convicted, the convening authority or another person authorized to act under this section may commute the dishonorable discharge to a bad conduct discharge pursuant to the terms of the pre-trial agreement.

"(ii) Except as provided in clause (i), if a mandatory minimum sentence applies to an offense for which the accused has been convicted, the convening authority or another person authorized to act under this section may not disapprove, otherwise commute, or suspend the mandatory minimum sentence in whole or in part, unless authorized to do so under subparagraph (B).".

(c) CONFORMING AMENDMENTS.—

(1) REFERENCES TO SOLE DISCRETION AND OTHER PERSONS AUTHORIZED TO ACT UNDER ARTICLE 60.—Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is further amended—

(A) in subsection (b)(2), by striking "or other person taking action under this section" and inserting "or another person authorized to act under this section";

(B) in subsection (d), by striking "or other person taking action under this section" the first place it appears and inserting "or another person authorized to act under this section";

(C) in subsection (e)(1), by striking "or other person taking action under this section, in his sole discretion," and inserting "or another person authorized to act under this section"; and

(D) in subsection (e)(3), by striking "or other person taking action under this section" and inserting "or another person authorized to act under this section".

(2) OTHER AUTHORITY FOR CONVENING AUTHORITY TO SUSPEND SENTENCE.—Section 871(d) of such title (article 71(d) of the Uniform Code of Military Justice) is amended by adding at the end the following new sentence: "Paragraphs (2) and (4) of subsection (c) of section 860 of this title (article 60) shall apply to any decision by the convening authority or another person authorized to act under this section to suspend the execution of any sentence or part thereof under this subsection.". Applicability.

(3) REFERENCES TO ARTICLE 32 INVESTIGATION.—(A) Section 802(d)(1)(A) of such title (article 2(d)(1)(A) of the Uniform Code of Military Justice) is amended by striking "investigation under section 832" and inserting "a preliminary hearing under section 832".

(B) Section 834(a)(2) of such title (article 34(a)(2) of the Uniform Code of Military Justice) is amended by striking "investigation under section 832 of this title (article 32) (if there is such a report)" and inserting "a preliminary hearing under section 832 of this title (article 32)".

(C) Section 838(b)(1) of such title (article 38(b)(1) of the Uniform Code of Military Justice) is amended by striking "an

investigation under section 832" and inserting "a preliminary hearing under section 832".

(D) Section 847(a)(1) of such title (article 47(a)(1) of the Uniform Code of Military Justice) is amended by striking "an investigation pursuant to section 832(b) of this title (article 32(b))" and inserting "a preliminary hearing pursuant to section 832 of this title (article 32)".

(E) Section 948b(d)(1)(C) of such title is amended by striking "pretrial investigation" and inserting "preliminary hearing".

Applicability.
10 USC 802 note.

(d) EFFECTIVE DATES.—

(1) ARTICLE 32 AMENDMENTS.—The amendments made by subsections (a) and (c)(3) shall take effect one year after the date of the enactment of this Act and shall apply with respect to offenses committed under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on or after that effective date.

10 USC 860 note.

(2) ARTICLE 60 AMENDMENTS.—The amendments made by subsection (b) and paragraphs (1) and (2) of subsection (c) shall take effect 180 days after the date of the enactment of this Act and shall apply with respect to offenses committed under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on or after that effective date.

SEC. 1703. ELIMINATION OF FIVE-YEAR STATUTE OF LIMITATIONS ON TRIAL BY COURT-MARTIAL FOR ADDITIONAL OFFENSES INVOLVING SEX-RELATED CRIMES.

(a) INCLUSION OF ADDITIONAL OFFENSES.—Section 843(a) of title 10, United States Code (article 43(a) of the Uniform Code of Military Justice), is amended by striking "rape, or rape of a child" and inserting "rape or sexual assault, or rape or sexual assault of a child".

(b) CONFORMING AMENDMENT.—Section 843(b)(2)(B)(i) of title 10, United States Code (article 43(b)(2)(B)(i) of the Uniform Code of Military Justice), is amended by inserting before the period at the end the following: ", unless the offense is covered by subsection (a)".

Applicability.
10 USC 843 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to an offense covered by section 920(b) or 920b(b) of title 10, United States Code (article 120(b) or 120b(b) of the Uniform Code of Military Justice), that is committed on or after that date.

SEC. 1704. DEFENSE COUNSEL INTERVIEW OF VICTIM OF AN ALLEGED SEX-RELATED OFFENSE IN PRESENCE OF TRIAL COUNSEL, COUNSEL FOR THE VICTIM, OR A SEXUAL ASSAULT VICTIM ADVOCATE.

Section 846 of title 10, United States Code (article 46 of the Uniform Code of Military Justice), is amended—

(1) by inserting "(a) OPPORTUNITY TO OBTAIN WITNESSES AND OTHER EVIDENCE.—"before "The trial counsel";

(2) by striking "Process issued" and inserting the following: "(c) PROCESS.—Process issued"; and

(3) by inserting after subsection (a), as designated by paragraph (1), the following new subsection (b):

"(b) DEFENSE COUNSEL INTERVIEW OF VICTIM OF ALLEGED SEX-RELATED OFFENSE.—(1) Upon notice by trial counsel to defense

counsel of the name of an alleged victim of an alleged sex-related offense who trial counsel intends to call to testify at a preliminary hearing under section 832 of this title (article 32) or a court-martial under this chapter, defense counsel shall make any request to interview the victim through trial counsel.

"(2) If requested by an alleged victim of an alleged sex-related offense who is subject to a request for interview under paragraph (1), any interview of the victim by defense counsel shall take place only in the presence of trial counsel, a counsel for the victim, or a Sexual Assault Victim Advocate.

"(3) In this subsection, the term 'alleged sex-related offense' means any allegation of—

"(A) a violation of section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125); or

"(B) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of this title (article 80).".

SEC. 1705. DISCHARGE OR DISMISSAL FOR CERTAIN SEX-RELATED OFFENSES AND TRIAL OF SUCH OFFENSES BY GENERAL COURTS-MARTIAL.

(a) MANDATORY DISCHARGE OR DISMISSAL REQUIRED.—

(1) IMPOSITION.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), is amended—

(A) by inserting "(a)" before "The punishment"; and

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

"(b)(1) While a person subject to this chapter who is found guilty of an offense specified in paragraph (2) shall be punished as a general court-martial may direct, such punishment must include, at a minimum, dismissal or dishonorable discharge, except as provided for in section 860 of this title (article 60).

"(2) Paragraph (1) applies to the following offenses:

"(A) An offense in violation of subsection (a) or (b) of section 920 of this title (article 120(a) or (b)).

"(B) Rape and sexual assault of a child under subsection (a) or (b) of section 920b of this title (article 120b).

"(C) Forcible sodomy under section 925 of this title (article 125).

"(D) An attempt to commit an offense specified in subparagraph (A), (B), or (C) that is punishable under section 880 of this title (article 80).".

(2) CLERICAL AMENDMENTS.—

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

"§ 856. Art. 56. Maximum and minimum limits".

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by striking the item relating to section 856 and inserting the following new item: 10 USC prec. 855.

"856. Art 56. Maximum and minimum limits.".

(b) JURISDICTION LIMITED TO GENERAL COURTS-MARTIAL.—Section 818 of title 10, United States Code (article 18 of the Uniform Code of Military Justice), is amended—

(1) by inserting "(a)" before the first sentence;

(2) in the third sentence, by striking "However, a general court-martial" and inserting the following:

"(b) A general court-martial"; and

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

"(c) Consistent with sections 819, 820, and 856(b) of this title (articles 19, 20, and 56(b)), only general courts-martial have jurisdiction over an offense specified in section 856(b)(2) of this title (article 56(b)(2)).".

Applicability.
10 USC 818 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act, and apply to offenses specified in section 856(b)(2) of title 10, United States Code (article 56(b)(2) of the Uniform Code of Military Justice), as added by subsection (a)(1), committed on or after that date.

SEC. 1706. PARTICIPATION BY VICTIM IN CLEMENCY PHASE OF COURTS-MARTIAL PROCESS.

(a) VICTIM SUBMISSION OF MATTERS FOR CONSIDERATION BY CONVENING AUTHORITY.—Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as amended by section 1702, is further amended—

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

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

"(d)(1) In any case in which findings and sentence have been adjudged for an offense that involved a victim, the victim shall be provided an opportunity to submit matters for consideration by the convening authority or by another person authorized to act under this section before the convening authority or such other person takes action under this section.

Deadline.

"(2)(A) Except as provided in subparagraph (B), the submission of matters under paragraph (1) shall be made within 10 days after the later of—

"(i) the date on which the victim has been given an authenticated record of trial in accordance with section 854(e) of this title (article 54(e)); and

"(ii) if applicable, the date on which the victim has been given the recommendation of the staff judge advocate or legal officer under subsection (e).

"(B) In the case of a summary court-martial, the submission of matters under paragraph (1) shall be made within seven days after the date on which the sentence is announced.

Extension.
Time period.

"(3) If a victim shows that additional time is required for submission of matters under paragraph (1), the convening authority or other person taking action under this section, for good cause, may extend the submission period under paragraph (2) for not more than an additional 20 days.

"(4) A victim may waive the right under this subsection to make a submission to the convening authority or other person taking action under this section. Such a waiver shall be made in writing and may not be revoked. For the purposes of subsection (c)(2), the time within which a victim may make a submission under this subsection shall be deemed to have expired upon the submission of such waiver to the convening authority or such other person.

"(5) In this section, the term 'victim' means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice) and on which the convening authority or other person authorized to take action under this section is taking action under this section.". Definition.

(b) LIMITATIONS ON CONSIDERATION OF VICTIM'S CHARACTER.—Subsection (b) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

"(5) The convening authority or other person taking action under this section shall not consider under this section any submitted matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial.".

(c) CONFORMING AMENDMENT.—Subsection (b)(1) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended by striking "subsection (d)" and inserting "subsection (e)".

SEC. 1707. REPEAL OF THE OFFENSE OF CONSENSUAL SODOMY UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) RESTATEMENT OF ARTICLE 125 WITH CONSENSUAL SODOMY OMITTED.—Section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 925. Art 125. Forcible sodomy; bestiality

"(a) FORCIBLE SODOMY.—Any person subject to this chapter who engages in unnatural carnal copulation with another person of the same or opposite sex by force or without the consent of the other person is guilty of forcible sodomy and shall be punished as a court-martial may direct.

"(b) BESTIALITY.—Any person subject to this chapter who engages in unnatural carnal copulation with an animal is guilty of bestiality and shall be punished as a court-martial may direct.

"(c) SCOPE OF OFFENSES.—Penetration, however slight, is sufficient to complete an offense under subsection (a) or (b).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by striking the item relating to section 925 (article 125) and inserting the following new item: 10 USC prec. 877.

"925. Art 125. Forcible sodomy; bestiality.".

SEC. 1708. MODIFICATION OF MANUAL FOR COURTS-MARTIAL TO ELIMINATE FACTOR RELATING TO CHARACTER AND MILITARY SERVICE OF THE ACCUSED IN RULE ON INITIAL DISPOSITION OF OFFENSES.

Not later than 180 days after the date of the enactment of this Act, the discussion pertaining to Rule 306 of the Manual for Courts-Martial (relating to policy on initial disposition of offenses) shall be amended to strike the character and military service of the accused from the matters a commander should consider in deciding how to dispose of an offense. Deadline.

SEC. 1709. PROHIBITION OF RETALIATION AGAINST MEMBERS OF THE ARMED FORCES FOR REPORTING A CRIMINAL OFFENSE.

10 USC 113 note.

(a) REGULATIONS ON PROHIBITION OF RETALIATION.—

(1) REGULATIONS REQUIRED.—The Secretary of Defense shall prescribe regulations, or require the Secretaries of the military departments to prescribe regulations, that prohibit retaliation against an alleged victim or other member of the Armed Forces who reports a criminal offense. The regulations shall prescribe that a violation of the regulations is an offense punishable under section 892 of title 10, United States Code (article 92 of the Uniform Code of Military Justice).

(2) DEADLINE.—The regulations required by this subsection shall be prescribed not later than 120 days after the date of the enactment of this Act.

(b) RETALIATION AND PERSONNEL ACTION DESCRIBED.—

(1) RETALIATION.—For purposes of the regulations required by subsection (a), the Secretary of Defense shall define retaliation to include, at a minimum—

(A) taking or threatening to take an adverse personnel action, or withholding or threatening to withhold a favorable personnel action, with respect to a member of the Armed Forces because the member reported a criminal offense; and

(B) ostracism and such of acts of maltreatment, as designated by the Secretary of Defense, committed by peers of a member of the Armed Forces or by other persons because the member reported a criminal offense.

(2) PERSONNEL ACTIONS.—For purposes of paragraph (1)(A), the Secretary of Defense shall define the personnel actions to be covered by the regulations.

(c) REPORT ON SEPARATE PUNITIVE ARTICLE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the recommendations of the Secretary regarding whether chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), should be amended to add a new punitive article to subchapter X of such chapter to prohibit retaliation against an alleged victim or other member of the Armed Forces who reports a criminal offense.

Subtitle B—Other Amendments to Title 10, United States Code

SEC. 1711. PROHIBITION ON SERVICE IN THE ARMED FORCES BY INDIVIDUALS WHO HAVE BEEN CONVICTED OF CERTAIN SEXUAL OFFENSES.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended adding at the end the following new section:

10 USC 657.

"§ 657. Prohibition on service in the armed forces by individuals convicted of certain sexual offenses

"(a) PROHIBITION ON COMMISSIONING OR ENLISTMENT.—A person who has been convicted of an offense specified in subsection

(b) under Federal or State law may not be processed for commissioning or permitted to enlist in the armed forces.

"(b) COVERED OFFENSES.—An offense specified in this subsection is any felony offense as follows:

"(1) Rape or sexual assault.

"(2) Forcible sodomy.

"(3) Incest.

"(4) An attempt to commit an offense specified in paragraph (1) through (3), as punishable under applicable Federal or State law.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of such title is amended by adding at the end the following new item: 10 USC prec. 651.

"657. Prohibition on service in the armed forces by individuals convicted of certain sexual offenses.".

(b) REPEAL OF SUPERSEDED PROHIBITION.—Section 523 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1723; 10 U.S.C. 504 note) is repealed.

SEC. 1712. ISSUANCE OF REGULATIONS APPLICABLE TO THE COAST GUARD REGARDING CONSIDERATION OF REQUEST FOR PERMANENT CHANGE OF STATION OR UNIT TRANSFER BY VICTIM OF SEXUAL ASSAULT.

Section 673(b) of title 10, United States Code, is amended by striking "The Secretaries of the military departments" and inserting "The Secretary concerned".

SEC. 1713. TEMPORARY ADMINISTRATIVE REASSIGNMENT OR REMOVAL OF A MEMBER OF THE ARMED FORCES ON ACTIVE DUTY WHO IS ACCUSED OF COMMITTING A SEXUAL ASSAULT OR RELATED OFFENSE.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 673 the following new section:

"§ 674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense 10 USC 674.

"(a) GUIDANCE FOR TIMELY CONSIDERATION AND ACTION.—The Secretary concerned may provide guidance, within guidelines provided by the Secretary of Defense, for commanders regarding their authority to make a timely determination, and to take action, regarding whether a member of the armed forces serving on active duty who is alleged to have committed an offense under section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice) or an attempt to commit such an offense as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice) should be temporarily reassigned or removed from a position of authority or from an assignment, not as a punitive measure, but solely for the purpose of maintaining good order and discipline within the member's unit.

"(b) TIME FOR DETERMINATION.—A determination described in subsection (a) may be made at any time afer receipt of notification of an unrestricted report of a sexual assault or other sex-related offense that identifies the member as an alleged perpetrator.".

10 USC prec. 671.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by inserting after the item relating to section 673 the following new item:

"674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense.".

(c) ADDITIONAL TRAINING REQUIREMENT FOR COMMANDERS.—The Secretary of Defense shall provide for the inclusion of information and discussion regarding the availability and use of the authority described by section 674 of title 10, United States Code, as added by subsection (a), as part of the training for new and prospective commanders at all levels of command required by section 585(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note).

SEC. 1714. EXPANSION AND ENHANCEMENT OF AUTHORITIES RELATING TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) EXPANSION OF PROHIBITED RETALIATORY PERSONNEL ACTIONS.—Subsection (b) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "preparing—" and inserting "preparing or being perceived as making or preparing—";

(B) in subparagraph (A), by striking "or" at the end;

(C) in subparagraph (B)—

(i) in clause (iv), by striking "or" at the end;

(ii) by redesignating clause (v) as clause (vi) and, in such clause, by striking the period at the end and inserting "; or"; and

(iii) by inserting after clause (iv) the following new clause (v):

"(v) a court-martial proceeding; or"; and

(D) by adding at the end the following new subparagraph:

"(C) testimony, or otherwise participating in or assisting in an investigation or proceeding related to a communication under subparagraph (A) or (B), or filing, causing to be filed, participating in, or otherwise assisting in an action brought under this section."; and

(2) in paragraph (2)—

(A) by striking "and" after "unfavorable action" and inserting a comma; and

(B) by inserting after "any favorable action" the following: ", or making or threatening to make a significant change in the duties or responsibilities of a member of the armed forces not commensurate with the member's grade".

(b) INSPECTOR GENERAL INVESTIGATIONS OF ALLEGATIONS.—Subsection (c) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "paragraph (3)" and inserting "paragraph (4)";

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

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

"(3) A communication described in paragraph (2) shall not be excluded from the protections provided in this section because—

"(A) the communication was made to a person who participated in an activity that the member reasonably believed to be covered by paragraph (2);

"(B) the communication revealed information that had previously been disclosed;

"(C) of the member's motive for making the communication;

"(D) the communication was not made in writing;

"(E) the communication was made while the member was off duty; and

"(F) the communication was made during the normal course of duties of the member.";

(4) in paragraph (5), as redesignated by paragraph (2) of this subsection—

(A) by striking "paragraph (3)(A)" and inserting "paragraph (4)(A)";

(B) by striking "paragraph (3)(D)" and inserting "paragraph (4)(D)"; and

(C) by striking "60 days" and inserting "one year"; and

(5) in paragraph (6), as redesignated by paragraph (2) of this subsection, by striking "outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action." and inserting the following: "one or both of the following:

"(A) Outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.

"(B) At least one organization higher in the chain of command than the organization of the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.".

(c) INSPECTOR GENERAL INVESTIGATIONS OF UNDERLYING ALLEGATIONS.—Subsection (d) of section 1034 of title 10, United States Code, is amended by striking "subparagraph (A) or (B) of subsection (c)(2)" and inserting "subparagraph (A), (B), or (C) of subsection (c)(2)".

(d) REPORTS ON INVESTIGATIONS.—Subsection (e) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "subsection (c)(3)(E)" both places it appears and inserting "subsection (c)(4)(E)";

(B) by inserting "and the Secretary of the military department concerned" after "the Secretary of Defense"; and

(C) by striking "transmitted to the Secretary" and inserting "transmitted to such Secretaries"; and

(2) in paragraph (3), by inserting "and the Secretary of the military department concerned" after "the Secretary of Defense".

(e) ACTION IN CASE OF VIOLATIONS.—Section 1034 of title 10, United States Code, is further amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

Deadlines.
Determinations.

"(f) ACTION IN CASE OF VIOLATIONS.—(1) Not later than 30 days after receiving a report from the Inspector General under subsection (e), the Secretary of Homeland Security or the Secretary of the military department concerned, as applicable, shall determine whether there is sufficient basis to conclude whether a personnel action prohibited by subsection (b) has occurred.

"(2) If the Secretary concerned determines under paragraph (1) that a personnel action prohibited by subsection (b) has occurred, the Secretary shall—

"(A) order such action as is necessary to correct the record of a personnel action prohibited by subsection (b); and

"(B) take any appropriate disciplinary action against the individual who committed such prohibited personnel action.

"(3) If the Secretary concerned determines under paragraph (1) that an order for corrective or disciplinary action is not appropriate, not later than 30 days after making the determination, such Secretary shall—

"(A) provide to the Secretary of Defense and the member or former member a notice of the determination and the reasons for not taking action; and

"(B) when appropriate, refer the report to the appropriate board for the correction of military records for further review under subsection (g).".

(f) CORRECTION OF RECORDS.—Subsection (g) of section 1034 of title 10, United States Code, as redesignated by subsection (e)(1) of this section, is amended in paragraph (3)—

(1) in the matter preceding subparagraph (A), by striking "board elects to hold" and inserting "board holds"; and

(2) in subparagraph (A)(ii), by striking "the case is unusually complex or otherwise requires" and inserting "the member or former member would benefit from".

SEC. 1715. INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF RETALIATORY PERSONNEL ACTIONS TAKEN IN RESPONSE TO MAKING PROTECTED COMMUNICATIONS REGARDING SEXUAL ASSAULT.

Section 1034(c)(2)(A) of title 10, United States Code, is amended by striking "sexual harassment or" and inserting "rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), sexual harassment, or".

SEC. 1716. DESIGNATION AND AVAILABILITY OF SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEX-RELATED OFFENSES.

(a) DESIGNATION AND DUTIES.—

(1) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044d the following new section:

10 USC 1044e.

"§ 1044e. Special Victims' Counsel for victims of sex-related offenses

"(a) DESIGNATION; PURPOSES.—The Secretary concerned shall designate legal counsel (to be known as 'Special Victims' Counsel') for the purpose of providing legal assistance to an individual eligible for military legal assistance under section 1044 of this title who

is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

"(b) TYPES OF LEGAL ASSISTANCE AUTHORIZED.—The types of legal assistance authorized by subsection (a) include the following:

"(1) Legal consultation regarding potential criminal liability of the victim stemming from or in relation to the circumstances surrounding the alleged sex-related offense and the victim's right to seek military defense services.

"(2) Legal consultation regarding the Victim Witness Assistance Program, including—

"(A) the rights and benefits afforded the victim;

"(B) the role of the Victim Witness Assistance Program liaison and what privileges do or do not exist between the victim and the liaison; and

"(C) the nature of communication made to the liaison in comparison to communication made to a Special Victims' Counsel or a legal assistance attorney under section 1044 of this title.

"(3) Legal consultation regarding the responsibilities and support provided to the victim by the Sexual Assault Response Coordinator, a unit or installation Sexual Assault Victim Advocate, or domestic abuse advocate, to include any privileges that may exist regarding communications between those persons and the victim.

"(4) Legal consultation regarding the potential for civil litigation against other parties (other than the Department of Defense).

"(5) Legal consultation regarding the military justice system, including (but not limited to)—

"(A) the roles and responsibilities of the trial counsel, the defense counsel, and investigators;

"(B) any proceedings of the military justice process in which the victim may observe;

"(C) the Government's authority to compel cooperation and testimony; and

"(D) the victim's responsibility to testify, and other duties to the court.

"(6) Accompanying the victim at any proceedings in connection with the reporting, military investigation, and military prosecution of the alleged sex-related offense.

"(7) Legal consultation regarding eligibility and requirements for services available from appropriate agencies or offices for emotional and mental health counseling and other medical services;

"(8) Legal consultation and assistance—

"(A) in personal civil legal matters in accordance with section 1044 of this title;

"(B) in any proceedings of the military justice process in which a victim can participate as a witness or other party;

"(C) in understanding the availability of, and obtaining any protections offered by, civilian and military protecting or restraining orders; and

"(D) in understanding the eligibility and requirements for, and obtaining, any available military and veteran benefits, such as transitional compensation benefits found in

section 1059 of this title and other State and Federal victims' compensation programs.

"(9) Such other legal assistance as the Secretary of Defense (or, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) may authorize in the regulations prescribed under subsection (h).

"(c) NATURE OF RELATIONSHIP.—The relationship between a Special Victims' Counsel and a victim in the provision of legal advice and assistance shall be the relationship between an attorney and client.

"(d) QUALIFICATIONS.—An individual may not be designated as a Special Victims' Counsel under this section unless the individual—

"(1) meets the qualifications specified in section 1044(d)(2) of this title; and

"(2) is certified as competent to be designated as a Special Victims' Counsel by the Judge Advocate General of the armed force in which the judge advocate is a member or by which the civilian attorney is employed.

"(e) ADMINISTRATIVE RESPONSIBILITY.—(1) Consistent with the regulations prescribed under subsection (h), the Judge Advocate General (as defined in section 801(1) of this title) under the jurisdiction of the Secretary, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, is responsible for the establishment and supervision of individuals designated as Special Victims' Counsel.

Evaluation.

"(2) The Secretary of Defense (and, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) shall conduct a periodic evaluation of the Special Victims' Counsel programs operated under this section.

"(f) AVAILABILITY OF SPECIAL VICTIMS' COUNSEL.—(1) An individual eligible for military legal assistance under section 1044 of this title who is the victim of an alleged sex-related offense shall be offered the option of receiving assistance from a Special Victims' Counsel upon report of an alleged sex-related offense or at the time the victim seeks assistance from a Sexual Assault Response Coordinator, a Sexual Assault Victim Advocate, a military criminal investigator, a victim/witness liaison, a trial counsel, a healthcare provider, or any other personnel designated by the Secretary concerned for purposes of this subsection.

"(2) The assistance of a Special Victims' Counsel under this subsection shall be available to an individual eligible for military legal assistance under section 1044 of this title regardless of whether the individual elects unrestricted or restricted reporting of the alleged sex-related offense. The individual shall also be informed that the assistance of a Special Victims' Counsel may be declined, in whole or in part, but that declining such assistance does not preclude the individual from subsequently requesting the assistance of a Special Victims' Counsel.

"(g) ALLEGED SEX-RELATED OFFENSE DEFINED.—In this section, the term 'alleged sex-related offense' means any allegation of—

"(1) a violation of section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice); or

"(2) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

"(h) REGULATIONS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1044d the following new item: 10 USC prec. 1030.

"1044e. Special Victims' Counsel for victims of sex-related offenses.".

(3) CONFORMING AMENDMENTS.—

(A) QUALIFICATIONS OF PERSONS PROVIDING LEGAL ASSISTANCE.—Section 1044(d)(2) of such title is amended by inserting before the period at the end the following: "and, for purposes of service as a Special Victims' Counsel under section 1044e of this title, meets the additional qualifications specified in subsection (d)(2) of such section.".

(B) INCLUSION IN DEFINITION OF MILITARY LEGAL ASSISTANCE.—Section 1044(d)(3)(B) of such title is amended by striking "and 1044d" and inserting "1044d, 1044e, and 1565b(a)(1)(A)".

(C) ACCESS TO LEGAL ASSISTANCE AND SERVICES.—Section 1565b(a)(1)(A) of such title is amended by striking "section 1044" and inserting "sections 1044 and 1044e".

(4) IMPLEMENTATION.—Section 1044e of title 10, United States Code, as added by paragraph (1), shall be implemented within 180 days after the date of the enactment of this Act. Deadline. 10 USC 1044e note.

(b) ENHANCED TRAINING REQUIREMENT.—The Secretary of each military department, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, shall implement, consistent with the guidelines provided under section 1044e of title 10, United States Code, as added by subsection (a), in-depth and advanced training for all military and civilian attorneys providing legal assistance under section 1044 or 1044e of such title to support victims of alleged sex-related offenses. 10 USC 1044e note.

(c) SECRETARY OF DEFENSE IMPLEMENTATION REPORT.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Homeland Security with respect to the Coast Guard, shall submit to the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services and Transportation and Infrastructure of the House of Representatives a report describing how the Armed Forces will implement the requirements of section 1044e of title 10, United States Code, as added by subsection (a).

(2) ADDITIONAL SUBMISSION REQUIREMENT.—The report required by paragraph (1) shall also be submitted to the independent review panel established by the Secretary of Defense under section 576(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) and to the Joint Services Committee on Military Justice.

Subtitle C—Amendments to Other Laws

SEC. 1721. TRACKING OF COMPLIANCE OF COMMANDING OFFICERS IN CONDUCTING ORGANIZATIONAL CLIMATE ASSESSMENTS FOR PURPOSES OF PREVENTING AND RESPONDING TO SEXUAL ASSAULTS.

Section 572 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1753; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

"(d) TRACKING OF ORGANIZATIONAL CLIMATE ASSESSMENT COMPLIANCE.—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments, as required by subsection (a)(3).".

SEC. 1722. ADVANCEMENT OF SUBMITTAL DEADLINE FOR REPORT OF INDEPENDENT PANEL ON ASSESSMENT OF MILITARY RESPONSE SYSTEMS TO SEXUAL ASSAULT.

Section 576(c)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1759) is amended by striking "Eighteen months" and inserting "Twelve months".

SEC. 1723. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) REQUIREMENT FOR RETENTION.—Subsection (a) of section 577 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762; 10 U.S.C. 1561 note) is amended—

(1) by striking "At the request of a member of the Armed Forces who files a Restricted Report on an incident of sexual assault involving the member, the Secretary of Defense shall" and inserting "The Secretary of Defense shall"; and

(2) by striking "the Restricted Report" and inserting "a Restricted Report or Unrestricted Report on an incident of sexual assault involving a member of the Armed Forces".

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

"SEC. 577. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.".

SEC. 1724. TIMELY ACCESS TO SEXUAL ASSAULT RESPONSE COORDINATORS BY MEMBERS OF THE NATIONAL GUARD AND RESERVES.

Section 584(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1433; 10 U.S.C. 1561 note) is amended—

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

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

"(2) AVAILABILITY FOR RESERVE COMPONENT MEMBERS.—The Secretary of the military department concerned shall

ensure the timely access to a Sexual Assault Response Coordinator by any member of the National Guard or Reserve who—

"(A) is the victim of a sexual assault during the performance of duties as a member of the National Guard or Reserves; or

"(B) is the victim of a sexual assault committed by a member of the National Guard or Reserves.".

SEC. 1725. QUALIFICATIONS AND SELECTION OF DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE PERSONNEL AND REQUIRED AVAILABILITY OF SEXUAL ASSAULT NURSE EXAMINERS.

(a) QUALIFICATIONS FOR ASSIGNMENT.—Section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note; 124 Stat. 4431) is amended—

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

(2) by striking subparagraph (A) and inserting the following new subparagraphs:

"(A) the qualifications necessary for a member of the Armed Forces or a civilian employee of the Department of Defense to be selected for assignment to duty as a Sexual Assault Response and Prevention Program Manager, Sexual Assault Response Coordinator, or Sexual Assault Victim Advocate, whether assigned to such duty on a full-time or part-time basis;

"(B) consistent with section 584(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note; 125 Stat. 1433), the training, certification, and status of members of the Armed Forces and civilian employees of the department assigned to duty as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, and Sexual Assault Victim Advocates for the Armed Forces; and".

(b) AVAILABILITY OF SEXUAL ASSAULT NURSE EXAMINERS AT MILITARY MEDICAL TREATMENT FACILITIES.— 10 USC 1561 note.

(1) FACILITIES WITH FULL-TIME EMERGENCY DEPARTMENT.—The Secretary of a military department shall require the assignment of at least one full-time sexual assault nurse examiner to each military medical treatment facility under the jurisdiction of that Secretary in which an emergency department operates 24 hours per day. The Secretary may assign additional sexual assault nurse examiners based on the demographics of the patients who utilize the military medical treatment facility.

(2) OTHER FACILITIES.—In the case of a military medical treatment facility not covered by paragraph (1), the Secretary of the military department concerned shall require that a sexual assault nurse examiner be made available to a patient of the facility, consistent with the Department of Justice National Protocol for Sexual Assault Medical Forensic Examinations, Adult/Adolescent, when a determination is made regarding the patient's need for the services of a sexual assault nurse examiner.

(3) QUALIFICATIONS.—A sexual assault nurse examiner assigned under paragraph (1) or made available under paragraph (2) shall meet such training and certification requirements as are prescribed by the Secretary of Defense.

(c) REPORT ON TRAINING, QUALIFICATIONS, AND EXPERIENCE OF SEXUAL ASSAULT PREVENTION AND RESPONSE PERSONNEL.—

(1) REPORT REQUIRED.—The Secretary shall prepare a report on the review, conducted pursuant to the Secretary of Defense Memorandum of May 17, 2013, of the adequacy of the training, qualifications, and experience of each member of the Armed Forces and civilian employee of the Department of Defense who is assigned to a position that includes responsibility for sexual assault prevention and response within the Armed Forces for the successful discharge of such responsibility.

(2) REPORT ELEMENTS.—The report shall include the following:

(A) An assessment of the adequacy of the training and certifications required for members and employees described in paragraph (1).

(B) The number of such members and employees who did not have the training, qualifications, or experience required to successfully discharge their responsibility for sexual assault prevention and response within the Armed Forces.

(C) The actions taken by the Secretary of Defense with respect to such members and employees who were found to lack the training, qualifications, or experience to successfully discharge such responsibility.

(D) Such improvements as the Secretary considers appropriate in the process used to select and assign members and employees to positions that include responsibility for sexual assault prevention and response within the Armed Forces in order to ensure the highest caliber candidates are selected and assigned to such positions.

(3) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit the report to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 1726. ADDITIONAL RESPONSIBILITIES OF SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE FOR DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

(a) ADDITIONAL DIRECTOR DUTIES.—Subsection (b) of section 1611 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended—

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

(2) by striking the period at the end of paragraph (3) and inserting a semicolon; and

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

"(4) collect and maintain data of the military departments on sexual assault in accordance with subsection (e);

"(5) act as liaison between the Department of Defense and other Federal and State agencies on programs and efforts relating to sexual assault prevention and response; and

"(6) oversee development of strategic program guidance and joint planning objectives for resources in support of the sexual assault prevention and response program, and make recommendations on modifications to policy, law, and regulations needed to ensure the continuing availability of such resources.".

(b) COLLECTION AND MAINTENANCE OF DATA.—Such section is further amended by adding at the end the following new subsection:

"(e) DATA COLLECTION AND MAINTENANCE METRICS.—In carrying out the requirements of subsection (b)(4), the Director of the Sexual Assault Prevention and Response Office shall develop metrics to measure the effectiveness of, and compliance with, training and awareness objectives of the military departments on sexual assault prevention and response.".

Subtitle D—Studies, Reviews, Policies, and Reports

SEC. 1731. INDEPENDENT REVIEWS AND ASSESSMENTS OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.

(a) ADDITIONAL DUTIES FOR RESPONSE SYSTEMS PANEL.—

(1) ADDITIONAL ASSESSMENTS SPECIFIED.—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758), known as the "response systems panel", shall conduct the following:

(A) An assessment of the impact, if any, that removing from the chain of command any disposition authority regarding charges preferred under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), would have on overall reporting and prosecution of sexual assault cases.

(B) An assessment regarding whether the roles, responsibilities, and authorities of Special Victims' Counsel to provide legal assistance under section 1044e of title 10, United States Code, as added by section 1716, to victims of alleged sex-related offenses should be expanded to include legal standing to represent the victim during investigative and military justice proceedings in connection with the prosecution of the offense.

(C) An assessment of the feasibility and appropriateness of extending to victims of crimes covered by chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), the right afforded a crime victim in civilian criminal legal proceedings under subsection (a)(4) of section 3771 of title 18, United States Code, and the legal standing to seek enforcement of crime victim rights provided by subsection (d) of such section.

(D) An assessment of the means by which the name, if known, and other necessary identifying information of an alleged offender that is collected as part of a restricted report of a sexual assault could be compiled into a protected, searchable database accessible only to military

criminal investigators, Sexual Assault Response Coordinators, or other appropriate personnel only for the purposes of identifying individuals who are subjects of multiple accusations of sexual assault and encouraging victims to make an unrestricted report of sexual assault in those cases in order to facilitate increased prosecutions, particularly of serial offenders. The assessment should include an evaluation of the appropriate content to be included in the database, as well as the best means to maintain the privacy of those making a restricted report.

(E) As part of the comparison of military and civilian systems for the investigation, prosecution, and adjudication of adult sexual assault crimes, as required by subsection (d)(1)(B) of section 576 of the National Defense Authorization Act for Fiscal Year 2013, an assessment of the opportunities for clemency provided in the military and civilian systems, the appropriateness of clemency proceedings in the military system, the manner in which clemency is used in the military system, and whether clemency in the military justice system could be reserved until the end of the military appeals process.

(F) An assessment of whether the Department of Defense should promulgate, and ensure the understanding of and compliance with, a formal statement of what accountability, rights, and responsibilities a member of the Armed Forces has with regard to matters of sexual assault prevention and response, as a means of addressing those issues within the Armed Forces. If the response systems panel recommends such a formal statement, the response systems panel shall provide key elements or principles that should be included in the formal statement.

(2) SUBMISSION OF RESULTS.—The response systems panel shall include the results of the assessments required by paragraph (1) in the report required by subsection (c)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013, as amended by section 1722.

(b) ADDITIONAL DUTIES FOR JUDICIAL PROCEEDINGS PANEL.—

(1) ADDITIONAL ASSESSMENTS SPECIFIED.—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758), known as the "judicial proceedings panel", shall conduct the following:

(A) An assessment of the likely consequences of amending the definition of rape and sexual assault under section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), to expressly cover a situation in which a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.

(B) An assessment of the implementation and effect of section 1044e of title 10, United States Code, as added by section 1716, and make such recommendations for modification of such section 1044e as the judicial proceedings panel considers appropriate.

(C) An assessment of the implementation and effect of the mandatory minimum sentences established by section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by section 1705, and the appropriateness of statutorily mandated minimum sentencing provisions for additional offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(D) An assessment of the adequacy of the provision of compensation and restitution for victims of offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and develop recommendations on expanding such compensation and restitution, including consideration of the options as follows:

(i) Providing the forfeited wages of incarcerated members of the Armed Forces to victims of offenses as compensation.

(ii) Including bodily harm among the injuries meriting compensation for redress under section 939 of title 10, United States Code (article 139 of the Uniform Code of Military Justice).

(iii) Requiring restitution by members of the Armed Forces to victims of their offenses upon the direction of a court-martial.

(2) SUBMISSION OF RESULTS.—The judicial proceedings panel shall include the results of the assessments required by paragraph (1) in one of the reports required by subsection (c)(2)(B) of section 576 of the National Defense Authorization Act for Fiscal Year 2013.

SEC. 1732. REVIEW AND POLICY REGARDING DEPARTMENT OF DEFENSE INVESTIGATIVE PRACTICES IN RESPONSE TO ALLEGATIONS OF UNIFORM CODE OF MILITARY JUSTICE VIOLATIONS.

10 USC 113 note.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the practices of the military criminal investigative organizations (Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigation) in response to an allegation that a member of the Armed Forces has committed an offense under the Uniform Code of Military Justice, including the extent to which the military criminal investigative organizations make a recommendation regarding whether an allegation appears founded or unfounded.

(b) POLICY.—After conducting the review required by subsection (a), the Secretary of Defense shall develop a uniform policy for the Armed Forces, to the extent practicable, regarding the use of case determinations to record the results of the investigation of an alleged violation of the Uniform Code of Military Justice. In developing the policy, the Secretary shall consider the feasibility of adopting case determination methods, such as the uniform crime report, used by nonmilitary law enforcement agencies.

SEC. 1733. REVIEW OF TRAINING AND EDUCATION PROVIDED MEMBERS OF THE ARMED FORCES ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) REVIEW REQUIRED.—The Secretary of Defense shall carry out a review of the adequacy of the training and education provided

members of the Armed Forces on sexual assault prevention and response.

(b) RESPONSIVE ACTION.—Upon completion of the review, the Secretary of Defense shall—

(1) identify common core elements that must be included in any training or education provided members of the Armed Forces on sexual assault prevention and response; and

(2) recommend such other modifications of such training and education as the Secretary considers appropriate to address any inadequacies identified during the review.

(c) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review, including the common core elements identified in the review that will be included in any training or education provided members of the Armed Forces on sexual assault prevention and response.

SEC. 1734. REPORT ON IMPLEMENTATION OF DEPARTMENT OF DEFENSE POLICY ON THE RETENTION OF AND ACCESS TO EVIDENCE AND RECORDS RELATING TO SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) REVIEW OF EVIDENCE AND RECORDS RETENTION AND ACCESS POLICY.—The Secretary of Defense shall conduct a review of the progress made in developing and implementing the comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces, which was required by section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1434; 10 U.S.C. 1561 note).

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review. In the report, the Secretary shall explain how the Secretary has addressed each of the matters listed in paragraphs (1) through (11) of subsection (c) of section 586 of the National Defense Authorization Act for Fiscal Year 2012 that, at a minimum, were required to be considered in the development of the policy.

SEC. 1735. REVIEW OF THE OFFICE OF DIVERSITY MANAGEMENT AND EQUAL OPPORTUNITY ROLE IN SEXUAL HARASSMENT CASES.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the Office of Diversity Management and Equal Opportunity for the purposes specified in subsection (b).

(b) ELEMENTS OF STUDY.—In conducting the review under subsection (a), the Secretary of Defense shall—

(1) determine whether sexual harassment cases should be evaluated or addressed within the Office of Diversity Management and Equal Opportunity;

(2) identify and evaluate how the Office of Diversity Management and Equal Opportunity works with the Sexual Assault Prevention and Response Office to address sexual harassment in the Armed Forces and the current role of the Office of Diversity Management and Equal Opportunity in sexual harassment cases;

(3) identify and evaluate the resource and personnel gaps, if any, in the Office of Diversity Management and Equal Opportunity to adequately address sexual harassment cases; and

(4) identify and assess the capability of the Office of Diversity Management and Equal Opportunity to track incidences of sexual harassment cases.

(c) DEFINITION.—In this section, the term "sexual harassment" has the meaning given such term in Department of Defense Directive 1350.2, Department of Defense Military Equal Opportunity Program.

Subtitle E—Other Matters

SEC. 1741. ENHANCED PROTECTIONS FOR PROSPECTIVE MEMBERS AND NEW MEMBERS OF THE ARMED FORCES DURING ENTRY-LEVEL PROCESSING AND TRAINING.

10 USC prec. 501 note.

(a) DEFINING INAPPROPRIATE AND PROHIBITED RELATIONSHIPS, COMMUNICATION, CONDUCT, AND CONTACT BETWEEN CERTAIN MEMBERS.—

(1) POLICY REQUIRED.—The Secretary of a military department and the Secretary of the Department in which the Coast Guard is operating shall maintain a policy that defines and prescribes, for the persons described in paragraph (2), what constitutes an inappropriate and prohibited relationship, communication, conduct, or contact, including when such an action is consensual, between a member of the Armed Forces described in paragraph (2)(A) and a prospective member or member of the Armed Forces described in paragraph (2)(B).

(2) COVERED MEMBERS.—The policy required by paragraph (1) shall apply to— Applicability.

(A) a member of the Armed Forces who exercises authority or control over, or supervises, a person described in subparagraph (B) during the entry-level processing or training of the person; and

(B) a prospective member of the Armed Forces or a member of the Armed Forces undergoing entry-level processing or training.

(3) INCLUSION OF CERTAIN MEMBERS REQUIRED.—The members of the Armed Forces covered by paragraph (2)(A) shall include, at a minimum, military personnel assigned or attached to duty—

(A) for the purpose of recruiting or assessing persons for enlistment or appointment as a commissioned officer, warrant officer, or enlisted member of the Armed Forces;

(B) at a Military Entrance Processing Station; or

(C) at an entry-level training facility or school of an Armed Force.

(b) EFFECT OF VIOLATIONS.—A member of the Armed Forces who violates the policy required by subsection (a) shall be subject to prosecution under the Uniform Code of Military Justice.

(c) PROCESSING FOR ADMINISTRATIVE SEPARATION.—

(1) IN GENERAL.—(A) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall require the processing for administrative separation of any member of the Armed Forces described in subsection (a)(2)(A) in response to the first substantiated violation

by the member of the policy required by subsection (a), when the member is not otherwise punitively discharged or dismissed from the Armed Forces for that violation.

Regulations.

(B) The Secretary of a military department shall revise regulations applicable to the Armed Forces under the jurisdiction of that Secretary as necessary to ensure compliance with the requirement under subparagraph (A).

(2) REQUIRED ELEMENTS.—(A) In imposing the requirement under paragraph (1), the Secretaries shall ensure that any separation decision regarding a member of the Armed Forces is based on the full facts of the case and that due process procedures are provided under existing law or regulations or additionally prescribed, as considered necessary by the Secretaries, pursuant to subsection (f).

(B) The requirement imposed by paragraph (1) shall not be interpreted to limit or alter the authority of the Secretary of a military department and the Secretary of the Department in which the Coast Guard is operating to process members of the Armed Forces for administrative separation—

(i) for reasons other than a substantiated violation of the policy required by subsection (a); or

(ii) under other provisions of law or regulation.

(3) SUBSTANTIATED VIOLATION.—For purposes of paragraph (1), a violation by a member of the Armed Forces described in subsection (a)(2)(A) of the policy required by subsection (a) shall be treated as substantiated if—

(A) there has been a court-martial conviction for violation of the policy, but the adjudged sentence does not include discharge or dismissal; or

(B) a nonjudicial punishment authority under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), has determined that a member has committed an offense in violation of the policy and imposed nonjudicial punishment upon the member.

(d) REPORT ON NEED FOR UCMJ PUNITIVE ARTICLE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the recommendations of the Secretary regarding the need to amend chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to create an additional article under subchapter X of such chapter to address violations of the policy required by subsection (a).

(e) DEFINITIONS.—In this section:

(1) The term "entry-level processing or training", with respect to a member of the Armed Forces, means the period beginning on the date on which the member became a member of the Armed Forces and ending on the date on which the member physically arrives at that member's first duty assignment following completion of initial entry training (or its equivalent), as defined by the Secretary of the military department concerned or the Secretary of the Department in which the Coast Guard is operating.

(2) The term "prospective member of the Armed Forces" means a person who has had a face-to-face meeting with a member of the Armed Forces assigned or attached to duty described in subsection (a)(3)(A) regarding becoming a member

of the Armed Forces, regardless of whether the person eventually becomes a member of the Armed Forces.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall issue such regulations as may be necessary to carry out this section. The Secretary of Defense shall ensure that, to the extent practicable, the regulations are uniform for each armed force under the jurisdiction of that Secretary. Deadline.

SEC. 1742. COMMANDING OFFICER ACTION ON REPORTS ON SEXUAL OFFENSES INVOLVING MEMBERS OF THE ARMED FORCES. 10 USC 1561 note.

(a) IMMEDIATE ACTION REQUIRED.—A commanding officer who receives a report of a sex-related offense involving a member of the Armed Forces in the chain of command of such officer shall act upon the report in accordance with subsection (b) immediately after receipt of the report by the commanding officer.

(b) ACTION REQUIRED.—The action required by this subsection with respect to a report described in subsection (a) is the referral of the report to the military criminal investigation organization with responsibility for investigating that offense of the military department concerned or such other investigation service of the military department concerned as the Secretary of the military department concerned may specify for purposes of this section.

SEC. 1743. EIGHT-DAY INCIDENT REPORTING REQUIREMENT IN RESPONSE TO UNRESTRICTED REPORT OF SEXUAL ASSAULT IN WHICH THE VICTIM IS A MEMBER OF THE ARMED FORCES. 10 USC 1561 note.

(a) INCIDENT REPORTING POLICY REQUIREMENT.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall establish and maintain a policy to require the submission by a designated person of a written incident report not later than eight days after an unrestricted report of sexual assault has been made in which a member of the Armed Forces is the victim. At a minimum, this incident report shall be provided to the following:

(1) The installation commander, if such incident occurred on or in the vicinity of a military installation.

(2) The first officer in the grade of 0–6, and the first general officer or flag officer, in the chain of command of the victim.

(3) The first officer in the grade of 0–6, and the first general officer or flag officer, in the chain of command of the alleged offender if the alleged offender is a member of the Armed Forces.

(b) PURPOSE OF REPORT.—The purpose of the required incident report under subsection (a) is to detail the actions taken or in progress to provide the necessary care and support to the victim of the assault, to refer the allegation of sexual assault to the appropriate investigatory agency, and to provide initial notification of the serious incident when that notification has not already taken place.

(c) ELEMENTS OF REPORT.—

(1) IN GENERAL.—The report of an incident under subsection (a) shall include, at a minimum, the following:

(A) Time/Date/Location of the alleged incident.

(B) Type of offense alleged.

(C) Service affiliation, assigned unit, and location of the victim.

(D) Service affiliation, assigned unit, and location of the alleged offender, including information regarding whether the alleged offender has been temporarily transferred or removed from an assigned billet or ordered to pretrial confinement or otherwise restricted, if applicable.

(E) Post-incident actions taken in connection with the incident, including the following:

(i) Referral of the victim to a Sexual Assault Response Coordinator for referral to services available to members of the Armed Forces who are victims of sexual assault, including the date of each such referral.

(ii) Notification of incident to appropriate military criminal investigative organization, including the organization notified and date of such notification.

(iii) Receipt and processing status of a request for expedited victim transfer, if applicable.

(iv) Issuance of any military protective orders in connection with the incident.

Determinations.

(2) MODIFICATION.—

(A) IN GENERAL.—The Secretary of Defense may modify the elements required in a report under this section regarding an incident involving a member of the Armed Forces (including the Coast Guard when it is operating as service in the Department of the Navy) if the Secretary determines that such modification will facilitate compliance with best practices for such reporting as identified by the Sexual Assault Prevention and Response Office of the Department of Defense.

(B) COAST GUARD.—The Secretary of the Department in which the Coast Guard is operating may modify the elements required in a report under this section regarding an incident involving a member of the Coast Guard if the Secretary determines that such modification will facilitate compliance with best practices for such reporting as identified by the Coast Guard Office of Work-Life Programs.

Deadline.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.

10 USC 834 note.

SEC. 1744. REVIEW OF DECISIONS NOT TO REFER CHARGES OF CERTAIN SEX-RELATED OFFENSES FOR TRIAL BY COURT-MARTIAL.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall require the Secretaries of the military departments to provide for review of decisions not to refer charges for trial by court-martial in cases where a sex-related offense has been alleged by a victim of the alleged offense.

(2) SPECIFIC REVIEW REQUIREMENTS.—As part of a review conducted pursuant to paragraph (1), the Secretary of a military department shall require that—

(A) consideration be given to the victim's statement provided during the course of the criminal investigation

regarding the alleged sex-related offense perpetrated against the victim; and

(B) a determination be made whether the victim's statement and views concerning disposition of the alleged sex-related offense were considered by the convening authority in making the referral decision.

(b) SEX-RELATED OFFENSE DEFINED.—In this section, the term "sex-related offense" means any of the following:

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of such title (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

(c) REVIEW OF CASES NOT REFERRED TO COURT-MARTIAL FOLLOWING STAFF JUDGE ADVOCATE RECOMMENDATION OF REFERRAL FOR TRIAL.—In any case where a staff judge advocate, pursuant to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), recommends that charges of a sex-related offense be referred for trial by court-martial and the convening authority decides not to refer any charges to a court-martial, the convening authority shall forward the case file to the Secretary of the military department concerned for review as a superior authorized to exercise general court-martial convening authority.

(d) REVIEW OF CASES NOT REFERRED TO COURT-MARTIAL FOLLOWING STAFF JUDGE ADVOCATE RECOMMENDATION NOT TO REFER FOR TRIAL.—In any case where a staff judge advocate, pursuant to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), recommends that charges of a sex-related offense should not be referred for trial by court-martial and the convening authority decides not to refer any charges to a court-martial, the convening authority shall forward the case file for review to the next superior commander authorized to exercise general court-martial convening authority.

(e) ELEMENTS OF CASE FILE.—A case file forwarded to higher authority for review pursuant to subsection (c) or (d) shall include the following:

(1) All charges and specifications preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice).

(2) All reports of investigations of such charges, including the military criminal investigative organization investigation report and the report prepared under section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), as amended by section 1702.

(3) A certification that the victim of the alleged sex-related offense was notified of the opportunity to express views on the victim's preferred disposition of the alleged offense for consideration by the convening authority.

(4) All statements of the victim provided to the military criminal investigative organization and to the victim's chain of command relating to the alleged sex-related offense and any statement provided by the victim to the convening authority

expressing the victim's view on the victim's preferred disposition of the alleged offense.

(5) The written advice of the staff judge advocate to the convening authority pursuant to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice).

(6) A written statement explaining the reasons for the convening authority's decision not to refer any charges for trial by court-martial.

(7) A certification that the victim of the alleged sex-related offense was informed of the convening authority's decision to forward the case as provided in subsection (c) or (d).

(f) NOTICE ON RESULTS OR REVIEW.—The victim of the alleged sex-related offense shall be notified of the results of the review conducted under subsection (c) or (d) in the manner prescribed by the victims and witness assistance program of the Armed Force concerned.

(g) VICTIM ALLEGATION OF SEX-RELATED OFFENSE.—The Secretary of Defense shall require the Secretaries of the military departments to develop a system to ensure that a victim of a possible sex-related offense under the Uniform Code of Military Justice is given the opportunity to state, either at the time of making an unrestricted report of the allegation or during the criminal investigation of the allegation, whether or not the victim believes that the offense alleged is a sex-related offense subject to the requirements of this section.

10 USC 1561 note.

SEC. 1745. INCLUSION AND COMMAND REVIEW OF INFORMATION ON SEX-RELATED OFFENSES IN PERSONNEL SERVICE RECORDS OF MEMBERS OF THE ARMED FORCES.

(a) INFORMATION ON REPORTS ON SEX-RELATED OFFENSES.—

(1) IN GENERAL.—If a complaint of a sex-related offense is made against a member of the Armed Forces and the member is convicted by court-martial or receives non-judicial punishment or punitive administrative action for such sex-related offense, a notation to that effect shall be placed in the personnel service record of the member, regardless of the member's grade.

(2) PURPOSE.—The purpose of the inclusion of information in personnel service records under paragraph (1) is to alert commanders to the members of their command who have received courts-martial conviction, non-judicial punishment, or punitive administrative action for sex-related offenses in order to reduce the likelihood that repeat offenses will escape the notice of commanders.

(b) LIMITATION ON PLACEMENT.—A notation under subsection (a) may not be placed in the restricted section of the personnel service record of a member.

(c) CONSTRUCTION.—Nothing in subsection (a) or (b) may be construed to prohibit or limit the capacity of a member of the Armed Forces to challenge or appeal the placement of a notation, or location of placement of a notation, in the member's personnel service record in accordance with procedures otherwise applicable to such challenges or appeals.

(d) COMMAND REVIEW OF HISTORY OF SEX-RELATED OFFENSES OF MEMBERS UPON ASSIGNMENT OR TRANSFER TO NEW UNIT.—

Regulations.

(1) REVIEW REQUIRED.—Under uniform regulations prescribed by the Secretary of Defense, the commanding officer of a facility, installation, or unit to which a member of the

Armed Forces described in paragraph (2) is permanently assigned or transferred shall review the history of sex-related offenses as documented in the personnel service record of the member in order to familiarize such officer with such history of the member.

(2) COVERED MEMBERS.—A member of the Armed Forces described in this paragraph is a member of the Armed Forces who, at the time of assignment or transfer as described in paragraph (1), has a history of one or more sex-related offenses as documented in the personnel service record of such member or such other records or files as the Secretary shall specify in the regulations prescribed under paragraph (1).

SEC. 1746. PREVENTION OF SEXUAL ASSAULT AT MILITARY SERVICE ACADEMIES.

10 USC 4361 note.

The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy include a section in the curricula of that military service academy that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the Armed Forces. Such curricula section shall include a brief history of the problem of sexual assault in the Armed Forces, a definition of sexual assault, information relating to reporting a sexual assault, victims' rights, and dismissal and dishonorable discharge for offenders. Training in such section in the curricula shall be provided within 14 days after the initial arrival of a new cadet or midshipman at that military service academy and repeated annually thereafter.

Deadline.

SEC. 1747. REQUIRED NOTIFICATION WHENEVER MEMBERS OF THE ARMED FORCES ARE COMPLETING STANDARD FORM 86 OF THE QUESTIONNAIRE FOR NATIONAL SECURITY POSITIONS.

10 USC 1564 note.

(a) NOTIFICATION OF POLICY.—Whenever a member of the Armed Forces is required to complete Standard Form 86 of the Questionnaire for National Security Positions in connection with an application, investigation, or reinvestigation for a security clearance, the member shall be notified of the policy described in subsection (b) regarding question 21 of such form.

(b) POLICY DESCRIBED.—The policy referred to in subsection (a) is the policy of instructing an individual to answer "no" to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if—

(1) the individual is a victim of a sexual assault; and

(2) the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault.

Subtitle F—Sense of Congress Provisions

SEC. 1751. SENSE OF CONGRESS ON COMMANDING OFFICER RESPONSIBILITY FOR COMMAND CLIMATE FREE OF RETALIATION.

It is the sense of Congress that—

(1) commanding officers in the Armed Forces are responsible for establishing a command climate in which sexual assault allegations are properly managed and fairly evaluated

and in which a victim can report criminal activity, including sexual assault, without fear of retaliation, including ostracism and group pressure from other members of the command;

(2) the failure of commanding officers to maintain such a command climate is an appropriate basis for relief from their command positions; and

(3) senior officers should evaluate subordinate commanding officers on their performance in establishing a command climate as described in paragraph (1) during the regular periodic counseling and performance appraisal process prescribed by the Armed Force concerned for inclusion in the systems of records maintained and used for assignment and promotion selection boards.

SEC. 1752. SENSE OF CONGRESS ON DISPOSITION OF CHARGES INVOLVING CERTAIN SEXUAL MISCONDUCT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE THROUGH COURTS-MARTIAL.

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

(1) any charge regarding an offense specified in subsection (b) should be disposed of by court-martial, rather than by non-judicial punishment or administrative action; and

(2) in the case of any charge regarding an offense specified in subsection (b) that is disposed of by non-judicial punishment or administrative action, rather than by court-martial, the disposition authority should include in the case file a justification for the disposition of the charge by non-judicial punishment or administrative action, rather than by court-martial.

(b) COVERED OFFENSES.—An offense specified in this subsection is any of the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of such title (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of such title (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2), as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

SEC. 1753. SENSE OF CONGRESS ON THE DISCHARGE IN LIEU OF COURT-MARTIAL OF MEMBERS OF THE ARMED FORCES WHO COMMIT SEX-RELATED OFFENSES.

It is the sense of Congress that—

(1) the Armed Forces should be exceedingly sparing in discharging in lieu of court-martial members of the Armed Forces who have committed rape, sexual assault, forcible sodomy, or attempts to commit such offenses, and should do so only when the facts of the case clearly warrant such discharge;

(2) whenever possible, the victims of offenses referred to in paragraph (1) shall be consulted prior to the determination regarding whether to discharge the members who committed such offenses;

(3) convening authorities should consider the views of victims of offenses referred to in paragraph (1) when determining whether to discharge the members who committed such offenses in lieu of trying such members by court-martial; and

(4) the discharge of any member who is discharged as described in paragraph (1) should be characterized as Other Than Honorable.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Military Construction Authorization Act for Fiscal Year 2014.

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.
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Limitation on construction of cadet barracks at United States Military Academy, New York.
Sec. 2105. Additional authority to carry out certain fiscal year 2004 project.
Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.
Sec. 2107. Modification of authority to carry out certain fiscal year 2011 project.
Sec. 2108. Extension of authorizations of certain fiscal year 2010 projects.
Sec. 2109. Extension of authorizations of certain fiscal year 2011 projects.

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

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military

construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	$103,000,000
Colorado	Fort Carson, Colorado	$242,200,000
Florida	Eglin Air Force Base	$4,700,000
Georgia	Fort Gordon	$61,000,000
Hawaii	Fort Shafter	$70,000,000
Kansas	Fort Leavenworth	$17,000,000
Kentucky	Fort Campbell, Kentucky	$4,800,000
Maryland	Aberdeen Proving Ground	$21,000,000
	Fort Detrick	$7,100,000
Missouri	Fort Leonard Wood	$90,700,000
North Carolina	Fort Bragg	$5,900,000
Texas	Fort Bliss	$46,800,000
Virginia	Joint Base Langley-Eustis	$50,000,000
Washington	Joint Base Lewis-McChord	$144,000,000
	Yakima	$9,100,00

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Japan	Kyoga-Misaki	$33,000,000
Marshall Islands	Kwajalein Atoll	$63,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may 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

Country	Installation	Units	Amount
Germany	South Camp Vilseck.	29	$16,600,000
Wisconsin	Fort McCoy	56	$23,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,408,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—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 as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $64,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for cadet barracks increment 2 at the United States Military Academy, New York).

SEC. 2104. LIMITATION ON CONSTRUCTION OF CADET BARRACKS AT UNITED STATES MILITARY ACADEMY, NEW YORK.

Certification.
Contracts.

No amounts may be obligated or expended for the construction of increment 2 of the Cadet Barracks at the United States Military Academy, New York, as 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), until the Secretary of the Army certifies to the congressional defense committees that the Secretary intends to award a contract for the renovation of MacArthur Short Barracks at the United States Military Academy concurrent with assuming beneficial occupancy of the renovated Scott Barracks at the United States Military Academy.

SEC. 2105. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

(a) PROJECT AUTHORIZATION.—In connection with 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 a Research and Development Loading Facility, the Secretary of the Army may carry out a military construction project in the amount of $4,500,000 to complete work on the facility within the initial scope of the project.

(b) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a).

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

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

SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4437) for Fort Lewis, Washington, for construction of a Regional Logistic Support Complex at the installation, the Secretary of the Army may construct up to 98,381 square yards of Organizational Vehicle Parking.

SEC. 2108. 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 (126 Stat. 2628) and extended by section 2106 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2121), 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

State	Installation or Location	Project	Amount
Virginia	Fort Belvoir	Road and Access Control Point	$9,500,000
Washington	Fort Lewis	Fort Lewis-McChord AFB Joint Access	$9,000,000
Kuwait	Camp Arifjian.	APS Warehouses	$82,000,000

SEC. 2109. 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

State	Installation or Location	Project	Amount
California	Presidio of Monterey.	Advanced Individual Training Barracks	$63,000,000
Georgia	Fort Benning	Land Acquisition	$12,200,000
New Mexico ..	White Sands Missile Range.	Barracks	$29,000,000
Germany	Wiesbaden Air Base.	Access Control Point	$5,100,000

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. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Barstow	$14,998,000
	Camp Pendleton	$13,124,000
	Coronado	$8,910,000
	Point Mugu	$24,667,000
	Port Hueneme	$33,600,000
	San Diego	$34,331,000
	Twentynine Palms	$33,437,000
Florida	Jacksonville	$20,752,000
	Key West	$14,001,000
	Mayport	$16,093,000
Georgia	Albany	$16,610,000
	Savannah	$61,717,000
Guam	Joint Region Marianas	$318,377,000
Hawaii	Kaneohe Bay	$236,982,000
	Pearl City	$30,100,000
	Pearl Harbor	$57,998,000
Illinois	Great Lakes	$35,851,000
Maine	Bangor	$13,800,000
	Kittery	$11,522,000
Maryland	Fort Meade	$83,988,000

Navy: Inside the United States—Continued

State	Installation or Location	Amount
Nevada	Fallon	$11,334,000
North Carolina	Camp Lejeune	$77,999,000
	New River	$45,863,000
Oklahoma	Tinker Air Force Base	$14,144,000
Rhode Island	Newport	$12,422,000
South Carolina	Charleston	$73,932,000
Virginia	Dam Neck	$10,587,000
	Norfolk	$3,380,000
	Quantico	$38,374,000
	Yorktown	$18,700,000
Washington	Bremerton	$18,189,000
	Whidbey Island	$117,649,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	$29,000,000
Japan	Camp Butler	$5,820,000
	Yokosuka	$7,568,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may 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 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $68,969,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—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, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853

of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act and the projects described in paragraphs (2) and (3) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $357,877,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).

(3) $68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam).

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, the Secretary of the Navy may construct additional Type C earth covered magazines (to provide a project total of eighteen), ten new modular storage magazines, an inert storage facility, a maintenance and ground support equipment facility, concrete pads for portable ready service lockers, and associated supporting facilities using appropriations available for the project.

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

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

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

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

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

Navy: Extension of 2011 Project Authorizations

State/Country	Installation or Location	Project	Amount
Bahrain	Southwest Asia	Navy Central Command Ammunition Magazines	$89,280,000
Guam	Naval Activities, Guam.	Defense Access Roads Improvements	$66,730,000

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. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Limitation on project authorization to carry out certain fiscal year 2014 project.
Sec. 2306. Modification of authority to carry out certain fiscal year 2013 project.
Sec. 2307. Extension of authorization of certain fiscal year 2011 project.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arizona	Luke Air Force Base	$26,900,000
California	Beale Air Force Base	$62,000,000
Florida	Tyndall Air Force Base	$9,100,000
Guam	Joint Region Marianas	$176,230,000
Hawaii	Joint Base Pearl Harbor-Hickam.	$4,800,000
Kansas	McConnell Air Force Base	$219,120,000
Kentucky	Fort Campbell	$8,000,000
Mariana Islands	Saipan	$29,300,000
Maryland	Fort Meade	$358,000,000
	Joint Base Andrews	$30,000,000
Missouri	Whiteman Air Force Base	$5,900,000
New Mexico	Cannon Air Force Base	$34,100,000
	Holloman Air Force Base	$2,250,000
	Kirtland Air Force Base	$30,500,000
Nevada	Nellis Air Force Base	$78,500,000
.....	.....	.....
North Dakota	Minot Air Force Base	$23,830,000
Oklahoma	Altus Air Force Base	$30,850,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
	Tinker Air Force Base	$8,600,000
Texas	Fort Bliss	$3,350,000
Utah	Hill Air Force Base	$32,000,000
Virginia	Joint Base Langley-Eustis	$4,800,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Greenland	Thule AB	$43,904,000
United Kingdom	RAF Lakenheath	$22,047,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,267,000.

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 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $72,093,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act and the project described in paragraph (2) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $69,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1670) for the United States Strategic Command Headquarters at Offutt Air Force Base, Nebraska).

SEC. 2305. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

Reports.

No amounts may be obligated or expended for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility in the Commonwealth of the Northern Mariana Islands, as authorized by section 2301(a), until the Secretary of the Air Force submits a report to the congressional defense committees that provides—

(1) a summary of alternatives considered to support divert-field operations associated with Andersen Air Force Base;

(2) a description of the overall construction requirements to support divert-field operations associated with Andersen Air Force Base and any other alternative considered; and

(3) a comparison of the costs and benefits of leasing, as compared to purchasing real estate in fee, that supports the entirety of the divert-field requirement.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

The table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2126) is amended in the item relating to Andersen Air Force Base, Guam, for construction of a hangar by striking "$58,000,000" in the amount column and inserting "$128,000,000".

SEC. 2307. 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 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:

Air Force: Extension of 2011 Project Authorization

State	Installation or Location	Project	Amount
Bahrain	Southwest Asia	North Apron Expansion ..	$45,000,000

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.
Sec. 2403. Authorization of appropriations, Defense Agencies.

Subtitle B—Chemical Demilitarization Authorizations
Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Base	$17,204,000
	Fort Greely	$82,000,000
California	Brawley	$23,095,000
	Defense Distribution Depot-Tracy	$37,554,000
	Miramar	$6,000,000
Colorado	Fort Carson	$22,282,000
Florida	Hurlburt Field	$7,900,000
	Jacksonville	$7,500,000
	Key West	$3,600,000
	Panama City	$2,600,000
	Tyndall Air Force Base	$9,500,000
Georgia	Fort Benning	$43,335,000
	Fort Stewart	$44,504,000
	Hunter Army Airfield	$13,500,000
	Moody Air Force Base	$3,800,000
Hawaii	Ford Island	$2,615,000
	Joint Base Pearl Harbor-Hickam	$2,800,000
Kentucky	Fort Campbell	$124,211,000
	Fort Knox	$303,023,000
Maryland	Aberdeen Proving Ground	$210,000,000
	Bethesda Naval Hospital	$66,800,000
Massachusetts	Hanscom Air Force Base	$36,213,000
New Jersey	Joint Base Mcguire-Dix-Lakehurst	$10,000,000
New Mexico	Holloman Air Force Base	$81,400,000
North Carolina	Camp Lejeune	$43,377,000
	Fort Bragg	$172,065,000
North Dakota	Minot Air Force Base	$6,400,000
Oklahoma	Altus Air Force Base	$2,100,000
	Tinker Air Force Base	$36,000,000
Pennsylvania	Defense Distribution Depot New Cumberland	$9,000,000
South Carolina	Beaufort	$41,324,000
Tennessee	Arnold Air Force Base	$2,200,000
Texas	Joint Base San Antonio	$12,600,000
Virginia	Dam Neck	$11,147,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
	Defense Distribution Depot Richmond	$87,000,000
	Joint Expeditionary Base Little Creek - Story	$30,404,000
	Pentagon	$57,600,000
	Quantico	$40,586,000
Washington	Whidbey Island	$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	$45,400,000
Belgium	Brussels	$67,613,000
Germany	Kaiserlautern Air Base	$49,907,000
	Ramstein Air Base	$98,762,000
	Weisbaden	$109,655,000
Japan	Atsugi	$4,100,000
	Iwakuni	$34,000,000
	Kadena Air Base	$38,792,000
	Kyoga-Misaki	$15,000,000
	Torri Commo Station	$71,451,000
	Yokosuka	$10,600,000
Korea	Camp Walker	$52,164,000
United Kingdom	Royal Air Force Lakenheath	$69,638,000
	Royal Air Force Mildenhall	$84,629,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	$2,700,000
California	MCAS Miramar	$17,968,000
	Parks DRTA	$4,150,000
Florida	NAS Jacksonville	$2,840,000

Energy Conservation Projects: Inside the United States— Continued

State	Installation or Location	Amount
Hawaii	Camp Smith	$7,966,000
	Hickam	$3,100,000
	Hickam	$3,000,000
Idaho	Mountain Home	$2,630,000
Kansas	Tokepka Readiness Center	$2,050,000
Massachusetts	Devens	$2,600,000
New York	US Military Academy	$3,200,000
South Carolina	Shaw	$2,500,000
Texas	NAS Corpus Christi	$2,340,000
	Sheppard	$3,779,000
	Laughlin	$2,800,000
Utah	Dugway Proving Ground	$9,966,000
	Tooele Army Depot	$5,900,000
	Tooele Army Depot	$5,500,000
	Tooele Army Depot	$4,300,000
Virginia	NSA Hampton Roads	$4,060,000
	Pentagon	$2,120,000
Various Locations	Various Locations	$20,476,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein	$2,140,000
Greenland	Thule	$5,175,000
Italy	NAS Sigonella	$3,300,000
Japan	CFA Sasebo	$14,766,000
	Yokota	$5,674,000
Various Locations	Various Locations	$3,000,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—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), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section

2401 of this Act and the projects described in paragraphs (2) through (11) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $190,000,000 (the balance of the amount authorized under section 2401(a) for an Ambulatory Care Center at Fort Knox, Kentucky).

(3) $135,000,000 (the balance of the amount authorized under section 2401(a) for a Public Health Command, Aberdeen Proving Ground, Maryland).

(4) $45,600,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2128) for NSAW Recapitalize Building #1 at Fort Meade, Maryland).

(5) $20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2129) for the Aegis Ashore Missile Defense System Complex at Deveselu, Romania).

(6) $175,639,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for a data center at Fort Meade, Maryland).

(7) $11,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center Phase III at Joint Base Andrews, Maryland).

(8) $134,900,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center Phase III at Joint Base San Antonio, Texas).

(9) $715,863,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(10) $412,869,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

(11) $41,913,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under subsection (a) and the project described in paragraph (2) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $36,433,000 (the balance of the amount authorized for ammunition demilitarization at Blue Grass Army Depot, Kentucky, by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as most recently amended by section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B Public Law 111–383; 124 Stat. 4450).

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

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

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

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
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 authorizations of certain fiscal year 2011 projects.

Subtitle A—Project Authorizations and Authorization of Appropriations

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

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Decatur	$4,000,000
Arkansas	Fort Chaffee	$21,000,000
Florida	Pinellas Park	$5,700,000
Illinois	Kankakee	$42,000,000
Massachusetts	Camp Edwards	$19,000,000
Michigan	Camp Grayling	$17,000,000
Minnesota	Stillwater	$17,000,000
Mississippi	Camp Shelby	$3,000,000
	Pascagoula	$4,500,000
Missouri	Macon	$9,100,000
	Whiteman AFB	$5,000,000
New York	New York	$31,000,000
Ohio	Ravenna Army Ammunition Plant	$5,200,000
Pennsylvania	Fort Indiantown Gap	$40,000,000
Puerto Rico	Camp Santiago	$5,600,000
South Carolina	Greenville	$26,000,000
Texas	Fort Worth	$14,270,000
Wyoming	Afton	$10,200,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Camp Parks	$17,500,000
	Fort Hunter Liggett	$16,500,000
Maryland	Bowie	$25,500,000
North Carolina	Fort Bragg	$24,500,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$36,200,000
New York	Bullville	$14,500,000
Wisconsin	Fort McCoy	$23,400,000

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 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	March Air Force Base	$11,086,000
Missouri	Kansas City	$15,020,000
Tennessee	Memphis	$4,330,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Birmingham International Airport	$8,500,000
Indiana	Hulman Regional Airport	$7,300,000
Maryland	Fort Meade	$4,000,000

Air National Guard—Continued

State	Location	Amount
	Martin State Airport	$8,000,000
Montana	Great Falls International Airport	$22,000,000
New York	Fort Drum	$4,700,000
Ohio	Springfield Beckley-Map	$7,200,000
Pennsylvania	Fort Indiantown Gap	$7,700,000
Rhode Island	Quonset State Airport	$6,000,000
Tennessee	Mcghee-Tyson Airport	$18,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Force Base	$19,900,000
Florida	Homestead Air Reserve Base	$9,800,000
Oklahoma	Tinker Air Force Base	$12,200,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—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), as specified in the funding table in section 4601.

Certification.

(b) LIMITATION ON COMMENCING CERTAIN PROJECTS.—No amounts may be obligated or expended for the projects associated with the 175th Network Warfare Squadron Facility at Fort Meade, Maryland, or the Cyber/ISR Facility at Martin State Airport, Maryland, as authorized by section 2604, until the date on which the Commander of the United States Cyber Command certifies to the congressional defense committees, and provides adequate supporting documentation, that—

(1) the scope of the military construction projects referred to in this subsection is consistent with the organizational manning construct being developed by the United States Cyber Command;

(2) units operating within such facilities will be trained to the readiness standards set by the Armed Force concerned and the United States Cyber Command for the missions to which these units will be assigned;

(3) plans for proper mitigation measures will be implemented to prevent inadvertent disclosure of classified information; and

(4) rules exist or will be developed to control access to classified systems operating pursuant to authorities under title 10, United States Code, when operations are conducted pursuant to authorities under title 32, United States Code.

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 amounts appropriated for the project pursuant to the authorization of appropriations in section 2606 of such Act (126 Stat. 2136).

SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (124 Stat. 4452, 4453, 4454), 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:

Extension of 2011 National Guard and Reserve Project Authorizations

State	Installation or Location	Project	Amount
Puerto Rice	Camp Santiago	Multi Purpose Machine Gun Range	$9,200,000
Tennessee	Nashville International Airport	Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group	$5,500,000
Virginia	Fort Story	Army Reserve Center	$11,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

Subtitle B—Other Matters

Sec. 2711. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.
Sec. 2712. Elimination of quarterly certification requirement regarding availability of military health care in National Capital Region.
Sec. 2713. Report on 2005 base closure and realignment joint basing initiative.

Subtitle A—Authorization of Appropriations

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 established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2711. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

SEC. 2712. ELIMINATION OF QUARTERLY CERTIFICATION REQUIREMENT REGARDING AVAILABILITY OF MILITARY HEALTH CARE IN NATIONAL CAPITAL REGION.

Section 1674(c) of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 483) is amended by striking "on a quarterly basis".

SEC. 2713. REPORT ON 2005 BASE CLOSURE AND REALIGNMENT JOINT BASING INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the 2005 base closure and realignment joint basing initiative.

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

(1) An analysis and explanation of the costs necessary to implement the joint basing initiative.

(2) An analysis and explanation of any savings achieved to date and planned in future years, including quantifiable goals and a timeline for meeting such goals.

(3) A description of implementation challenges and other lessons learned.

(4) An assessment of any additional savings that could be achieved through more rigorous management and streamlined administration of joint bases.

(5) Any other matters the Under Secretary considers appropriate.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Modification and extension of authority to utilize unspecified minor military construction authority for laboratory revitalization projects.
Sec. 2802. Repeal of separate authority to enter into limited partnerships with private developers of housing.
Sec. 2803. Military construction standards to improve force protection.
Sec. 2804. Application of cash payments received for utilities and services.
Sec. 2805. Repeal of advance notification requirement for use of military housing investment authority.
Sec. 2806. Additional element for annual report on military housing privatization projects.
Sec. 2807. Policies and requirements regarding overseas military construction and closure and realignment of United States military installations in foreign countries.
Sec. 2808. Extension and modification of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.
Sec. 2809. Limitation on construction projects in European Command area of responsibility.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Development of master plans for major military installations.
Sec. 2812. Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements.
Sec. 2813. Modification of authority to enter into long-term contracts for receipt of utility services as consideration for utility systems conveyances.
Sec. 2814. Report on efficient utilization of Department of Defense real property.
Sec. 2815. Conditions on Department of Defense expansion of Piñon Canyon Maneuver Site, Fort Carson, Colorado.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

Sec. 2821. Change from previous calendar year to previous fiscal year for period covered by annual report of Interagency Coordination Group of Inspectors General for Guam Realignment.
Sec. 2822. Realignment of Marines Corps forces in Asia-Pacific Region.

Subtitle D—Land Conveyances

Sec. 2831. Real property acquisition, Naval Base Ventura County, California.
Sec. 2832. Land conveyance, former Oxnard Air Force Base, Ventura County, California.
Sec. 2833. Land conveyance, Joint Base Pearl Harbor-Hickam, Hawaii.
Sec. 2834. Land conveyance, Philadelphia Naval Shipyard, Philadelphia, Pennsylvania.
Sec. 2835. Land conveyance, Camp Williams, Utah.
Sec. 2836. Conveyance, Air National Guard radar site, Francis Peak, Wasatch Mountains, Utah.
Sec. 2837. Land conveyances, former United States Army Reserve Centers, Connecticut, New Hampshire, and Pennsylvania.

Subtitle E—Other Matters

Sec. 2841. Repeal of annual Economic Adjustment Committee reporting requirement.

Sec. 2842. Establishment of military divers memorial.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. MODIFICATION AND EXTENSION OF AUTHORITY TO UTILIZE UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITY FOR LABORATORY REVITALIZATION PROJECTS.

(a) MODIFICATION AND EXTENSION OF AUTHORITY.—Section 2805(d) of title 10, United States Code, is amended—

(1) in paragraph (1)(A), by striking "not more than $2,000,000" and inserting "not more than $4,000,000, notwithstanding subsection (c)";

(2) in paragraph (2), by striking the first sentence and inserting the following: "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."; and

(3) in paragraph (5), by striking "2016" and inserting "2018".

10 USC 2805 note.

(b) NO APPLICATION TO CURRENT PROJECTS.—The amendments made by subsection (a) 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. REPEAL OF SEPARATE AUTHORITY TO ENTER INTO LIMITED PARTNERSHIPS WITH PRIVATE DEVELOPERS OF HOUSING.

(a) REPEAL.—

(1) IN GENERAL.—Section 2837 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 169 of such title is amended by striking the item relating to section 2837.

10 USC prec. 2821.

10 USC 2837 note.

(b) EFFECT ON EXISTING CONTRACTS.—The repeal of section 2837 of title 10, United States Code, shall not affect the validity or terms of any contract in connection with a limited partnership under subsection (a) or a collateral incentive agreement under subsection (b) of such section entered into before the date of the enactment of this Act.

10 USC 2837 note.

(c) EFFECT ON DEFENSE HOUSING INVESTMENT ACCOUNT.—Any unobligated amounts remaining in the Defense Housing Investment Account on the date of the enactment of this Act shall be transferred to the Department of Defense Family Housing Improvement Fund. Amounts transferred shall be merged with amounts in such fund and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund.

SEC. 2803. MILITARY CONSTRUCTION STANDARDS TO IMPROVE FORCE PROTECTION.

(a) CONSIDERATION OF OTHER AVAILABLE SECURITY OR FORCE-PROTECTION MEASURES.—Section 2859(a)(2) of title 10, United States Code, is amended by striking "develop construction standards

designed" and inserting "develop construction standards that, taking into consideration other security or force-protection measures available for the facility or military installation concerned, are designed".

(b) REPORT ON CURRENT AND ADDITIONAL SECURITY SYSTEMS AND TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than June 1, 2014, the Secretary of Defense shall submit to the congressional defense committees a report describing and evaluating—

(A) current expeditionary physical barrier systems; and

(B) new systems or technologies that are being used for, or can be adopted for use for, force protection, including providing blast protection for forces supporting contingency operations.

(2) ELEMENTS.—The report required by this subsection shall include the following:

(A) A review of current and projected threats in connection with force protection, a description of any recent changes to policies on force protection, and an assessment of current planning methods on force protection, including standoff distances and physical barriers, to provide consistent and adequate levels of force protection.

(B) An assessment of the use of expeditionary physical barrier systems to meet the goals of the combatant commands for force protection and force resiliency.

(C) A description of the specifications developed by the Department of Defense to meet requirements for effectiveness, affordability, lifecycle management, and reuse or disposal of expeditionary physical barrier systems.

(D) A description of the process used within the Department to ensure appropriate consideration of the decommissioning cost, environmental impact, and subsequent disposal of expeditionary physical barrier materials in the procurement process for such materials.

(E) An assessment of the availability of new technologies or designs that improve the capabilities or lifecycle costs of expeditionary physical barrier systems.

(3) FORMS OF REPORT.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 2804. APPLICATION OF CASH PAYMENTS RECEIVED FOR UTILITIES AND SERVICES.

Section 2872a(c)(2) of title 10, United States Code, is amended—

(1) by striking "under paragraph (1) shall be" and all that follows through "was paid." and inserting the following: "under paragraph (1) as reimbursement for the cost of furnishing utilities or services shall—

"(A) in the case of a cost paid using funds appropriated or otherwise made available before October 1, 2014, be credited to the appropriation or working capital account from which the cost of furnishing utilities or services concerned was paid; or

"(B) in the case of a cost paid using funds appropriated or otherwise made available on or after October 1, 2014, be

credited to the appropriation or working capital account currently available for the purpose of furnishing utilities or services under subsection (a).''; and

(2) by striking ''Amounts so credited'' and inserting the following:

''(3) Amounts credited under paragraph (2)''.

SEC. 2805. REPEAL OF ADVANCE NOTIFICATION REQUIREMENT FOR USE OF MILITARY HOUSING INVESTMENT AUTHORITY.

Section 2875 of title 10, United States Code, is amended by striking subsection (e).

SEC. 2806. ADDITIONAL ELEMENT FOR ANNUAL REPORT ON MILITARY HOUSING PRIVATIZATION PROJECTS.

Section 2884(c)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: '', to specifically include any unique variances associated with litigation costs''.

SEC. 2807. POLICIES AND REQUIREMENTS REGARDING OVERSEAS MILITARY CONSTRUCTION AND CLOSURE AND REALIGNMENT OF UNITED STATES MILITARY INSTALLATIONS IN FOREIGN COUNTRIES.

(a) OVERSEAS BASE CLOSURES AND REALIGNMENTS AND BASING MASTER PLANS.—Section 2687a of title 10, United States Code, is amended to read as follows:

''§ 2687a. Overseas base closures and realignments and basing master plans

''(a) ANNUAL REPORT ON STATUS OF OVERSEAS CLOSURES AND REALIGNMENTS AND MASTER PLANS.—(1) At the same time that the budget is submitted under section 1105(a) of title 31 for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on—

''(A) the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and

''(B) the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations.

''(2) A report under paragraph (1) shall address the following:

''(A) How the master plans described in paragraph (1)(B) would support the security commitments undertaken by the United States pursuant to any international security treaty.

''(B) The impact of such plans on the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

''(C) Any comments of the Secretary of Defense resulting from an interagency review of these plans that includes the Department of State and other Federal departments and agencies that the Secretary of Defense considers necessary for national security.

''(b) DEPARTMENT OF DEFENSE OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY ACCOUNT.—(1) Except as provided in subsection (c), amounts paid to the United States, pursuant to any treaty, status of forces agreement, or other international agreement

to which the United States is a party, for the residual value of real property or improvements to real property used by civilian or military personnel of the Department of Defense shall be deposited into the Department of Defense Overseas Military Facility Investment Recovery Account.

"(2) Money deposited in the Department of Defense Overseas Military Facility Investment Recovery Account shall be available to the Secretary of Defense for payment, as provided in appropriation Acts, of costs incurred by the Department of Defense in connection with—

"(A) military construction, facility maintenance and repair, and environmental restoration at military installations in the United States; and

"(B) military construction, facility maintenance and repair, and compliance with applicable environmental laws at military installations outside the United States at which the Secretary anticipates the United States will have an enduring presence.

"(3) Funds in the Department of Defense Overseas Facility Investment Recovery Account shall remain available until expended.

"(4) Not later than December 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report detailing all expenditures made from the Department of Defense Overseas Facility Investment Recovery Account during the preceding fiscal year. Deadline. Reports.

"(c) TREATMENT OF AMOUNTS CORRESPONDING TO THE VALUE OF PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—In the case of a payment referred to in subsection (b)(1) for the residual value of real property or improvements at an overseas military facility, the portion of the payment that is equal to the depreciated value of the investment made with nonappropriated funds 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 (Public Law 100–526; 10 U.S.C. 2687 note). The Secretary of Defense may use amounts in the account (in such an aggregate amount as is provided in advance by appropriation Acts) for the purpose of acquiring, constructing, or improving commissary stores and nonappropriated fund instrumentalities.

"(d) OMB REVIEW OF PROPOSED OVERSEAS BASING SETTLEMENTS.—(1) The Secretary of Defense may not enter into an agreement of settlement with a host country regarding the release to the host country of improvements made by the United States to facilities at an installation located in the host country until 30 days after the date on which the Secretary submits the proposed settlement to the Director of the Office of Management and Budget. The prohibition set forth in the preceding sentence shall apply only to agreements of settlement for improvements having a value in excess of $10,000,000. The Director shall evaluate the overall equity of the proposed settlement. In evaluating the proposed settlement, the Director shall consider such factors as the extent of the United States capital investment in the improvements being released to the host country, the depreciation of the improvements, the condition of the improvements, and any applicable requirements for environmental remediation or restoration at the installation. Deadline. Applicability. Evaluation.

"(2) Each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on each proposed agreement of settlement Reports.

that was not submitted by the Secretary to the Director of the Office of Management and Budget in the previous year under paragraph (1) because the value of the improvements to be released pursuant to the proposed agreement did not exceed $10,000,000.

Contracts.
Notifications.

"(e) CONGRESSIONAL OVERSIGHT OF USE OF PAYMENTS-IN-KIND FOR CONSTRUCTION OR OPERATIONS.—(1) Before concluding an agreement for acceptance of military construction or facility improvements as a payment-in-kind, the Secretary of Defense shall submit to the congressional defense committees a notification on the proposed agreement. Any such notification shall contain the following:

"(A) A description of the military construction project or facility improvement project.

"(B) An explanation of the military requirement to be satisfied with the project.

"(C) A certification that the project is included in the current future-years defense program.

"(2) Before concluding an agreement for acceptance of host nation support or host nation payment of operating costs of United States forces as a payment-in-kind, the Secretary of Defense shall submit to the congressional defense committees a notification on the proposed agreement. Any such notification shall contain the following:

"(A) A description of each activity to be covered by the payment-in-kind.

"(B) A certification that the costs to be covered by the payment-in-kind are included in the budget of one or more of the military departments or that it will otherwise be necessary to provide for payment of such costs in a budget of one or more of the military departments in the current or the next fiscal year.

Time periods.
Records.

"(3) When the Secretary of Defense submits a notification of a proposed agreement under paragraph (1) or (2), the Secretary may then enter into the agreement described in the notification only after the end of the 30-day period beginning on the date on which the notification is submitted or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

"(f) AUTHORIZED USE OF PAYMENTS-IN-KIND.—(1) A military construction project, as defined in chapter 159 of this title, may be accepted as a payment-in-kind contribution pursuant to a bilateral agreement with a host country only if that military construction project is authorized by law.

"(2) Operations of United States forces may be funded through a payment-in-kind contribution under this section only if the costs covered by such payment are included in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget submitted under 1105 of title 31.

"(3) If funds previously appropriated for a military construction project, facility improvement, or operating costs are subsequently addressed in an agreement for a payment-in-kind contribution, the Secretary of Defense shall return to the Treasury funds in the amount equal to the value of the appropriated funds.

"(4) This subsection does not apply to a military construction project that—

"(A) was specified in a bilateral agreement with a host country that was entered into prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014;

"(B) was accepted as payment-in-kind for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 10 U.S.C. 2687 note) prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014; or

"(C) subject to paragraph (5), will cost less than the cost specified in subsection (a)(2) of section 2805 of this title for certain unspecified minor military construction projects.

"(5) In the case of a military construction project excluded pursuant to paragraph (4)(C) whose cost will exceed the cost specified in subsection (b) of section 2805 of this title for certain unspecified minor military construction projects, the congressional notification requirements and waiting period specified in paragraph (2) of such subsection shall apply. Applicability.

"(g) DEFINITIONS.—In this section:

"(1) The term 'fair market value of the improvements' means the value of improvements determined by the Secretary of Defense on the basis of their highest use.

"(2) The term 'improvements' includes new construction of facilities and all additions, improvements, modifications, or renovations made to existing facilities or to real property, without regard to whether they were carried out with appropriated or nonappropriated funds.

"(3) The term 'nonappropriated funds' means funds received from—

"(A) the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of this title; or

"(B) a nonappropriated fund instrumentality.

"(4) 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.".

(b) REPEAL OF SUPERSEDED PROVISIONS RELATED TO OVERSEAS BASE CLOSURES AND REALIGNMENTS .—

(1) REPEAL; RETENTION OF SENSE OF CONGRESS.—Section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(A) by striking "(a) SENSE OF CONGRESS.—"; and

(B) by striking subsections (b) through (g).

(2) TREATMENT OF SPECIAL ACCOUNT.—The repeal of subsection (c) of section 2921 of the National Defense Authorization Act for Fiscal Year 1991 by paragraph (1)(B) shall not affect the Department of Defense Overseas Military Facility Investment Recovery Account established by such subsection, amounts in such account, or the continued use of such account as provided in section 2687a of title 10, United States Code, as amended by subsection (a) of this section. 10 USC 2687 note.

(c) REQUIREMENTS RELATED TO PAYMENT-IN-KIND CONTRIBUTIONS PURSUANT TO BILATERAL AGREEMENTS WITH HOST COUNTRIES.—Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) The requirement under subsection (a) that a military construction project must be authorized by law includes military construction projects funded through payment-in-kind contributions pursuant to a bilateral agreement with a host country.

"(2) The Secretary of Defense or the Secretary concerned shall include military construction projects covered under paragraph (1) in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31.

"(3) This subsection does not apply to a military construction project that—

"(A) was specified in a bilateral agreement with a host country that was entered into prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014;

"(B) was accepted as payment-in-kind for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 10 U.S.C. 2687 note) prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014; or

"(C) will cost less than the cost specified in subsection (a)(2) of section 2805 of this title for certain unspecified minor military construction projects.

Applicability.

"(4) In the case of a military construction project excluded pursuant to paragraph (3)(C) whose cost will exceed the cost specified in subsection (b) of section 2805 of this title for certain unspecified minor military construction projects, the congressional notification requirements and waiting period specified in paragraph (2) of such subsection shall apply.".

SEC. 2808. EXTENSION AND MODIFICATION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2149), is further amended—

(1) in subsection (a), by striking "The Secretary" and all that follows through "conditions:" and inserting "The Secretary of Defense may obligate appropriated funds available for operation and maintenance to carry out, inside the area of responsibility of the United States Central Command or certain countries in the area of responsibility of the United States Africa Command, a construction project that the Secretary determines meets each of the following conditions:";

(2) in subsection (c)(1), by striking "shall not exceed" and all that follows through the period at the end and inserting "shall not exceed $100,000,000 between October 1, 2013, and the earlier of December 31, 2014, or the date of the enactment

of an Act authorizing funds for military activities of the Department of Defense for fiscal year 2015.";

(3) in subsection (h)—

(A) in paragraph (1), by striking "September 30, 2013" and inserting "December 31, 2014"; and

(B) in paragraph (2), by striking "fiscal year 2014" and inserting "fiscal year 2015"; and

(4) by striking subsection (i) and inserting the following new subsection:

"(i) CERTAIN COUNTRIES IN THE AREA OF RESPONSIBILITY OF UNITED STATES AFRICA COMMAND DEFINED.—In this section, the term 'certain countries in the area of responsibility of the United States Africa Command' means Kenya, Somalia, Ethiopia, Djibouti, Seychelles, Burundi, and Uganda.".

SEC. 2809. LIMITATION ON CONSTRUCTION PROJECTS IN EUROPEAN COMMAND AREA OF RESPONSIBILITY.

(a) LIMITATION.—Except as provided in subjection (b), the Secretary of Defense or the Secretary of a military department shall not award any contract in connection with a construction project authorized by this division to be carried out at an installation operated in the European Command area of responsibility until the Secretary of Defense certifies to the congressional defense committees that—

(1) the installation and specific military construction requirement—

(A) have been assessed as part of the basing assessment initiated by the Secretary of Defense on January 25, 2013 (known as the "European Infrastructure Consolidation Assessment"); and

(B) have been determined, pursuant to such assessment, to be of an enduring nature; and

(2) the specific military construction requirement most effectively meets combatant commander requirements at the authorized location.

(b) EXCEPTIONS.—Subsection (a) does not apply with respect to a construction project that—

(1) is authorized by law before the date of the enactment of this Act;

(2) is carried out at an installation located in Greenland;

(3) is funded through the North Atlantic Treaty Organization Security Investment Program or intended to specifically support the North Atlantic Treaty Organization; or

(4) is carried out under the authority of, and subject to the limits specified in, section 2805 of title 10, United States Code.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. DEVELOPMENT OF MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.

Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "At a time" and inserting "(1) At a time"; and

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

"(2) To address the requirements under paragraph (1), each installation master plan shall include consideration of—

"(A) planning for compact and infill development;

"(B) horizontal and vertical mixed-use development;

"(C) the full lifecycle costs of real property planning decisions; and

"(D) capacity planning through the establishment of growth boundaries around cantonment areas to focus development towards the core and preserve range and training space.";

(2) in subsection (b)—

(A) by striking "The transportation" and inserting "(1) The transportation"; and

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

"(2) To address the requirements under subsection (a) and paragraph (1), each installation master plan shall include consideration of ways to diversify and connect transit systems.";

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

(4) by inserting after subsection (b) the following new subsection:

"(c) SAVINGS CLAUSE.—Nothing in this section shall supersede the requirements of section 2859(a) of this title.".

SEC. 2812. 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) Administrative expenses incurred by the Secretary concerned under this section and for easements under section 2668 of this title.".

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

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

"(1) The term 'administrative expenses' means only those expenses related to assessing, negotiating, executing, and managing lease and easement transactions. The term does not include any Government personnel costs.".

SEC. 2813. MODIFICATION OF AUTHORITY TO ENTER INTO LONG-TERM CONTRACTS FOR RECEIPT OF UTILITY SERVICES AS CONSIDERATION FOR UTILITY SYSTEMS CONVEYANCES.

Section 2688(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: "The determination of cost effectiveness shall be made using a business case analysis that includes an independent estimate of the level of investment that should be required to maintain adequate operation of the utility system over the proposed term of the contract.".

SEC. 2814. REPORT ON EFFICIENT UTILIZATION OF DEPARTMENT OF DEFENSE REAL PROPERTY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit

to Congress a report on the efficient utilization of real property across the Department of Defense.

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

(1) The strategy of the Department of Defense for maximizing efficient utilization of existing facilities, progress implementing this strategy, and obstacles to implementing this strategy.

(2) The efforts of the Department of Defense to systematically collect, process, and analyze data on the efficient utilization of real property to aid in the planning and implementation of the strategy referred to in paragraph (1).

(3) The number of underutilized Department facilities, to be defined as facilities rated less than 66 percent utilization, and unutilized Department facilities, to be defined as facilities rated at zero percent utilization, in the Real Property Inventory Database of the Department of Defense.

(4) The annual cost of maintaining and improving such underutilized and unutilized Department facilities.

(5) The efforts of the Department of Defense to dispose of underutilized and unutilized facilities.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

SEC. 2815. CONDITIONS ON DEPARTMENT OF DEFENSE EXPANSION OF PIÑON CANYON MANEUVER SITE, FORT CARSON, COLORADO.

The Secretary of Defense and the Secretary of the Army may not acquire, by purchase, condemnation, or other means, any land to expand the size of the Piñon Canyon Maneuver Site near Fort Carson, Colorado, unless each of the following occurs:

(1) The land acquisition is specifically authorized in an Act of Congress enacted after the date of the enactment of this Act.

(2) Funds are specifically appropriated for the land acquisition.

(3) The Secretary of Defense and the Secretary of the Army comply with the environmental review requirements of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) with respect to the land acquisition. Compliance.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. CHANGE FROM PREVIOUS CALENDAR YEAR TO PREVIOUS FISCAL YEAR FOR PERIOD COVERED BY ANNUAL REPORT OF INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835(e)(1) of the Military Construction Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2687 note) is amended in the first sentence by striking "calendar year" and inserting "fiscal year".

SEC. 2822. REALIGNMENT OF MARINES CORPS FORCES IN ASIA-PACIFIC REGION.

Reports. Plans.

(a) RESTRICTION ON USE OF FUNDS.—Except as provided in subsection (b), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of the Department of Defense, may be obligated to implement the realignment of Marine Corps forces from Okinawa to Guam or Hawaii until the Secretary of Defense submits to the congressional defense committees each of the following:

(1) The report required by section 1068(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1945).

(2) Master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam and Hawaii, including a detailed description of costs and the schedule for such construction.

(3) A plan, coordinated by all pertinent Federal agencies, detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

(b) EXCEPTIONS TO RESTRICTION ON USE OF FUNDS.—Notwithstanding subsection (a), the Secretary of Defense may use funds described in such subsection for the following purposes:

(1) To complete additional analysis or studies required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(2) To initiate planning and design of construction projects on Guam.

(3) To carry out any military construction project for which an authorization of appropriations is provided in section 2204, as specified in the funding table in section 4601.

(4) To carry out the construction of a utility and site improvement project to support the North Ramp expansion at Andersen Air Force Base.

(c) RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2014 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding is specifically authorized by law.

(d) ECONOMIC ADJUSTMENT COMMITTEE CONSIDERATION OF ADDITIONAL GUAM PUBLIC INFRASTRUCTURE FUNDING SOURCES.—

Deadline.

(1) CONVENING OF COMMITTEE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, as the chairperson of the Economic Adjustment Committee established in Executive Order No. 127887 (10 U.S.C. 2391 note), shall convene the Economic Adjustment Committee to consider assistance, including assistance to support public infrastructure requirements, necessary to support the

preferred alternative for the relocation of Marine Corps forces to Guam.

(2) REPORT REQUIRED.—Not later than the date on which the Record of Decision for the relocation of Marine Corps forces to Guam associated with the "Guam and CNMI Military Relocation (2012 Roadmap Adjustments) Supplemental Environmental Impact Statement" is issued, the Secretary of Defense shall submit to the congressional defense committees a report—

(A) describing the results of the Economic Adjustment Committee deliberations required by paragraph (1); and

(B) containing an implementation plan to support the preferred alternative for the relocation of Marine Corps forces to Guam.

(e) DEFINITIONS.—In this section:

(1) DISTRIBUTED LAY-DOWN.—The term "distributed lay-down" refers to the planned distribution of members of the Marine Corps in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the United States–Japan Security Consultative Committee issued April 26, 2012, in the District of Columbia (April 27, 2012, in Tokyo, Japan) and revised on October 3, 2013, in Tokyo.

(2) MASTER PLAN.—The term "master plan" means documentation that provides the scope, cost, and schedule for each military construction project.

(3) PUBLIC INFRASTRUCTURE.—The term "public infrastructure" means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(f) REPEAL OF SUPERSEDED LAW.—Section 2832 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2155) is repealed.

Subtitle D—Land Conveyances

SEC. 2831. REAL PROPERTY ACQUISITION, NAVAL BASE VENTURA COUNTY, CALIFORNIA.

(a) AUTHORITY.—The Secretary of the Navy may acquire all right, title, and interest in and to real property, including improvements thereon, located at Naval Base Ventura County, California, that was initially constructed under the former section 2828(g) of title 10, United States Code (commonly known as the "Build to Lease program"), as added by section 801 of the Military Construction Authorization Act, 1984 (Public Law 98–115; 97 Stat 782).

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

SEC. 2832. LAND CONVEYANCE, FORMER OXNARD AIR FORCE BASE, VENTURA COUNTY, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to Ventura County, California (in this section referred to as the "County"), all right, title, and interest of the United States in and to the real property, including any

improvements thereon, consisting of former Oxnard Air Force Base for the purpose of permitting the County to use the property for public purposes.

(b) CONDITION ON USE OF REVENUES.—If the property conveyed under subsection (a) is used, consistent with such subsection, for a public purpose that results in the generation of revenue for the County, the County shall agree to use the generated revenue only for airport purposes by depositing the revenues in an airport fund designated for airport use.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. 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.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

Determination.

(e) REVERSIONARY INTEREST.—If the Secretary of the Navy determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a) or that the County has violated the condition on the use of revenues imposed by subsection (b), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) ADDITIONAL TERMS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. LAND CONVEYANCE, JOINT BASE PEARL HARBOR-HICKAM, HAWAII.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Navy may convey to the Hale Keiki School all right, title, and interest of the United States, or any portion thereof, in and to certain real property, including any improvements thereon, consisting of approximately 11 acres located at or in the nearby vicinity of

153 Bougainville Drive, Honolulu, Hawaii (City and County of Honolulu Tax Map Key No. 9–9–02:37), which is part of the Joint Base Pearl Harbor-Hickam, before such real property, or any portion thereof, is made available for transfer pursuant to the Hawaiian Home Lands Recovery Act (title II of Public Law 104–42; 109 Stat. 357), for use by any other Federal agency, or for disposal under applicable laws.

(b) CONSIDERATION.—As consideration for a conveyance under subsection (a), the Hale Keiki School shall provide the United States, whether by cash payment, in-kind consideration described in section 2667(c) of title 10, United States Code, or a combination thereof, an amount that is not less than the fair market value of the conveyed property, as determined pursuant to an appraisal acceptable to the Secretary.

(c) EXERCISE OF RIGHT TO PURCHASE PROPERTY.—

(1) ACCEPTANCE OF OFFER.—For a period of 180 days beginning on the date the Secretary makes a written offer to convey the property or any portion thereof under subsection (a), the Hale Keiki School shall have the exclusive right to accept such offer by providing written notice of acceptance to the Secretary within the specified 180-day time period. If the Secretary's offer is not so accepted within the 180-day period, the offer shall expire. Time period. Effective date.

(2) CONVEYANCE DEADLINE.—If the Hale Keiki School accepts the offer to convey the property or a portion thereof in accordance with paragraph (1), the conveyance shall take place not later than two years after the date of the Hale Keiki School's written acceptance. The Secretary and the Hale Keiki School, by mutual agreement, may extend the two-year conveyance deadline for a reasonable period of time, as evidenced by a new lease or license executed by the parties before the deadline.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Hale Keiki School to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, related to the conveyance. If amounts are collected from the Hale Keiki School in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Hale Keiki School. The Secretary may collect the costs from the Hale Keiki School in advance of incurring any costs and may pay the administrative costs of processing the conveyance as they are incurred or at any time thereafter.

(2) ASSUMPTION OF RISK OF PAYING COSTS OF CONVEYANCE.—In the event that the conveyance is not completed by the deadline set forth in subsection (c)(2), including any extension thereof, the amounts collected from the Hale Keiki School under paragraph (1) will not be refunded or reimbursed. The Hale Keiki School shall be considered to have assumed the risk of paying all costs of processing the conveyance after the offer has been accepted by the Hale Keiki School, regardless of whether or not the conveyance is ever completed.

(3) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by

the Secretary to carry out a conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. 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.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

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

SEC. 2834. LAND CONVEYANCE, PHILADELPHIA NAVAL SHIPYARD, PHILADELPHIA, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Philadelphia Regional Port Authority (in this section referred to as the "Port Authority") all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately .595 acres located at the Philadelphia Naval Shipyard, Philadelphia, Pennsylvania. The Secretary may void any land use restrictions associated with the property to be conveyed under this subsection.

(b) CONSIDERATION.—

(1) AMOUNT AND DETERMINATION.—As consideration for the conveyance under subsection (a), the Port Authority shall pay to the Secretary of the Navy an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary. The Secretary's determination of fair market value shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary shall deposit any cash payment received under paragraph (1) in the special account in the Treasury established for that Secretary under subsection (e) of section 2667 of title 10, United States Code. The entire amount deposited shall be available for use in accordance with paragraph (1)(D) of such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the Port Authority to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Port Authority.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. 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.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy. Determination.

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

SEC. 2835. LAND CONVEYANCE, CAMP WILLIAMS, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior, acting through the Bureau of Land Management, may convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to certain lands comprising approximately 420 acres, as generally depicted on a map entitled "Proposed Camp Williams Land Transfer" and dated June 14, 2011, which are located within the boundaries of the public lands currently withdrawn for military use by the Utah National Guard and known as Camp Williams, Utah, for the purpose of permitting the Utah National Guard to use the conveyed land for military purposes.

(b) SUPERSEDENCE OF EXECUTIVE ORDER.—Executive Order No. 1922 of April 24, 1914, as amended by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (title IX of Public Law 101–628; 104 Stat. 4501), is hereby superseded, only insofar as it affects the lands conveyed to the State of Utah under subsection (a).

(c) REVERSIONARY INTEREST.—If the Secretary of the Army, in consultation with the Secretary of the Interior, determines at any time that the lands conveyed under subsection (a), or any portion thereof, are sold or attempted to be sold, or that the lands, or any portion thereof, are not being used in a manner consistent with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the lands shall, at the option of the Secretary of the Army, in consultation with the Secretary of the Interior, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the lands. A determination under this subsection shall be made on the record after an opportunity for a hearing. Consultation. Determination.

(d) ADDITIONAL TERMS.—The Secretary of the Interior, in consultation with the Secretary of the Army, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Interior considers appropriate to protect the interests of the United States.

SEC. 2836. CONVEYANCE, AIR NATIONAL GUARD RADAR SITE, FRANCIS PEAK, WASATCH MOUNTAINS, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the State of Utah (in this section referred to as the "State"), all right, title, and interest of the United States in and to the structures, including equipment and any other personal property related thereto, comprising the Air National Guard radar site located on Francis Peak, Utah, for the purpose of permitting the State to use the structures to support emergency public safety communications, including 911 emergency response service for Northern Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. 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.

Determination.

(c) DESCRIPTION OF PROPERTY.—The exact inventory of equipment and other personal property to be conveyed under subsection (a) shall be determined by the Secretary of the Air Force.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force 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.

(e) CONTINUATION OF LAND USE PERMIT.—The conveyance of the structures under subsection (a) shall not affect the validity and continued applicability of the land use permit, in effect on the date of the enactment of this Act, that was issued by the Forest Service for placement and use of the structures.

(f) DURATION OF AUTHORITY.—The authority to make a conveyance under this section shall expire on the later of—

(1) September 30, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

SEC. 2837. LAND CONVEYANCES, FORMER UNITED STATES ARMY RESERVE CENTERS, CONNECTICUT, NEW HAMPSHIRE, AND PENNSYLVANIA.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Army may convey, without consideration, all right, title, and interest of the United States in and to the parcels of real property described in paragraphs (1) through (4), including any improvements thereon and easements related thereto, to the entity specified in such a paragraph for the corresponding parcel and for the purposes specified in such paragraph:

(1) Approximately 5.11 acres and improvements known as the LT John S. Turner Army Reserve Center in Fairfield, Connecticut, to the City of Fairfield, Connecticut, for the public benefit of a public park or recreational use.

(2) Approximately 6.9 acres and improvements known as the Paul J. Sutcovoy Army Reserve Center in Waterbury, Connecticut, to the City of Waterbury, Connecticut, for the public benefit of emergency services and public safety activities.

(3) Approximately 3.4 acres and improvements known as the Paul A. Doble Army Reserve Center in Portsmouth, New Hampshire, to the City of Portsmouth, New Hampshire, for the public benefit of a public park or recreational use.

(4) Approximately 4.52 acres and containing the Mifflin County Army Reserve Center located at 73 Reserve Lane, Lewistown, Pennsylvania (parcel number 16,01–0113J) to Derry Township, Pennsylvania for a regional police headquarters or other purposes of public benefit.

(b) TERMS APPLICABLE TO MIFFLIN COUNTY ARMY RESERVE CENTER CONVEYANCE.—

(1) INTERIM LEASE.—Until such time as the real property described in subsection (a)(4) is conveyed to Derry Township, Pennsylvania, the Secretary of the Army may lease the property to the Township.

(2) CONDITIONS OF CONVEYANCE.—The conveyance of the real property under subsection (a)(4) shall be subject to the condition that Derry Township, Pennsylvania, not use any Federal funds to cover—

(A) any portion of the conveyance costs required by subsection (d) to be paid by the Township; or

(B) to cover the costs for the design or construction of any facility on the property.

(c) REVERSION; EXCEPTION.—

(1) REVERSION.—The deed of conveyance for a parcel of real property conveyed under this section shall provide that all of the property be used and maintained for the purpose for which it was conveyed, as specified in subsection (a). If the Secretary of the Army determines at any time that the real property is no longer used or maintained in accordance with the purpose of the conveyance, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this paragraph shall be made on the record after an opportunity for hearing. Determination.

(2) PAYMENT OF CONSIDERATION IN LIEU OF REVERSION.—In lieu of exercising the right of reversion retained under paragraph (1) with respect to a parcel of real property conveyed under this section, the Secretary may require the recipient of the property to pay to the United States an amount equal to the fair market value of the property conveyed. The fair market value of the property shall be determined by the Secretary.

(3) TREATMENT OF CASH CONSIDERATION.—Any cash payment received by the United States under paragraph (2) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the recipient of a parcel of real property conveyed under this section to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance of the property, including survey costs, costs for environmental documentation, and any

other administrative costs related to the conveyance. If amounts are collected from the recipient of the property in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance of the property, the Secretary shall refund the excess amount to the recipient of the property.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyances under this section. 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.

Determination.

(e) DESCRIPTION OF PROPERTIES.—The exact acreage and legal description of a parcel of real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Army.

(f) ADDITIONAL TERMS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance of a parcel of real property under this section as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2841. REPEAL OF ANNUAL ECONOMIC ADJUSTMENT COMMITTEE REPORTING REQUIREMENT.

Subsection (d) of section 4004 of the Defense Economic Adjustment, Diversification, Conversion, and Stabilization Act of 1990 (division D of Public Law 101–510; 10 U.S.C. 2391 note), as amended by section 4212(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2664), is further amended—

(1) by inserting "and" at the end of paragraph (1);

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

(3) by striking paragraph (3).

16 USC 431 note.

SEC. 2842. ESTABLISHMENT OF MILITARY DIVERS MEMORIAL.

(a) MEMORIAL AUTHORIZED.—The Secretary of the Navy may permit a third party to establish and maintain a memorial to honor the members of the United States Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

(b) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to design, procure, prepare, install, or maintain the memorial authorized by subsection (a), but the Secretary may accept and expend contributions of non-Federal funds and resources for such purposes.

(c) LOCATION OF MEMORIAL.—

(1) IN GENERAL.—Consistent with the sense of the Congress expressed in section 2855 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2162), the Secretary may permit the memorial authorized by subsection (a) to be established—

(A) at a suitable location at the former Navy Dive School at the Washington Navy Yard in the District of Columbia; or

(B) at another suitable location under the jurisdiction of the Secretary.

(2) CONDITION.—The memorial authorized by subsection (a) may not be established at any location under the jurisdiction of the Secretary until the Secretary determines that an assured source of non-Federal funding has been established for the design, procurement, installation, and maintenance of the memorial.

(d) DESIGN OF MEMORIAL.—The final design of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary.

TITLE XXIX—WITHDRAWAL, RESERVATION, AND TRANSFER OF PUBLIC LANDS TO SUPPORT MILITARY READINESS AND SECURITY

Military Land Withdrawals Act of 2013.

Sec. 2901. Short title.
Sec. 2902. Definitions.

Subtitle A—General Provisions

Sec. 2911. General applicability; definitions.
Sec. 2912. Maps and legal descriptions.
Sec. 2913. Access restrictions.
Sec. 2914. Changes in use.
Sec. 2915. Brush and range fire prevention and suppression.
Sec. 2916. Ongoing decontamination.
Sec. 2917. Water rights.
Sec. 2918. Hunting, fishing, and trapping.
Sec. 2919. Limitation on extensions and renewals.
Sec. 2920. Application for renewal of a withdrawal and reservation.
Sec. 2921. Limitation on subsequent availability of land for appropriation.
Sec. 2922. Relinquishment.
Sec. 2923. Immunity of the United States.

Subtitle B—Limestone Hills Training Area, Montana

Sec. 2931. Withdrawal and reservation of public land.
Sec. 2932. Management of withdrawn and reserved land.
Sec. 2933. Special rules governing minerals management.
Sec. 2934. Grazing.
Sec. 2935. Payments in lieu of taxes.
Sec. 2936. Duration of withdrawal and reservation.

Subtitle C—Marine Corps Air Ground Combat Center Twentynine Palms, California

Sec. 2941. Withdrawal and reservation of public land.
Sec. 2942. Management of withdrawn and reserved land.
Sec. 2943. Public access.
Sec. 2944. Resource management group.
Sec. 2945. Johnson Valley Off-Highway Vehicle Recreation Area.
Sec. 2946. Duration of withdrawal and reservation.

Subtitle D—White Sands Missile Range, New Mexico, and Fort Bliss, Texas

Sec. 2951. Withdrawal and reservation of public land.
Sec. 2952. Grazing.

Subtitle E—Chocolate Mountain Aerial Gunnery Range, California

Sec. 2961. Transfer of administrative jurisdiction of public land.
Sec. 2962. Management and use of transferred land.
Sec. 2963. Effect of termination of military use.

Sec. 2964. Temporary extension of existing withdrawal period.
Sec. 2965. Water rights.
Sec. 2966. Realignment of range boundary and related transfer of title.

Subtitle F—Naval Air Weapons Station China Lake, California

Sec. 2971. Withdrawal and reservation of public land.
Sec. 2972. Management of withdrawn and reserved land.
Sec. 2973. Assignment of management responsibility to Secretary of the Navy.
Sec. 2974. Geothermal resources.
Sec. 2975. Wild horses and burros.
Sec. 2976. Continuation of existing agreement.
Sec. 2977. Management plans.
Sec. 2978. Termination of prior withdrawals.
Sec. 2979. Duration of withdrawal and reservation.

SEC. 2901. SHORT TITLE.

This title may be cited as the "Military Land Withdrawals Act of 2013".

SEC. 2902. DEFINITIONS.

In this title:

(1) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(2) MANAGE; MANAGEMENT.—

(A) INCLUSIONS.—The terms "manage" and "management" include the authority to exercise jurisdiction, custody, and control over the land withdrawn and reserved by this title.

(B) EXCLUSIONS.—The terms "manage" and "management" do not include authority for disposal of the land withdrawn and reserved by this title.

(3) SECRETARY CONCERNED.—The term "Secretary concerned" has the meaning given the term in section 101(a) of title 10, United States Code.

Subtitle A—General Provisions

SEC. 2911. GENERAL APPLICABILITY; DEFINITIONS.

(a) APPLICABILITY.—This subtitle applies to each land withdrawal and reservation made by this title.

(b) RULES OF CONSTRUCTION.—Nothing in this title assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

SEC. 2912. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall—

Federal Register, publication. Notice.

(1) publish in the Federal Register a notice containing the legal descriptions of the land withdrawn and reserved by this title; and

(2) file maps and legal descriptions of the land withdrawn and reserved by this title with—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) LEGAL EFFECT.—The maps and legal descriptions filed under subsection (a)(2) shall have the same force and effect as if the maps and legal descriptions were included in this title, except that the Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions.

(c) AVAILABILITY.—Copies of the maps and legal descriptions filed under subsection (a)(2) 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 for which the land is 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 military 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.

SEC. 2913. ACCESS RESTRICTIONS.

(a) AUTHORITY TO IMPOSE RESTRICTIONS.—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 land withdrawn and reserved by this title, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

(b) LIMITATION.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

(c) CONSULTATION REQUIRED.—

(1) IN GENERAL.—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.

(2) INDIAN TRIBE.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

(3) LIMITATION.—No consultation shall be required under paragraph (1) or (2)—

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

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

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

SEC. 2914. CHANGES IN USE.

(a) OTHER USES AUTHORIZED.—In addition to the purposes described in a subtitle of this title applicable to the land withdrawal and reservation made by that subtitle, the Secretary concerned may authorize the use of land withdrawn and reserved by this title for defense-related purposes.

(b) NOTICE TO SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by this title is used for additional defense-related purposes.

(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

(A) each additional use;

(B) the planned duration of each additional use; and

(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

SEC. 2915. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

(a) REQUIRED ACTIVITIES.—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by this title, including fires that occur on other land that spread from the withdrawn and reserved land.

(b) COOPERATION OF SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in providing such assistance.

(2) TRANSFER OF FUNDS.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

SEC. 2916. ONGOING DECONTAMINATION.

(a) PROGRAM OF DECONTAMINATION REQUIRED.—During the period of a withdrawal and reservation of land under this title, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.

(b) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

SEC. 2917. WATER RIGHTS.

(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this title—

(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by this title; or

(2) authorizes the appropriation of water on the land withdrawn and reserved by this title, except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

(1) IN GENERAL.—Nothing in this section affects any water rights acquired or reserved by the United States before the date of enactment of this Act on the land withdrawn and reserved by this title.

(2) AUTHORITY OF SECRETARY CONCERNED.—The Secretary concerned may exercise any water rights described in paragraph (1).

SEC. 2918. HUNTING, FISHING, AND TRAPPING.

Applicability.

Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

(1) that is withdrawn and reserved by this title; and

(2) for which management of the land has been assigned to the Secretary concerned.

SEC. 2919. LIMITATION ON EXTENSIONS AND RENEWALS.

The withdrawals and reservations established under this title may not be extended or renewed except by a law enacted after the date of enactment of this Act.

SEC. 2920. APPLICATION FOR RENEWAL OF A WITHDRAWAL AND RESERVATION.

Deadline. Notification. Records.

To the extent practicable, not later than five years before the date of termination of a withdrawal and reservation made by a subtitle of this title, the Secretary concerned shall—

(1) notify the Secretary of the Interior as to whether the Secretary concerned will have a continuing defense-related need for any of the land withdrawn and reserved by that subtitle after the termination date of the withdrawal and reservation; and

(2) transmit a copy of the notice submitted under paragraph (1) to—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

SEC. 2921. LIMITATION ON SUBSEQUENT AVAILABILITY OF LAND FOR APPROPRIATION.

Federal Register, publication.

On the termination of a withdrawal and reservation made by this title, the previously withdrawn land shall not be open to any form of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, unless the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date on which the land shall be—

(1) restored to the public domain; and

(2) opened for appropriation under the public land laws.

SEC. 2922. RELINQUISHMENT.

(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation made by a subtitle of this title, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by that subtitle, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

Federal Register, publication.

(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

Consultation. Determinations.

(d) DECONTAMINATION OF LAND TO BE RELINQUISHED.—

(1) DECONTAMINATION REQUIRED.—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

(ii) on decontamination of the land, the land could be opened to operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(2) ALTERNATIVES TO RELINQUISHMENT.—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

(i) decontamination of the land is not practicable or economically feasible; or

(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

(B) sufficient funds are not appropriated for the decontamination of the land.

(3) STATUS OF CONTAMINATED LAND ON TERMINATION.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by this title that has been proposed for relinquishment, or if at the expiration of the withdrawal and reservation, the Secretary of the Interior determines that a portion of the land withdrawn and reserved is contaminated to an extent that prevents opening the contaminated land to operation of the public land laws—

(A) the Secretary concerned shall take appropriate steps to warn the public of—

(i) the contaminated state of the land; and

(ii) any risks associated with entry onto the land;

(B) after the expiration of the withdrawal and reservation, the Secretary concerned shall undertake no activities on the contaminated land, except for activities relating to the decontamination of the land; and

Reports.

(C) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

(i) the status of the land; and

(ii) any actions taken under this paragraph.

(e) REVOCATION AUTHORITY.—

(1) IN GENERAL.—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by this title.

(2) REVOCATION ORDER.—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that— Federal Register, publication.

(A) terminates the withdrawal and reservation;

(B) constitutes official acceptance of the land by the Secretary of the Interior; and

(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain. Determination.

(2) NOTICE.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

SEC. 2923. IMMUNITY OF THE UNITED STATES.

The United States and officers and employees of the United States shall be held harmless and shall not be liable for any injuries or damages to persons or property incurred as a result of any mining or mineral or geothermal leasing activity or other authorized nondefense-related activity conducted on land withdrawn and reserved by this title.

Subtitle B—Limestone Hills Training Area, Montana

SEC. 2931. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundaries of the land as depicted on the map referred to in such subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) DESCRIPTION OF LAND.—The public land (including interests in land) referred to in subsection (a) is the Federal land comprising approximately 18,644 acres in Broadwater County, Montana, generally depicted as "Proposed Land Withdrawal" on the map entitled "Limestone Hills Training Area Land Withdrawal", dated April 10, 2013, and filed in accordance with section 2912.

(c) RESERVATION; PURPOSE.—Subject to the limitations and restrictions contained in section 2933, the public land withdrawn

by subsection (a) is 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 construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

(3) The conduct of training by the Montana Department of Military Affairs, provided that the training does not interfere with the purposes specified in paragraphs (1) and (2).

(4) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions, provided that the training does not interfere with the purposes specified in paragraphs (1) and (2).

(5) Other defense-related purposes consistent with the preceding purposes.

(d) INDIAN TRIBES.—

(1) IN GENERAL.—Nothing in this subtitle alters any rights reserved for an Indian tribe for tribal use of the public land withdrawn by subsection (a) by treaty or Federal law.

(2) CONSULTATION REQUIRED.—The Secretary of the Army shall consult with any Indian tribes in the vicinity of the public land withdrawn by subsection (a) before taking any action within the public land affecting tribal rights or cultural resources protected by treaty or Federal law.

SEC. 2932. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

During the period of the withdrawal and reservation of land made by section 2931, the Secretary of the Army shall manage the land withdrawn and reserved by such section for the purposes described in subsection (c) of such section—

(1) subject to the limitations and restrictions contained in section 2933; and

(2) in accordance with—

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

(B) subtitle A and this subtitle; and

(C) other applicable law.

SEC. 2933. SPECIAL RULES GOVERNING MINERALS MANAGEMENT.

(a) INDIAN CREEK MINE.—

(1) IN GENERAL.—Of the land withdrawn by section 2931, locatable mineral activities in the approved Indian Creek Mine plan of operations, MTM–78300, shall be regulated in accordance with subparts 3715 and 3809 of title 43, Code of Federal Regulations.

(2) RESTRICTIONS ON SECRETARY OF THE ARMY.—

(A) IN GENERAL.—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 described in paragraph (1) is inconsistent with the defense-related uses of the land withdrawn under section 2931.

Determination. Procedures.

(B) COORDINATION.—The coordination of the disposition of and exploration for minerals with defense-related uses of the land shall be determined in accordance with procedures in an agreement provided for under subsection (c).

(b) REMOVAL OF UNEXPLODED ORDNANCE ON LAND TO BE MINED.—

(1) REMOVAL ACTIVITIES.—

(A) IN GENERAL.—Subject to the availability of funds appropriated for such purpose, the Secretary of the Army shall remove unexploded ordnance on land withdrawn by section 2931 that is subject to mining under subsection (a), consistent with applicable Federal and State law.

(B) PHASES.—The Secretary of the Army may provide for the removal of unexploded ordnance in phases to accommodate the development of the Indian Creek Mine under subsection (a).

(2) REPORT ON REMOVAL ACTIVITIES.—

(A) IN GENERAL.—The Secretary of the Army shall annually submit to the Secretary of the Interior a report regarding any unexploded ordnance removal activities conducted during the previous fiscal year in accordance with this subsection.

(B) INCLUSIONS.—The report under this paragraph shall include—

(i) a description of the amounts expended for unexploded ordnance removal on the withdrawn land during the period covered by the report; and

(ii) the identification of the land cleared of unexploded ordnance and approved for mining activities by the Secretary of the Interior.

(c) IMPLEMENTATION AGREEMENT FOR MINING ACTIVITIES.—

(1) IN GENERAL.—The Secretary of the Interior and the Secretary of the Army shall enter into an agreement to implement this section with respect to the coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance.

(2) DURATION.—The duration of the agreement shall be equal to the period of the withdrawal under section 2936, but may be amended from time to time.

(3) REQUIREMENTS.—The agreement shall provide the following:

(A) That Graymont Western US, Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM–78300, shall be invited to be a party to the agreement.

(B) Provisions regarding the day-to-day joint-use of the Limestone Hills Training Area.

(C) Provisions addressing periods during which military and other authorized uses of the withdrawn land will occur.

(D) Provisions regarding when and where military use or training with explosive material will occur.

(E) Provisions regarding the scheduling of training activities conducted within the withdrawn land that restrict mining activities.

(F) Procedures for deconfliction with mining operations, including parameters for notification and resolution of anticipated changes to the schedule.

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

(H) Procedures for scheduling of the removal of unexploded ordnance.

(d) EXISTING MEMORANDUM OF AGREEMENT.—Until the date on which the agreement under subsection (c) becomes effective, the compatible joint use of the land withdrawn and reserved by section 2931 shall be governed, to the extent compatible, by the terms of the 2005 Memorandum of Agreement among the Montana Army National Guard, Graymont Western US, Inc., and the Bureau of Land Management.

SEC. 2934. GRAZING.

(a) ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.—The Secretary of the Interior shall manage the issuance and administration of grazing permits and leases, including the renewal of permits and leases, on the public land withdrawn by section 2931, consistent with all applicable laws (including regulations) and policies of the Secretary of the Interior relating to the permits and leases.

Procedures.

(b) SAFETY REQUIREMENTS.—With respect to any grazing permit or lease issued after the date of enactment of this Act for land withdrawn by section 2931, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that—

(1) are consistent with Department of the Army explosive and range safety standards; and

(2) provide for the safe use of the withdrawn land.

(c) ASSIGNMENT.—With the agreement of the Secretary of the Army, the Secretary of the Interior may assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that the assignment may not include the authority to discontinue grazing on the land withdrawn by section 2931.

SEC. 2935. PAYMENTS IN LIEU OF TAXES.

The land withdrawn by section 2931 is deemed to be entitlement land for purposes of chapter 69 of title 31, United States Code.

SEC. 2936. DURATION OF WITHDRAWAL AND RESERVATION.

Termination date.

The withdrawal and reservation of public land made by section 2931 shall terminate on March 31, 2039.

Subtitle C—Marine Corps Air Ground Combat Center Twentynine Palms, California

SEC. 2941. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundary of the land depicted on the map described in such subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) DESCRIPTION OF LAND.—The public land (including interests in land) referred to in subsection (a) is the Federal land comprising

approximately 150,928 acres in San Bernardino County, California, generally depicted on the map titled "MCAGCC 29 Palms Expansion Map-Johnson Valley Off Highway Vehicle Recreation Area", dated December 5, 2013, and filed in accordance with section 2912, which is divided into the following two areas:

(1) The Exclusive Military Use Area (in this subtitle referred to as the "Exclusive Military Use Area"), consisting of the following two areas:

(A) One area to the west of the Marine Corps Air Ground Combat Center, consisting of approximately 78,993 acres.

(B) One area south of the Marine Corps Air Ground Combat Center, consisting of approximately 18,704 acres.

(2) The Shared Use Area (in this subtitle referred to as the "Shared Use Area"), consisting of approximately 53,231 acres.

(c) RESERVATION FOR SECRETARY OF THE NAVY; PURPOSES.—The Exclusive Military Use Area is reserved for use by the Secretary of the Navy for the following purposes:

(1) Sustained, combined arms, live-fire, and maneuver field training for large-scale Marine air ground task forces.

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

(3) Equipment and tactics development.

(4) Other defense-related purposes that are—

(A) consistent with the purposes described in the preceding paragraphs; and

(B) authorized under section 2914.

(d) RESERVATION FOR SECRETARY OF THE INTERIOR; PURPOSES.—The Shared Use Area is reserved—

(1) for use by the Secretary of the Navy for the purposes described in subsection (c); and

(2) for use by the Secretary of the Interior for the following purposes:

(A) Public recreation—

(i) during any period in which the land is not being used for military training; and

(ii) as determined to be suitable for public use.

(B) Natural resources conservation.

(e) ADJUSTMENT.—The boundary of the Exclusive Military Use Area at Emerson Ridge provided in subsection (b)(1) shall be located in such as manner so as to ensure access to the pass northwest of the ridge for purposes described in subsection (d).

SEC. 2942. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

(a) MANAGEMENT BY THE SECRETARY OF THE NAVY; CONDITION.—

(1) IN GENERAL.—Except as provided in subsection (b), during the period of withdrawal and reservation of land made by section 2941, the Secretary of the Navy shall manage the land withdrawn and reserved by such section for the purposes described in subsection (c) of such section in accordance with—

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

(B) subtitle A and this subtitle;

(C) a programmatic agreement between the 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; and

(D) any other applicable law.

(2) LIVE-FIRE TRAINING.—The boundary of the Exclusive Military Use Area described in section 2941 shall be clearly identified before the Exclusive Military Use Area is used for any live-fire military training. The Secretary of the Navy shall ensure the military boundary is maintained.

(b) MANAGEMENT BY THE SECRETARY OF THE INTERIOR; EXCEPTION.—

(1) SECRETARY OF THE INTERIOR MANAGEMENT.—

(A) IN GENERAL.—Except as provided in paragraph (2), during the period of withdrawal and reservation of land made by section 2941, the Secretary of the Interior shall manage the Shared Use Area.

(B) APPLICABLE LAW.—During the period of the management by the Secretary of the Interior under this paragraph, the Secretary of the Interior shall manage the Shared Use Area for the purposes described in subsection (d) of section 2941 in accordance with—

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

(ii) any other applicable law.

(2) SECRETARY OF THE NAVY MANAGEMENT.—

Time period.

(A) EXCEPTION.—Twice a year during the period of withdrawal and reservation of land by this section, there shall be a 30-day period during which the Secretary of the Navy shall—

(i) manage the Shared Use Area; and

(ii) exclusively use the Shared Use Area for military training purposes.

(B) APPLICABLE LAW.—During the period of the management by the Secretary of the Navy under this paragraph, the Secretary of the Navy shall manage the Shared Use Area for the purposes described in subsection (c) of section 2941 in accordance with—

(i) 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.);

(ii) subtitle A and this subtitle;

(iii) the programmatic agreement described in subsection (a)(3); and

(iv) any other applicable law.

(C) LIMITATION.—The Secretary of the Navy shall prohibit the firing of dud-producing ordnance into the Shared Use Area.

(c) IMPLEMENTATION AGREEMENT.—

(1) IN GENERAL.—The Secretary of the Interior and the Secretary of the Navy shall enter into a written agreement to implement the management responsibilities of the respective Secretaries with respect to the Shared Use Area.

(2) COMPONENTS.—The agreement entered into under paragraph (1)—

(A) shall be of a duration that is equal to the period of the withdrawal and reservation of land under section 2941;

(B) may be amended from time to time;

(C) may provide for the integration of the management plans required of the Secretary of the Interior and the Secretary of the Navy;

(D) 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 laws relating to protection of natural and cultural resources and fish and wildlife; and

(E) may provide for the Secretary of the Interior and the Secretary of the Navy to share resources so as to most efficiently and effectively manage the Shared Use Area.

(3) LINKAGE.—The Secretary of the Interior shall ensure access is provided between the two non-contiguous Johnson Valley Off-Highway Vehicle Recreation Area parcels described in section 2945.

(d) MILITARY TRAINING.—

(1) NOT CONDITIONAL.—Military training within the Shared Use Area shall not be conditioned on—

(A) the existence of, or precluded by the lack of, a recreation management plan or land use management plan for the area developed and implemented by the Secretary of the Interior; or

(B) the existence of any legal or administrative challenge to such a recreation management plan or land use plan.

(2) MANAGEMENT.—

(A) USE AGREEMENT.—The Secretary of the Interior shall enter into an agreement with the Secretary of the Navy within one year of the date of the enactment of this Act for the exclusive use by the Marine Corps of two company objective areas, each measuring approximately 300 meters square (approximately 22 acres), located inside the boundaries of the Shared Use Area and totaling approximately 44 acres. These areas will be closed to all public access for the period of the withdrawal specified in section 2946. The purpose of this agreement will be to accommodate the construction, maintenance, modification, and use of these areas for the purposes identified in section 2941(c).

(B) RANGE MANAGEMENT.—Small, static, short-range explosives may be used in the two company objective areas described in subparagraph (A). Explosives that fail to function in the company objective areas will be immediately identified and located, training will temporarily halt, and on-scene explosive ordnance disposal personnel will render the munition safe before training resumes. Existing Marine Corps range safety policies and procedures as identified in Marine Corps Order 3570.1X will be followed to ensure all munitions are rendered safe and the area will again be swept after the training exercise by qualified personnel to further ensure no hazards remain.

(C) ACCESS.—The Shared Use Area shall be managed in a manner that does not compromise the ability of the Navy to conduct military training in such area.

SEC. 2943. PUBLIC ACCESS.

(a) IN GENERAL.—Notwithstanding section 2913, the Exclusive Military Use Area shall be closed to all public access unless otherwise authorized by the Secretary of the Navy.

(b) PUBLIC RECREATIONAL USE.—

(1) IN GENERAL.—The Shared Use Area shall be open to public recreational use during the period in which the area is under the management of the Secretary of the Interior, if there is a determination by the Secretary of the Navy that the area is suitable for public use.

(2) DETERMINATION.—A determination of suitability under paragraph (1) shall not be withheld without a specified reason.

(c) UTILITIES.—Nothing in this subtitle prohibits the construction, operation, maintenance, inspection, and access to existing or future utility facilities located within a utility right of way in existence on the date of the enactment of this Act.

SEC. 2944. RESOURCE MANAGEMENT GROUP.

(a) ESTABLISHMENT.—The Secretary of the Navy and the Secretary of the Interior, by agreement, shall establish a Resource Management Group for the land withdrawn and reserved by section 2941 to be comprised of representatives of the Department of the Interior and the Department of the Navy.

(b) DUTIES.—

(1) IN GENERAL.—The Resource Management Group shall—

(A) develop and implement a public outreach plan to inform the public of the land uses changes and safety restrictions affecting the land withdrawn and reserved by section 2941; and

(B) advise the Secretary of the Interior and the Secretary of the Navy with respect to the issues associated with the multiple uses of the Shared Use Area.

(2) SITING PROCESS.—The Resource Management Group shall determine the location of the company objective areas. In siting the two areas, the Resource Management Group will seek information from representatives of relevant State agencies, Off Highway Vehicle and other recreation interest groups, and environmental advocacy groups. The Resource Management Group shall consider potential recreational and conservation uses of the area when making their location determination.

(c) MEETINGS.—The Resource Management Group shall—

(1) meet at least once a year; and

(2) solicit input from relevant 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.

SEC. 2945. JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.

(a) DESIGNATION.—There is hereby designated the "Johnson Valley Off-Highway Vehicle Recreation Area", consisting of—

(1) 43,431 acres (as depicted on the map referred to in subsection (b) of section 2941) of the existing Bureau of Land Management-designated Johnson Valley Off-Highway Vehicle

Area that is not withdrawn and reserved for defense-related uses by such section; and

(2) The Shared Use Area.

(b) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable Federal law (including regulations) and this subtitle, any authorized recreation activities and use designation in effect on the date of enactment of this Act and applicable to the Johnson Valley Off-Highway Vehicle Recreation Area may continue, including casual off-highway vehicular use and recreation.

(c) ADMINISTRATION.—The Secretary of the Interior shall administer the Johnson Valley Off-Highway Vehicle Recreation Area (other than the Shared Use Area, which is being managed in accordance with the other provisions of this subtitle) in accordance with—

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

(2) any other applicable law.

(d) 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 land withdrawn and reserved by section 2941.

SEC. 2946. DURATION OF WITHDRAWAL AND RESERVATION.

The withdrawal and reservation of public land made by section 2941 shall terminate on March 31, 2039. Termination date.

Subtitle D—White Sands Missile Range, New Mexico, and Fort Bliss, Texas

SEC. 2951. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) WITHDRAWAL.—Subject to valid existing rights, the Federal land described in subsection (b) is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in subsection (a) consists of approximately 5,100 acres of land depicted as "Parcel 1" on the map entitled "White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal", dated April 3, 2012, and filed in accordance with section 2912.

(c) RESERVATION.—The Federal land described in subsection (b) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 27, 1952 (17 Fed. Reg. 4822).

SEC. 2952. GRAZING.

(a) ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.—The Secretary of the Interior shall manage the issuance and administration of grazing permits and leases, including the renewal of permits and leases, on the public land withdrawn by section 2951, consistent with all applicable laws (including regulations)

and policies of the Secretary of the Interior relating to the permits and leases.

Procedures.

(b) SAFETY REQUIREMENTS.—With respect to any grazing permit or lease issued after the date of enactment of this Act for land withdrawn by section 2951, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that—

(1) are consistent with Department of the Army explosive and range safety standards; and

(2) provide for the safe use of the withdrawn land.

(c) ASSIGNMENT.—With the agreement of the Secretary of the Army, the Secretary of the Interior may assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that the assignment may not include the authority to discontinue grazing on the land withdrawn by section 2951.

Subtitle E—Chocolate Mountain Aerial Gunnery Range, California

SEC. 2961. TRANSFER OF ADMINISTRATIVE JURISDICTION OF PUBLIC LAND.

(a) TRANSFER REQUIRED.—The Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Navy certain public land administered by the Bureau of Land Management in Imperial and Riverside Counties, California, consisting of approximately 228,324 acres, as generally depicted on the map titled "Chocolate Mountain Aerial Gunnery Range-Administration's Land Withdrawal Legislation Proposal Map", dated October 30, 2013, and filed in accordance with subsection (d).

(b) VALID EXISTING RIGHTS.—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights, including any property, easements, or improvements held by the Bureau of Reclamation and appurtenant to the Coachella Canal. The Secretary of the Navy shall provide for reasonable access by the Bureau of Reclamation for inspection and maintenance purposes not inconsistent with military training.

(c) TIME FOR CONVEYANCE.—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy.

(d) MAP AND LEGAL DESCRIPTION.—

Federal Register, publication.

(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

(2) SUBMISSION TO CONGRESS.—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

(A) a copy of the legal description prepared under paragraph (1); and

(B) the map referred to in subsection (a).

(3) AVAILABILITY FOR PUBLIC INSPECTION.—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

(A) the Bureau of Land Management;

(B) the Office of the Commanding Officer, Marine Corps Air Station Yuma, Arizona;

(C) the Office of the Commander, Navy Region Southwest; and

(D) the Office of the Secretary of the Navy.

(4) FORCE OF LAW.—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

(5) REIMBURSEMENT OF COSTS.—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

SEC. 2962. MANAGEMENT AND USE OF TRANSFERRED LAND.

(a) TREATMENT AND USE OF TRANSFERRED LAND.—Upon the receipt of the land under section 2961—

(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the Navy; and

(2) the Secretary of the Navy shall administer the land as the Chocolate Mountain Aerial Gunnery Range, California, and continue to authorize use of the land for military purposes.

(b) PROTECTION OF DESERT TORTOISE.—Nothing in the transfer required by section 2961 shall affect the prior designation of certain lands within the Chocolate Mountain Aerial Gunnery Range as critical habitat for the desert tortoise (Gopherus Agassizii).

(c) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, the mineral estate of the land to be transferred under section 2961 is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary of the Navy.

(d) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—Not later than one year after the transfer of the land under section 2961, the Secretary of the Navy, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land and for land that, as of the date of the enactment of this Act, is under the jurisdiction of the Secretary of the Navy underlying the Chocolate Mountain Aerial Gunnery Range. Deadline.

(e) RELATION TO GENERAL PROVISIONS.—Subtitle A does not apply to the land transferred under section 2961 or to the management of such land as provided for in this subtitle.

SEC. 2963. EFFECT OF TERMINATION OF MILITARY USE. Determination.

(a) NOTICE AND EFFECT.—Upon a determination by the Secretary of the Navy that there is no longer a military need for all or portions of the land transferred under section 2961, the Secretary of the Navy shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary of the Navy shall transfer the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.

(b) CONTAMINATION.—Before transmitting a notice under subsection (a), the Secretary of the Navy shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

(c) DECONTAMINATION.—The Secretary of the Navy shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

Consultation.

(1) the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that—

(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

(2) funds are appropriated for such decontamination.

(d) ALTERNATIVE.—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

SEC. 2964. TEMPORARY EXTENSION OF EXISTING WITHDRAWAL PERIOD.

Notwithstanding subsection (a) of section 806 of the California Military Lands Withdrawal and Overflights Act of 1994 (title VIII of Public Law 103–433; 108 Stat. 4505), the withdrawal and reservation of the land transferred under section 2961 shall not terminate until the date on which the land transfer required by section 2961 is executed.

SEC. 2965. WATER RIGHTS.

(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this subtitle—

(1) establishes a reservation in favor of the United States with respect to any water or water right on the land transferred by this subtitle; or

(2) to authorize the appropriation of water on the land transferred by this subtitle except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

(1) IN GENERAL.—Nothing in this subtitle affects any water rights acquired or reserved by the United States before the date of enactment of this Act on the land transferred by this subtitle.

(2) AUTHORITY OF SECRETARY.—The Secretary of the Navy may exercise any water rights described in paragraph (1).

SEC. 2966. REALIGNMENT OF RANGE BOUNDARY AND RELATED TRANSFER OF TITLE.

(a) REALIGNMENT; PURPOSE.—The Secretary of the Interior and the Secretary of the Navy shall realign the boundary of the Chocolate Mountain Aerial Gunnery Range, as in effect on the date

of the enactment of this Act, to improve public safety and management of the Range, consistent with the following:

(1) The northwestern boundary of the Chocolate Mountain Aerial Gunnery Range shall be realigned to the edge of the Bradshaw Trail so that the Trail is entirely on public land under the jurisdiction of the Department of the Interior.

(2) The centerline of the Bradshaw Trail shall be delineated by the Secretary of the Interior in consultation with the Secretary of the Navy, beginning at its western terminus at Township 8 South, Range 12 East, Section 6 eastward to Township 8 South, Range 17 East, Section 32 where it leaves the Chocolate Mountain Aerial Gunnery Range.

(3) The Secretary of the Navy shall relinquish to the Secretary of the Interior the approximately 2,000 acres of public land withdrawn for military use that is located immediately north of the Bradshaw Trail, and the Secretary of the Interior shall manage the land in accordance with the applicable land use plan developed under section of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) TRANSFERS RELATED TO REALIGNMENT.—

(1) TRANSFERS TO REFLECT BOUNDARY REALIGNMENT.—The Secretary of the Interior and the Secretary of the Navy shall make such transfers of administrative jurisdiction as may be necessary to reflect the results of the boundary realignment carried out pursuant to subsection (a).

(2) BRADSHAW TRAIL MANAGEMENT.—The approximately 600 acres of land north of the Bradshaw Trail identified as fee-owned lands available for disposal may be used to establish a maximum number of acres of land that the Secretary of the Navy may transfer to the administrative jurisdiction of the Secretary of the Interior in order to improve management of the Bradshaw Trail.

(c) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to any transfer of land made under subsection (b) or any decontamination actions undertaken in connection with such a transfer.

(d) DECONTAMINATION.—The Secretary of the Navy shall maintain, to the extent funds are available for such purpose and consistent with applicable Federal and State law, a program of decontamination of any contamination caused by defense-related uses on land transferred under subsection (b). The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 2711 of title 10, United States Code.

(e) TIMELINE.—The delineation of the Bradshaw Trail under subsection (a) and any transfer of land under subsection (b) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy, but in no case later than two years after the date of the enactment of this Act. Deadline.

Subtitle F—Naval Air Weapons Station China Lake, California

SEC. 2971. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundary of the land depicted on the map described in that subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) DESCRIPTION OF LAND.—The public land (including interests in land) referred to in subsection (a) is the Federal land located within the boundaries of the Naval Air Weapons Station China Lake, California, comprising approximately 1,045,000 acres in Inyo, Kern, and San Bernardino Counties, California, as generally depicted on the maps entitled "Naval Air Weapons Station China Lake Withdrawal—Renewal", "North Range", and "South Range", dated March 18, 2013, and filed in accordance with section 2912.

(c) RESERVATION.—The land withdrawn by subsection (a) is 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 that are—

(A) consistent with the purposes described in the preceding paragraphs; and

(B) authorized under section 2914.

SEC. 2972. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

(a) APPLICABLE LAWS.—Except as provided in section 2973, during the period of the withdrawal and reservation of land by section 2971, the Secretary of the Interior shall manage the land withdrawn and reserved by that section in accordance with—

(1) subtitle A and this subtitle;

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

(3) any other applicable law.

(b) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable law and Executive orders, the land withdrawn by section 2971 may be managed in a manner that permits the following activities:

(1) Grazing.

(2) Protection of wildlife and wildlife habitat.

(3) Preservation of cultural properties.

(4) Control of predatory and other animals.

(5) Recreation and education.

(6) Prevention and appropriate suppression of brush and range fires resulting from non-military activities.

(7) Geothermal leasing and development and related power production activities.

(c) NONDEFENSE USES.—All nondefense-related uses of the land withdrawn by this section (including the uses described in subsection (b)), shall be subject to any conditions and restrictions that the Secretary of the Interior and the Secretary of the Navy jointly determine to be necessary to permit the defense-related use of the land for the purposes described in this section.

(d) ISSUANCE OF LEASES AND OTHER INSTRUMENTS.—

(1) IN GENERAL.—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 that involves both—

(A) the land withdrawn and reserved by section 2971; and

(B) any other public land in the vicinity of the land withdrawn and reserved by section 2971 that is not under the administrative jurisdiction of the Secretary of the Navy.

(2) CONSENT REQUIRED.—Subject to section 2974, any lease, easement, right-of-way, permit, license, or other instrument issued under paragraph (1) shall—

(A) only be issued with the consent of the Secretary of the Navy; and

(B) be subject to such conditions as the Secretary of the Navy may require with respect to the land withdrawn and reserved by section 2971.

SEC. 2973. ASSIGNMENT OF MANAGEMENT RESPONSIBILITY TO SECRETARY OF THE NAVY.

(a) AUTHORITY TO ASSIGN MANAGEMENT RESPONSIBILITY.—The Secretary of the Interior may assign the management responsibility, in whole or in part, for the land withdrawn and reserved by section 2971 to the Secretary of the Navy.

(b) APPLICABLE LAW.—On assignment of the management responsibility under subsection (a), the Secretary of the Navy shall manage the land in accordance with—

(1) subtitle A and this subtitle;

(2) title I of the Sikes Act (16 U.S.C. 670a et seq.);

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

(4) cooperative management arrangements entered into by the Secretary of the Interior and the Secretary of the Navy; and

(5) any other applicable law.

SEC. 2974. GEOTHERMAL RESOURCES.

(a) TREATMENT OF EXISTING LEASES.—Nothing in this subtitle affects—

(1) geothermal leases issued by the Secretary of the Interior before the date of enactment of this Act; or

(2) the responsibility of the Secretary of the Interior to administer and manage the leases described in paragraph (1) consistent with the provisions of this subtitle.

(b) AUTHORITY OF THE SECRETARY OF THE INTERIOR.—Nothing in this subtitle or any other provision of law prohibits the Secretary of the Interior from issuing, subject to the concurrence of the

Secretary of the Navy, and administering any lease under the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and any other applicable law for the development and use of geothermal steam and associated geothermal resources on the land withdrawn and reserved by section 2971.

(c) APPLICABLE LAW.—Nothing in this subtitle affects the geothermal exploration and development authority of the Secretary of the Navy under section 2917 of title 10, United States Code, with respect to the land withdrawn and reserved by section 2971, except that the Secretary of the Navy shall obtain the concurrence of the Secretary of the Interior before taking action under section 2917 of title 10, United States Code.

(d) NAVY CONTRACTS.—On the expiration of the withdrawal and reservation of land under section 2971 or the relinquishment of the land, any Navy contract for the development of geothermal resources at Naval Air Weapons Station China Lake that is in effect on the date of the expiration or relinquishment 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 the contract.

SEC. 2975. WILD HORSES AND BURROS.

(a) MANAGEMENT.—The Secretary of the Navy—

(1) shall be responsible for the management of wild horses and burros located on the land withdrawn and reserved by section 2971; and

(2) may use helicopters and motorized vehicles for the management of wild horses and burros on such land.

(b) REQUIREMENTS.—The activities authorized under subsection (a) shall be conducted in accordance with laws applicable to the management of wild horses and burros on public land.

(c) AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy shall enter into an agreement for the implementation of the management of wild horses and burros under this section.

SEC. 2976. CONTINUATION OF EXISTING AGREEMENT.

The agreement between the Secretary of the Interior and the Secretary of the Navy entered into before the date of enactment of this Act under section 805 of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103–433; 108 Stat. 4503) shall continue in effect until the earlier of—

(1) the date on which the Secretary of the Interior and the Secretary of the Navy enter into a new agreement to replace such section 805 agreement; or

(2) the date that is one year after the date of enactment of this Act.

SEC. 2977. MANAGEMENT PLANS.

(a) COOPERATION IN DEVELOPMENT OF MANAGEMENT PLAN.—The Secretary of the Navy and the Secretary of the Interior shall update and maintain cooperative arrangements concerning land resources and land uses on the land withdrawn and reserved by section 2971.

(b) PURPOSE.—A cooperative arrangement entered into under subsection (a) shall focus on and apply to sustainable management and protection of the natural and cultural resources and environmental values found on the land withdrawn and reserved by section

2971, consistent with the defense-related purposes for which the land is withdrawn and reserved.

(c) COMPREHENSIVE LAND USE MANAGEMENT PLAN.—A cooperative arrangement entered into under subsection (a) shall include a comprehensive land use management plan that integrates and is consistent with any applicable law, including—

(1) subtitle A and this subtitle;

(2) title I of the Sikes Act (16 U.S.C. 670a et seq.); and

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

(d) ANNUAL REVIEW.—The Secretary of the Navy and the Secretary of the Interior shall—

(1) annually review the comprehensive land use management plan developed under subsection (c); and

(2) update the comprehensive land use management plan as the Secretary of the Navy and the Secretary of the Interior determine to be necessary—

(A) to respond to evolving management requirements; and

(B) to complement the updates of other applicable land use and resource management and planning.

(e) IMPLEMENTING AGREEMENT.—

(1) IN GENERAL.—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 (c).

(2) COMPONENTS.—Such an implementation agreement—

(A) shall be for a duration that is equal to the period of the withdrawal and reservation of land under section 2971; and

(B) may be amended from time to time.

SEC. 2978. TERMINATION OF PRIOR WITHDRAWALS.

(a) TERMINATION.—Subject to subsection (b), the withdrawal and reservation under section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103–433; 108 Stat. 4502) is terminated.

(b) LIMITATION.—Notwithstanding the termination under subsection (a), all rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Interior or the Secretary of the Navy with respect to the land withdrawn and reserved under section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103–433; 108 Stat. 4502), unless inconsistent with the provisions of this subtitle, shall remain in force until modified, suspended, overruled, or otherwise changed by—

(1) the Secretary of the Interior or the Secretary of the Navy (as applicable);

(2) a court of competent jurisdiction; or

(3) operation of law.

SEC. 2979. DURATION OF WITHDRAWAL AND RESERVATION.

The withdrawal and reservation of public land made by section 2971 shall terminate on March 31, 2039. Termination date.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Clarification of principles of National Nuclear Security Administration.
Sec. 3112. Cost estimation and program evaluation by National Nuclear Security Administration.
Sec. 3113. Enhanced procurement authority to manage supply chain risk.
Sec. 3114. Limitation on availability of funds for National Nuclear Security Administration.
Sec. 3115. Limitation on availability of funds for Office of the Administrator for Nuclear Security.
Sec. 3116. Establishment of Center for Security Technology, Analysis, Response, and Testing.
Sec. 3117. Authorization of modular building strategy as an alternative to the replacement project for the Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
Sec. 3118. Comparative analysis of warhead life extension options.
Sec. 3119. Extension of authority of Secretary of Energy to enter into transactions to carry out certain research projects.
Sec. 3120. Increase in construction design threshold.

Subtitle C—Plans and Reports

Sec. 3121. Annual report and certification on status of security of atomic energy defense facilities.
Sec. 3122. Modifications to annual reports regarding the condition of the nuclear weapons stockpile.
Sec. 3123. Inclusion of integrated plutonium strategy in nuclear weapons stockpile stewardship, management, and infrastructure plan.
Sec. 3124. Modifications to cost-benefit analyses for competition of management and operating contracts.
Sec. 3125. Modification of deadlines for certain reports relating to program on scientific engagement for nonproliferation.
Sec. 3126. Modification of certain reports on cost containment for uranium capabilities replacement project.
Sec. 3127. Plan for tank farm waste at Hanford Nuclear Reservation.
Sec. 3128. Plan for improvement and integration of financial management of nuclear security enterprise.
Sec. 3129. Plan for developing exascale computing and incorporating such computing into the stockpile stewardship program.
Sec. 3130. Study and plan for extension of certain pilot program principles.
Sec. 3131. Study of potential reuse of nuclear weapon secondaries.
Sec. 3132. Repeal of certain reporting requirements.

Subtitle D—Other Matters

Sec. 3141. Clarification of role of Secretary of Energy.
Sec. 3142. Modification of deadlines for Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.
Sec. 3143. Department of Energy land conveyance.
Sec. 3144. Technical amendment to Atomic Energy Act of 1954.
Sec. 3145. Technical corrections to the National Nuclear Security Administration Act.
Sec. 3146. Technical corrections to the Atomic Energy Defense Act.
Sec. 3147. Sense of Congress on B61–12 life extension program.
Sec. 3148. Sense of Congress on establishment of an advisory board on toxic substances and worker health.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 14–D–710, Device Assembly Facility Argus Installation Project, Nevada National Security Site, Las Vegas, Nevada, $14,000,000.

Project 14–D–901, Spent Fueling Handling Recapitalization Project, Naval Reactors Facility, Idaho, $45,400,000.

Project 14–D–902, KL Materials Characterization Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $1,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. CLARIFICATION OF PRINCIPLES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Subsection (c) of section 3211 of the National Nuclear Security Administration Act (50 U.S.C. 2401) is amended to read as follows:

"(c) OPERATIONS AND ACTIVITIES TO BE CARRIED OUT CONSISTENTLY WITH CERTAIN PRINCIPLES.—In carrying out the mission of the Administration, the Administrator shall ensure that all operations and activities of the Administration are consistent with the principles of—

"(1) protecting the environment;

"(2) safeguarding the safety and health of the public and of the workforce of the Administration; and

"(3) ensuring the security of the nuclear weapons, nuclear material, and classified information in the custody of the Administration.".

SEC. 3112. COST ESTIMATION AND PROGRAM EVALUATION BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ESTABLISHMENT OF DIRECTOR FOR COST ESTIMATING AND PROGRAM EVALUATION.—

(1) IN GENERAL.—Subtitle A of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

50 USC 2411.

"SEC. 3221. DIRECTOR FOR COST ESTIMATING AND PROGRAM EVALUATION.

"(a) ESTABLISHMENT.—(1) There is in the Administration a Director for Cost Estimating and Program Evaluation (in this section referred to as the 'Director').

"(2) The position of the Director shall be a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code).

"(b) DUTIES.—(1) The Director shall be the principal advisor to the Administrator, the Deputy Secretary of Energy, and the Secretary of Energy with respect to cost estimation and program evaluation for the Administration.

"(2) The Administrator may not delegate responsibility for receiving or acting on communications from the Director with respect to cost estimation and program evaluation for the Administration.

"(c) ACTIVITIES FOR COST ESTIMATION.—(1) The Director shall be the responsible for the following activities relating to cost estimation:

"(A) Advising the Administrator on policies and procedures for cost analysis and estimation by the Administration, including the determination of confidence levels with respect to cost estimates.

"(B) Reviewing cost estimates and evaluating the performance baseline for each major atomic energy defense acquisition program.

"(C) Advising the Administrator on policies and procedures for developing technology readiness assessments for major atomic energy defense acquisition programs that are consistent with the guidelines of the Department of Energy for technology readiness assessments.

"(D) Reviewing technology readiness assessments for such programs to ensure that such programs are meeting levels of confidence associated with appropriate overall system performance.

"(E) As directed by the Administrator, conducting independent cost estimates for such programs.

"(2) A review, evaluation, or cost estimate conducted under subparagraph (B), (D), or (E) of paragraph (1) shall be considered an inherently governmental function, but the Director may use data collected by a national security laboratory or a management and operating contractor of the Administration in conducting such a review, evaluation, or cost estimate.

"(3) The Director shall submit in writing to the Administrator the following:

Certification.

"(A) The certification of the Director with respect to each review, evaluation, and cost estimate conducted under subparagraph (B), (D), or (E) of paragraph (1).

"(B) A statement of the confidence level of the Director with respect to each such review, evaluation, and cost estimate, including an identification of areas of uncertainty, risk, and opportunity discovered in conducting each such review, evaluation, and cost estimate.

"(d) ACTIVITIES FOR PROGRAM EVALUATION.—(1) The Director shall be responsible for the following activities relating to program evaluation:

"(A) Reviewing and commenting on policies and procedures for setting requirements for the future-years nuclear security program under section 3253 and for prioritizing and estimating the funding required by the Administration for that program.

"(B) Reviewing the future-years nuclear security program on an annual basis to ensure that the program is accurate and thorough.

"(C) Advising the Administrator on policies and procedures for analyses of alternatives for major atomic energy defense acquisition programs.

"(D) As part of the planning, programming, and budgeting process of the Administration under sections 3251 and 3252, analyzing the planning phase of that process, advising on programmatic and fiscal year guidance, and managing the program review phase of that process.

"(E) Developing and managing the submittal of the Selected Acquisition Reports and independent cost estimates on nuclear weapons systems undergoing major life extension under section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537).

"(F) Reviewing cost and schedule baselines for projects under section 4713 of that Act (50 U.S.C. 2753) and managing notifications to the congressional defense committees of cost overruns under that section.

"(2) A review conducted under paragraph (1)(B) shall be considered an inherently governmental function, but the Director may use data collected by a national security laboratory or a management and operating contractor of the Administration in conducting such a review.

"(3) The Director shall submit to Congress a report on any major programmatic deviations from the future-years nuclear security program discovered in conducting a review under paragraph (1)(B) at or about the time the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for the next fiscal year. Reports.

"(e) DATA COLLECTION AND ACCESSIBILITY.—The Administrator, acting through the Director, shall, as appropriate, seek to use procedures, processes, and policies for collecting cost data and making that data accessible that are similar to the procedures, processes, and policies used by the Defense Cost Analysis Resource Center of the Office of Cost Assessment and Program Evaluation of the Department of Defense for those purposes.

"(f) STAFF.—The Administrator shall ensure that the Director has sufficient numbers of personnel who have competence in technical matters, budgetary matters, cost estimation, technology readiness analysis, and other appropriate matters to carry out the functions required by this section.

"(g) REPORTS BY DIRECTOR.—The Director shall submit to Congress at or about the time that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, United

States Code, for each of fiscal years 2015 through 2018, a report that includes the following:

"(1) A description of activities conducted by the Director during the calendar year preceding the submission of the report that are related to the duties and activities described in this section.

"(2) A list of all major atomic energy defense acquisition programs and a concise description of the status of each such program and project in meeting cost and critical schedule milestones.

"(h) DEFINITIONS.—In this section:

"(1) MAJOR ATOMIC ENERGY DEFENSE ACQUISITION PROGRAM.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'major atomic energy defense acquisition program' means an atomic energy defense acquisition program of the Administration—

"(i) the total project cost of which is more than $500,000,000; or

"(ii) the total lifetime cost of which is more than $1,000,000,000.

"(B) EXCLUSION OF CAPITAL ASSETS ACQUISITION PROJECTS.—The term 'major atomic energy defense acquisition program' does not include a project covered by Department of Energy Order 413.3 (or a successor order) for the acquisition of capital assets for atomic energy defense activities.

"(2) PERFORMANCE BASELINE.—The term 'performance baseline', with respect to a major atomic energy defense acquisition program, means the key parameters with respect to performance, scope, cost, and schedule for the project budget of the program.".

Deadline.

(2) IMPLEMENTATION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Administrator for Nuclear Security and the Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense shall jointly submit to the congressional defense committees a plan for the implementation of section 3221 of the National Nuclear Security Administration Act, as added by paragraph (1), that includes the following:

(A) An identification of the number of personnel required to support the Director for Cost Estimating and Program Evaluation established under such section 3221.

(B) A description of the functions of such personnel.

(C) A plan for training such personnel in coordination with the Office of Cost Analysis and Program Evaluation of the Department of Defense with respect to the activities described in subsections (c)(1) and (d)(1) of such section 3221.

(D) An estimate of the time required to hire and train such personnel.

(E) A plan for developing cost estimation and program evaluation activities jointly with the Department of Defense on strategic system programs to the extent practicable and beneficial to both the National Nuclear Security Administration and the Department of Defense.

(3) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3220 the following new item:

"Sec. 3221. Director for Cost Estimating and Program Evaluation.".

(b) INDEPENDENT COST ESTIMATES ON LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FACILITIES.—Section 4217(b) of the Atomic Energy Defense Act (50 U.S.C. 2537(b)) is amended—

(1) in paragraph (2), by striking "for purposes of this subsection" and inserting "submitted under this subsection before October 1, 2015,"; and

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

"(3) Each cost estimate submitted under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.".

SEC. 3113. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

"SEC. 4806. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK. 50 USC 2786.

"(a) AUTHORITY.—Subject to subsection (b), the Secretary of Energy may—

"(1) carry out a covered procurement action; and

"(2) notwithstanding any other provision of law, limit, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

"(b) REQUIREMENTS.—The Secretary may exercise the authority under subsection (a) only after—

"(1) obtaining a risk assessment that demonstrates that there is a significant supply chain risk to a covered system; Assessment.

"(2) making a determination in writing, in unclassified or classified form, that— Determination.

"(A) the use of the authority under subsection (a) is necessary to protect national security by reducing supply chain risk;

"(B) less restrictive measures are not reasonably available to reduce the supply chain risk; and

"(C) in a case in which the Secretary plans to limit disclosure of information under subsection (a)(2), the risk to national security of the disclosure of the information outweighs the risk of not disclosing the information; and

"(3) submitting to the appropriate congressional committees, not later than seven days after the date on which the Secretary makes the determination under paragraph (2), a notice of such determination, in classified or unclassified form, that includes— Deadline. Notice.

"(A) the information required by section 3304(e)(2)(A) of title 41, United States Code;

"(B) a summary of the risk assessment required under paragraph (1); and

"(C) a summary of the basis for the determination, including a discussion of less restrictive measures that

were considered and why such measures were not reasonably available to reduce supply chain risk.

"(c) NOTIFICATIONS.—If the Secretary has exercised the authority under subsection (a), the Secretary shall—

"(1) notify appropriate parties of the covered procurement action and the basis for the action only to the extent necessary to carry out the covered procurement action;

"(2) notify other Federal agencies responsible for procurement that may be subject to the same or similar supply chain risk, in a manner and to the extent consistent with the requirements of national security; and

"(3) ensure the confidentiality of any notifications under paragraph (1) or (2).

"(d) LIMITATION OF REVIEW.—No action taken by the Secretary under the authority under subsection (a) shall be subject to review in any Federal court.

Deadline.

"(e) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than one year after the effective date specified in subsection (g)(1), and annually for four years thereafter, the Comptroller General of the United States shall—

"(1) review the authority provided under subsection (a), including—

"(A) the adequacy of resources, such as trained personnel, to effectively exercise that authority during the four-year period beginning on that effective date; and

"(B) the sufficiency of determinations under subsection (b)(2);

"(2) review the thoroughness of the process and systems utilized by the Office of the Chief Information Officer and the Office of Intelligence and Counterintelligence of the Department of Energy to reasonably detect supply chain threats to the national security functions of the Department; and

Reports.

"(3) submit to the appropriate congressional committees a report that includes—

"(A) the results of the reviews conducted under paragraphs (1) and (2);

"(B) any recommendations of the Comptroller General for improving the process and systems described in paragraph (2); and

"(C) a description of the status of the implementation of recommendations, if any, with respect to that process and such systems made by the Comptroller General in previous years.

"(f) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the congressional defense committees; and

"(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

"(2) COVERED ITEM OF SUPPLY.—The term 'covered item of supply' means an item—

"(A) that is purchased for inclusion in a covered system; and

"(B) the loss of integrity of which could result in a supply chain risk for a covered system.

"(3) COVERED PROCUREMENT.—The term 'covered procurement' means the following:

"(A) A source selection for a covered system or a covered item of supply involving either a performance specification, as described in subsection (a)(3)(B) of section 3306 of title 41, United States Code, or an evaluation factor, as described in subsection (b)(1) of such section, relating to supply chain risk.

"(B) The consideration of proposals for and issuance of a task or delivery order for a covered system or a covered item of supply, as provided in section 4106(d)(3) of title 41, United States Code, where the task or delivery order contract concerned includes a contract clause establishing a requirement relating to supply chain risk.

"(C) Any contract action involving a contract for a covered system or a covered item of supply if the contract includes a clause establishing requirements relating to supply chain risk.

"(4) COVERED PROCUREMENT ACTION.—The term 'covered procurement action' means, with respect to an action that occurs in the course of conducting a covered procurement, any of the following:

"(A) The exclusion of a source that fails to meet qualification requirements established pursuant to section 3311 of title 41, United States Code, for the purpose of reducing supply chain risk in the acquisition of covered systems.

"(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

"(C) The withholding of consent for a contractor to subcontract with a particular source or the direction to a contractor for a covered system to exclude a particular source from consideration for a subcontract under the contract.

"(5) COVERED SYSTEM.—The term 'covered system' means the following:

"(A) National security systems (as defined in section 3542(b) of title 44, United States Code) and components of such systems.

"(B) Nuclear weapons and components of nuclear weapons.

"(C) Items associated with the design, development, production, and maintenance of nuclear weapons or components of nuclear weapons.

"(D) Items associated with the surveillance of the nuclear weapon stockpile.

"(E) Items associated with the design and development of nonproliferation and counterproliferation programs and systems.

"(6) SUPPLY CHAIN RISK.—The term 'supply chain risk' means the risk that an adversary may sabotage, maliciously introduce unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered system or covered item

of supply so as to surveil, deny, disrupt, or otherwise degrade the function, use, or operation of the system or item of supply.

"(g) EFFECTIVE DATE.—

"(1) IN GENERAL.—This section shall take effect on the date that is 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

"(2) APPLICABILITY.—The authority under subsection (a) shall apply to—

"(A) contracts awarded on or after the effective date specified in paragraph (1); and

"(B) task and delivery orders issued on or after that effective date pursuant to contracts awarded before, on, or after that effective date.

"(3) TERMINATION.—The authority under this section shall terminate on the date that is four years after the effective date specified in paragraph (1).".

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4805 the following new item:

"Sec. 4806. Enhanced procurement authority to manage supply chain risk.".

SEC. 3114. LIMITATION ON AVAILABILITY OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) LIMITATION.—Except as provided in subsection (d), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the National Nuclear Security Administration, the amount specified in subsection (c) may not be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees—

Plan.
Certification.

(1) a detailed plan to realize the planned efficiencies; and

(2) written certification that the planned efficiencies will be achieved during fiscal year 2014.

Deadline.
Reports.

(b) UNREALIZED EFFICIENCIES.—If the Administrator does not submit to the congressional defense committees the matters described in paragraphs (1) and (2) of subsection (a) by the date that is 60 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report on—

(1) the amount of planned efficiencies that will not be realized during fiscal year 2014; and

(2) any effects caused by such unrealized planned efficiencies to the programs funded under the directed stockpile work and nuclear programs accounts.

(c) AMOUNT SPECIFIED.—The amount specified in this subsection is $139,500,000, reduced by the amount the Administrator certifies to the congressional defense committees that the Administrator has saved through the planned efficiencies realized during fiscal year 2014.

(d) EXCEPTIONS.—The limitation under subsection (a) shall not—

(1) apply to funds authorized to be appropriated for directed stockpile work, nuclear programs, or Naval Reactors; or

(2) affect the authority of the Secretary of Energy under sections 4702, 4705, and 4711 of the Atomic Energy Defense Act (50 U.S.C. 2742, 2745, and 2751).

(e) EFFECT OF PLANNED EFFICIENCIES ON LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—The implementation of the planned efficiencies may not result in reductions in amounts provided for laboratory-directed research and development under section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) in fiscal year 2014.

(f) RULE OF CONSTRUCTION.—The limitation under subsection (a) shall not be considered a specific denial of funds for purposes of the authority referred to in subsection (d)(2).

(g) PLANNED EFFICIENCIES DEFINED.—In this section, the term "planned efficiencies" means the $106,800,000, with respect to directed stockpile work, and $32,700,000, with respect to nuclear programs, that the Administrator plans to save during fiscal year 2014 through management efficiency and workforce restructuring reductions, as described in the budget request for fiscal year 2014 that the President submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 3115. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Of the funds authorized to be appropriated for fiscal year 2014 by section 3101 and available for the Office of the Administrator as specified in the funding table in section 4701, or otherwise made available for that Office for that fiscal year, not more than 75 percent may be obligated or expended until—

(1) the President transmits to Congress the matters required to be transmitted during 2013 and 2014 under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) the President transmits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the matters—

(A) required to be transmitted during 2013 and 2014 under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576); and

(B) with respect to which the Secretary of Energy is responsible;

(3) the Secretary submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the reports required to be submitted during 2013 and 2014 under section 3122(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710); and Reports.

(4) the Administrator for Nuclear Security submits to the congressional defense committees—

(A) the detailed report on the stockpile stewardship, management, and infrastructure plan required to be submitted during 2013 under paragraph (2) of section 4203(b) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)); and Reports.

(B) the summary of the plan required to be submitted during 2014 under paragraph (1) of such section.

50 USC 2515.

SEC. 3116. ESTABLISHMENT OF CENTER FOR SECURITY TECHNOLOGY, ANALYSIS, RESPONSE, AND TESTING.

(a) ESTABLISHMENT.—The Administrator for Nuclear Security shall establish within the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) a Center for Security Technology, Analysis, Response, and Testing.

(b) DUTIES.—The center established under subsection (a) shall carry out the following:

(1) Provide to the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise a wide range of objective expertise on security technologies, systems, analysis, testing, and response forces.

(2) Assist the Administrator in developing standards, requirements, analysis methods, and testing criteria with respect to security.

(3) Collect, analyze, and distribute lessons learned with respect to security.

(4) Support inspections and oversight activities with respect to security.

(5) Promote professional development and training for security professionals.

(6) Provide for advance and bulk procurement for security-related acquisitions that affect multiple facilities of the nuclear security enterprise.

(7) Advocate for continual improvement and security excellence throughout the nuclear security enterprise.

(8) Such other duties as the Administrator may assign.

SEC. 3117. AUTHORIZATION OF MODULAR BUILDING STRATEGY AS AN ALTERNATIVE TO THE REPLACEMENT PROJECT FOR THE CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

Section 3114(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2171; 50 U.S.C. 2535 note) is amended—

(1) by striking "No funds" and inserting the following:

"(1) LIMITATION ON USE OF FUNDS.—Except as provided in paragraph (2), no funds"; and

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

"(2) USE OF FUNDS FOR MODULAR BUILDING STRATEGY.—The Administrator for Nuclear Security may obligate and expend funds referred to in paragraph (1) for activities relating to a modular building strategy on and after the date that is 60 days after the date on which the Nuclear Weapons Council established under section 179 of title 10, United States Code, notifies the congressional defense committees that—

Time period.

"(A) the modular building strategy—

"(i) meets requirements for maintaining the nuclear weapons stockpile over a 30-year period;

"(ii) meets requirements for implementation of a responsive infrastructure, including meeting plutonium pit production requirements; and

Deadline.

"(iii) will achieve full operating capability for not less than two modular structures by not later than 2027;

"(B) in fiscal year 2015, the National Nuclear Security Administration will begin the process of designing and building modular buildings in accordance with Department of Energy Order 413.3 (relating to relating to program management and project management for the acquisition of capital assets); and

"(C) the Administrator will include the costs of the modular building strategy in the estimated expenditures and proposed appropriations reflected in the future-years nuclear security program submitted under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

"(3) MODULAR BUILDING STRATEGY DEFINED.—In this subsection, the term 'modular building strategy' means an alternative strategy to the replacement project that consists of repurposing existing facilities and constructing a series of modular structures, each of which is fully useable, to complement the function of the plutonium facility (PF–4) at Los Alamos National Laboratory, New Mexico, in accordance with all applicable safety and security standards of the Department of Energy.".

SEC. 3118. COMPARATIVE ANALYSIS OF WARHEAD LIFE EXTENSION OPTIONS.

(a) IN GENERAL.—In carrying out Phase 6.2 and Phase 6.2A of the Joint W78/88–1 Warhead Life Extension Program, the Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct a comparative analysis of the feasibility of, and preliminary design definitions and cost estimates for, each of the following life extension options:

(1) A separate life extension option to produce a W78–1 warhead.

(2) A separate life extension option to produce a W88–1 warhead.

(3) An interoperable W78/88–1 life extension option.

(4) Any other life extension option the Nuclear Weapons Council considers appropriate.

(b) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated by this Act may be obligated or expended for Phase 6.3 (development engineering) activities for the Joint W78/88–1 Warhead Life Extension Program until the date that is 90 days after the Chairman of the Nuclear Weapons Council submits to the congressional defense committees a report containing the comparative analysis required by subsection (a). Deadline. Reports.

SEC. 3119. EXTENSION OF AUTHORITY OF SECRETARY OF ENERGY TO ENTER INTO TRANSACTIONS TO CARRY OUT CERTAIN RESEARCH PROJECTS.

Section 646(g)(10) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(10)) is amended by striking "September 30, 2015" and inserting "September 30, 2020".

SEC. 3120. INCREASE IN CONSTRUCTION DESIGN THRESHOLD.

Section 4706(b) of the Atomic Energy Defense Act (50 U.S.C. 2746(b)) is amended by striking "$600,000" both places it appears and inserting "$1,000,000".

Subtitle C—Plans and Reports

SEC. 3121. ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

(a) IN GENERAL.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended to read as follows:

"SEC. 4506. ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

"(a) REPORT AND CERTIFICATION ON NUCLEAR SECURITY ENTERPRISE.—(1) Not later than September 30 of each year, the Administrator shall submit to the Secretary of Energy—

"(A) a report detailing the status of security at facilities holding Category I and II quantities of special nuclear material that are administered by the Administration; and

"(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Administration and the Department of Energy.

Plan. "(2) If the Administrator is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Administrator shall submit to the Secretary with the matters required by paragraph (1) a corrective action plan for the facility describing—

"(A) the deficiency that resulted in the Administrator being unable to make the certification;

"(B) the actions to be taken to correct the deficiency; and

"(C) timelines for taking such actions.

"(3) Not later than December 1 of each year, the Secretary shall submit to the congressional defense committees the unaltered report, certification, and any corrective action plans submitted by the Administrator under paragraphs (1) and (2) together with any comments of the Secretary.

"(b) REPORT AND CERTIFICATION ON ATOMIC ENERGY DEFENSE FACILITIES NOT ADMINISTERED BY THE ADMINISTRATION.—(1) Not later than December 1 of each year, the Secretary shall submit to the congressional defense committees—

"(A) a report detailing the status of the security of atomic energy defense facilities holding Category I and II quantities of special nuclear material that are not administered by the Administration; and

"(B) written certification that such facilities meet the security standards and requirements of the Department of Energy.

Plan. "(2) If the Secretary is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Secretary shall submit to the congressional defense committees, together with the matters required by paragraph (1), a corrective action plan describing—

"(A) the deficiency that resulted in the Secretary being unable to make the certification;

"(B) the actions to be taken to correct the deficiency; and

"(C) timelines for taking such actions.".

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4506 and inserting the following new item:

"Sec. 4506. Annual report and certification on status of security of atomic energy defense facilities.".

SEC. 3122. MODIFICATIONS TO ANNUAL REPORTS REGARDING THE CONDITION OF THE NUCLEAR WEAPONS STOCKPILE.

(a) REPORT ON ASSESSMENTS.—Subsection (e) of section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended—

(1) in paragraph (3)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

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

"(E) a concise summary of any significant finding investigations initiated or active during the previous year for which the head of the national security laboratory has full or partial responsibility."; and

(2) by amending paragraph (4) to read as follows:

"(4) In the case of a report submitted by the Commander of the United States Strategic Command—

"(A) a discussion of the relative merits of other nuclear weapon types (if any), or compensatory measures (if any) that could be taken, that could enable accomplishment of the missions of the nuclear weapon types to which the assessments relate, should such assessments identify any deficiency with respect to such nuclear weapon types; and

"(B) a summary of all major assembly releases in place as of the date of the report for the active and inactive nuclear weapon stockpiles.".

(b) REPORTS SUBMITTED TO THE PRESIDENT AND CONGRESS.—Subsection (f) of such section is amended—

(1) in paragraph (1), by striking "March 1" and inserting "February 1"; and

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

"(3) If the President does not forward to Congress the matters required under paragraph (2) by the date required by such paragraph, the officials specified in subsection (b) shall provide a briefing to the congressional defense committees not later than March 30 on the report such officials submitted to the Secretary concerned under subsection (e).".

SEC. 3123. INCLUSION OF INTEGRATED PLUTONIUM STRATEGY IN NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.

Section 4203(d) of the Atomic Energy Defense Act (50 U.S.C. 2523(d)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

"(6) A strategy for the integrated management of plutonium for stockpile and stockpile stewardship needs over a 20-year period that includes the following:

"(A) An assessment of the baseline science issues necessary to understand plutonium aging under static and dynamic conditions under manufactured and nonmanufactured plutonium geometries.

"(B) An assessment of scientific and testing instrumentation for plutonium at elemental and bulk conditions.

"(C) An assessment of manufacturing and handling technology for plutonium and plutonium components.

"(D) An assessment of computational models of plutonium performance under static and dynamic loading, including manufactured and nonmanufactured conditions.

"(E) An identification of any capability gaps with respect to the assessments described in subparagraphs (A) through (D).

"(F) An estimate of costs relating to the issues, instrumentation, technology, and models described in subparagraphs (A) through (D) over the period covered by the future-years nuclear security program under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

"(G) An estimate of the cost of eliminating the capability gaps identified under subparagraph (E) over the period covered by the future-years nuclear security program.

"(H) Such other items as the Administrator considers important for the integrated management of plutonium for stockpile and stockpile stewardship needs.".

SEC. 3124. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) ANALYSES OF BID PROTESTS.—Subsection (a) of section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2175) is amended to read as follows:

"(a) REPORTS REQUIRED.—The Administrator for Nuclear Security shall submit to the congressional defense committees a report described in subsection (b) by not later than 30 days after the later of—

"(1) the date on which the Administrator awards a contract to manage and operate a facility of the National Nuclear Security Administration; or

"(2) the date on which a protest concerning an alleged violation of a procurement statute or regulation brought under subchapter V of chapter 35 of title 31, United States Code, with respect to such a contract is resolved.".

(b) REPORTING ON EXPECTED COST SAVINGS.—Subsection (b)(1) of such section is amended by inserting ", including a description of the assumptions used and analysis conducted to determine such expected cost savings" before the semicolon.

(c) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Subsection (c) of such section is amended to read as follows:

"(c) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

Deadline.

"(1) IN GENERAL.—Except as provided in paragraph (2), the Comptroller General of the United States shall submit

to the congressional defense committees a review of each report required by subsection (a) or (d)(2) not later than 180 days after the report is submitted to such committees.

"(2) EXCEPTION.—The Comptroller General may not conduct a review under paragraph (1) of a report relating to a contract to manage and operate a facility of the National Nuclear Security Administration while a protest described in subsection (a)(2) is pending with respect to that contract.".

(d) EXCEPTION FOR NAVAL REACTORS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(3) NAVAL REACTORS.—The requirement for reports under subsections (a) and (d)(2) shall not apply with respect to a management and operations contract for a Naval Reactor facility.".

SEC. 3125. MODIFICATION OF DEADLINES FOR CERTAIN REPORTS RELATING TO PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

Section 3122 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2176; 50 U.S.C. 2562 note) is amended—

(1) in subsection (b)(1), by inserting ", and to the Comptroller General of the United States," after "the appropriate congressional committees";

(2) in subsection (c)—

(A) in paragraph (1), by striking "15" and inserting "30";

(B) by redesignating paragraph (3) as paragraph (4);

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

"(3) WAIVER.—The Administrator may waive the requirement under paragraph (1) to submit a report on a modification in the program under subsection (a) not later than 30 days before making the modification if the Administrator—

"(A) determines that the modification is urgent and necessary to the national security interests of the United States; and

"(B) not later than 30 days after making the modification, submits to the appropriate congressional committees—

"(i) the report on the modification required by paragraph (1); and

"(ii) a justification for exercising the waiver authority under this paragraph."; and

(D) in paragraph (4), as redesignated by subparagraph (B), by striking "The report under paragraph (1)" and inserting "Each report submitted under paragraph (1) or (3)(B)"; and

(3) in subsection (e)(1), by striking "two years after the date of the enactment of this Act" and inserting "18 months after the date of the submittal of the report described in subsection (b)(1)".

SEC. 3126. MODIFICATION OF CERTAIN REPORTS ON COST CONTAINMENT FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123(f) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2178) is amended—

(1) in the subsection heading, by striking "QUARTERLY";

(2) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) IN GENERAL.—The Comptroller General of the United States shall submit to the congressional defense committees a report on the project referred to in subsection (a)—

"(A) not later than 90 days after the date of the enactment of this Act and every 90 days thereafter through the date that is one year after such date of enactment; and

"(B) after the date that is one year after such date of enactment, at such times as the Comptroller General, in consultation with the congressional defense committees, determines appropriate, taking into consideration the critical decision points of the project (as defined in orders of the Department of Energy).''; and

(3) in paragraph (2)—

(A) in subparagraph (A), by striking "and the progress on meeting the requirements of section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753)"; and

(B) in subparagraph (D), by striking "programmatic".

SEC. 3127. PLAN FOR TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

(a) IN GENERAL.—Subtitle D of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

50 USC 2625.

"SEC. 4445. PLAN FOR TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

Deadline.

"(a) PLAN.—Not later than June 1, 2014, the Secretary of Energy shall submit to the congressional defense committees a plan for the initial activities (as defined in subsection (d)) for the Waste Treatment and Immobilization Plant and any related, required infrastructure facilities.

"(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:

"(1) A list of significant requirements needed for the initial activities.

"(2) A schedule of significant activities needed to carry out the initial activities.

"(3) Actions required to accelerate, to the extent possible, the treatment of lower risk, low-activity waste while continuing efforts to resolve the technical challenges associated with higher risk, high-activity waste.

"(4) A description of how the Secretary will—

"(A) provide adequate protection to workers and the public under the plan; and

"(B) incorporate into the plan any significant new science and technical information that was not available before the development of the plan.

"(c) DETERMINATIONS.—(1) For each significant requirement identified by the Secretary under subsection (b)(1), the Secretary shall include in the plan submitted under subsection (a) a determination regarding whether such requirement is finalized and will be used to inform the initial activities.

"(2) For each significant requirement that the Secretary cannot make a finalized determination for under paragraph (1) by the

date on which the plan under subsection (a) is submitted to the congressional defense committees, the Secretary shall—

"(A) include in the plan—

"(i) a description of the requirement;

"(ii) a list of significant activities required to finalize the requirement; and

"(iii) the date on which the Secretary anticipates making such determination; and

"(B) once the Secretary makes a determination that such a significant requirement is finalized, submit to such committees notification that the requirement is finalized and will be used to inform the initial activities.

"(3)(A) Notwithstanding any determination made under paragraph (1) with respect to a significant requirement identified by the Secretary under subsection (b)(1)—

"(i) the Secretary shall change a requirement if necessary to provide adequate protection to workers and the public; and

"(ii) the Secretary may change a requirement if the Secretary determines such change is necessary.

"(B) If the Secretary authorizes a change to a requirement under subparagraph (A) that will have a significant material effect on the schedule or cost of the initial activities, the Secretary shall promptly notify the congressional defense committees of such change. Notification.

"(C) The authority of the Secretary under this paragraph may be delegated only to the Deputy Secretary of Energy.

"(d) INITIAL ACTIVITIES DEFINED.—In this section, the term 'initial activities' means activities necessary to start the operations of the Waste Treatment and Immobilization Plant at the Hanford Tank Farms of the Hanford Nuclear Reservation, Richland, Washington, with respect to the design, construction, and operating of the Waste Treatment and Immobilization Plant and any related, required infrastructure facilities.".

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4444 the following new item:

"Sec. 4445. Plan for tank farm waste at Hanford Nuclear Reservation.".

SEC. 3128. PLAN FOR IMPROVEMENT AND INTEGRATION OF FINANCIAL MANAGEMENT OF NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—The Administrator for Nuclear Security shall develop a plan for improving and integrating the financial management of the nuclear security enterprise.

(b) MATTERS TO BE INCLUDED.—The plan required by subsection (a) shall include the following:

(1) An assessment of the expected results of the plan.

(2) An assessment of the feasibility of the plan.

(3) The estimated costs of carrying out the plan.

(4) A timeline for implementation of the plan.

(c) CONSIDERATIONS IN DEVELOPMENT OF PLAN.—In developing the plan required by subsection (a), the Administrator shall consider the following:

(1) Efforts to improve the structure for the allocation of work to be used by the entities within the nuclear security enterprise for the activities carried out by those entities.

(2) Efforts to develop a clear and consistent cost structure for each program and entity within the nuclear security enterprise.

(3) Methodologies for identifying costs for programs of record and base capabilities required for programs carried out by the nuclear security enterprise.

(4) Mechanisms for monitoring those programs during the execution of those programs and to provide data to inform oversight of those programs.

(5) Reporting frameworks to be used by the entities within the nuclear security enterprise to facilitate analyses, projections, and comparisons of similar activities carried out by different programs across the nuclear security enterprise.

(6) Effects of the plan on the facilities and management and operating contractors of the nuclear security enterprise.

Deadline.

(d) SUBMISSION TO CONGRESS.—The Administrator shall submit the plan required by subsection (a) to the congressional defense committees not later than one year after the date of the enactment of this Act.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term "nuclear security enterprise" has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

50 USC 2521 note.

SEC. 3129. PLAN FOR DEVELOPING EXASCALE COMPUTING AND INCORPORATING SUCH COMPUTING INTO THE STOCKPILE STEWARDSHIP PROGRAM.

Time period. Effective date.

(a) PLAN REQUIRED.—The Administrator for Nuclear Security shall develop and carry out a plan to develop exascale computing and incorporate such computing into the stockpile stewardship program under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) during the 10-year period beginning on the date of the enactment of this Act.

(b) MILESTONES.—The plan required by subsection (a) shall include major programmatic milestones in—

(1) the development of a prototype exascale computer for the stockpile stewardship program; and

(2) mitigating disruptions resulting from the transition to exascale computing.

(c) COORDINATION WITH OTHER AGENCIES.—In developing the plan required by subsection (a), the Administrator shall coordinate, as appropriate, with the Under Secretary of Energy for Science, the Secretary of Defense, and elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

(d) INCLUSION OF COSTS IN FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—The Administrator shall—

Time period. Effective date.

(1) address, in the estimated expenditures and proposed appropriations reflected in each future-years nuclear security program submitted under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) during the 10-year period beginning on the date of the enactment of this Act, the costs of—

(A) developing exascale computing and incorporating such computing into the stockpile stewardship program; and

(B) mitigating potential disruptions resulting from the transition to exascale computing; and

(2) include in each such future-years nuclear security program a description of the costs of efforts to develop exascale computing borne by the National Nuclear Security Administration, the Office of Science of the Department of Energy, other Federal agencies, and private industry.

(e) SUBMISSION TO CONGRESS.—The Administrator shall submit the plan required by subsection (a) to the congressional defense committees with each summary of the plan required by subsection (a) of section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) submitted under subsection (b)(1) of that section during the 10-year period beginning on the date of the enactment of this Act.

(f) EXASCALE COMPUTING DEFINED.—In this section, the term "exascale computing" means computing through the use of a computing machine that performs near or above 10 to the 18th power floating point operations per second.

SEC. 3130. STUDY AND PLAN FOR EXTENSION OF CERTAIN PILOT PROGRAM PRINCIPLES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall conduct a study of the feasibility of, and develop a plan for, extending the principles of the pilot program to improve and streamline oversight of the Kansas City Plant, Kansas City, Missouri, initiated on or about April 2006, to additional facilities of the nuclear security enterprise. Missouri.

(b) ELEMENTS.—The study and plan required by subsection (a) shall address the following:

(1) The applicability of all or some of the principles of the pilot program to additional facilities of the nuclear security enterprise.

(2) The costs, benefits, risks, opportunities, and cost avoidances that may result from the extension of the principles of the pilot program to additional facilities.

(3) The cost avoidances that have been realized from the pilot program described in subsection (a) since the pilot program was initiated.

(4) The actions and timelines that would be required to extend the principles of the pilot program to additional facilities if the Administrator determines that extending such principles is feasible.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report that includes the following:

(1) The results of the study and the plan required by subsection (a).

(2) The determination of the Administrator regarding whether the principles of the pilot program will be extended to additional facilities of the nuclear security enterprise.

(d) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) The term "nuclear security enterprise" has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(3) The term "principles of the pilot program" means the principles regarding the use of third-party certification, industrial standards, best business practices, and verification of internal procedures and performance to improve and streamline oversight, as demonstrated in the pilot program at the Kansas City Plant described in subsection (a).

SEC. 3131. STUDY OF POTENTIAL REUSE OF NUCLEAR WEAPON SECONDARIES.

Deadline. Assessment.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall conduct a study of the potential reuse of nuclear weapon secondaries that includes an assessment of the potential for reusing secondaries in future life extension programs, including—

(1) a description of which secondaries could be reused;

(2) the number of such secondaries available in the stockpile as of the date of the study; and

(3) the number of such secondaries that are planned to be available after such date as a result of the dismantlement of nuclear weapons.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to nuclear weapon secondaries.

(2) The benefits and risks of reusing such secondaries.

(3) A list of technical challenges that must be resolved to certify aged materials under dynamic loading conditions and the full stockpile-to-target sequence of weapons, including a program plan and timeline for resolving such technical challenges and an assessment of the importance of resolving outstanding materials issues on certifying aged secondaries.

(4) The potential costs and cost savings of such reuse.

(5) The effects of such reuse on the requirements for secondaries manufacturing.

(6) An assessment of how such reuse affects plans to build a responsive nuclear weapons infrastructure.

Deadline.

(c) SUBMISSION.—Not later than March 1, 2014, the Administrator shall submit to the congressional defense committees the study under subsection (a).

SEC. 3132. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) REPORT ON COUNTERINTELLIGENCE AND SECURITY PRACTICES AT NATIONAL SECURITY LABORATORIES.—

(1) IN GENERAL.—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4507.

(b) REPORTS ON ADVANCED SUPERCOMPUTER SALES TO CERTAIN FOREIGN NATIONS.—Section 3157 of the National Defense

Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. App. 2404 note) is repealed.

Subtitle D—Other Matters

SEC. 3141. CLARIFICATION OF ROLE OF SECRETARY OF ENERGY.

50 USC 2512 note.

The amendment made by section 3113 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2169) to section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) may not be construed as affecting the authority of the Secretary of Energy, in carrying out national security programs, with respect to the management, planning, and oversight of the National Nuclear Security Administration or as affecting the delegation by the Secretary of authority to carry out such activities, as set forth under subsection (a) of such section 4102 as it existed before the amendment made by such section 3113.

SEC. 3142. MODIFICATION OF DEADLINES FOR CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

Section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking "180 days after the date of the enactment of this Act" and inserting "March 1, 2014"; and

(B) in paragraph (2), by striking "February 1, 2014" and inserting "July 1, 2014"; and

(2) in subsection (f), by striking "June 1, 2014" and inserting "September 30, 2014".

SEC. 3143. DEPARTMENT OF ENERGY LAND CONVEYANCE.

Missouri.

(a) CONSOLIDATION OF TITLE TO BANNISTER FEDERAL COMPLEX.—Notwithstanding sections 521 and 522 of title 40, United States Code, the Administrator of General Services may transfer custody of and accountability for the portion of the real property described in subsection (b) in the custody of the General Services Administration on the date of the enactment of this Act to the National Nuclear Security Administration.

(b) REAL PROPERTY DESCRIBED.—

(1) IN GENERAL.—The real property described in this subsection is the real property, including any improvements thereon, consisting of the Bannister Federal Complex in Kansas City, Missouri.

(2) FURTHER DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property described in this subsection shall be determined by a survey satisfactory to the Administrator for Nuclear Security and the Administrator of General Services.

(c) AUTHORITIES RELATING TO CONVEYANCE OF BANNISTER FEDERAL COMPLEX.—After the consolidation of custody of and accountability for the real property described in subsection (b) in the National Nuclear Security Administration under subsection (a), the Administrator for Nuclear Security may—

(1) negotiate an agreement to convey to an eligible entity all right, title, and interest of the United States in and to the real property described in subsection (b); and

(2) enter into an agreement, on a reimbursable basis or otherwise, with the eligible entity to provide funding for the costs of—

(A) the negotiation of the agreement described in paragraph (1);

(B) planning for the disposition of the property; and

(C) carrying out the responsibilities of the Administrator under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) with respect to the property, including—

(i) identification, investigation, and clean up of, and research and development with respect to, contamination from a hazardous substance or pollutant or contaminant;

(ii) correction of other environmental damage that creates an imminent and substantial endangerment to the public health or welfare or to the environment; and

(iii) demolition and removal of buildings and structures as required to clean up contamination or as required for completion of the responsibilities of the Administrator under that section.

(d) LIMITATIONS.—

(1) PRICE.—The Administrator for Nuclear Security shall select, through a public process provided for under the regulations of the Department of Energy, the eligible entity to which the real property described in subsection (b) is to be conveyed under subsection (c). The Administrator shall use good faith efforts to ensure the greatest possible return on such conveyance considering the conditions described in paragraphs (2) and (3).

(2) CONDITION ON CONVEYANCE.—The conveyance under subsection (c) shall be subject to the requirements relating to transfer of property by the Federal Government under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

Deadline.

(3) OCCUPANCY BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The conveyance under subsection (c) shall be subject to the condition that the National Oceanic and Atmospheric Administration may continue to occupy until December 31, 2015, the space in the real property described in subsection (b) that the Administration occupies as of the date of the enactment of this Act.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) REIMBURSEMENT OF COSTS OF CONVEYANCE.—The Administrator for Nuclear Security shall use any funds received from the conveyance under subsection (c) to reimburse the Administrator for costs (other than costs referred to in paragraph (2) of that subsection) incurred by the Administrator to carry out the conveyance, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs referred to in that paragraph. 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.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator for Nuclear Security may require such additional terms and conditions in connection with the conveyance under subsection (c) as the Administrator considers appropriate to protect the interests of the United States.

(g) ELIGIBLE ENTITY DEFINED.—In this section, the term "eligible entity" means a nongovernmental entity that has demonstrated to the Administrator for Nuclear Security, in the Administrator's sole discretion, that the entity has the capability to operate and maintain the real property described in subsection (b).

SEC. 3144. TECHNICAL AMENDMENT TO ATOMIC ENERGY ACT OF 1954.

Chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.), as amended by section 3176 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2215), is amended in the matter following section 111 by inserting before "a. The Commission" the following: "Sec. 112. DOMESTIC MEDICAL ISOTOPE PRODUCTION.—". 42 USC 2142.

SEC. 3145. TECHNICAL CORRECTIONS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) ADMINISTRATOR FOR NUCLEAR SECURITY.—Section 3212(c) of the National Nuclear Security Administration Act (50 U.S.C. 2402(c)) is amended by striking "section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))" and inserting "section 1702(c) of title 41, United States Code".

(b) STATUS OF ADMINISTRATION AND CONTRACTOR PERSONNEL.—Section 3220 of such Act (50 U.S.C. 2410) is amended in subsection (a)(1)(A) and subsection (b) by inserting "(42 U.S.C. 7132(c)(3))" after "section 202(c)(3) of the Department of Energy Organization Act".

(c) GOVERNMENT ACCESS TO INFORMATION AND COMPUTERS.—Section 3235(b) of such Act (50 U.S.C. 2425(b)) is amended by inserting "(Public Law 99–508; 100 Stat. 1848)" after "of 1986".

(d) AUTHORITY TO ESTABLISH CERTAIN POSITIONS.—Section 3241 of such Act (50 U.S.C. 2441) is amended in the last sentence—

(1) by striking "excepted positions established" and inserting "positions established";

(2) by striking "an excepted position" and inserting "a position"; and

(3) by striking "nonexcepted position" and inserting "position not established under this section".

(e) SEPARATE TREATMENT IN BUDGET.—Section 3251(a) of such Act (50 U.S.C. 2451(a)) is amended by striking "the Congress" and inserting "Congress".

(f) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253(b) of such Act (50 U.S.C. 2453(b)) is amended—

(1) by striking "five-fiscal year" each place it appears and inserting "five-fiscal-year";

(2) by striking paragraph (5) and by redesignating paragraph (6) as paragraph (5); and

(3) in subparagraph (B) of paragraph (5), as redesignated by paragraph (2), by striking "National Nuclear Security".

(g) COMPLIANCE WITH FEDERAL ACQUISITION REGULATION.—Section 3262 of such Act (50 U.S.C. 2462) is amended by striking

"the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)" and inserting "section 1303(a)(1) of title 41, United States Code".

(h) USE OF CAPABILITIES OF NATIONAL SECURITY LABORATORIES.—Section 3264 of such Act (50 U.S.C. 2464) is amended by inserting "of Energy" after "Secretary".

(i) DEFINITIONS.—Section 3281(2)(F) of such Act (50 U.S.C. 2471(2)(F)) is amended by striking "the Congress" and inserting "Congress".

(j) FUNCTIONS TRANSFERRED.—Section 3291(d)(1) of such Act (50 U.S.C. 2481(d)(1)) is amended by moving the flush text after subparagraph (B) 2 ems to the left.

SEC. 3146. TECHNICAL CORRECTIONS TO THE ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) is amended—

(A) in the matter preceding paragraph (1), by striking "In this division" and inserting "Except as otherwise provided, in this division";

(B) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (9), and (10), respectively;

(C) by inserting after paragraph (4) the following new paragraph (5):

"(5) The terms 'defense nuclear facility' and 'Department of Energy defense nuclear facility' have the meaning given the term 'Department of Energy defense nuclear facility' in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286g).";

(D) by inserting after paragraph (7), as redesignated by subparagraph (B), the following new paragraph (8):

"(8) The term 'Nuclear Weapons Council' means the Nuclear Weapons Council established by section 179 of title 10, United States Code."; and

(E) in paragraph (10), as redesignated by subparagraph (B), by striking "restricted data" and inserting "Restricted Data".

(2) CONFORMING AMENDMENTS.—

(A) NUCLEAR WEAPONS STOCKPILE STEWARDSHIP PLAN.—Section 4203(e)(1) of such Act (50 U.S.C. 2523(e)(1)) is amended in the matter preceding subparagraph (A) by striking "established by section 179 of title 10, United States Code,".

(B) REPORTS ON LIFE EXTENSION PROGRAMS.—Section 4216(a) of such Act (50 U.S.C. 2536(a)) is amended in the matter preceding paragraph (1) by striking "established by section 179 of title 10, United States Code,".

(C) SELECTED ACQUISITION REPORTS.—Section 4217(b)(1) of such Act (50 U.S.C. 2537(b)(1)) is amended in the matter preceding subparagraph (A) by striking "established under section 179 of title 10, United States Code,".

(D) ADVICE ON NUCLEAR WEAPONS STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538) is amended—

(i) in subsection (e), by striking "Joint"; and

(ii) in subsection (f)(1), in the matter preceding subparagraph (A), by striking "established under section 179 of title 10, United States Code".

(E) REPORTS ON PERMANENT CLOSURES OF DEFENSE NUCLEAR FACILITIES.—Section 4422(a) of such Act (50 U.S.C. 2602(a)) is amended by striking "(as defined in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286(g))".

(F) PROHIBITION ON INTERNATIONAL INSPECTIONS.—Section 4501(a) of such Act (50 U.S.C. 2651(a)) is amended by striking "restricted data" and inserting "Restricted Data".

(G) REVIEW OF CERTAIN DOCUMENTS BEFORE DECLASSIFICATION AND RELEASE.—Section 4521 of such Act (50 U.S.C. 2671) is amended by striking "restricted data" each place it appears and inserting "Restricted Data".

(H) PROTECTION AGAINST INADVERTENT RELEASE OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.—Section 4522 of such Act (50 U.S.C. 2672) is amended by striking subsection (g).

(I) DEFINITIONS.—Section 4701 of such Act (50 U.S.C. 2741) is amended—

(i) by striking paragraph (2); and

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

(J) PROHIBITION AND REPORT ON BONUSES TO CONTRACTORS.—Section 4802 of such Act (50 U.S.C. 2782) is amended—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b).

(K) TRANSFERS OF REAL PROPERTY.—Section 4831(f) of such Act (50 U.S.C. 2811(f)) is amended by striking "section:" and all that follows through "(2) The terms" and inserting "section, the terms".

(b) RESTRICTION ON CERTAIN LICENSING REQUIREMENT.—Section 4103 of such Act (50 U.S.C. 2513) is amended by inserting "; 94 Stat. 3197" after "Public Law 96–540".

(c) NUCLEAR WEAPONS STOCKPILE MATTERS.—

(1) STOCKPILE STEWARDSHIP PROGRAM.—Section 4201 of such Act (50 U.S.C. 2521) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking "for Nuclear Security"; and

(B) in subsection (b)—

(i) in paragraph (4)(D), by striking "Nevada national security site" and inserting "Nevada National Security Site"; and

(ii) in paragraph (5)—

(I) by striking subparagraphs (A) through (D) and inserting the following new subparagraph (A):

"(A) the nuclear weapons production facilities; and"; and

(II) by redesignating subparagraph (E) as subparagraph (B).

(2) STOCKPILE MANAGEMENT PROGRAM.—Section 4204(a) of such Act (50 U.S.C. 2524(a)) is amended by striking "for Nuclear Security".

(3) ANNUAL ASSESSMENTS OF NUCLEAR WEAPONS STOCKPILE.—Section 4205 of such Act (50 U.S.C. 2525) is amended—

(A) in subsection (c), in the matter preceding paragraph (1), by striking "for Nuclear Security"; and

(B) in subsection (h)—

(i) in the subsection heading, by striking "DEFINITIONS" and inserting "DEFINITION";

(ii) by striking "section:" and all that follows through "(2) The term" and inserting "section, the term"; and

(iii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, 2 ems to the left.

(4) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of such Act (50 U.S.C. 2527) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively;

(C) in subsection (a), as redesignated by subparagraph (B), by striking "Soviet Union" and inserting "Russian Federation";

(D) in subsection (b), as redesignated by subparagraph (B), by striking "subsection (b)" and inserting "subsection (a)"; and

(E) in subsection (c), as redesignated by subparagraph (B)—

(i) by striking "subsection (b)" and inserting "subsection (a)"; and

(ii) by striking "national nuclear weapons laboratories" and inserting "national security laboratories".

(5) REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.—Section 4209(d) of such Act (50 U.S.C. 2529(d)) is amended by striking "the date of the enactment of this Act" each place it appears and inserting "December 2, 2002".

(6) MANUFACTURING INFRASTRUCTURE.—Section 4212 of such Act (50 U.S.C. 2532) is amended—

(A) in subsection (a)(2), by striking "Review" and inserting "Memorandum"; and

(B) in subsection (c), by striking "the Congress" and inserting "Congress".

(7) REPORTS ON CRITICAL DIFFICULTIES.—Section 4213 of such Act (50 U.S.C. 2533) is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking "PLANTS" and inserting "FACILITIES"; and

(ii) by striking "plant" each place it appears and inserting "facility"; and

(B) in subsection (d)—

(i) in the subsection heading, by striking "CERTIFICATION" and inserting "ASSESSMENT"; and

(ii) by striking "included with the decision documents" and all that follows through "the President" and inserting "submitted to the President and Congress with the matters required to be submitted under section 4205(f)".

(8) PLAN FOR TRANSFORMATION OF NUCLEAR SECURITY ENTERPRISE.—

(A) REPEAL.—Section 4214 of such Act (50 U.S.C. 2534) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4214.

(9) REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING.—Section 4215(d)(2) of such Act (50 U.S.C. 2535(d)(2)) is amended by striking "National Nuclear Security".

(10) ADVICE ON NUCLEAR WEAPONS STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538), as amended by subsection (a)(2)(D), is further amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (g) as subsections (a) through (f), respectively; and

(C) in subsection (d), as redesignated by subparagraph (B), by striking "(under section 3159 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 42 U.S.C. 7274o))" and inserting "under section 4213".

(11) TRITIUM PRODUCTION PROGRAM.—

(A) IN GENERAL.—Subsection (b) of section 4233 of such Act (50 U.S.C. 2543) is—

(i) transferred to the end of section 4231 (50 U.S.C. 2541); and

(ii) redesignated as subsection (c).

(B) CONFORMING REPEAL.—Section 4233 of such Act (50 U.S.C. 2543) is repealed.

(C) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4233.

(d) PROLIFERATION MATTERS.—

(1) NONPROLIFERATION INITIATIVES AND ACTIVITIES.—

(A) REPEAL.—Section 4302 of such Act (50 U.S.C. 2562) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4302.

(2) NUCLEAR CITIES INITIATIVE.—

(A) REPEAL.—Section 4304 of such Act (50 U.S.C. 2564) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4304.

(e) DEFENSE ENVIRONMENTAL CLEANUP.—

(1) DEFENSE ENVIRONMENTAL CLEANUP ACCOUNT.—Section 4401 of such Act (50 U.S.C. 2581) is amended—

(A) in the section heading, by striking "**RESTORATION AND WASTE MANAGEMENT**" and inserting "**CLEANUP**";

(B) in subsection (a), by striking "Restoration and Waste Management" and inserting "Cleanup"; and

(C) in subsection (b), by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

(2) FUTURE USE PLANS FOR DEFENSE ENVIRONMENTAL CLEANUP.—Section 4402 of such Act (50 U.S.C. 2582) is amended—

(A) in the section heading, by striking "**ENVIRONMENTAL MANAGEMENT PROGRAM**" and inserting "**DEFENSE ENVIRONMENTAL CLEANUP**";

(B) in subsection (a), by striking "environmental restoration and waste management" and inserting "defense environmental cleanup";

(C) in subsection (b)—

(i) by striking paragraph (2); and

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

(D) in subsection (c)(2), by striking "for program direction in carrying out environmental restoration and waste management" and inserting "for defense environmental cleanup";

(E) by striking subsection (f);

(F) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(G) in paragraph (2) of subsection (g), as redesignated by subparagraph (F)—

(i) by striking "an environmental restoration or waste management" and inserting "a defense environmental cleanup"; and

(ii) by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

(3) FUTURE-YEARS DEFENSE ENVIRONMENTAL CLEANUP PLAN.—Section 4402A of such Act (50 U.S.C. 2582A) is amended—

(A) in the section heading, by striking "**MANAGEMENT**" and inserting "**CLEANUP**";

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "management" and inserting "cleanup"; and

(ii) in paragraph (1), by striking "environmental management" and inserting "defense environmental cleanup"; and

(C) in subsection (b), by striking "management" each place it appears and inserting "cleanup".

(4) INTEGRATED FISSILE MATERIALS MANAGEMENT PLAN.—Section 4403 of such Act (50 U.S.C. 2583) is amended—

(A) in subsection (a)(1)—

(i) by striking "the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs" and inserting "the Office of Nuclear Energy, and the Administration"; and

(ii) by striking "storage" and inserting "storage,"; and

(B) in subsection (b), by striking "March 31, 2000" and inserting "March 31, 2014".

Repeal.

(5) BASELINE ENVIRONMENTAL MANAGEMENT REPORTS.—Section 4404 of such Act (50 U.S.C. 2584) is repealed.

(6) ACCELERATED SCHEDULE FOR DEFENSE ENVIRONMENTAL CLEANUP ACTIVITIES.—Section 4405 of such Act (50 U.S.C. 2585) is amended—

(A) in the section heading, by striking "**ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT**" and inserting "**DEFENSE ENVIRONMENTAL CLEANUP**";

(B) in subsection (a), by striking "environmental restoration and waste management" and inserting "defense environmental cleanup";

(C) in subsection (b)—

(i) by striking paragraph (2); and

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

(D) by striking subsection (c);

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

(F) in subsection (c), as redesignated by subparagraph (E)—

(i) by striking "environmental restoration or waste management" and inserting "defense environmental cleanup"; and

(ii) by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

(7) DEFENSE ENVIRONMENTAL CLEANUP TECHNOLOGY PROGRAM.—Section 4406 of such Act (50 U.S.C. 2586) is amended—

(A) in the section heading, by striking "**WASTE**" and inserting "**ENVIRONMENTAL**";

(B) by striking subsections (b) and (c); and

(C) by redesignating subsection (d) as subsection (b).

(8) REPORT ON DEFENSE ENVIRONMENTAL CLEANUP EXPENDITURES.—Section 4407 of such Act (50 U.S.C. 2587) is amended—

(A) in the section heading, by striking "**ENVIRONMENTAL RESTORATION**" and inserting "**DEFENSE ENVIRONMENTAL CLEANUP**"; and

(B) by striking "environmental restoration and waste management funds for defense activities" and inserting "defense environmental cleanup funds".

(9) PUBLIC PARTICIPATION IN PLANNING FOR DEFENSE ENVIRONMENTAL CLEANUP.—Section 4408 of such Act (50 U.S.C. 2588) is amended—

(A) in the section heading, by striking "**ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT AT DEFENSE NUCLEAR FACILITIES**" and inserting "**DEFENSE ENVIRONMENTAL CLEANUP**";

(B) by striking "Attorneys General" and inserting "attorneys general"; and

(C) by striking "environmental restoration and waste management" and inserting "defense environmental cleanup activities".

(10) PROJECTS TO ACCELERATE CLOSURE ACTIVITIES.—Section 4421 of such Act (50 U.S.C. 2601) is repealed.

(11) REPORTS IN CONNECTION WITH CLOSURES.—Section 4422 of such Act (50 U.S.C. 2602) is amended—

(A) in subsection (a), as amended by subsection (a)(2)(E)—

(i) by striking "must" and inserting "shall"; and

(ii) by striking "environmental remediation and cleanup" and inserting "defense environmental cleanup"; and

(B) in subsection (b)(2), by striking "environmental restoration and other remediation and cleanup efforts" and inserting "defense environmental cleanup activities".

Repeal.

(12) DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION PROJECTS.—Subtitle C of title XLIV of such Act (50 U.S.C. 2611) is repealed.

(13) HANFORD WASTE TANK CLEANUP PROGRAM.—Section 4442(b)(2) of such Act (50 U.S.C. 2622(b)(2)) is amended by striking "responsible for" and all that follows through "aspects" and inserting "responsible for managing all aspects".

(14) FUNDING FOR TERMINATION COSTS OF RIVER PROTECTION PROJECT.—Section 4444(2) of such Act (50 U.S.C. 2624(2)) is amended by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

50 USC 2634–2637.

(15) SAVANNAH RIVER SITE.—Subtitle E of title XLIV of such Act (50 U.S.C. 2631 et seq.) is amended by striking sections 4453A, 4453B, 4453C, and 4453D.

(16) CONFORMING AMENDMENTS.—Title XLIV of such Act (50 U.S.C. 2581 et seq.) is amended—

50 USC 2581 prec.

(A) in the title heading, by striking "**ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT**" and inserting "**DEFENSE ENVIRONMENTAL CLEANUP**";

50 USC 2581 prec.

(B) in the subtitle heading for subtitle A, by striking "**Environmental Restoration and Waste Management**" and inserting "**Defense Environmental Cleanup**"; and

50 USC 2621 prec., 2631 prec.

(C) by redesignating subtitles D and E as subtitles C and D, respectively.

(17) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the items relating to title XLIV and inserting the following new items:

"TITLE XLIV—DEFENSE ENVIRONMENTAL CLEANUP MATTERS

"Subtitle A—Defense Environmental Cleanup

"Sec. 4401. Defense Environmental Cleanup Account.
"Sec. 4402. Requirement to develop future use plans for defense environmental cleanup.
"Sec. 4402A. Future-years defense environmental cleanup plan.
"Sec. 4403. Integrated fissile materials management plan.
"Sec. 4405. Accelerated schedule for defense environmental cleanup activities.
"Sec. 4406. Defense environmental cleanup technology program.
"Sec. 4407. Report on defense environmental cleanup expenditures.
"Sec. 4408. Public participation in planning for defense environmental cleanup.

"Subtitle B—Closure of Facilities

"Sec. 4422. Reports in connection with permanent closures of Department of Energy defense nuclear facilities.

"Subtitle C—Hanford Reservation, Washington

"Sec. 4441. Safety measures for waste tanks at Hanford nuclear reservation.
"Sec. 4442. Hanford waste tank cleanup program reforms.
"Sec. 4443. River Protection Project.
"Sec. 4444. Funding for termination costs of River Protection Project, Richland, Washington.

"Subtitle D—Savannah River Site, South Carolina

"Sec. 4451. Accelerated schedule for isolating high-level nuclear waste at the defense waste processing facility, Savannah River Site.
"Sec. 4452. Multi-year plan for clean-up.
"Sec. 4453. Continuation of processing, treatment, and disposal of legacy nuclear materials.
"Sec. 4454. Limitation on use of funds for decommissioning F–canyon facility.".

(f) SAFEGUARDS AND SECURITY MATTERS.—

(1) RESTRICTIONS ON ACCESS TO NATIONAL SECURITY LABORATORIES.—Section 4502 of such Act (50 U.S.C. 2652) is amended—

(A) by striking subsections (b), (c), (d), and (e);

(B) by redesignating subsections (f) and (g) as subsections (b) and (c), respectively; and

(C) in paragraph (2) of subsection (c), as redesignated by subparagraph (B), by striking "as in effect on January 1, 1999".

(2) COUNTERINTELLIGENCE POLYGRAPH PROGRAM.—Section 4504 of such Act (50 U.S.C. 2654) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(3) NOTICE TO CONGRESS OF CERTAIN SECURITY AND COUNTERINTELLIGENCE FAILURES.—Section 4505(e)(2) of such Act (50 U.S.C. 2656(e)(2)) is amended by striking "the Congress" and inserting "Congress".

(4) AMOUNTS FOR DECLASSIFICATION ACTIVITIES.—Section 4525 of such Act (50 U.S.C. 2675) is amended by striking subsection (c).

(5) RESPONSIBILITY FOR DEFENSE PROGRAMS EMERGENCY RESPONSE PROGRAM.—

(A) REPEAL.—Subtitle C of title XLV of such Act (50 U.S.C. 2691) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the items relating to subtitle C of title XLV.

(g) PERSONNEL MATTERS.—

(1) APPOINTMENT OF CERTAIN PERSONNEL.—Section 4601(a) of such Act (50 U.S.C. 2701(a)) is amended by striking paragraph (4).

(2) WHISTLEBLOWER PROTECTION PROGRAM.—Section 4602 of such Act (50 U.S.C. 2702) is amended—

(A) in subsection (*l*), by striking "Public Law 101–512" and inserting "Public Law 101–12; 103 Stat. 16"; and

(B) by striking subsection (n).

(3) INCENTIVES FOR EMPLOYEES AT CLOSURE PROJECT FACILITIES.—

(A) REPEAL.—Section 4603 of such Act (50 U.S.C. 2703) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4603.

(4) WORKFORCE RESTRUCTURING PLACE.—Section 4604 of such Act (50 U.S.C. 2704) is amended—

(A) in subsection (c)(6)(A), by inserting "(29 U.S.C. 2801 et seq.)" after "of 1998"; and

(B) in subsection (f)(1), by striking "the 236 H facility at Savannah River, South Carolina; and the Mound Laboratory, Ohio" and inserting "and the 236 H facility at Savannah River, South Carolina".

(5) CERTIFICATES OF COMMENDATION.—Section 4605(b) of such Act (50 U.S.C. 2705(b)) is amended by striking "Cold War" and inserting "cold war".

(6) EXECUTIVE MANAGEMENT TRAINING.—Section 4621(b)(6) of such Act (50 U.S.C. 2721(b)(6)) is amended by striking "environmental restoration and defense waste management" and inserting "defense environmental cleanup".

(7) STOCKPILE STEWARDSHIP RECRUITMENT AND TRAINING PROGRAM.—Section 4622 of such Act (50 U.S.C. 2722) is amended—

(A) in subsection (a), by striking "Sandia" and all that follows through "Los Alamos National Laboratory" and inserting "national security laboratories"; and

(B) in subsections (b) and (c), by striking "laboratories referred to in subsection (a)(1)" each place it appears and inserting "national security laboratories".

(8) FELLOWSHIP PROGRAM.—Section 4623(b) of such Act (50 U.S.C. 2723(b)) is amended in the matter preceding paragraph (1) by inserting "either of" after "who are".

(9) WORKER PROTECTION.—Section 4641 of such Act (50 U.S.C. 2731) is amended by striking subsection (e).

(10) SAFETY OVERSIGHT AND ENFORCEMENT.—Section 4642 of such Act (50 U.S.C. 2732) is amended—

(A) by striking "(a) SAFETY AT DEFENSE NUCLEAR FACILITIES.—"; and

(B) by striking subsection (b).

(11) MONITORING WORKERS EXPOSED TO HAZARDOUS AND RADIOACTIVE SUBSTANCES.—Section 4643 of such Act (50 U.S.C. 2733) is amended—

(A) in subsection (a), by inserting "of Energy" after "Secretary"; and

(B) in subsection (b)—

(i) in paragraph (2)(B)—

(I) by inserting "and Prevention" after "Disease Control"; and

(II) by striking the semicolon at the end and inserting a period;

(ii) in paragraph (3)(C), by inserting "and Measurements" after "Radiation Protection";

(iii) in paragraph (4)—

(I) by striking "paragraph (1)(D)" and inserting "paragraph (1)(B)"; and

(II) by striking "paragraph (1)(E)" and inserting "paragraph (1)"; and

(iv) in paragraph (5), by striking "paragraph (1)(E)" and inserting "paragraph (1)".

(12) PROGRAMS RELATING TO EXPOSURE ON HANFORD RESERVATION.—Section 4644(c) of such Act (50 U.S.C. 2734(c)) is amended—

(A) by striking "the Congress" each place it appears and inserting "Congress"; and

(B) in paragraph (4), by inserting "and Prevention" after "Disease Control".

(13) NOTIFICATION OF NUCLEAR CRITICALITY AND NONNUCLEAR INCIDENTS.—Section 4646(a) of such Act (50 U.S.C. 2736(a)) is amended by striking "Energy and" and inserting "Energy or".

(h) BUDGET AND FINANCIAL MATTERS.—

(1) REPROGRAMMING.—Section 4702(c) of such Act (50 U.S.C. 2742(c)) is amended by striking "subsection (a)" and insert "this subsection".

(2) TRANSFER OF DEFENSE ENVIRONMENTAL CLEANUP FUNDS.—Section 4710 of such Act (50 U.S.C. 2750) is amended—

(A) in the section heading, by striking "**MANAGEMENT**" and inserting "**CLEANUP**";

(B) in subsection (a)—

(i) in the subsection heading, by striking "MANAGEMENT" and inserting "CLEANUP"; and

(ii) by striking "management" and inserting "cleanup"; and

(C) in subsection (e)—

(i) in paragraph (1)—

(I) by striking "environmental restoration or waste management" and inserting "defense environmental cleanup"; and

(II) by striking "environmental management" and inserting "environmental cleanup"; and

(ii) in paragraph (2)—

(I) by striking "environmental management" and inserting "environmental cleanup"; and

(II) by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

(3) TRANSFER OF WEAPONS ACTIVITIES FUNDS.—Section 4711(d) of such Act (50 U.S.C. 2751(d)) is amended by striking "for Nuclear Security".

(4) NOTIFICATION OF COST OVERRUNS.—Section 4713(a)(3) of such Act (50 U.S.C. 2753(a)(3)) is amended—

(A) in the paragraph heading, by striking "MANAGEMENT" and inserting "CLEANUP"; and

(B) in subparagraph (A), by striking "environmental management" and inserting "environmental cleanup".

(5) USE OF FUNDS FOR PENALTIES UNDER ENVIRONMENTAL LAWS.—Section 4721(b)(2) of such Act (50 U.S.C. 2761(b)(2)) is amended by striking "the Congress" and inserting "Congress".

(6) RESTRICTION ON USE OF FUNDS TO PAY CERTAIN PENALTIES.—Section 4722 of such Act (50 U.S.C. 2762) is amended—

(A) by inserting "; 94 Stat. 3197" after "Public Law 96–540"; and

(B) by striking "the Congress" and inserting "Congress".

(i) ADMINISTRATIVE MATTERS.—

(1) COSTS NOT ALLOWED UNDER COVERED CONTRACTS.—Section 4801(b)(1) of such Act (50 U.S.C. 2781(b)(1)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)" and inserting "section 1707 of title 41, United States Code".

(2) CONTRACTOR LIABILITY FOR CERTAIN INJURIES OR LOSS OF PROPERTY.—Section 4803(b)(1) of such Act (50 U.S.C. 2783(b)(1)) is amended by striking "by the Act of March 9, 1920 (46 U.S.C. App. 741–752), or by the Act of March 3, 1925 (46 U.S.C. App. 781–790)" and inserting "or by chapter 309 or 311 of title 46, United States Code".

(3) USE OF FUNDS FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 4812 of such Act (50 U.S.C. 2792) is amended—

(A) by striking subsection (b);

(B) by striking "GENERAL LIMITATIONS.—(1)" and inserting "LIMITATION ON USE OF WEAPONS ACTIVITIES FUNDS.—";

(C) by striking "(2)" and inserting "(b) LIMITATION ON USE OF CERTAIN OTHER FUNDS.—"; and

(D) in subsection (b), as redesignated by subparagraph (C)—

(i) by striking "environmental restoration, waste management, or nuclear materials and facilities stabilization" and inserting "defense environmental cleanup"; and

(ii) by striking "environmental restoration mission, waste management mission, or materials stabilization mission, as the case may be," and inserting "defense environmental cleanup mission".

(4) REPORT ON LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT FUNDS.—

(A) IN GENERAL.—Section 4812A of such Act (50 U.S.C. 2793) is amended—

(i) in the section heading, by striking "**LIMITATION**" and inserting "**REPORT**";

(ii) by striking subsection (a);

(iii) by striking "(b) ANNUAL REPORT.—(1)" and inserting "(a) REPORT REQUIRED.—";

(iv) by striking "(2)" and inserting "(b) PREPARATION OF REPORT.—"; and

(v) by striking "(3)" and inserting "(c) CRITERIA USED IN PREPARATION OF REPORT.—".

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4812A and inserting the following new item:

"Sec. 4812A. Report on use of funds for certain research and development purposes.".

(5) CRITICAL TECHNOLOGY PARTNERSHIPS.—Section 4813 of such Act (50 U.S.C. 2794) is amended—

(A) in subsection (b)(1), by striking "for Nuclear Security"; and

(B) in subsection (c)—

(i) in paragraph (1), by striking subparagraph (C) and inserting the following new subparagraph (C):

"(C) that is a defense critical technology (as defined in section 2500 of title 10, United States Code)."; and

(ii) in paragraph (3)(B)(iii), by striking "Governments" and inserting "governments".

(6) CERTAIN TRANSFERS OF REAL PROPERTY.—Section 4831 of such Act (50 U.S.C. 2811), as amended by subsection (a)(2)(K), is further amended—

(A) by striking "Secretary of Energy" each place it appears (other than in subsection (a)(1)) and inserting "Secretary"; and

(B) in subsection (d), in the subsection heading, by striking "OF ENERGY".

(7) ENGINEERING AND MANUFACTURING RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—

(A) IN GENERAL.—Section 4832 of such Act (50 U.S.C. 2812) is amended in the section heading by striking "**PLANT MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION PLANTS**" and inserting "**MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION FACILITIES**".

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4832 and inserting the following new item:

"Sec. 4832. Engineering and manufacturing research, development, and demonstration by managers of certain nuclear weapons production facilities.".

SEC. 3147. SENSE OF CONGRESS ON B61–12 LIFE EXTENSION PROGRAM.

It is the sense of Congress that—

(1) the B61–12 life extension program must be a high priority of the National Nuclear Security Administration;

(2) the B61–12 life extension program must be given top priority in the budget of the Administration and, if necessary, funding should be shifted from other programs of the Administration to ensure that the B61–12 life extension program stays on schedule to begin delivering B61–12 nuclear bombs to the military by not later than fiscal year 2020; and

(3) further delays to the B61–12 life extension program would undermine the credibility and reliability of the nuclear deterrent of the United States and the assurances provided to allies of the United States.

SEC. 3148. SENSE OF CONGRESS ON ESTABLISHMENT OF AN ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

It is the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health, as described in the report of the Comptroller General of the United States titled "Energy Employees Compensation: Additional Independent Oversight and Transparency Would Improve Program's Credibility", numbered GAO–10–302, to—

(1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;

(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant's medical evidence;

(3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;

(4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor's consulting physicians and their reports to ensure quality, objectivity, and consistency; and

(5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health (under section 3624 the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384o)) to the extent necessary.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2014, $29,915,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $20,000,000 for fiscal year 2014 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for national security aspects of the Merchant Marine for fiscal year 2014.
Sec. 3502. 5-year reauthorization of vessel war risk insurance program.
Sec. 3503. Sense of Congress.
Sec. 3504. Treatment of funds for intermodal transportation maritime facility, Port of Anchorage, Alaska.
Sec. 3505. Strategic seaports.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2014.

Funds are hereby authorized to be appropriated for fiscal year 2014, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $81,268,000, of which—

(A) $67,268,000 shall remain available until expended for Academy operations; and

(B) $14,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $17,100,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,600,000 shall remain available until expended for direct payments to such academies; and

(C) $11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $2,000,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $72,655,000, of which $2,655,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. 5-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. 3503. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) It is in the interest of United States national security that the United States merchant marine, both ships and mariners, serve as a naval auxiliary in times of war or national emergency.

(2) The readiness of the United States merchant fleet should be augmented by a Government-owned reserve fleet comprised of ships with national defense features that may not be available immediately in sufficient numbers or types in the active United States-owned, United States-flagged, and United States-crewed commercial industry.

(3) The Ready Reserve Force of the Maritime Administration, a component of the National Defense Reserve Fleet, plays an important role in United States national security by providing necessary readiness and efficiency in the form of a Government-owned sealift fleet.

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

(1) maintaining a United States shipbuilding base is critical to meeting United States national security requirements;

(2) it is of vital importance that the Ready Reserve Force of the Maritime Administration remains capable, modern, and efficient in order to best serve the national security needs of the United States in times of war or national emergency;

(3) Federal agencies must consider investment options for replacing aging vessels within the Ready Reserve Force to meet future operational commitments;

(4) investment in recapitalizing the Ready Reserve Force may include—

(A) construction of dual-use vessels, based on need, for use in the America's Marine Highway Program of the Department of Transportation, as a recent study performed under a cooperative agreement between the Maritime Administration and the Navy demonstrated that dual-use

vessels transporting domestic freight between United States ports could be called upon to supplement sealift capacity;

(B) construction of tanker vessels to meet military transport needs; and

(C) construction of vessels for use in transporting potential new energy exports; and

(5) the Department of Transportation, in consultation with the Navy, should pursue the most cost-effective means of recapitalizing the Ready Reserve Force, including by promoting the building of new vessels that are militarily useful and commercially viable.

SEC. 3504. TREATMENT OF FUNDS FOR INTERMODAL TRANSPORTATION MARITIME FACILITY, PORT OF ANCHORAGE, ALASKA.

Section 10205 of Public Law 109–59 (119 Stat. 1934) is amended by striking "shall" and inserting "may".

46 USC 50302 note.

SEC. 3505. STRATEGIC SEAPORTS.

(a) PRIORITY.—

Consultation.

(1) IN GENERAL.—Under the port infrastructure development program established under section 50302(c) of title 46, United States Code, the Maritime Administrator, in consultation with the Secretary of Defense, may give priority to providing funding to strategic seaports in support of national security requirements.

(2) STRATEGIC SEAPORT DEFINED.—In this subsection the term "strategic seaport" means a military port or and commercial port that is subject to a port planning order or Basic Ordering Agreement (or both) that is projected to be used for the deployment of forces and shipment of ammunition or sustainment supplies in support of military operations.

(b) FINANCIAL ASSISTANCE.—Section 50302(c)(2)(D) of title 46, United States Code, is amended by inserting "and financial assistance, including grants," after "technical assistance".

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

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

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

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

TITLE XLIV—MILITARY PERSONNEL

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

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of energy national security programs.

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	19,730	19,730
003	AERIAL COMMON SENSOR (ACS) (MIP)	142,050	85,050
	Reduction of EMARSS LRIP aircraft		[–57,000]
004	MQ–1 UAV	518,460	518,460
005	RQ–11 (RAVEN)	10,772	10,772
	ROTARY		
006	HELICOPTER, LIGHT UTILITY (LUH)	96,227	171,227
	Program increase for additional aircraft		[75,000]
007	AH–64 APACHE BLOCK IIIA REMAN	608,469	608,469
008	ADVANCE PROCUREMENT (CY)	150,931	150,931
012	UH–60 BLACKHAWK M MODEL (MYP)	1,046,976	1,032,915
	Transfer to PE 0203774A at Army request		[–14,061]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
013	ADVANCE PROCUREMENT (CY)	116,001	116,001
014	CH–47 HELICOPTER	801,650	801,650
015	ADVANCE PROCUREMENT (CY)	98,376	98,376
	MODIFICATION OF AIRCRAFT		
016	MQ–1 PAYLOAD—UAS	97,781	97,781
017	GUARDRAIL MODS (MIP)	10,262	10,262
018	MULTI SENSOR ABN RECON (MIP)	12,467	12,467
019	AH–64 MODS	53,559	53,559
020	CH–47 CARGO HELICOPTER MODS (MYP)	149,764	149,764
021	UTILITY/CARGO AIRPLANE MODS	17,500	17,500
022	UTILITY HELICOPTER MODS	74,095	74,095
023	KIOWA MODS WARRIOR	184,044	184,044
024	NETWORK AND MISSION PLAN	152,569	152,569
025	COMMS, NAV SURVEILLANCE	92,779	92,779
026	GATM ROLLUP	65,613	65,613
027	RQ–7 UAV MODS	121,902	121,902
	GROUND SUPPORT AVIONICS		
028	AIRCRAFT SURVIVABILITY EQUIPMENT	47,610	47,610
029	SURVIVABILITY CM	5,700	5,700
030	CMWS	126,869	126,869
	OTHER SUPPORT		
031	AVIONICS SUPPORT EQUIPMENT	6,809	6,809
032	COMMON GROUND EQUIPMENT	65,397	65,397
033	AIRCREW INTEGRATED SYSTEMS	45,841	45,841
034	AIR TRAFFIC CONTROL	79,692	79,692
035	INDUSTRIAL FACILITIES	1,615	1,615
036	LAUNCHER, 2.75 ROCKET	2,877	2,877
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**5,024,387**	**5,028,326**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	MSE MISSILE	540,401	540,401
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	4,464	4,464
	ANTI-TANK/ASSAULT MISSILE SYS		
004	JAVELIN (AAWS-M) SYSTEM SUMMARY	110,510	110,510
005	TOW 2 SYSTEM SUMMARY	49,354	49,354
006	ADVANCE PROCUREMENT (CY)	19,965	19,965
007	GUIDED MLRS ROCKET (GMLRS)	237,216	237,216
008	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	19,022	19,022
	MODIFICATIONS		
011	PATRIOT MODS	256,438	256,438
012	STINGER MODS	37,252	37,252
013	ITAS/TOW MODS	20,000	20,000
014	MLRS MODS	11,571	11,571
015	HIMARS MODIFICATIONS	6,105	6,105
	SPARES AND REPAIR PARTS		
016	SPARES AND REPAIR PARTS	11,222	11,222
	SUPPORT EQUIPMENT & FACILITIES		
017	AIR DEFENSE TARGETS	3,530	3,530
018	ITEMS LESS THAN $5.0M (MISSILES)	1,748	1,748
019	PRODUCTION BASE SUPPORT	5,285	5,285
	TOTAL MISSILE PROCUREMENT, ARMY	**1,334,083**	**1,334,083**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	374,100	374,100
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	20,522	20,522
003	FIST VEHICLE (MOD)	29,965	29,965
004	BRADLEY PROGRAM (MOD)	158,000	158,000
005	HOWITZER, MED SP FT 155MM M109A6 (MOD)	4,769	4,769
006	PALADIN INTEGRATED MANAGEMENT (PIM)	260,177	219,477
	Transfer to PE 0604854A at Army Request		[–40,700]
007	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	111,031	186,031
	Program increase		[75,000]
008	ASSAULT BRIDGE (MOD)	2,500	2,500

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
009	ASSAULT BREACHER VEHICLE	62,951	62,951
010	M88 FOV MODS	28,469	28,469
011	JOINT ASSAULT BRIDGE	2,002	2,002
012	M1 ABRAMS TANK (MOD)	178,100	178,100
013	ABRAMS UPGRADE PROGRAM		90,000
	Program increase		[90,000]
	SUPPORT EQUIPMENT & FACILITIES		
014	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,544	1,544
	WEAPONS & OTHER COMBAT VEHICLES		
015	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	69,147	0
	Transfer to PE 0604601A per Army's request		[–11,000]
	XM25 Counter Defilade Target Engagement		[–58,147]
018	MORTAR SYSTEMS	5,310	5,310
019	XM320 GRENADE LAUNCHER MODULE (GLM)	24,049	24,049
021	CARBINE	70,846	21,254
	Individual Carbine program cancelation		[–49,592]
023	COMMON REMOTELY OPERATED WEAPONS STATION	56,580	56,580
024	HANDGUN	300	300
	MOD OF WEAPONS AND OTHER COMBAT VEH		
026	M777 MODS	39,300	39,300
027	M4 CARBINE MODS	10,300	10,300
028	M2 50 CAL MACHINE GUN MODS	33,691	33,691
029	M249 SAW MACHINE GUN MODS	7,608	7,608
030	M240 MEDIUM MACHINE GUN MODS	2,719	2,719
031	SNIPER RIFLES MODIFICATIONS	7,017	7,017
032	M119 MODIFICATIONS	18,707	18,707
033	M16 RIFLE MODS	2,136	2,136
034	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	1,569	1,569
	SUPPORT EQUIPMENT & FACILITIES		
035	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,024	2,024
036	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,108	10,108
037	INDUSTRIAL PREPAREDNESS	459	459
038	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,267	1,267
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,597,267**	**1,602,828**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 5.56MM, ALL TYPES	112,167	87,167
	Unit cost efficiencies—Army requested reduction		[–25,000]
003	CTG, 7.62MM, ALL TYPES	58,571	53,571
	Unit cost efficiencies—Army requested reduction		[–5,000]
004	CTG, HANDGUN, ALL TYPES	9,858	9,858
005	CTG, .50 CAL, ALL TYPES	80,037	55,037
	Unit cost efficiencies—Army requested reduction		[–25,000]
007	CTG, 25MM, ALL TYPES	16,496	6,196
	Program decrease		[–10,300]
008	CTG, 30MM, ALL TYPES	69,533	50,033
	Unit cost efficiencies—Army requested reduction		[–19,500]
009	CTG, 40MM, ALL TYPES	55,781	55,781
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	38,029	38,029
011	81MM MORTAR, ALL TYPES	24,656	24,656
012	120MM MORTAR, ALL TYPES	60,781	60,781
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	121,551	121,551
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	39,825	39,825
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,902	37,902
016	PROJ 155MM EXTENDED RANGE M982	67,896	67,896
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	71,205	71,205
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,012	1,012
021	ROCKET, HYDRA 70, ALL TYPES	108,476	108,476
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	24,074	24,074
023	GRENADES, ALL TYPES	33,242	33,242
024	SIGNALS, ALL TYPES	7,609	7,609

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
025	SIMULATORS, ALL TYPES	5,228	5,228
	MISCELLANEOUS		
026	AMMO COMPONENTS, ALL TYPES	16,700	16,700
027	NON-LETHAL AMMUNITION, ALL TYPES	7,366	7,366
028	CAD/PAD ALL TYPES	3,614	3,614
029	ITEMS LESS THAN $5 MILLION (AMMO)	12,423	12,423
030	AMMUNITION PECULIAR EQUIPMENT	16,604	16,604
031	FIRST DESTINATION TRANSPORTATION (AMMO)	14,328	14,328
032	CLOSEOUT LIABILITIES	108	108
	PRODUCTION BASE SUPPORT		
033	PROVISION OF INDUSTRIAL FACILITIES	242,324	242,324
034	CONVENTIONAL MUNITIONS DEMILITARIZATION	179,605	179,605
035	ARMS INITIATIVE	3,436	3,436
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,540,437**	**1,455,637**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	4,000	4,000
002	SEMITRAILERS, FLATBED:	6,841	6,841
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	223,910	223,910
004	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	11,880	11,880
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	14,731	14,731
006	PLS ESP	44,252	44,252
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	39,525	39,525
011	TACTICAL WHEELED VEHICLE PROTECTION KITS	51,258	25,958
	Funding ahead of need		[–25,300]
012	MODIFICATION OF IN SVC EQUIP	49,904	49,904
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	2,200	2,200
	NON-TACTICAL VEHICLES		
014	HEAVY ARMORED SEDAN	400	400
015	PASSENGER CARRYING VEHICLES	716	716
016	NONTACTICAL VEHICLES, OTHER	5,619	5,619
	COMM—JOINT COMMUNICATIONS		
018	WIN-T—GROUND FORCES TACTICAL NETWORK	973,477	973,477
019	SIGNAL MODERNIZATION PROGRAM	14,120	14,120
020	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	7,869	7,869
021	JCSE EQUIPMENT (USREDCOM)	5,296	5,296
	COMM—SATELLITE COMMUNICATIONS		
022	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	147,212	147,212
023	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.	7,998	7,998
024	SHF TERM	7,232	7,232
025	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	3,308	3,308
026	SMART-T (SPACE)	13,992	13,992
028	GLOBAL BRDCST SVC—GBS	28,206	28,206
029	MOD OF IN-SVC EQUIP (TAC SAT)	2,778	2,778
	COMM—C3 SYSTEM		
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	17,590	17,590
	COMM—COMBAT COMMUNICATIONS		
032	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	786	786
033	JOINT TACTICAL RADIO SYSTEM	382,930	382,930
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	19,200	19,200
035	RADIO TERMINAL SET, MIDS LVT(2)	1,438	1,438
036	SINCGARS FAMILY	9,856	9,856
037	AMC CRITICAL ITEMS—OPA2	14,184	14,184
038	TRACTOR DESK	6,271	6,271
040	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,030	1,030
041	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	31,868	31,868
042	UNIFIED COMMAND SUITE	18,000	18,000
044	RADIO, IMPROVED HF (COTS) FAMILY	1,166	1,166
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	22,867	22,867
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE	1,512	1,512
049	ARMY CA/MISO GPF EQUIPMENT	61,096	61,096
	INFORMATION SECURITY		
050	TSEC—ARMY KEY MGT SYS (AKMS)	13,890	13,890
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	23,245	23,245

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
052	BIOMETRICS ENTERPRISE	3,800	3,800
053	COMMUNICATIONS SECURITY (COMSEC)	24,711	24,711
	COMM—LONG HAUL COMMUNICATIONS		
055	BASE SUPPORT COMMUNICATIONS	43,395	43,395
	COMM—BASE COMMUNICATIONS		
057	INFORMATION SYSTEMS	104,577	104,577
058	DEFENSE MESSAGE SYSTEM (DMS)	612	612
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	39,000	39,000
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	248,477	248,477
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
064	JTT/CIBS-M	824	824
065	PROPHET GROUND	59,198	59,198
067	DCGS-A (MIP)	267,214	267,214
068	JOINT TACTICAL GROUND STATION (JTAGS)	9,899	9,899
069	TROJAN (MIP)	24,598	24,598
070	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	1,927	1,927
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	6,169	6,169
072	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	2,924	2,924
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
074	LIGHTWEIGHT COUNTER MORTAR RADAR	40,735	40,735
075	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	13	13
076	ENEMY UAS	2,800	2,800
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,237	1,237
080	CI MODERNIZATION	1,399	1,399
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	SENTINEL MODS	47,983	47,983
083	SENSE THROUGH THE WALL (STTW)	142	142
084	NIGHT VISION DEVICES	202,428	202,428
085	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	5,183	5,183
086	NIGHT VISION, THERMAL WPN SIGHT	14,074	14,074
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,300	22,300
089	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,016	1,016
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	55,354	55,354
091	ARTILLERY ACCURACY EQUIP	800	800
092	PROFILER	3,027	3,027
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	1,185	1,185
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	103,214	103,214
096	MOD OF IN-SVC EQUIP (LLDR)	26,037	26,037
097	MORTAR FIRE CONTROL SYSTEM	23,100	23,100
098	COUNTERFIRE RADARS	312,727	312,727
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
101	FIRE SUPPORT C2 FAMILY	43,228	43,228
102	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	14,446	14,446
103	FAAD C2	4,607	4,607
104	AIR & MSL DEFENSE PLANNING & CONTROL SYS	33,090	33,090
105	IAMD BATTLE COMMAND SYSTEM	21,200	21,200
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,795	1,795
109	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	54,327	54,327
110	MANEUVER CONTROL SYSTEM (MCS)	59,171	59,171
111	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	83,936	83,936
113	LOGISTICS AUTOMATION	25,476	25,476
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,341	19,341
	ELECT EQUIP—AUTOMATION		
115	ARMY TRAINING MODERNIZATION	11,865	11,865
116	AUTOMATED DATA PROCESSING EQUIP	219,431	219,431
117	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	6,414	6,414
118	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,683	62,683
120	RESERVE COMPONENT AUTOMATION SYS (RCAS)	34,951	34,951
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
121	ITEMS LESS THAN $5.0M (A/V)	7,440	7,440
122	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	1,615	1,615
	ELECT EQUIP—SUPPORT		
123	PRODUCTION BASE SUPPORT (C-E)	554	554
124	BCT EMERGING TECHNOLOGIES	20,000	20,000
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,558	3,558
	CHEMICAL DEFENSIVE EQUIPMENT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	762	762
127	BASE DEFENSE SYSTEMS (BDS)	20,630	20,630
128	CBRN DEFENSE	22,151	22,151
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	14,188	14,188
131	TACTICAL BRIDGE, FLOAT-RIBBON	23,101	23,101
132	COMMON BRIDGE TRANSPORTER (CBT) RECAP	15,416	15,416
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	50,465	50,465
135	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	6,490	6,490
136	EOD ROBOTICS SYSTEMS RECAPITALIZATION	1,563	1,563
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	20,921	20,921
138	REMOTE DEMOLITION SYSTEMS	100	100
139	$5M, COUNTERMINE EQUIPMENT	2,271	2,271
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	7,269	7,269
141	LAUNDRIES, SHOWERS AND LATRINES	200	200
142	SOLDIER ENHANCEMENT	1,468	1,468
143	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	26,526	26,526
144	GROUND SOLDIER SYSTEM	81,680	71,680
	Unjustified unit cost growth		[–10,000]
147	FIELD FEEDING EQUIPMENT	28,096	28,096
148	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	56,150	56,150
149	MORTUARY AFFAIRS SYSTEMS	3,242	3,242
150	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	38,141	38,141
151	ITEMS LESS THAN $5M (ENG SPT)	5,859	5,859
	PETROLEUM EQUIPMENT		
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	60,612	60,612
	MEDICAL EQUIPMENT		
153	COMBAT SUPPORT MEDICAL	22,042	22,042
154	MEDEVAC MISSON EQUIPMENT PACKAGE (MEP)	35,318	35,318
	MAINTENANCE EQUIPMENT		
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	19,427	19,427
156	ITEMS LESS THAN $5.0M (MAINT EQ)	3,860	3,860
	CONSTRUCTION EQUIPMENT		
157	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,000	2,000
159	SCRAPERS, EARTHMOVING	36,078	36,078
160	MISSION MODULES—ENGINEERING	9,721	9,721
162	HYDRAULIC EXCAVATOR	50,122	50,122
163	TRACTOR, FULL TRACKED	28,828	28,828
164	ALL TERRAIN CRANES	19,863	19,863
166	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	23,465	23,465
168	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	13,590	13,590
169	CONST EQUIP ESP	16,088	16,088
170	ITEMS LESS THAN $5.0M (CONST EQUIP)	6,850	6,850
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
171	ARMY WATERCRAFT ESP	38,007	19,007
	Funding ahead of need		[–19,000]
172	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	10,605	10,605
	GENERATORS		
173	GENERATORS AND ASSOCIATED EQUIP	129,437	129,437
	MATERIAL HANDLING EQUIPMENT		
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	1,250	1,250
175	FAMILY OF FORKLIFTS	8,260	8,260
	TRAINING EQUIPMENT		
176	COMBAT TRAINING CENTERS SUPPORT	121,710	121,710
177	TRAINING DEVICES, NONSYSTEM	225,200	225,200
178	CLOSE COMBAT TACTICAL TRAINER	30,063	30,063
179	AVIATION COMBINED ARMS TACTICAL TRAINER	34,913	34,913
180	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,955	9,955
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
181	CALIBRATION SETS EQUIPMENT	8,241	8,241
182	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	67,506	67,506
183	TEST EQUIPMENT MODERNIZATION (TEMOD)	18,755	18,755
	OTHER SUPPORT EQUIPMENT		
184	M25 STABILIZED BINOCULAR	5,110	5,110
185	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,110	5,110

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
186	PHYSICAL SECURITY SYSTEMS (OPA3)	62,904	62,904
187	BASE LEVEL COMMON EQUIPMENT	1,427	1,427
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	96,661	96,661
189	PRODUCTION BASE SUPPORT (OTH)	2,450	2,450
190	SPECIAL EQUIPMENT FOR USER TESTING	11,593	11,593
191	AMC CRITICAL ITEMS OPA3	8,948	8,948
192	TRACTOR YARD	8,000	8,000
	OPA2		
195	INITIAL SPARES—C&E	59,700	59,700
	TOTAL OTHER PROCUREMENT, ARMY	**6,465,218**	**6,410,918**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA–18G	2,001,787	1,940,874
	Excess engineering change order funding		[–8,790]
	GFE electronics cost growth		[–5,943]
	Other GFE cost growth		[–1,180]
	Program adjustment		[–45,000]
003	F/A–18E/F (FIGHTER) HORNET	206,551	206,551
004	ADVANCE PROCUREMENT (CY)		75,000
	Program increase		[75,000]
005	JOINT STRIKE FIGHTER CV	1,135,444	1,135,444
006	ADVANCE PROCUREMENT (CY)	94,766	94,766
007	JSF STOVL	1,267,260	1,267,260
008	ADVANCE PROCUREMENT (CY)	103,195	103,195
009	V–22 (MEDIUM LIFT)	1,432,573	1,432,573
010	ADVANCE PROCUREMENT (CY)	55,196	55,196
011	H–1 UPGRADES (UH–1Y/AH–1Z)	749,962	749,962
012	ADVANCE PROCUREMENT (CY)	71,000	71,000
013	MH–60S (MYP)	383,831	383,831
014	ADVANCE PROCUREMENT (CY)	37,278	37,278
015	MH–60R (MYP)	599,237	599,237
016	ADVANCE PROCUREMENT (CY)	231,834	231,834
017	P–8A POSEIDON	3,189,989	3,189,989
018	ADVANCE PROCUREMENT (CY)	313,160	313,160
019	E–2D ADV HAWKEYE	997,107	997,107
020	ADVANCE PROCUREMENT (CY)	266,542	266,542
	TRAINER AIRCRAFT		
021	JPATS	249,080	249,080
	OTHER AIRCRAFT		
022	KC–130J	134,358	134,358
023	ADVANCE PROCUREMENT (CY)	32,288	32,288
025	ADVANCE PROCUREMENT (CY)	52,002	4,802
	Advance procurement appropriated in fiscal year 2013		[–47,200]
026	MQ–8 UAV	60,980	60,980
028	OTHER SUPPORT AIRCRAFT	14,958	14,958
	MODIFICATION OF AIRCRAFT		
029	EA–6 SERIES	18,577	18,577
030	AEA SYSTEMS	48,502	48,502
031	AV–8 SERIES	41,575	41,575
032	ADVERSARY	2,992	2,992
033	F–18 SERIES	875,371	833,530
	ECP 6038 radome kits cost growth (OSIP 002–07)		[–2,952]
	Integrated logistics support growth (OSIP 14–03)		[–8,000]
	Other support and ILS ahead of need (OSIP 04–14)		[–20,989]
	Retrofit radars (APG–79B) cost growth (OSIP 002–07)		[–9,900]
034	H–46 SERIES	2,127	2,127
036	H–53 SERIES	67,675	67,675
037	SH–60 SERIES	135,054	135,054
038	H–1 SERIES	41,706	41,706
039	EP–3 SERIES	55,903	77,903
	12th aircraft to Spiral 3		[8,000]
	Sensor obsolescence		[14,000]
040	P–3 SERIES	37,436	37,436
041	E–2 SERIES	31,044	31,044
042	TRAINER A/C SERIES	43,720	40,520
	Avionics Obsolescence installation cost growth		[–3,200]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
043	C–2A	902	902
044	C–130 SERIES	47,587	47,587
045	FEWSG	665	665
046	CARGO/TRANSPORT A/C SERIES	14,587	14,587
047	E–6 SERIES	189,312	183,218
	FAB-T funding previously appropriated (OSIP 014–14)		[–6,094]
048	EXECUTIVE HELICOPTERS SERIES	85,537	85,537
049	SPECIAL PROJECT AIRCRAFT	3,684	13,684
	Program office sustainment		[5,000]
	Sensor obsolescence		[5,000]
050	T–45 SERIES	98,128	98,128
051	POWER PLANT CHANGES	22,999	22,999
052	JPATS SERIES	1,576	1,576
053	AVIATION LIFE SUPPORT MODS	6,267	6,267
054	COMMON ECM EQUIPMENT	141,685	141,685
055	COMMON AVIONICS CHANGES	120,660	120,660
056	COMMON DEFENSIVE WEAPON SYSTEM	3,554	3,554
057	ID SYSTEMS	41,800	41,800
058	P–8 SERIES	9,485	9,485
059	MAGTF EW FOR AVIATION	14,431	14,431
060	MQ–8 SERIES	1,001	1,001
061	RQ–7 SERIES	26,433	26,433
062	V–22 (TILT/ROTOR ACFT) OSPREY	160,834	160,834
063	F–35 STOVL SERIES	147,130	147,130
064	F–35 CV SERIES	31,100	31,100
	AIRCRAFT SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	1,142,461	1,142,461
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
066	COMMON GROUND EQUIPMENT	410,044	410,044
067	AIRCRAFT INDUSTRIAL FACILITIES	27,450	27,450
068	WAR CONSUMABLES	28,930	28,930
069	OTHER PRODUCTION CHARGES	5,268	5,268
070	SPECIAL SUPPORT EQUIPMENT	60,306	60,306
071	FIRST DESTINATION TRANSPORTATION	1,775	1,775
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,927,651**	**17,875,403**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,140,865	1,140,865
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,617	7,617
	STRATEGIC MISSILES		
003	TOMAHAWK	312,456	312,456
	TACTICAL MISSILES		
004	AMRAAM	95,413	95,413
005	SIDEWINDER	117,208	117,208
006	JSOW	136,794	136,794
007	STANDARD MISSILE	367,985	367,985
008	RAM	67,596	65,984
	Guidance and control assembly contract savings		[–1,612]
009	HELLFIRE	33,916	33,916
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	6,278	6,278
012	AERIAL TARGETS	41,799	41,799
013	OTHER MISSILE SUPPORT	3,538	3,538
	MODIFICATION OF MISSILES		
014	ESSM	76,749	76,749
015	HARM MODS	111,902	111,902
	SUPPORT EQUIPMENT & FACILITIES		
016	WEAPONS INDUSTRIAL FACILITIES	1,138	1,138
017	FLEET SATELLITE COMM FOLLOW-ON	23,014	23,014
	ORDNANCE SUPPORT EQUIPMENT		
018	ORDNANCE SUPPORT EQUIPMENT	84,318	84,318
	TORPEDOES AND RELATED EQUIP		
019	SSTD	3,978	3,978
020	ASW TARGETS	8,031	8,031
	MOD OF TORPEDOES AND RELATED EQUIP		
021	MK–54 TORPEDO MODS	125,898	125,898

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
022	MK–48 TORPEDO ADCAP MODS	53,203	53,203
023	QUICKSTRIKE MINE	7,800	7,800
	SUPPORT EQUIPMENT		
024	TORPEDO SUPPORT EQUIPMENT	59,730	59,730
025	ASW RANGE SUPPORT	4,222	4,222
	DESTINATION TRANSPORTATION		
026	FIRST DESTINATION TRANSPORTATION	3,963	3,963
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	12,513	12,513
	MODIFICATION OF GUNS AND GUN MOUNTS		
028	CIWS MODS	56,308	62,708
	Additional RMA kits		[6,400]
029	COAST GUARD WEAPONS	10,727	7,269
	Machine gun equipment cost growth		[–3,458]
030	GUN MOUNT MODS	72,901	59,521
	MK38 gun kits cost growth		[–13,380]
031	CRUISER MODERNIZATION WEAPONS	1,943	1,943
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,758	19,758
	SPARES AND REPAIR PARTS		
034	SPARES AND REPAIR PARTS	52,632	52,632
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,122,193**	**3,110,143**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	37,703	37,703
002	AIRBORNE ROCKETS, ALL TYPES	65,411	65,411
003	MACHINE GUN AMMUNITION	20,284	20,284
004	PRACTICE BOMBS	37,870	37,870
005	CARTRIDGES & CART ACTUATED DEVICES	53,764	53,764
006	AIR EXPENDABLE COUNTERMEASURES	67,194	67,194
007	JATOS	2,749	2,749
008	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	3,906	3,906
009	5 INCH/54 GUN AMMUNITION	24,151	24,151
010	INTERMEDIATE CALIBER GUN AMMUNITION	33,080	33,080
011	OTHER SHIP GUN AMMUNITION	40,398	40,398
012	SMALL ARMS & LANDING PARTY AMMO	61,219	61,219
013	PYROTECHNIC AND DEMOLITION	10,637	10,637
014	AMMUNITION LESS THAN $5 MILLION	4,578	4,578
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	26,297	26,297
016	LINEAR CHARGES, ALL TYPES	6,088	6,088
017	40 MM, ALL TYPES	7,644	7,644
018	60MM, ALL TYPES	3,349	3,349
020	120MM, ALL TYPES	13,361	13,361
022	GRENADES, ALL TYPES	2,149	2,149
023	ROCKETS, ALL TYPES	27,465	27,465
026	FUZE, ALL TYPES	26,366	26,366
028	AMMO MODERNIZATION	8,403	8,403
029	ITEMS LESS THAN $5 MILLION	5,201	5,201
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**589,267**	**589,267**
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	944,866	944,866
003	VIRGINIA CLASS SUBMARINE	2,930,704	3,422,704
	Increase to Virginia class		[492,000]
004	ADVANCE PROCUREMENT (CY)	2,354,612	2,354,612
005	CVN REFUELING OVERHAULS	1,705,424	1,683,353
	CVN 72 requirement previously funded in Fiscal Year 2012 reprogramming.		[–22,071]
006	ADVANCE PROCUREMENT (CY)	245,793	245,793
007	DDG 1000	231,694	231,694
008	DDG–51	1,615,564	1,615,564
009	ADVANCE PROCUREMENT (CY)	388,551	388,551
010	LITTORAL COMBAT SHIP	1,793,014	1,793,014
	AMPHIBIOUS SHIPS		
012	AFLOAT FORWARD STAGING BASE	524,000	579,300

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Navy requested adjustment		[55,300]
014	JOINT HIGH SPEED VESSEL	2,732	2,732
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
016	ADVANCE PROCUREMENT (CY)	183,900	207,300
	Program shortfall		[23,400]
017	OUTFITTING	450,163	450,163
019	LCAC SLEP	80,987	80,987
020	COMPLETION OF PY SHIPBUILDING PROGRAMS	625,800	733,400
	DDG–51		[100,000]
	Joint High Speed Vessel		[7,600]
	TOTAL SHIPBUILDING & CONVERSION, NAVY	**14,077,804**	**14,734,033**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM–2500 GAS TURBINE	10,180	10,180
002	ALLISON 501K GAS TURBINE	5,536	5,536
003	HYBRID ELECTRIC DRIVE (HED)	16,956	3,956
	Contract delay		[–13,000]
	GENERATORS		
004	SURFACE COMBATANT HM&E	19,782	19,782
	NAVIGATION EQUIPMENT		
005	OTHER NAVIGATION EQUIPMENT	39,509	39,509
	PERISCOPES		
006	SUB PERISCOPES & IMAGING EQUIP	52,515	52,515
	OTHER SHIPBOARD EQUIPMENT		
007	DDG MOD	285,994	285,994
008	FIREFIGHTING EQUIPMENT	14,389	14,389
009	COMMAND AND CONTROL SWITCHBOARD	2,436	2,436
010	LHA/LHD MIDLIFE	12,700	12,700
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	40,329	40,329
012	POLLUTION CONTROL EQUIPMENT	19,603	19,603
013	SUBMARINE SUPPORT EQUIPMENT	8,678	8,678
014	VIRGINIA CLASS SUPPORT EQUIPMENT	74,209	74,209
015	LCS CLASS SUPPORT EQUIPMENT	47,078	47,078
016	SUBMARINE BATTERIES	37,000	37,000
017	LPD CLASS SUPPORT EQUIPMENT	25,053	25,053
018	STRATEGIC PLATFORM SUPPORT EQUIP	12,986	12,986
019	DSSP EQUIPMENT	2,455	2,455
020	CG MODERNIZATION	10,539	10,539
021	LCAC	14,431	14,431
022	UNDERWATER EOD PROGRAMS	36,700	36,700
023	ITEMS LESS THAN $5 MILLION	119,902	119,902
024	CHEMICAL WARFARE DETECTORS	3,678	3,678
025	SUBMARINE LIFE SUPPORT SYSTEM	8,292	8,292
	REACTOR PLANT EQUIPMENT		
027	REACTOR COMPONENTS	286,744	286,744
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	8,780	8,780
	SMALL BOATS		
029	STANDARD BOATS	36,452	33,056
	CNIC force protection medium contract delay		[–3,396]
	TRAINING EQUIPMENT		
030	OTHER SHIPS TRAINING EQUIPMENT	36,145	36,145
	PRODUCTION FACILITIES EQUIPMENT		
031	OPERATING FORCES IPE	69,368	49,868
	Emergent repair facility outfitting ahead of need		[–19,500]
	OTHER SHIP SUPPORT		
032	NUCLEAR ALTERATIONS	106,328	106,328
033	LCS COMMON MISSION MODULES EQUIPMENT	45,966	45,966
034	LCS MCM MISSION MODULES	59,885	59,885
035	LCS SUW MISSION MODULES	37,168	37,168
	LOGISTIC SUPPORT		
036	LSD MIDLIFE	77,974	77,974
	SHIP SONARS		
038	SPQ–9B RADAR	27,934	27,934
039	AN/SQQ–89 SURF ASW COMBAT SYSTEM	83,231	83,231
040	SSN ACOUSTICS	199,438	199,438

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,394	9,394
042	SONAR SWITCHES AND TRANSDUCERS	12,953	12,953
043	ELECTRONIC WARFARE MILDEC	8,958	8,958
	ASW ELECTRONIC EQUIPMENT		
044	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,077	24,077
045	SSTD	11,925	8,500
	AN/SLQ–25X cancellation		[–3,425]
046	FIXED SURVEILLANCE SYSTEM	94,338	94,338
047	SURTASS	9,680	9,680
048	MARITIME PATROL AND RECONNSAISANCE FORCE	18,130	18,130
	ELECTRONIC WARFARE EQUIPMENT		
049	AN/SLQ–32	203,375	199,691
	Excess block 2 support funding		[–3,684]
	RECONNAISSANCE EQUIPMENT		
050	SHIPBOARD IW EXPLOIT	123,656	123,656
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)	896	896
	SUBMARINE SURVEILLANCE EQUIPMENT		
052	SUBMARINE SUPPORT EQUIPMENT PROG	49,475	49,475
	OTHER SHIP ELECTRONIC EQUIPMENT		
053	COOPERATIVE ENGAGEMENT CAPABILITY	34,692	34,692
054	TRUSTED INFORMATION SYSTEM (TIS)	396	396
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,703	15,703
056	ATDLS	3,836	3,836
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,201	7,201
058	MINESWEEPING SYSTEM REPLACEMENT	54,400	54,400
059	SHALLOW WATER MCM	8,548	8,548
060	NAVSTAR GPS RECEIVERS (SPACE)	11,765	11,765
061	AMERICAN FORCES RADIO AND TV SERVICE	6,483	6,483
062	STRATEGIC PLATFORM SUPPORT EQUIP	7,631	7,631
	TRAINING EQUIPMENT		
063	OTHER TRAINING EQUIPMENT	53,644	53,644
	AVIATION ELECTRONIC EQUIPMENT		
064	MATCALS	7,461	7,461
065	SHIPBOARD AIR TRAFFIC CONTROL	9,140	9,140
066	AUTOMATIC CARRIER LANDING SYSTEM	20,798	20,798
067	NATIONAL AIR SPACE SYSTEM	19,754	19,754
068	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,909	8,909
069	LANDING SYSTEMS	13,554	13,554
070	ID SYSTEMS	38,934	38,934
071	NAVAL MISSION PLANNING SYSTEMS	14,131	14,131
	OTHER SHORE ELECTRONIC EQUIPMENT		
072	DEPLOYABLE JOINT COMMAND & CONTROL	3,249	3,249
073	MARITIME INTEGRATED BROADCAST SYSTEM	11,646	11,646
074	TACTICAL/MOBILE C4I SYSTEMS	18,189	18,189
075	DCGS-N	17,350	17,350
076	CANES	340,567	340,567
077	RADIAC	9,835	9,835
078	CANES-INTELL	59,652	59,652
079	GPETE	6,253	6,253
080	INTEG COMBAT SYSTEM TEST FACILITY	4,963	4,963
081	EMI CONTROL INSTRUMENTATION	4,664	4,664
082	ITEMS LESS THAN $5 MILLION	66,889	66,889
	SHIPBOARD COMMUNICATIONS		
084	SHIP COMMUNICATIONS AUTOMATION	23,877	23,877
086	COMMUNICATIONS ITEMS UNDER $5M	28,001	28,001
	SUBMARINE COMMUNICATIONS		
087	SUBMARINE BROADCAST SUPPORT	7,856	7,856
088	SUBMARINE COMMUNICATION EQUIPMENT	74,376	74,376
	SATELLITE COMMUNICATIONS		
089	SATELLITE COMMUNICATIONS SYSTEMS	27,381	27,381
090	NAVY MULTIBAND TERMINAL (NMT)	215,952	215,952
	SHORE COMMUNICATIONS		
091	JCS COMMUNICATIONS EQUIPMENT	4,463	4,463
092	ELECTRICAL POWER SYSTEMS	778	778
	CRYPTOGRAPHIC EQUIPMENT		
094	INFO SYSTEMS SECURITY PROGRAM (ISSP)	133,530	133,530
095	MIO INTEL EXPLOITATION TEAM	1,000	1,000

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	CRYPTOLOGIC EQUIPMENT		
096	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,251	12,251
	OTHER ELECTRONIC SUPPORT		
097	COAST GUARD EQUIPMENT	2,893	2,893
	SONOBUOYS		
099	SONOBUOYS—ALL TYPES	179,927	179,927
	AIRCRAFT SUPPORT EQUIPMENT		
100	WEAPONS RANGE SUPPORT EQUIPMENT	55,279	55,279
101	EXPEDITIONARY AIRFIELDS	8,792	8,792
102	AIRCRAFT REARMING EQUIPMENT	11,364	11,364
103	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	59,502	59,502
104	METEOROLOGICAL EQUIPMENT	19,118	19,118
105	DCRS/DPL	1,425	1,425
106	AVIATION LIFE SUPPORT	29,670	29,670
107	AIRBORNE MINE COUNTERMEASURES	101,554	101,554
108	LAMPS MK III SHIPBOARD EQUIPMENT	18,293	18,293
109	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,969	7,969
110	OTHER AVIATION SUPPORT EQUIPMENT	5,215	5,215
111	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	4,827	4,827
	SHIP GUN SYSTEM EQUIPMENT		
112	NAVAL FIRES CONTROL SYSTEM	1,188	1,188
113	GUN FIRE CONTROL EQUIPMENT	4,447	4,447
	SHIP MISSILE SYSTEMS EQUIPMENT		
114	NATO SEASPARROW	58,368	58,368
115	RAM GMLS	491	491
116	SHIP SELF DEFENSE SYSTEM	51,858	51,858
117	AEGIS SUPPORT EQUIPMENT	59,757	59,757
118	TOMAHAWK SUPPORT EQUIPMENT	71,559	71,559
119	VERTICAL LAUNCH SYSTEMS	626	626
120	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	2,779	2,779
	FBM SUPPORT EQUIPMENT		
121	STRATEGIC MISSILE SYSTEMS EQUIP	224,484	224,484
	ASW SUPPORT EQUIPMENT		
122	SSN COMBAT CONTROL SYSTEMS	85,678	85,678
123	SUBMARINE ASW SUPPORT EQUIPMENT	3,913	3,913
124	SURFACE ASW SUPPORT EQUIPMENT	3,909	3,909
125	ASW RANGE SUPPORT EQUIPMENT	28,694	28,694
	OTHER ORDNANCE SUPPORT EQUIPMENT		
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	46,586	46,586
127	ITEMS LESS THAN $5 MILLION	11,933	11,933
	OTHER EXPENDABLE ORDNANCE		
128	ANTI-SHIP MISSILE DECOY SYSTEM	62,361	62,361
129	SURFACE TRAINING DEVICE MODS	41,813	41,813
130	SUBMARINE TRAINING DEVICE MODS	26,672	26,672
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
131	PASSENGER CARRYING VEHICLES	5,600	5,600
132	GENERAL PURPOSE TRUCKS	3,717	3,717
133	CONSTRUCTION & MAINTENANCE EQUIP	10,881	10,881
134	FIRE FIGHTING EQUIPMENT	14,748	14,748
135	TACTICAL VEHICLES	5,540	5,540
136	AMPHIBIOUS EQUIPMENT	5,741	5,741
137	POLLUTION CONTROL EQUIPMENT	3,852	3,852
138	ITEMS UNDER $5 MILLION	25,757	25,757
139	PHYSICAL SECURITY VEHICLES	1,182	1,182
	SUPPLY SUPPORT EQUIPMENT		
140	MATERIALS HANDLING EQUIPMENT	14,250	14,250
141	OTHER SUPPLY SUPPORT EQUIPMENT	6,401	6,401
142	FIRST DESTINATION TRANSPORTATION	5,718	5,718
143	SPECIAL PURPOSE SUPPLY SYSTEMS	22,597	22,597
	TRAINING DEVICES		
144	TRAINING SUPPORT EQUIPMENT	22,527	22,527
	COMMAND SUPPORT EQUIPMENT		
145	COMMAND SUPPORT EQUIPMENT	50,428	50,428
146	EDUCATION SUPPORT EQUIPMENT	2,292	2,292
147	MEDICAL SUPPORT EQUIPMENT	4,925	4,925
149	NAVAL MIP SUPPORT EQUIPMENT	3,202	3,202
151	OPERATING FORCES SUPPORT EQUIPMENT	24,294	24,294

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
152	C4ISR EQUIPMENT	4,287	4,287
153	ENVIRONMENTAL SUPPORT EQUIPMENT	18,276	18,276
154	PHYSICAL SECURITY EQUIPMENT	134,495	134,495
155	ENTERPRISE INFORMATION TECHNOLOGY	324,327	324,327
	CLASSIFIED PROGRAMS		
156A	CLASSIFIED PROGRAMS	12,140	12,140
	SPARES AND REPAIR PARTS		
157	SPARES AND REPAIR PARTS	317,234	317,234
	TOTAL OTHER PROCUREMENT, NAVY	**6,310,257**	**6,267,252**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	32,360	32,360
002	LAV PIP	6,003	6,003
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	589	589
004	155MM LIGHTWEIGHT TOWED HOWITZER	3,655	3,655
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	5,467	5,467
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	20,354	20,354
	OTHER SUPPORT		
007	MODIFICATION KITS	38,446	38,446
008	WEAPONS ENHANCEMENT PROGRAM	4,734	4,734
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	15,713	15,713
010	JAVELIN	36,175	36,175
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	1,136	1,136
	OTHER SUPPORT		
013	MODIFICATION KITS	33,976	30,078
	TOW Unit Cost Growth		[–3,898]
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	16,273	16,273
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	41,063	41,063
	OTHER SUPPORT (TEL)		
016	COMBAT SUPPORT SYSTEM	2,930	2,930
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER $5 MILLION (COMM & ELEC)	1,637	1,637
019	AIR OPERATIONS C2 SYSTEMS	18,394	18,394
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	114,051	101,941
	Previously funded EDM refurbishment		[–12,110]
021	RQ–21 UAS	66,612	66,612
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	FIRE SUPPORT SYSTEM	3,749	3,749
023	INTELLIGENCE SUPPORT EQUIPMENT	75,979	75,979
026	RQ–11 UAV	1,653	1,653
027	DCGS-MC	9,494	9,494
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
028	NIGHT VISION EQUIPMENT	6,171	6,171
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	121,955	119,955
	Unit cost growth		[–2,000]
030	COMMAND POST SYSTEMS	83,294	83,294
031	RADIO SYSTEMS	74,718	74,718
032	COMM SWITCHING & CONTROL SYSTEMS	47,613	47,613
033	COMM & ELEC INFRASTRUCTURE SUPPORT	19,573	19,573
	CLASSIFIED PROGRAMS		
033A	CLASSIFIED PROGRAMS	5,659	5,659
	ADMINISTRATIVE VEHICLES		
034	COMMERCIAL PASSENGER VEHICLES	1,039	1,039
035	COMMERCIAL CARGO VEHICLES	31,050	31,050
	TACTICAL VEHICLES		
036	5/4T TRUCK HMMWV (MYP)	36,333	36,333
037	MOTOR TRANSPORT MODIFICATIONS	3,137	3,137
040	FAMILY OF TACTICAL TRAILERS	27,385	27,385
	OTHER SUPPORT		
041	ITEMS LESS THAN $5 MILLION	7,016	7,016

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	ENGINEER AND OTHER EQUIPMENT		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	14,377	14,377
043	BULK LIQUID EQUIPMENT	24,864	24,864
044	TACTICAL FUEL SYSTEMS	21,592	21,592
045	POWER EQUIPMENT ASSORTED	61,353	61,353
046	AMPHIBIOUS SUPPORT EQUIPMENT	4,827	4,827
047	EOD SYSTEMS	40,011	40,011
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	16,809	16,809
049	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	3,408	3,408
050	MATERIAL HANDLING EQUIP	48,549	48,549
051	FIRST DESTINATION TRANSPORTATION	190	190
	GENERAL PROPERTY		
052	FIELD MEDICAL EQUIPMENT	23,129	23,129
053	TRAINING DEVICES	8,346	8,346
054	CONTAINER FAMILY	1,857	1,857
055	FAMILY OF CONSTRUCTION EQUIPMENT	36,198	36,198
056	RAPID DEPLOYABLE KITCHEN	2,390	2,390
	OTHER SUPPORT		
057	ITEMS LESS THAN $5 MILLION	6,525	6,525
	SPARES AND REPAIR PARTS		
058	SPARES AND REPAIR PARTS	13,700	13,700
	TOTAL PROCUREMENT, MARINE CORPS	**1,343,511**	**1,325,503**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	3,060,770	2,989,270
	Decrease non-recurring engineering initiatives		[–71,500]
002	ADVANCE PROCUREMENT (CY)	363,783	363,783
	OTHER AIRLIFT		
005	C–130J	537,517	537,517
006	ADVANCE PROCUREMENT (CY)	162,000	162,000
007	HC–130J	132,121	132,121
008	ADVANCE PROCUREMENT (CY)	88,000	88,000
009	MC–130J	389,434	389,434
010	ADVANCE PROCUREMENT (CY)	104,000	104,000
	HELICOPTERS		
015	CV–22 (MYP)	230,798	230,798
	MISSION SUPPORT AIRCRAFT		
017	CIVIL AIR PATROL A/C	2,541	2,541
	OTHER AIRCRAFT		
020	TARGET DRONES	138,669	138,669
022	AC–130J	470,019	470,019
024	RQ–4	27,000	11,000
	Production closeout		[–16,000]
027	MQ–9	272,217	352,217
	Program increase		[80,000]
028	RQ–4 BLOCK 40 PROC	1,747	1,747
	STRATEGIC AIRCRAFT		
029	B–2A	20,019	20,019
030	B–1B	132,222	132,222
031	B–52	111,002	105,882
	Internal Weapons Bay Upgrade defer low rate initial production.		[–5,120]
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES	27,197	27,197
	TACTICAL AIRCRAFT		
033	A–10	47,598	47,598
034	F–15	354,624	354,624
035	F–16	11,794	11,794
036	F–22A	285,830	285,830
037	F–35 MODIFICATIONS	157,777	157,777
	AIRLIFT AIRCRAFT		
038	C–5	2,456	2,456
039	C–5M	1,021,967	983,967
	Program excess		[–38,000]
042	C–17A	143,197	143,197
043	C–21	103	103

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
044	C–32A	9,780	9,780
045	C–37A	452	452
	LRIP Kit Procurement		[47,300]
	Transfer to Title II, RDAF, line 230		[–47,300]
	TRAINER AIRCRAFT		
047	GLIDER MODS	128	128
048	T–6	6,427	6,427
049	T–1	277	277
050	T–38	28,686	28,686
	OTHER AIRCRAFT		
052	U–2 MODS	45,591	45,591
053	KC–10A (ATCA)	70,918	70,918
054	C–12	1,876	1,876
055	MC–12W	5,000	5,000
056	C–20 MODS	192	192
057	VC–25A MOD	263	263
058	C–40	6,119	6,119
059	C–130	58,577	74,277
	C–130H Propulsion System Engine Upgrades		[15,700]
061	C–130J MODS	10,475	10,475
062	C–135	46,556	46,556
063	COMPASS CALL MODS	34,494	34,494
064	RC–135	171,813	171,813
065	E–3	197,087	197,087
066	E–4	14,304	14,304
067	E–8	57,472	57,472
068	H–1	6,627	6,627
069	H–60	27,654	27,654
070	RQ–4 MODS	9,313	9,313
071	HC/MC–130 MODIFICATIONS	16,300	16,300
072	OTHER AIRCRAFT	6,948	6,948
073	MQ–1 MODS	9,734	9,734
074	MQ–9 MODS	102,970	62,970
	Anti-ice production ahead of need		[–5,520]
	Lynx radar reduction		[–34,480]
076	RQ–4 GSRA/CSRA MODS	30,000	30,000
077	CV–22 MODS	23,310	23,310
	AIRCRAFT SPARES AND REPAIR PARTS		
078	INITIAL SPARES/REPAIR PARTS	463,285	463,285
	COMMON SUPPORT EQUIPMENT		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP	49,140	49,140
	POST PRODUCTION SUPPORT		
081	B–1	3,683	3,683
083	B–2A	43,786	43,786
084	B–52	7,000	7,000
087	C–17A	81,952	81,952
089	C–135	8,597	8,597
090	F–15	2,403	2,403
091	F–16	3,455	3,455
092	F–22A	5,911	5,911
	INDUSTRIAL PREPAREDNESS		
094	INDUSTRIAL RESPONSIVENESS	21,148	21,148
	WAR CONSUMABLES		
095	WAR CONSUMABLES	94,947	94,947
	OTHER PRODUCTION CHARGES		
096	OTHER PRODUCTION CHARGES	1,242,004	1,242,004
	CLASSIFIED PROGRAMS		
101A	CLASSIFIED PROGRAMS	75,845	75,845
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**11,398,901**	**11,323,981**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	39,104	39,104
	TACTICAL		
002	JASSM	291,151	291,151
003	SIDEWINDER (AIM–9X)	119,904	119,904
004	AMRAAM	340,015	340,015

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
005	PREDATOR HELLFIRE MISSILE	48,548	48,548
006	SMALL DIAMETER BOMB	42,347	42,347
	INDUSTRIAL FACILITIES		
007	INDUSTR'L PREPAREDNS/POL PREVENTION	752	752
	CLASS IV		
009	MM III MODIFICATIONS	21,635	21,635
010	AGM–65D MAVERICK	276	276
011	AGM–88A HARM	580	580
012	AIR LAUNCH CRUISE MISSILE (ALCM)	6,888	6,888
013	SMALL DIAMETER BOMB	5,000	5,000
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	72,080	72,080
	SPACE PROGRAMS		
015	ADVANCED EHF	379,586	379,586
016	WIDEBAND GAPFILLER SATELLITES(SPACE)	38,398	38,398
017	GPS III SPACE SEGMENT	403,431	403,431
018	ADVANCE PROCUREMENT (CY)	74,167	74,167
019	SPACEBORNE EQUIP (COMSEC)	5,244	5,244
020	GLOBAL POSITIONING (SPACE)	55,997	55,997
021	DEF METEOROLOGICAL SAT PROG(SPACE)	95,673	95,673
022	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,852,900	1,852,900
023	SBIR HIGH (SPACE)	583,192	583,192
	SPECIAL PROGRAMS		
029	SPECIAL UPDATE PROGRAMS	36,716	36,716
	CLASSIFIED PROGRAMS		
029A	CLASSIFIED PROGRAMS	829,702	829,702
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**5,343,286**	**5,343,286**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	15,735	15,735
	CARTRIDGES		
002	CARTRIDGES	129,921	129,921
	BOMBS		
003	PRACTICE BOMBS	30,840	30,840
004	GENERAL PURPOSE BOMBS	187,397	187,397
005	JOINT DIRECT ATTACK MUNITION	188,510	188,510
	OTHER ITEMS		
006	CAD/PAD	35,837	35,837
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,531	7,531
008	SPARES AND REPAIR PARTS	499	499
009	MODIFICATIONS	480	480
010	ITEMS LESS THAN $5 MILLION	9,765	9,765
	FLARES		
011	FLARES	55,864	55,864
	FUZES		
013	FUZES	76,037	76,037
	SMALL ARMS		
014	SMALL ARMS	21,026	21,026
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.	**759,442**	**759,442**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,048	2,048
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	8,019	8,019
003	CAP VEHICLES	946	946
004	ITEMS LESS THAN $5 MILLION	7,138	7,138
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	13,093	13,093
006	ITEMS LESS THAN $5 MILLION	13,983	13,983
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,794	23,794
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	8,669	8,669
	BASE MAINTENANCE SUPPORT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,144	6,144
010	ITEMS LESS THAN $5 MILLION	1,580	1,580
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	149,661	149,661
013	MODIFICATIONS (COMSEC)	726	726
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	2,789	2,789
015	INTELLIGENCE COMM EQUIPMENT	31,875	31,875
016	ADVANCE TECH SENSORS	452	452
017	MISSION PLANNING SYSTEMS	14,203	14,203
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	46,232	46,232
019	NATIONAL AIRSPACE SYSTEM	11,685	11,685
020	BATTLE CONTROL SYSTEM—FIXED	19,248	19,248
021	THEATER AIR CONTROL SYS IMPROVEMENTS	19,292	19,292
022	WEATHER OBSERVATION FORECAST	17,166	17,166
023	STRATEGIC COMMAND AND CONTROL	22,723	22,723
024	CHEYENNE MOUNTAIN COMPLEX	27,930	27,930
025	TAC SIGNIT SPT	217	217
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	49,627	49,627
028	AF GLOBAL COMMAND & CONTROL SYS	13,559	13,559
029	MOBILITY COMMAND AND CONTROL	11,186	11,186
030	AIR FORCE PHYSICAL SECURITY SYSTEM	43,238	43,238
031	COMBAT TRAINING RANGES	10,431	10,431
032	C3 COUNTERMEASURES	13,769	13,769
033	GCSS-AF FOS	19,138	19,138
034	THEATER BATTLE MGT C2 SYSTEM	8,809	8,809
035	AIR & SPACE OPERATIONS CTR-WPN SYS	26,935	26,935
	AIR FORCE COMMUNICATIONS		
036	INFORMATION TRANSPORT SYSTEMS	80,558	80,558
038	AFNET	97,588	97,588
039	VOICE SYSTEMS	8,419	8,419
040	USCENTCOM	34,276	34,276
	SPACE PROGRAMS		
041	SPACE BASED IR SENSOR PGM SPACE	28,235	28,235
042	NAVSTAR GPS SPACE	2,061	2,061
043	NUDET DETECTION SYS SPACE	4,415	4,415
044	AF SATELLITE CONTROL NETWORK SPACE	30,237	30,237
045	SPACELIFT RANGE SYSTEM SPACE	98,062	98,062
046	MILSATCOM SPACE	105,935	105,935
047	SPACE MODS SPACE	37,861	37,861
048	COUNTERSPACE SYSTEM	7,171	7,171
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	83,537	83,537
050	COMBAT SURVIVOR EVADER LOCATER	11,884	8,634
	Unjustified unit cost growth for batteries		[–3,250]
051	RADIO EQUIPMENT	14,711	14,711
052	CCTV/AUDIOVISUAL EQUIPMENT	10,275	10,275
053	BASE COMM INFRASTRUCTURE	50,907	50,907
	MODIFICATIONS		
054	COMM ELECT MODS	55,701	55,701
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	14,524	4,036
	Night Vision Cueing and Display termination		[–10,488]
056	ITEMS LESS THAN $5 MILLION	28,655	28,655
	DEPOT PLANT+MTRLS HANDLING EQ		
057	MECHANIZED MATERIAL HANDLING EQUIP	9,332	9,332
	BASE SUPPORT EQUIPMENT		
058	BASE PROCURED EQUIPMENT	16,762	16,762
059	CONTINGENCY OPERATIONS	33,768	33,768
060	PRODUCTIVITY CAPITAL INVESTMENT	2,495	2,495
061	MOBILITY EQUIPMENT	12,859	12,859
062	ITEMS LESS THAN $5 MILLION	1,954	1,954
	SPECIAL SUPPORT PROJECTS		
064	DARP RC135	24,528	24,528
065	DCGS-AF	137,819	137,819

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
067	SPECIAL UPDATE PROGRAM	479,586	479,586
068	DEFENSE SPACE RECONNAISSANCE PROG.	45,159	45,159
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	14,519,256	14,519,256
	SPARES AND REPAIR PARTS		
069	SPARES AND REPAIR PARTS	25,746	25,746
	TOTAL OTHER PROCUREMENT, AIR FORCE	**16,760,581**	**16,746,843**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	1,291	1,291
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	5,711	5,711
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	47,201	47,201
	MAJOR EQUIPMENT, DISA		
009	INFORMATION SYSTEMS SECURITY	16,189	16,189
012	TELEPORT PROGRAM	66,075	66,075
013	ITEMS LESS THAN $5 MILLION	83,881	83,881
014	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,572	2,572
015	DEFENSE INFORMATION SYSTEM NETWORK	125,557	125,557
017	CYBER SECURITY INITIATIVE	16,941	16,941
	MAJOR EQUIPMENT, DLA		
018	MAJOR EQUIPMENT	13,137	13,137
	MAJOR EQUIPMENT, DMACT		
019	MAJOR EQUIPMENT	15,414	15,414
	MAJOR EQUIPMENT, DODEA		
020	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,454	1,454
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
021	EQUIPMENT	978	978
	MAJOR EQUIPMENT, DSS		
022	MAJOR EQUIPMENT	5,020	5,020
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
023	VEHICLES	100	100
024	OTHER MAJOR EQUIPMENT	13,395	13,395
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
026	THAAD	581,005	581,005
027	AEGIS BMD	580,814	580,814
028	BMDS AN/TPY–2 RADARS	62,000	62,000
029	AEGIS ASHORE PHASE III	131,400	131,400
031	IRON DOME	220,309	220,309
	MAJOR EQUIPMENT, NSA		
039	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	14,363	14,363
	MAJOR EQUIPMENT, OSD		
040	MAJOR EQUIPMENT, OSD	37,345	37,345
041	MAJOR EQUIPMENT, INTELLIGENCE	16,678	16,678
	MAJOR EQUIPMENT, TJS		
042	MAJOR EQUIPMENT, TJS	14,792	14,792
	MAJOR EQUIPMENT, WHS		
043	MAJOR EQUIPMENT, WHS	35,259	35,259
	CLASSIFIED PROGRAMS		
043A	CLASSIFIED PROGRAMS	544,272	544,272
	AVIATION PROGRAMS		
045	ROTARY WING UPGRADES AND SUSTAINMENT	112,456	112,456
046	MH–60 MODERNIZATION PROGRAM	81,457	81,457
047	NON-STANDARD AVIATION	2,650	2,650
048	U–28	56,208	56,208
049	MH–47 CHINOOK	19,766	19,766
050	RQ–11 UNMANNED AERIAL VEHICLE	850	850
051	CV–22 MODIFICATION	98,927	98,927
052	MQ–1 UNMANNED AERIAL VEHICLE	20,576	20,576
053	MQ–9 UNMANNED AERIAL VEHICLE	1,893	14,893
	Capability Improvements		[13,000]
055	STUASL0	13,166	13,166
056	PRECISION STRIKE PACKAGE	107,687	107,687

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
057	AC/MC–130J	51,870	51,870
059	C–130 MODIFICATIONS	71,940	61,317
	C–130 TF/TA—early to need		[–10,623]
	SHIPBUILDING		
061	UNDERWATER SYSTEMS	37,439	37,439
	AMMUNITION PROGRAMS		
063	ORDNANCE ITEMS <$5M	159,029	159,029
	OTHER PROCUREMENT PROGRAMS		
066	INTELLIGENCE SYSTEMS	79,819	79,819
068	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,906	14,906
070	OTHER ITEMS <$5M	81,711	81,711
071	COMBATANT CRAFT SYSTEMS	35,053	33,897
	CCFLIR—Transfer at USSOCOM Request		[–1,156]
074	SPECIAL PROGRAMS	41,526	41,526
075	TACTICAL VEHICLES	43,353	43,353
076	WARRIOR SYSTEMS <$5M	210,540	210,540
078	COMBAT MISSION REQUIREMENTS	20,000	20,000
082	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,645	6,645
083	OPERATIONAL ENHANCEMENTS INTELLIGENCE	25,581	25,581
089	OPERATIONAL ENHANCEMENTS	191,061	191,061
	CBDP		
091	INSTALLATION FORCE PROTECTION	14,271	14,271
092	INDIVIDUAL PROTECTION	101,667	101,667
094	JOINT BIO DEFENSE PROGRAM (MEDICAL)	13,447	13,447
095	COLLECTIVE PROTECTION	20,896	20,896
096	CONTAMINATION AVOIDANCE	144,540	144,540
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,534,083**	**4,535,304**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	98,800	0
	Program reduction		[–98,800]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.	**98,800**	**0**
	TOTAL PROCUREMENT	**98,227,168**	**98,442,249**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	SATURN ARCH (MIP)	48,000	48,000
004	MQ–1 UAV	31,988	31,988
	ROTARY		
009	AH–64 APACHE BLOCK IIIB NEW BUILD	142,000	142,000
011	KIOWA WARRIOR WRA	163,800	163,800
014	CH–47 HELICOPTER	386,000	386,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**771,788**	**771,788**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	54,000	54,000
	ANTI-TANK/ASSAULT MISSILE SYS		
007	GUIDED MLRS ROCKET (GMLRS)	39,045	39,045
010	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	35,600	35,600
	TOTAL MISSILE PROCUREMENT, ARMY	**128,645**	**128,645**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 5.56MM, ALL TYPES	4,400	4,400

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
004	CTG, HANDGUN, ALL TYPES	1,500	1,500
005	CTG, .50 CAL, ALL TYPES	5,000	5,000
008	CTG, 30MM, ALL TYPES	60,000	60,000
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	5,000	5,000
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	10,000	10,000
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
016	PROJ 155MM EXTENDED RANGE M982	11,000	11,000
	ROCKETS		
021	ROCKET, HYDRA 70, ALL TYPES	57,000	57,000
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
023	GRENADES, ALL TYPES	3,000	3,000
024	SIGNALS, ALL TYPES	8,000	8,000
	MISCELLANEOUS		
028	CAD/PAD ALL TYPES	2,000	2,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**180,900**	**180,900**
	OTHER PROCUREMENT, ARMY		
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	321,040	321,040
	COMM—BASE COMMUNICATIONS		
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	25,000	25,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
067	DCGS-A (MIP)	7,200	7,200
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	5,980	5,980
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
074	LIGHTWEIGHT COUNTER MORTAR RADAR	57,800	57,800
078	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	15,300	15,300
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	4,221	4,221
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
091	ARTILLERY ACCURACY EQUIP	1,834	1,834
096	MOD OF IN-SVC EQUIP (LLDR)	21,000	21,000
098	COUNTERFIRE RADARS	85,830	85,830
	COMBAT SERVICE SUPPORT EQUIPMENT		
146	FORCE PROVIDER	51,654	51,654
147	FIELD FEEDING EQUIPMENT	6,264	6,264
	TOTAL OTHER PROCUREMENT, ARMY	**603,123**	**603,123**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	417,700	417,700
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	248,886	248,886
	FORCE TRAINING		
003	TRAIN THE FORCE	106,000	106,000
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	227,414	182,414
	Program decrease		[–45,000]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.	**1,000,000**	**955,000**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H–1 UPGRADES (UH–1Y/AH–1Z)	29,520	29,520
	OTHER AIRCRAFT		
026	MQ–8 UAV	13,100	13,100
	MODIFICATION OF AIRCRAFT		
031	AV–8 SERIES	57,652	57,652
033	F–18 SERIES	35,500	35,500
039	EP–3 SERIES	2,700	2,700
049	SPECIAL PROJECT AIRCRAFT	3,375	3,375
054	COMMON ECM EQUIPMENT	49,183	49,183
055	COMMON AVIONICS CHANGES	4,190	4,190
059	MAGTF EW FOR AVIATION	20,700	20,700
	AIRCRAFT SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	24,776	24,776

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**240,696**	**240,696**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	27,000	27,000
010	LASER MAVERICK	58,000	58,000
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	1,500	1,500
	TOTAL WEAPONS PROCUREMENT, NAVY	**86,500**	**86,500**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	11,424	11,424
002	AIRBORNE ROCKETS, ALL TYPES	30,332	30,332
003	MACHINE GUN AMMUNITION	8,282	8,282
006	AIR EXPENDABLE COUNTERMEASURES	31,884	31,884
011	OTHER SHIP GUN AMMUNITION	409	409
012	SMALL ARMS & LANDING PARTY AMMO	11,976	11,976
013	PYROTECHNIC AND DEMOLITION	2,447	2,447
014	AMMUNITION LESS THAN $5 MILLION	7,692	7,692
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	13,461	13,461
016	LINEAR CHARGES, ALL TYPES	3,310	3,310
017	40 MM, ALL TYPES	6,244	6,244
018	60MM, ALL TYPES	3,368	3,368
019	81MM, ALL TYPES	9,162	9,162
020	120MM, ALL TYPES	10,266	10,266
021	CTG 25MM, ALL TYPES	1,887	1,887
022	GRENADES, ALL TYPES	1,611	1,611
023	ROCKETS, ALL TYPES	37,459	37,459
024	ARTILLERY, ALL TYPES	970	970
025	DEMOLITION MUNITIONS, ALL TYPES	418	418
026	FUZE, ALL TYPES	14,219	14,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**206,821**	**206,821**
	OTHER PROCUREMENT, NAVY		
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	TACTICAL VEHICLES	17,968	17,968
	TOTAL OTHER PROCUREMENT, NAVY	**17,968**	**17,968**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
010	JAVELIN	29,334	29,334
011	FOLLOW ON TO SMAW	105	105
	OTHER SUPPORT		
013	MODIFICATION KITS	16,081	13,183
	TOW Unit Cost Growth		[–2,898]
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	16,081	16,081
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER $5 MILLION (COMM & ELEC)	8,170	8,170
	INTELL/COMM EQUIPMENT (NON-TEL)		
023	INTELLIGENCE SUPPORT EQUIPMENT	2,700	2,700
026	RQ–11 UAV	2,830	2,830
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	4,866	4,866
030	COMMAND POST SYSTEMS	265	265
	ENGINEER AND OTHER EQUIPMENT		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	114	114
043	BULK LIQUID EQUIPMENT	523	523
044	TACTICAL FUEL SYSTEMS	365	365
045	POWER EQUIPMENT ASSORTED	2,004	2,004
047	EOD SYSTEMS	42,930	42,930
	GENERAL PROPERTY		
055	FAMILY OF CONSTRUCTION EQUIPMENT	385	385
	TOTAL PROCUREMENT, MARINE CORPS	**129,584**	**126,686**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES	94,050	94,050
	OTHER AIRCRAFT		
052	U–2 MODS	11,300	11,300
059	C–130	1,618	1,618
064	RC–135	2,700	2,700
	COMMON SUPPORT EQUIPMENT		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP	6,000	6,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**115,668**	**115,668**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	24,200	24,200
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**24,200**	**24,200**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	326	326
	CARTRIDGES		
002	CARTRIDGES	17,634	17,634
	BOMBS		
004	GENERAL PURPOSE BOMBS	37,514	37,514
005	JOINT DIRECT ATTACK MUNITION	84,459	84,459
	FLARES		
011	FLARES	14,973	14,973
012	FUZES	3,859	3,859
	SMALL ARMS		
014	SMALL ARMS	1,200	1,200
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.	**159,965**	**159,965**
	OTHER PROCUREMENT, AIR FORCE		
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	1,800	1,800
	SPACE PROGRAMS		
046	MILSATCOM SPACE	5,695	5,695
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	60,600	60,600
061	MOBILITY EQUIPMENT	68,000	68,000
	SPECIAL SUPPORT PROJECTS		
068	DEFENSE SPACE RECONNAISSANCE PROG.	58,250	58,250
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	2,380,501	2,380,501
	TOTAL OTHER PROCUREMENT, AIR FORCE	**2,574,846**	**2,574,846**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
012	TELEPORT PROGRAM	4,760	4,760
	CLASSIFIED PROGRAMS		
043A	CLASSIFIED PROGRAMS	78,986	78,986
	AMMUNITION PROGRAMS		
062	ORDNANCE REPLENISHMENT	2,841	2,841
	OTHER PROCUREMENT PROGRAMS		
066	INTELLIGENCE SYSTEMS	13,300	13,300
084	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	8,034	8,034
089	OPERATIONAL ENHANCEMENTS	3,354	3,354
	TOTAL PROCUREMENT, DEFENSE-WIDE	**111,275**	**111,275**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	15,000	0
	Program reduction		[–15,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.	**15,000**	**0**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	NATIONAL GUARD & RESERVE EQUIPMENT		
	UNDISTRIBUTED		
999	MISCELLANEOUS EQUIPMENT		400,000
	Program increase		[400,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT.		**400,000**
	TOTAL PROCUREMENT	**6,366,979**	**6,704,081**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,803	21,803
002	0601102A	DEFENSE RESEARCH SCIENCES	221,901	221,901
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	79,359	79,359
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	113,662	113,662
		SUBTOTAL BASIC RESEARCH	**436,725**	**436,725**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	26,585	26,585
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,170	43,170
007	0602122A	TRACTOR HIP	36,293	36,293
008	0602211A	AVIATION TECHNOLOGY	55,615	55,615
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	17,585	17,585
010	0602303A	MISSILE TECHNOLOGY	51,528	51,528
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	26,162	26,162
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	24,063	24,063
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.	64,589	64,589
014	0602618A	BALLISTICS TECHNOLOGY	68,300	76,300
		WIAMan schedule adjustment		[8,000]
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY.	4,490	4,490
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,818	7,818
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	37,798	37,798
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	59,021	59,021
019	0602709A	NIGHT VISION TECHNOLOGY	43,426	43,426
020	0602712A	COUNTERMINE SYSTEMS	20,574	20,574
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,339	21,339
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,316	20,316
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY.	34,209	34,209
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	10,439	10,439
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,064	70,064
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,654	17,654
027	0602786A	WARFIGHTER TECHNOLOGY	31,546	31,546
028	0602787A	MEDICAL TECHNOLOGY	93,340	93,340
		SUBTOTAL APPLIED RESEARCH	**885,924**	**893,924**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	56,056	56,056
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	62,032	62,032
031	0603003A	AVIATION ADVANCED TECHNOLOGY	81,080	81,080

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.	63,919	63,919
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.	97,043	97,043
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,866	5,866
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	7,800	7,800
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	40,416	40,416
037	0603009A	TRACTOR HIKE	9,166	9,166
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS.	13,627	13,627
039	0603020A	TRACTOR ROSE	10,667	10,667
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT.	15,054	15,054
042	0603130A	TRACTOR NAIL	3,194	3,194
043	0603131A	TRACTOR EGGS	2,367	2,367
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	25,348	25,348
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY ...	64,009	64,009
046	0603322A	TRACTOR CAGE	11,083	11,083
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	180,662	180,662
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.	22,806	22,806
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,030	5,030
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	36,407	36,407
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.	11,745	11,745
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY.	23,717	23,717
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	33,012	33,012
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**882,106**	**882,106**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION ...	15,301	15,301
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	13,592	13,592
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	10,625	0
		Program deferred to fiscal year 2019		[–10,625]
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,612	30,612
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	49,989	49,989
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,703	6,703
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	6,894	6,894
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.	9,066	9,066
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL.	2,633	2,633
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL.	272,384	235,384
		Excess program growth		[–37,000]
065	0603790A	NATO RESEARCH AND DEVELOPMENT	3,874	3,874
066	0603801A	AVIATION—ADV DEV	5,018	5,018
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	11,556	11,556
069	0603807A	MEDICAL SYSTEMS—ADV DEV	15,603	15,603
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	14,159	14,159
071	0603850A	INTEGRATED BROADCAST SERVICE	79	79
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	55,605	55,605
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2).	79,232	79,232
075	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,476	4,476
076	0305205A	ENDURANCE UAVS	28,991	0
		LEMV termination		[–28,991]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**636,392**	**559,776**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
077	0604201A	AIRCRAFT AVIONICS	76,588	76,588
078	0604220A	ARMED, DEPLOYABLE HELOS	73,309	73,309
079	0604270A	ELECTRONIC WARFARE DEVELOPMENT	154,621	154,621
080	0604280A	JOINT TACTICAL RADIO	31,826	31,826
081	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR).	23,341	23,341
082	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,839	4,839
083	0604328A	TRACTOR CAGE	23,841	23,841
084	0604601A	INFANTRY SUPPORT WEAPONS	79,855	90,855
		Transfer from WTCV line 15—XM25 development		[11,000]
085	0604604A	MEDIUM TACTICAL VEHICLES	2,140	2,140
086	0604611A	JAVELIN	5,002	5,002
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	21,321	21,321
088	0604633A	AIR TRAFFIC CONTROL	514	514
093	0604710A	NIGHT VISION SYSTEMS—ENG DEV	43,405	43,405
094	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,939	1,939
095	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	18,980	18,980
097	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	18,294	18,294
098	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.	17,013	17,013
099	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	6,701	6,701
100	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	14,575	14,575
101	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	27,634	27,634
102	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.	193,748	193,748
103	0604802A	WEAPONS AND MUNITIONS—ENG DEV	15,721	15,721
104	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	41,703	41,703
105	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	7,379	7,379
106	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	39,468	39,468
107	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	92,285	92,285
108	0604814A	ARTILLERY MUNITIONS—EMD	8,209	8,209
109	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	22,958	22,958
110	0604820A	RADAR DEVELOPMENT	1,549	1,549
111	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).	17,342	227
		Excess to requirement		[–17,115]
112	0604823A	FIREFINDER	47,221	47,221
113	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	48,477	48,477
114	0604854A	ARTILLERY SYSTEMS—EMD	80,613	121,313
		Transfer from WTCV 6 at Army Request		[40,700]
117	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	68,814	68,814
118	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	137,290	137,290
119	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	116,298	116,298
120	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	68,148	68,148
121	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	33,219	33,219
122	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	15,127	15,127
124	0605456A	PAC–3/MSE MISSILE	68,843	68,843
125	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).	364,649	364,649
126	0605625A	MANNED GROUND VEHICLE	592,201	592,201
127	0605626A	AERIAL COMMON SENSOR	10,382	10,382
128	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	21,143	21,143
129	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	84,230	84,230
130	0303032A	TROJAN—RH12	3,465	3,465
131	0304270A	ELECTRONIC WARFARE DEVELOPMENT	10,806	10,806
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**2,857,026**	**2,891,611**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		RDT&E MANAGEMENT SUPPORT		
132	0604256A	THREAT SIMULATOR DEVELOPMENT	16,934	16,934
133	0604258A	TARGET SYSTEMS DEVELOPMENT	13,488	13,488
134	0604759A	MAJOR T&E INVESTMENT	46,672	46,672
135	0605103A	RAND ARROYO CENTER	11,919	11,919
136	0605301A	ARMY KWAJALEIN ATOLL	193,658	193,658
137	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	37,158	37,158
139	0605601A	ARMY TEST RANGES AND FACILITIES	340,659	340,659
140	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.	66,061	66,061
141	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	43,280	43,280
143	0605606A	AIRCRAFT CERTIFICATION	6,025	6,025
144	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.	7,349	7,349
145	0605706A	MATERIEL SYSTEMS ANALYSIS	19,809	19,809
146	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,941	5,941
147	0605712A	SUPPORT OF OPERATIONAL TESTING	55,504	55,504
148	0605716A	ARMY EVALUATION CENTER	65,274	65,274
149	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG.	1,283	1,283
150	0605801A	PROGRAMWIDE ACTIVITIES	82,035	82,035
151	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,853	33,853
152	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	53,340	53,340
153	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.	5,193	5,193
154	0605898A	MANAGEMENT HQ—R&D	54,175	54,175
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,159,610**	**1,159,610**
		OPERATIONAL SYSTEMS DEVELOPMENT		
156	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	110,576	110,576
157	0607141A	LOGISTICS AUTOMATION	3,717	3,717
159	0607865A	PATRIOT PRODUCT IMPROVEMENT	70,053	70,053
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	98,450	83,450
		JLENS program reduction		[–15,000]
161	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	30,940	30,940
162	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	177,532	177,532
163	0203740A	MANEUVER CONTROL SYSTEM	36,495	36,495
164	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	257,187	271,248
		Transfer from APA 11 at Army request		[14,061]
165	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	315	315
166	0203758A	DIGITIZATION	6,186	6,186
167	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	1,578	1,578
168	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.	62,100	62,100
169	0203808A	TRACTOR CARD	18,778	18,778
170	0208053A	JOINT TACTICAL GROUND SYSTEM	7,108	7,108
173	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,600	7,600
174	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	9,357	9,357
175	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	41,225	41,225
176	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,197	18,197
177	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.	14,215	14,215
179	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	33,533	33,533
180	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	27,622	27,622
181	0305219A	MQ–1C GRAY EAGLE UAS	10,901	10,901
182	0305232A	RQ–11 UAV	2,321	2,321
183	0305233A	RQ–7 UAV	12,031	12,031
185	0307665A	BIOMETRICS ENABLED INTELLIGENCE	12,449	12,449
186	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.	56,136	56,136
186A	9999999999	CLASSIFIED PROGRAMS	4,717	4,717

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**1,131,319**	**1,130,380**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**7,989,102**	**7,954,132**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	112,617	112,617
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,230	18,230
003	0601153N	DEFENSE RESEARCH SCIENCES	484,459	484,459
		SUBTOTAL BASIC RESEARCH	**615,306**	**615,306**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	104,513	104,513
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	145,307	145,307
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	47,334	47,334
007	0602235N	COMMON PICTURE APPLIED RESEARCH	34,163	34,163
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	49,689	49,689
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	97,701	97,701
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	45,685	60,685
		AGOR mid life refit		[15,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.	6,060	6,060
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	103,050	103,050
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.	169,710	169,710
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	31,326	31,326
		SUBTOTAL APPLIED RESEARCH	**834,538**	**849,538**
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	48,201	48,201
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	28,328	28,328
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.	56,179	56,179
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD).	132,400	132,400
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	11,854	11,854
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	247,931	247,931
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.	4,760	4,760
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	51,463	51,463
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,000	2,000
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**583,116**	**583,116**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	42,246	42,246
028	0603216N	AVIATION SURVIVABILITY	5,591	5,591
029	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,262	3,262
030	0603251N	AIRCRAFT SYSTEMS	74	74
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,964	7,964
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,257	5,257
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,570	1,570
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	168,040	168,040
035	0603506N	SURFACE SHIP TORPEDO DEFENSE	88,649	88,649
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	83,902	83,902
037	0603525N	PILOT FISH	108,713	108,713
038	0603527N	RETRACT LARCH	9,316	9,316

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
039	0603536N	RETRACT JUNIPER	77,108	77,108
040	0603542N	RADIOLOGICAL CONTROL	762	762
041	0603553N	SURFACE ASW	2,349	2,349
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	852,977	852,977
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,764	8,764
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	20,501	20,501
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.	27,052	27,052
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	428,933	428,933
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	27,154	22,902
		Program execution		[–4,252]
048	0603576N	CHALK EAGLE	519,140	519,140
049	0603581N	LITTORAL COMBAT SHIP (LCS)	406,389	406,389
050	0603582N	COMBAT SYSTEM INTEGRATION	36,570	18,530
		Late contract awards		[–18,040]
051	0603609N	CONVENTIONAL MUNITIONS	8,404	8,404
052	0603611M	MARINE CORPS ASSAULT VEHICLES	136,967	122,967
		Program delay		[–14,000]
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.	1,489	1,489
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	38,422	38,422
055	0603658N	COOPERATIVE ENGAGEMENT	69,312	64,012
		Common array block antenna contract delay		[–5,300]
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.	9,196	9,196
057	0603721N	ENVIRONMENTAL PROTECTION	18,850	18,850
058	0603724N	NAVY ENERGY PROGRAM	45,618	45,618
059	0603725N	FACILITIES IMPROVEMENT	3,019	3,019
060	0603734N	CHALK CORAL	144,951	144,951
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	5,797	5,797
062	0603746N	RETRACT MAPLE	308,131	308,131
063	0603748N	LINK PLUMERIA	195,189	195,189
064	0603751N	RETRACT ELM	56,358	56,358
065	0603764N	LINK EVERGREEN	55,378	55,378
066	0603787N	SPECIAL PROCESSES	48,842	48,842
067	0603790N	NATO RESEARCH AND DEVELOPMENT	7,509	7,509
068	0603795N	LAND ATTACK TECHNOLOGY	5,075	0
		Early to need		[–5,075]
069	0603851M	JOINT NON-LETHAL WEAPONS TESTING	51,178	51,178
070	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	205,615	194,719
		JPALS 1B follow-on platform integration delay		[–7,437]
		JPALS 1B test early to need		[–3,459]
072	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	37,227	37,227
073	0604279N	ASE SELF-PROTECTION OPTIMIZATION	169	169
074	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW).	20,874	17,874
		Schedule delay		[–3,000]
075	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.	2,257	2,257
076	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	38,327	38,327
077	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.	135,985	105,985
		Adjust program to more realistic schedule		[–30,000]
078	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	50,362	50,362
079	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,448	4,908
		Program delay		[–3,540]
080	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	153	153
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**4,641,385**	**4,547,282**
		SYSTEM DEVELOPMENT & DEMONSTRATION		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
081	0604212N	OTHER HELO DEVELOPMENT	40,558	40,558
082	0604214N	AV–8B AIRCRAFT—ENG DEV	35,825	33,325
		Excess program management		[–2,500]
083	0604215N	STANDARDS DEVELOPMENT	99,891	99,891
084	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.	17,565	17,565
085	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,026	4,026
086	0604221N	P–3 MODERNIZATION PROGRAM	1,791	1,791
087	0604230N	WARFARE SUPPORT SYSTEM	11,725	11,725
088	0604231N	TACTICAL COMMAND SYSTEM	68,463	68,463
089	0604234N	ADVANCED HAWKEYE	152,041	152,041
090	0604245N	H–1 UPGRADES	47,123	47,123
091	0604261N	ACOUSTIC SEARCH SENSORS	30,208	30,208
092	0604262N	V–22A	43,084	43,084
093	0604264N	AIR CREW SYSTEMS DEVELOPMENT	11,401	11,401
094	0604269N	EA–18	11,138	11,138
095	0604270N	ELECTRONIC WARFARE DEVELOPMENT	34,964	34,964
096	0604273N	VH–71A EXECUTIVE HELO DEVELOPMENT	94,238	94,238
097	0604274N	NEXT GENERATION JAMMER (NGJ)	257,796	257,796
098	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY).	3,302	3,302
099	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.	240,298	240,298
100	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	1,214	1,214
101	0604329N	SMALL DIAMETER BOMB (SDB)	46,007	46,007
102	0604366N	STANDARD MISSILE IMPROVEMENTS	75,592	75,592
103	0604373N	AIRBORNE MCM	117,854	117,854
104	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	10,080	10,080
105	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	21,413	21,413
106	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	146,683	133,683
		Schedule delay		[–13,000]
107	0604501N	ADVANCED ABOVE WATER SENSORS	275,871	196,071
		Air and missile defense radar contract delay		[–79,800]
108	0604503N	SSN–688 AND TRIDENT MODERNIZATION	89,672	89,672
109	0604504N	AIR CONTROL	13,754	13,754
110	0604512N	SHIPBOARD AVIATION SYSTEMS	69,615	69,615
112	0604558N	NEW DESIGN SSN	121,566	121,566
113	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,143	49,143
114	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	155,254	175,254
		Increased LHA–8 design efforts		[20,000]
115	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,689	3,689
116	0604601N	MINE DEVELOPMENT	5,041	5,041
117	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	26,444	26,444
118	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	8,897	8,897
119	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	6,233	6,233
120	0604727N	JOINT STANDOFF WEAPON SYSTEMS	442	442
121	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	130,360	130,360
122	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	50,209	50,209
123	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	164,799	114,799
		SEWIP block 3 program delay		[–50,000]
124	0604761N	INTELLIGENCE ENGINEERING	1,984	1,984
125	0604771N	MEDICAL DEVELOPMENT	9,458	9,458
126	0604777N	NAVIGATION/ID SYSTEM	51,430	51,430
127	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	512,631	502,631
		F–35B follow-on development ahead of need		[–10,000]
128	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	534,187	524,187
		F–35B follow-on development ahead of need		[–10,000]
129	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,564	5,564
130	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	69,659	62,823
		Unjustified request		[–6,836]
132	0605212N	CH–53K RDTE	503,180	503,180
133	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	5,500	0

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		Program uncertainty		[–5,500]
134	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	317,358	287,358
		P–8A spiral 2 development milestone B slip		[–30,000]
135	0204202N	DDG–1000	187,910	187,910
136	0304231N	TACTICAL COMMAND SYSTEM—MIP	2,140	2,140
137	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	9,406	9,406
138	0305124N	SPECIAL APPLICATIONS PROGRAM	22,800	22,800
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**5,028,476**	**4,840,840**
		MANAGEMENT SUPPORT		
139	0604256N	THREAT SIMULATOR DEVELOPMENT	43,261	43,261
140	0604258N	TARGET SYSTEMS DEVELOPMENT	71,872	71,872
141	0604759N	MAJOR T&E INVESTMENT	38,033	38,033
142	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION.	1,352	1,352
143	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	5,566	5,566
144	0605154N	CENTER FOR NAVAL ANALYSES	48,345	48,345
146	0605804N	TECHNICAL INFORMATION SERVICES	637	637
147	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	76,585	76,585
148	0605856N	STRATEGIC TECHNICAL SUPPORT	3,221	3,221
149	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT.	72,725	72,725
150	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	141,778	141,778
151	0605864N	TEST AND EVALUATION SUPPORT	331,219	331,219
152	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY.	16,565	16,565
153	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.	3,265	3,265
154	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,134	7,134
155	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	24,082	24,082
156	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	497	497
		SUBTOTAL MANAGEMENT SUPPORT	**886,137**	**886,137**
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0604227N	HARPOON MODIFICATIONS	699	699
160	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT.	20,961	20,961
162	0604766M	MARINE CORPS DATA SYSTEMS	35	35
163	0605525N	CARRIER ONBOARD DELIVERY (COD) FOLLOW ON	2,460	2,460
164	0605555N	STRIKE WEAPONS DEVELOPMENT	9,757	9,757
165	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	98,057	98,057
166	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	31,768	31,768
167	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,464	1,464
168	0101402N	NAVY STRATEGIC COMMUNICATIONS	21,729	21,729
169	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	13,561	13,561
170	0204136N	F/A–18 SQUADRONS	131,118	131,118
171	0204152N	E–2 SQUADRONS	1,971	1,971
172	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	46,155	34,423
		Joint Aerial Layer Network program delay		[–11,732]
173	0204228N	SURFACE SUPPORT	2,374	2,374
174	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	12,407	12,407
175	0204311N	INTEGRATED SURVEILLANCE SYSTEM	41,609	41,609
176	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	7,240	7,240
177	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	78,208	78,208
178	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.	45,124	45,124
179	0204574N	CRYPTOLOGIC DIRECT SUPPORT	2,703	2,703
180	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,563	19,563
181	0205601N	HARM IMPROVEMENT	13,586	13,586
182	0205604N	TACTICAL DATA LINKS	197,538	197,538
183	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	31,863	31,863
184	0205632N	MK–48 ADCAP	12,806	12,806

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
185	0205633N	AVIATION IMPROVEMENTS	88,607	88,607
187	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	116,928	116,928
188	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	178,753	178,753
189	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	139,594	118,719
		Marine Personnel Carrier program deferred		[–20,875]
190	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	42,647	37,034
		Prior year carry over		[–5,613]
191	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	34,394	34,394
192	0207161N	TACTICAL AIM MISSILES	39,159	31,159
		Program delay		[–8,000]
193	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	2,613	2,613
194	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	986	986
199	0303109N	SATELLITE COMMUNICATIONS (SPACE)	66,231	66,231
200	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	24,476	24,476
201	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	23,531	23,531
206	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC).	742	742
207	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES.	4,804	4,804
208	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,381	8,381
211	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	5,535	5,535
212	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	19,718	19,718
213	0305220N	RQ–4 UAV	375,235	375,235
214	0305231N	MQ–8 UAV	48,713	48,713
215	0305232M	RQ–11 UAV	102	102
216	0305233N	RQ–7 UAV	710	710
217	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	5,013	5,013
219	0305239M	RQ–21A	11,122	11,122
220	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	28,851	28,851
221	0308601N	MODELING AND SIMULATION SUPPORT	5,116	5,116
222	0702207N	DEPOT MAINTENANCE (NON-IF)	28,042	28,042
223	0708011N	INDUSTRIAL PREPAREDNESS	50,933	50,933
224	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,998	4,998
224A	9999999999	CLASSIFIED PROGRAMS	1,185,132	1,185,132
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**3,385,822**	**3,339,602**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**15,974,780**	**15,661,821**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	373,151	373,151
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	138,333	138,333
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,286	13,286
		SUBTOTAL BASIC RESEARCH	**524,770**	**524,770**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	116,846	116,846
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	119,672	119,672
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,483	89,483
007	0602203F	AEROSPACE PROPULSION	197,546	197,546
008	0602204F	AEROSPACE SENSORS	127,539	127,539
009	0602601F	SPACE TECHNOLOGY	104,063	104,063
010	0602602F	CONVENTIONAL MUNITIONS	81,521	81,521
011	0602605F	DIRECTED ENERGY TECHNOLOGY	112,845	112,845
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS.	138,161	138,161
013	0602890F	HIGH ENERGY LASER RESEARCH	40,217	40,217
		SUBTOTAL APPLIED RESEARCH	**1,127,893**	**1,127,893**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,572	49,572
		Program increase		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	12,800	12,800
016	0603203F	ADVANCED AEROSPACE SENSORS	30,579	30,579
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	77,347	77,347
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY.	149,321	149,321
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	49,128	49,128
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	68,071	68,071
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	26,299	26,299
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	20,967	20,967
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	33,996	33,996
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,000	19,000
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	41,353	41,353
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	49,093	49,093
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**617,526**	**627,526**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,983	3,983
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,874	3,874
032	0603438F	SPACE CONTROL TECHNOLOGY	27,024	27,024
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	15,899	15,899
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,568	4,568
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	379	379
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	28,764	28,764
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL.	86,737	86,737
040	0603859F	POLLUTION PREVENTION—DEM/VAL	953	953
042	0604015F	LONG RANGE STRIKE	379,437	379,437
044	0604317F	TECHNOLOGY TRANSFER	2,606	2,606
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	103	103
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,018	16,018
049	0604458F	AIR & SPACE OPS CENTER	58,861	58,861
050	0604618F	JOINT DIRECT ATTACK MUNITION	2,500	2,500
051	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	21,175	21,175
052	0604857F	OPERATIONALLY RESPONSIVE SPACE		10,000
		Program increase		[10,000]
053	0604858F	TECH TRANSITION PROGRAM	13,636	13,636
054	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES.	2,799	2,799
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR).	70,160	70,160
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	137,233	137,233
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**876,709**	**886,709**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
058	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	977	977
061	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	3,601	3,601
062	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,971	1,971
064	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	51,456	51,456
065	0604287F	PHYSICAL SECURITY EQUIPMENT	50	50
066	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	115,000	115,000
067	0604421F	COUNTERSPACE SYSTEMS	23,930	23,930
068	0604425F	SPACE SITUATION AWARENESS SYSTEMS	400,258	400,258
069	0604429F	AIRBORNE ELECTRONIC ATTACK	4,575	4,575
070	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.	352,532	322,832
		Modernization projects execution delays excluding exploitation efforts.		[–29,700]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
071	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	16,284	16,284
072	0604604F	SUBMUNITIONS	2,564	2,564
073	0604617F	AGILE COMBAT SUPPORT	17,036	17,036
074	0604706F	LIFE SUPPORT SYSTEMS	7,273	7,273
075	0604735F	COMBAT TRAINING RANGES	33,200	33,200
078	0604800F	F–35—EMD	816,335	816,335
079	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	145,442	145,442
080	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD.	27,963	27,963
081	0604932F	LONG RANGE STANDOFF WEAPON	5,000	5,000
082	0604933F	ICBM FUZE MODERNIZATION	129,411	129,411
083	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	131,100	131,100
084	0605221F	KC–46	1,558,590	1,558,590
085	0605229F	CSAR HH–60 RECAPITALIZATION	393,558	333,558
		Program delays / projected savings pending updated program estimate.		[–60,000]
086	0605278F	HC/MC–130 RECAP RDT&E	6,242	6,242
087	0605431F	ADVANCED EHF MILSATCOM (SPACE)	272,872	272,872
088	0605432F	POLAR MILSATCOM (SPACE)	124,805	124,805
089	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	13,948	13,948
090	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	303,500	303,500
091	0101125F	NUCLEAR WEAPONS MODERNIZATION	67,874	67,874
094	0207701F	FULL COMBAT MISSION TRAINING	4,663	4,663
097	0401318F	CV–22	46,705	46,705
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**5,078,715**	**4,989,015**
		MANAGEMENT SUPPORT		
099	0604256F	THREAT SIMULATOR DEVELOPMENT	17,690	17,690
100	0604759F	MAJOR T&E INVESTMENT	34,841	34,841
101	0605101F	RAND PROJECT AIR FORCE	32,956	32,956
103	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,610	13,610
104	0605807F	TEST AND EVALUATION SUPPORT	742,658	742,658
105	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,203	14,203
106	0605864F	SPACE TEST PROGRAM (STP)	13,000	13,000
107	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	44,160	44,160
108	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	27,643	27,643
109	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE.	13,935	13,935
110	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.	192,348	192,348
111	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	28,647	28,647
112	0804731F	GENERAL SKILL TRAINING	315	315
114	1001004F	INTERNATIONAL ACTIVITIES	3,785	3,785
		SUBTOTAL MANAGEMENT SUPPORT	**1,179,791**	**1,179,791**
		OPERATIONAL SYSTEMS DEVELOPMENT		
115	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	383,500	383,500
117	0604445F	WIDE AREA SURVEILLANCE	5,000	5,000
118	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS).	90,097	90,097
119	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	32,086	32,086
121	0101113F	B–52 SQUADRONS	24,007	24,007
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	450	450
123	0101126F	B–1B SQUADRONS	19,589	19,589
124	0101127F	B–2 SQUADRONS	100,194	100,194
125	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	37,448	37,448
128	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	1,700	1,700
130	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND.	3,844	3,844
131	0205219F	MQ–9 UAV	128,328	128,328
133	0207131F	A–10 SQUADRONS	9,614	9,614
134	0207133F	F–16 SQUADRONS	177,298	177,298

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
135	0207134F	F–15E SQUADRONS	244,289	244,289
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,138	13,138
137	0207138F	F–22A SQUADRONS	328,542	328,542
138	0207142F	F–35 SQUADRONS	33,000	33,000
139	0207161F	TACTICAL AIM MISSILES	15,460	15,460
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	84,172	84,172
142	0207224F	COMBAT RESCUE AND RECOVERY	2,582	2,582
143	0207227F	COMBAT RESCUE—PARARESCUE	542	542
144	0207247F	AF TENCAP	89,816	89,816
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,075	1,075
146	0207253F	COMPASS CALL	10,782	10,782
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	139,369	139,369
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).	6,373	6,373
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	22,820	22,820
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	7,029	7,029
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).	186,256	186,256
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	743	743
156	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	4,471	4,471
158	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,250	10,250
159	0207448F	C2ISR TACTICAL DATA LINK	1,431	1,431
160	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	7,329	7,329
161	0207452F	DCAPES	15,081	15,081
162	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS).	13,248	23,148
		Continue T–3 testing operations		[9,900]
163	0207590F	SEEK EAGLE	24,342	24,342
164	0207601F	USAF MODELING AND SIMULATION	10,448	10,448
165	0207605F	WARGAMING AND SIMULATION CENTERS	5,512	5,512
166	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,301	3,301
167	0208006F	MISSION PLANNING SYSTEMS	62,605	62,605
169	0208059F	CYBER COMMAND ACTIVITIES	68,099	68,099
170	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	14,047	14,047
171	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	5,853	5,853
179	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,197	12,197
180	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).	18,267	18,267
181	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	36,288	36,288
182	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	90,231	100,231
		ASACoE program		[10,000]
183	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	725	725
185	0303601F	MILSATCOM TERMINALS	140,170	140,170
187	0304260F	AIRBORNE SIGINT ENTERPRISE	117,110	117,110
190	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,430	4,430
191	0305103F	CYBER SECURITY INITIATIVE	2,048	2,048
192	0305105F	DOD CYBER CRIME CENTER	288	288
193	0305110F	SATELLITE CONTROL NETWORK (SPACE)	35,698	35,698
194	0305111F	WEATHER SERVICE	24,667	24,667
195	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	35,674	35,674
196	0305116F	AERIAL TARGETS	21,186	21,186
199	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	195	195
200	0305145F	ARMS CONTROL IMPLEMENTATION	1,430	1,430
201	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	330	330
206	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER.	3,696	3,696
207	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	2,469	2,469
208	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,289	8,289
209	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	13,345	13,345
211	0305202F	DRAGON U–2	18,700	18,700
212	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	3,000	3,000

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
213	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	37,828	50,328
		Blue Devil Replacement WAMI/NVDF		[12,500]
214	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,491	13,491
215	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	7,498	7,498
216	0305219F	MQ–1 PREDATOR A UAV	3,326	3,326
217	0305220F	RQ–4 UAV	134,406	114,406
		Multiple execution delays		[–20,000]
218	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,413	7,413
219	0305236F	COMMON DATA LINK (CDL)	40,503	40,503
220	0305238F	NATO AGS	264,134	264,134
221	0305240F	SUPPORT TO DCGS ENTERPRISE	23,016	23,016
222	0305265F	GPS III SPACE SEGMENT	221,276	221,276
223	0305614F	JSPOC MISSION SYSTEM	58,523	58,523
224	0305881F	RAPID CYBER ACQUISITION	2,218	2,218
226	0305913F	NUDET DETECTION SYSTEM (SPACE)	50,547	50,547
227	0305940F	SPACE SITUATION AWARENESS OPERATIONS	18,807	18,807
229	0308699F	SHARED EARLY WARNING (SEW)	1,079	1,079
230	0401115F	C–130 AIRLIFT SQUADRON	400	73,700
		C–130 AMP		[47,300]
		C–130H Propulsion System Propeller Upgrades		[26,000]
231	0401119F	C–5 AIRLIFT SQUADRONS (IF)	61,492	61,492
232	0401130F	C–17 AIRCRAFT (IF)	109,134	109,134
233	0401132F	C–130J PROGRAM	22,443	22,443
234	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).	4,116	4,116
238	0401314F	OPERATIONAL SUPPORT AIRLIFT	44,553	44,553
239	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,213	6,213
240	0702207F	DEPOT MAINTENANCE (NON-IF)	1,605	1,605
242	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	95,238	95,238
243	0708611F	SUPPORT SYSTEMS DEVELOPMENT	10,925	10,925
244	0804743F	OTHER FLIGHT TRAINING	1,347	1,347
245	0808716F	OTHER PERSONNEL ACTIVITIES	65	65
246	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,083	1,083
247	0901218F	CIVILIAN COMPENSATION PROGRAM	1,577	1,577
248	0901220F	PERSONNEL ADMINISTRATION	5,990	5,990
249	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	786	786
250	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	654	654
251	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	135,735	135,735
252A	9999999999	CLASSIFIED PROGRAMS	11,874,528	11,874,528
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**16,297,542**	**16,383,242**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**25,702,946**	**25,718,946**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,837	45,837
002	0601101E	DEFENSE RESEARCH SCIENCES	315,033	315,033
003	0601110D8Z	BASIC RESEARCH INITIATIVES	11,171	11,171
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.	49,500	49,500
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	84,271	84,271
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,895	35,895
		Program increase		[5,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	51,426	51,426
		SUBTOTAL BASIC RESEARCH	**588,133**	**593,133**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,065	20,065
009	0602115E	BIOMEDICAL TECHNOLOGY	114,790	114,790
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,875	41,875
		MIT LL reduction		[–5,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	45,000	40,000
		PSC S&T reduction		[–5,000]
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	413,260	415,760
		Plan X increase		[2,500]
015	0602304E	COGNITIVE COMPUTING SYSTEMS	16,330	16,330
017	0602383E	BIOLOGICAL WARFARE DEFENSE	24,537	24,537
018	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	227,065	217,065
		Program decrease		[–10,000]
020	0602668D8Z	CYBER SECURITY RESEARCH	18,908	18,908
021	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH.		2,500
		HSCB Apl Res extension		[2,500]
022	0602702E	TACTICAL TECHNOLOGY	225,977	225,977
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,654	166,654
024	0602716E	ELECTRONICS TECHNOLOGY	243,469	243,469
025	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.	175,282	175,282
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,107	11,107
027	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.	29,246	29,246
		SUBTOTAL APPLIED RESEARCH	**1,778,565**	**1,763,565**
		ADVANCED TECHNOLOGY DEVELOPMENT		
028	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	26,646	21,646
		Program decrease		[–5,000]
029	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	19,420	19,420
030	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,792	77,792
031	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT.	274,033	274,033
032	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	309,203	214,203
		Advanced Technology—unsustainable growth		[–20,000]
		Common Kill VehicleTechnology—transfer to line 032X.		[–70,000]
		Directed energy—DPALS		[–5,000]
032X	0603XXXC	COMMON KILL VEHICLE TECHNOLOGY		100,000
		Common Kill Vehicle Technology—transfer from line 032.		[70,000]
		Increase for CKVT design and development		[30,000]
034	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	19,305	19,305
035	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY.	7,565	7,565
036	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	40,426	40,426
037	0603286E	ADVANCED AEROSPACE SYSTEMS	149,804	149,804
038	0603287E	SPACE PROGRAMS AND TECHNOLOGY	172,546	172,546
039	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	170,847	170,847
040	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,009	9,009
041	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.	174,428	167,428
		Decrease to Strategic Capabilities Office efforts		[–7,000]
042	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	20,000	5,000
		Net Comm reduction		[–15,000]
045	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,668	19,668
046	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT.		2,500
		HSCB Adv Dev extension		[2,500]
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	34,041	59,041
		IBIF		[25,000]
048	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.	61,971	53,971
		Decrease to Strategic Capabilities Office efforts		[–8,000]
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	20,000	20,000

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
051	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY.	30,256	30,256
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.	72,324	72,324
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	82,700	82,700
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,431	8,431
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	117,080	117,080
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.	239,078	239,078
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	259,006	259,006
060	0603767E	SENSOR TECHNOLOGY	286,364	286,364
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	12,116	12,116
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	19,008	19,008
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	78,532	68,532
		Quick & Rapid Reaction Fund reduction		[–10,000]
065	0603828J	JOINT EXPERIMENTATION	12,667	12,667
066	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE.	41,370	41,370
069	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,508	92,508
070	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.	52,001	52,001
071	0303310D8Z	CWMD SYSTEMS	52,053	55,053
		Program increase		[3,000]
072	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT.	46,809	46,809
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**3,109,007**	**3,099,507**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
075	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	63,641	63,641
076	0603527D8Z	RETRACT LARCH	19,152	19,152
077	0603600D8Z	WALKOFF	70,763	70,763
079	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	17,230	19,230
		Sustain testing effort		[2,000]
080	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	71,453	71,453
081	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	268,990	268,990
082	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,033,903	1,133,903
		Continue activities relative to site evaluation, EIS, and planning.		[20,000]
		FTG-07 failure review board and return to flight		[80,000]
083	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	196,237	196,237
084	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	315,183	395,183
		Additional homeland missile defense radar		[30,000]
		Enhanced discrimination capability		[50,000]
086	0603890C	BMD ENABLING PROGRAMS	377,605	377,605
087	0603891C	SPECIAL PROGRAMS—MDA	286,613	286,613
088	0603892C	AEGIS BMD	937,056	937,056
089	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	44,947	44,947
090	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.	6,515	6,515
091	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	418,355	418,355
092	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	47,419	47,419
093	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	52,131	52,131
094	0603906C	REGARDING TRENCH	13,864	13,864
095	0603907C	SEA BASED X-BAND RADAR (SBX)	44,478	44,478

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
096	0603913C	ISRAELI COOPERATIVE PROGRAMS	95,782	283,782
		Arrow Weapon System Improvements		[33,700]
		Arrow–3 Interceptor		[22,100]
		David's Sling short-range BMD		[117,200]
		US co-production capability for Iron Dome parts and components.		[15,000]
097	0603914C	BALLISTIC MISSILE DEFENSE TEST	375,866	375,866
098	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	495,257	495,257
099	0603920D8Z	HUMANITARIAN DEMINING	11,704	11,704
100	0603923D8Z	COALITION WARFARE	9,842	9,842
101	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,312	13,312
		Corrosion Prevention, Control, and Mitigation		[10,000]
102	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	130,000	100,000
		Decrease to SCO efforts		[–30,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	8,300	8,300
104	0604445J	WIDE AREA SURVEILLANCE	30,000	30,000
105	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.		2,500
		HSCB Modeling R&E extension		[2,500]
106	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		200,000
		Rapid Innovation Program		[200,000]
108	0604787J	JOINT SYSTEMS INTEGRATION	7,402	7,402
110	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM.	7,506	7,506
111	0604880C	LAND-BASED SM–3 (LBSM3)	129,374	129,374
112	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	308,522	308,522
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.	3,169	3,169
116	0305103C	CYBER SECURITY INITIATIVE	946	946
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	**5,902,517**	**6,455,017**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	8,155	8,155
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.	65,440	65,440
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD.	451,306	451,306
122	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO).	29,138	29,138
123	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	19,475	19,475
124	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.	12,901	12,901
125	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	13,812	13,812
126	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	386	386
127	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,763	3,763
128	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	6,788	6,788
129	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	27,917	27,917
130	0605075D8Z	DCMO POLICY AND INTEGRATION	22,297	22,297
131	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM.	51,689	51,689
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,184	6,184
133	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	12,083	12,083
134	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	3,302	3,302
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.	**734,636**	**734,636**
		MANAGEMENT SUPPORT		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,393	6,393
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	2,479	2,479

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	240,213	240,213
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,127	2,127
139	0604943D8Z	THERMAL VICAR	8,287	8,287
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	31,000	31,000
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,379	24,379
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION.	54,311	54,311
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	47,462	47,462
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	12,134	12,134
147	0605142D8Z	SYSTEMS ENGINEERING	44,237	44,237
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,871	5,871
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,028	5,028
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	6,301	6,301
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,504	6,504
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,046	92,046
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S.	1,868	1,868
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	8,362	8,362
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	56,024	56,024
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	6,908	6,908
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,451	19,451
		Program increase		[4,000]
164	0605898E	MANAGEMENT HQ—R&D	71,659	71,659
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,083	4,083
167	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI).	5,306	5,306
168	0204571J	JOINT STAFF ANALYTICAL SUPPORT	2,097	2,097
172	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	8,394	8,394
175	0305193D8Z	CYBER INTELLIGENCE	7,624	7,624
178	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2).	43,247	43,247
179	0901598C	MANAGEMENT HQ—MDA	37,712	37,712
180	0901598D8W	MANAGEMENT HEADQUARTERS WHS	607	607
181A	9999999999	CLASSIFIED PROGRAMS	54,914	54,914
		SUBTOTAL MANAGEMENT SUPPORT	**913,028**	**917,028**
		OPERATIONAL SYSTEM DEVELOPMENT		
182	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,552	7,552
183	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	3,270	3,270
184	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	287	287
185	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	14,000	14,000
186	0607310D8Z	OPERATIONAL SYSTEMS DEVELOPMENT	1,955	1,955
187	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	13,250	13,250
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	13,026	13,026
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	12,652	12,652
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
192	0208045K	C4I INTEROPERABILITY	72,726	72,726
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,524	6,524
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.	512	512
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	12,867	12,867
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,565	36,565
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	13,144	13,144

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	1,060	1,060
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,279	33,279
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	10,673	10,673
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	181,567	181,567
210	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	34,288	34,288
211	0303153K	DEFENSE SPECTRUM ORGANIZATION	7,741	7,741
212	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,325	3,325
213	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	1,246	1,246
214	0303610K	TELEPORT PROGRAM	5,147	5,147
216	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,352	17,352
220	0305103K	CYBER SECURITY INITIATIVE	3,658	3,658
221	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	9,752	9,752
225	0305186D8Z	POLICY R&D PROGRAMS	3,210	4,210
		CRRC extension		[1,000]
227	0305199D8Z	NET CENTRICITY	21,602	21,602
230	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	5,195	5,195
233	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	3,348	3,348
235	0305219BB	MQ–1 PREDATOR A UAV	641	641
238	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	2,338	2,338
239	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	4,372	4,372
247	0708011S	INDUSTRIAL PREPAREDNESS	24,691	24,691
248	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,659	4,659
249	0902298J	MANAGEMENT HQ—OJCS	3,533	3,533
250	1105219BB	MQ–9 UAV	1,314	13,314
		Capability Improvements		[12,000]
254	1160403BB	AVIATION SYSTEMS	156,561	156,561
256	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT.	7,705	7,705
257	1160408BB	SOF OPERATIONAL ENHANCEMENTS	42,620	42,620
261	1160431BB	WARRIOR SYSTEMS	17,970	17,970
262	1160432BB	SPECIAL PROGRAMS	7,424	7,424
268	1160480BB	SOF TACTICAL VEHICLES	2,206	2,206
271	1160483BB	MARITIME SYSTEMS	18,325	19,481
		CCFLIR—Transfer at USSOCOM Request		[1,156]
274	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,304	3,304
275	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE.	16,021	16,021
275A	9999999999	CLASSIFIED PROGRAMS	3,773,704	3,773,704
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**4,641,222**	**4,655,378**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**17,667,108**	**18,218,264**
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	75,720	75,720
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	48,423	48,423
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	62,157	62,157
		SUBTOTAL MANAGEMENT SUPPORT	**186,300**	**186,300**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE.	**186,300**	**186,300**
		TOTAL RDT&E	**67,520,236**	**67,739,463**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	7,000	7,000
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**7,000**	**7,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**7,000**	**7,000**
		OPERATIONAL SYSTEMS DEVELOPMENT		
224A	9999999999	CLASSIFIED PROGRAMS	34,426	34,426
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**34,426**	**34,426**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**34,426**	**34,426**
		OPERATIONAL SYSTEMS DEVELOPMENT		
252A	9999999999	CLASSIFIED PROGRAMS	9,000	9,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**9,000**	**9,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**9,000**	**9,000**
		OPERATIONAL SYSTEM DEVELOPMENT		
275A	9999999999	CLASSIFIED PROGRAMS	66,208	66,208
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**66,208**	**66,208**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**66,208**	**66,208**
		TOTAL RDT&E	**116,634**	**116,634**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	888,114	1,059,114
	Readiness funding increase		[171,000]
020	MODULAR SUPPORT BRIGADES	72,624	72,624
030	ECHELONS ABOVE BRIGADE	617,402	617,402
040	THEATER LEVEL ASSETS	602,262	602,262
050	LAND FORCES OPERATIONS SUPPORT	1,032,484	1,032,484
060	AVIATION ASSETS	1,287,462	1,303,262
	Readiness funding increase		[15,800]
070	FORCE READINESS OPERATIONS SUPPORT	3,559,656	3,768,656
	Readiness funding increase		[209,000]
080	LAND FORCES SYSTEMS READINESS	454,477	454,477
090	LAND FORCES DEPOT MAINTENANCE	1,481,156	1,706,156

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Readiness funding increase		[225,000]
100	BASE OPERATIONS SUPPORT	7,278,154	7,278,154
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,754,712	3,011,712
	Realignment of Arlington National Cemetary operations		[–25,000]
	Sustainment to 90%		[282,000]
120	MANAGEMENT AND OPERATIONAL HQ'S	425,271	425,271
130	COMBATANT COMMANDERS CORE OPERATIONS	185,064	185,064
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	463,270	463,270
	SUBTOTAL OPERATING FORCES	**21,102,108**	**21,979,908**
	MOBILIZATION		
180	STRATEGIC MOBILITY	360,240	360,240
190	ARMY PREPOSITIONING STOCKS	192,105	192,105
200	INDUSTRIAL PREPAREDNESS	7,101	7,101
	SUBTOTAL MOBILIZATION	**559,446**	**559,446**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	115,992	115,992
220	RECRUIT TRAINING	52,323	52,323
230	ONE STATION UNIT TRAINING	43,589	43,589
240	SENIOR RESERVE OFFICERS TRAINING CORPS	453,745	453,745
250	SPECIALIZED SKILL TRAINING	1,034,495	1,034,495
260	FLIGHT TRAINING	1,016,876	1,016,876
270	PROFESSIONAL DEVELOPMENT EDUCATION	186,565	186,565
280	TRAINING SUPPORT	652,514	652,514
290	RECRUITING AND ADVERTISING	485,500	485,500
300	EXAMINING	170,912	170,912
310	OFF-DUTY AND VOLUNTARY EDUCATION	251,523	251,523
320	CIVILIAN EDUCATION AND TRAINING	184,422	184,422
330	JUNIOR ROTC	181,105	181,105
	SUBTOTAL TRAINING AND RECRUITING	**4,829,561**	**4,829,561**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	690,089	690,089
360	CENTRAL SUPPLY ACTIVITIES	774,120	774,120
370	LOGISTIC SUPPORT ACTIVITIES	651,765	651,765
380	AMMUNITION MANAGEMENT	453,051	453,051
390	ADMINISTRATION	487,737	487,737
400	SERVICEWIDE COMMUNICATIONS	1,563,115	1,563,115
410	MANPOWER MANAGEMENT	326,853	326,853
420	OTHER PERSONNEL SUPPORT	234,364	234,364
430	OTHER SERVICE SUPPORT	1,212,091	1,212,091
440	ARMY CLAIMS ACTIVITIES	243,540	243,540
450	REAL ESTATE MANAGEMENT	241,101	241,101
460	BASE OPERATIONS SUPPORT	226,291	226,291
470	SUPPORT OF NATO OPERATIONS	426,651	457,851
	Realignment of NATO Special Operations Headquarters from O&M Defense-wide		[31,200]
480	MISC. SUPPORT OF OTHER NATIONS	27,248	27,248
525	CLASSIFIED PROGRAMS	1,023,946	1,023,946
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**8,581,962**	**8,613,162**
	UNDISTRIBUTED		
530	UNDISTRIBUTED		–284,300
	Average civilian end strength above projection		[–284,300]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	SUBTOTAL UNDISTRIBUTED		**–284,300**
	TOTAL OPERATION & MAINTENANCE, ARMY	**35,073,077**	**35,697,777**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MANEUVER UNITS	1,621	1,621
020	MODULAR SUPPORT BRIGADES	24,429	24,429
030	ECHELONS ABOVE BRIGADE	657,099	657,099
040	THEATER LEVEL ASSETS	122,485	122,485
050	LAND FORCES OPERATIONS SUPPORT	584,058	584,058
060	AVIATION ASSETS	79,380	79,380
070	FORCE READINESS OPERATIONS SUPPORT	471,616	471,616
080	LAND FORCES SYSTEMS READINESS	74,243	74,243
090	LAND FORCES DEPOT MAINTENANCE	70,894	146,694
	Army Reserve identified shortfall—restore unjustified efficiency reduction		[75,800]
100	BASE OPERATIONS SUPPORT	569,801	569,801
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	294,145	330,545
	Readiness funding increase		[36,400]
120	MANAGEMENT AND OPERATIONAL HQ'S	51,853	51,853
	SUBTOTAL OPERATING FORCES	**3,001,624**	**3,113,824**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,735	10,735
140	ADMINISTRATION	24,197	24,197
150	SERVICEWIDE COMMUNICATIONS	10,304	10,304
160	MANPOWER MANAGEMENT	10,319	10,319
170	RECRUITING AND ADVERTISING	37,857	37,857
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**93,412**	**93,412**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,095,036**	**3,207,236**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	800,880	800,880
020	MODULAR SUPPORT BRIGADES	178,650	178,650
030	ECHELONS ABOVE BRIGADE	771,503	771,503
040	THEATER LEVEL ASSETS	98,699	98,699
050	LAND FORCES OPERATIONS SUPPORT	38,779	38,779
060	AVIATION ASSETS	922,503	922,503
070	FORCE READINESS OPERATIONS SUPPORT	761,056	761,056
080	LAND FORCES SYSTEMS READINESS	62,971	62,971
090	LAND FORCES DEPOT MAINTENANCE	233,105	233,105
100	BASE OPERATIONS SUPPORT	1,019,059	1,019,059
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	712,139	786,339
	Readiness funding increase		[74,200]
120	MANAGEMENT AND OPERATIONAL HQ'S	1,013,715	1,000,418
	Army National Guard identified severance pay excess to requirement		[–13,297]
	SUBTOTAL OPERATING FORCES	**6,613,059**	**6,673,962**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,812	10,812
140	REAL ESTATE MANAGEMENT	1,551	1,551

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
150	ADMINISTRATION	78,284	78,284
160	SERVICEWIDE COMMUNICATIONS	46,995	46,995
170	MANPOWER MANAGEMENT	6,390	6,390
180	RECRUITING AND ADVERTISING	297,105	297,105
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**441,137**	**441,137**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–15,000
	Unjustified Growth For Civilian Personnel Compensation		[–15,000]
	SUBTOTAL UNDISTRIBUTED		**–15,000**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,054,196**	**7,100,099**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,952,522	4,985,022
	Readiness funding increase		[32,500]
020	FLEET AIR TRAINING	1,826,404	1,826,404
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	38,639	38,639
040	AIR OPERATIONS AND SAFETY SUPPORT	90,030	90,030
050	AIR SYSTEMS SUPPORT	362,700	362,700
060	AIRCRAFT DEPOT MAINTENANCE	915,881	955,881
	Navy Unfunded Requirement for Air Depot Maintenance		[40,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	35,838	35,838
080	AVIATION LOGISTICS	379,914	379,914
090	MISSION AND OTHER SHIP OPERATIONS	3,884,836	3,995,736
	Readiness funding increase		[99,500]
	Spares		[11,400]
100	SHIP OPERATIONS SUPPORT & TRAINING	734,852	734,852
110	SHIP DEPOT MAINTENANCE	5,191,511	5,191,511
120	SHIP DEPOT OPERATIONS SUPPORT	1,351,274	1,381,274
	Readiness funding increase		[30,000]
130	COMBAT COMMUNICATIONS	701,316	701,316
140	ELECTRONIC WARFARE	97,710	97,710
150	SPACE SYSTEMS AND SURVEILLANCE	172,330	172,330
160	WARFARE TACTICS	454,682	454,682
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	328,406	328,406
180	COMBAT SUPPORT FORCES	946,429	1,083,297
	Navy Unfunded Requirement for Navy Expeditionary Combat Enterprise Reset/Depot		[148,000]
	Unjustified growth for human resources functions		[–11,132]
190	EQUIPMENT MAINTENANCE	142,249	142,249
200	DEPOT OPERATIONS SUPPORT	2,603	2,603
210	COMBATANT COMMANDERS CORE OPERATIONS	102,970	102,970
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	199,128	199,128
230	CRUISE MISSILE	92,671	92,671
240	FLEET BALLISTIC MISSILE	1,193,188	1,193,188
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	105,985	105,985
260	WEAPONS MAINTENANCE	532,627	532,627
270	OTHER WEAPON SYSTEMS SUPPORT	304,160	304,160
280	ENTERPRISE INFORMATION	1,011,528	1,011,528
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,996,821	2,132,821

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Readiness funding increase		[136,000]
300	BASE OPERATING SUPPORT	4,460,918	4,460,918
	SUBTOTAL OPERATING FORCES	**32,610,122**	**33,096,390**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	331,576	331,576
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,638	6,638
330	SHIP ACTIVATIONS/INACTIVATIONS	222,752	222,752
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	73,310	73,310
350	INDUSTRIAL READINESS	2,675	2,675
360	COAST GUARD SUPPORT	23,794	23,794
	SUBTOTAL MOBILIZATION	**660,745**	**660,745**
	TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	148,516	148,516
380	RECRUIT TRAINING	9,384	9,384
390	RESERVE OFFICERS TRAINING CORPS	139,876	139,876
400	SPECIALIZED SKILL TRAINING	630,069	630,069
410	FLIGHT TRAINING	9,294	9,294
420	PROFESSIONAL DEVELOPMENT EDUCATION	169,082	169,082
430	TRAINING SUPPORT	164,368	164,368
440	RECRUITING AND ADVERTISING	241,733	242,833
	Naval Sea Cadets		[1,100]
450	OFF-DUTY AND VOLUNTARY EDUCATION	139,815	139,815
460	CIVILIAN EDUCATION AND TRAINING	94,632	94,632
470	JUNIOR ROTC	51,373	51,373
	SUBTOTAL TRAINING AND RECRUITING	**1,798,142**	**1,799,242**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	886,088	886,088
490	EXTERNAL RELATIONS	13,131	13,131
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	115,742	115,742
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	382,150	382,150
520	OTHER PERSONNEL SUPPORT	268,403	268,403
530	SERVICEWIDE COMMUNICATIONS	317,293	317,293
550	SERVICEWIDE TRANSPORTATION	207,128	207,128
570	PLANNING, ENGINEERING AND DESIGN	295,855	295,855
580	ACQUISITION AND PROGRAM MANAGEMENT	1,140,484	1,140,484
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	52,873	52,873
600	COMBAT/WEAPONS SYSTEMS	27,587	27,587
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	75,728	75,728
620	NAVAL INVESTIGATIVE SERVICE	543,026	543,026
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,965	4,965
705	CLASSIFIED PROGRAMS	545,775	545,775
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,876,228**	**4,876,228**
	UNDISTRIBUTED		
710	UNDISTRIBUTED		–30,000
	Average civilian end strength above projection		[–30,000]
	SUBTOTAL UNDISTRIBUTED		**–30,000**
	TOTAL OPERATION & MAINTENANCE, NAVY	**39,945,237**	**40,402,605**
	OPERATION & MAINTENANCE, MARINE CORPS		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATING FORCES		
010	OPERATIONAL FORCES	837,012	912,012
	Crisis Response Force		[40,000]
	Marine Security Guard		[35,000]
020	FIELD LOGISTICS	894,555	894,555
030	DEPOT MAINTENANCE	223,337	279,337
	Readiness funding increase		[56,000]
040	MARITIME PREPOSITIONING	97,878	97,878
050	SUSTAINMENT, RESTORATION & MODERNIZATION	774,619	774,619
060	BASE OPERATING SUPPORT	2,166,661	2,166,661
	SUBTOTAL OPERATING FORCES	**4,994,062**	**5,125,062**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	17,693	17,693
080	OFFICER ACQUISITION	896	896
090	SPECIALIZED SKILL TRAINING	100,806	100,806
100	PROFESSIONAL DEVELOPMENT EDUCATION	46,928	46,928
110	TRAINING SUPPORT	356,426	356,426
120	RECRUITING AND ADVERTISING	179,747	179,747
130	OFF-DUTY AND VOLUNTARY EDUCATION	52,255	52,255
140	JUNIOR ROTC	23,138	23,138
	SUBTOTAL TRAINING AND RECRUITING	**777,889**	**777,889**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,816	43,816
160	ADMINISTRATION	305,107	305,107
180	ACQUISITION AND PROGRAM MANAGEMENT	87,500	87,500
185	CLASSIFIED PROGRAMS	46,276	46,276
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**482,699**	**482,699**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**6,254,650**	**6,385,650**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	586,620	588,520
	Readiness funding increase		[1,900]
020	INTERMEDIATE MAINTENANCE	7,008	7,008
040	AIRCRAFT DEPOT MAINTENANCE	100,657	109,557
	Readiness funding increase		[8,900]
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	305	305
060	AVIATION LOGISTICS	3,927	3,927
070	MISSION AND OTHER SHIP OPERATIONS	75,933	75,933
080	SHIP OPERATIONS SUPPORT & TRAINING	601	601
090	SHIP DEPOT MAINTENANCE	44,364	44,364
100	COMBAT COMMUNICATIONS	15,477	15,477
110	COMBAT SUPPORT FORCES	115,608	115,608
120	WEAPONS MAINTENANCE	1,967	1,967
130	ENTERPRISE INFORMATION	43,726	43,726
140	SUSTAINMENT, RESTORATION AND MODERNIZATION	69,011	74,011
	Sustainment to 90%		[5,000]
150	BASE OPERATING SUPPORT	109,604	109,604
	SUBTOTAL OPERATING FORCES	**1,174,808**	**1,190,608**
	ADMIN & SRVWD ACTIVITIES		
160	ADMINISTRATION	2,905	2,905
170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,425	14,425

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
180	SERVICEWIDE COMMUNICATIONS	2,485	2,485
190	ACQUISITION AND PROGRAM MANAGEMENT	3,129	3,129
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**22,944**	**22,944**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,197,752**	**1,213,552**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	96,244	96,244
020	DEPOT MAINTENANCE	17,581	17,581
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	32,438	32,738
	Sustainment to 90%		[300]
040	BASE OPERATING SUPPORT	95,259	95,259
	SUBTOTAL OPERATING FORCES	**241,522**	**241,822**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	894	894
060	ADMINISTRATION	11,743	11,743
070	RECRUITING AND ADVERTISING	9,158	9,158
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,795**	**21,795**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**263,317**	**263,617**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,295,814	3,442,614
	Readiness funding increase		[146,800]
020	COMBAT ENHANCEMENT FORCES	1,875,095	1,875,095
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,559,109	1,579,109
	Increase for ranges		[20,000]
040	DEPOT MAINTENANCE	5,956,304	6,146,304
	Readiness funding increase		[190,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,834,424	1,934,738
	Readiness funding increase		[100,314]
060	BASE SUPPORT	2,779,811	2,779,811
070	GLOBAL C3I AND EARLY WARNING	913,841	911,329
	Remove program growth for foreign currency fluctuation		[–2,512]
080	OTHER COMBAT OPS SPT PROGRAMS	916,837	916,837
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	720,349	720,349
110	LAUNCH FACILITIES	305,275	305,275
120	SPACE CONTROL SYSTEMS	433,658	433,658
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	1,146,016	1,146,016
140	COMBATANT COMMANDERS CORE OPERATIONS	231,830	231,830
	SUBTOTAL OPERATING FORCES	**21,968,363**	**22,422,965**
	MOBILIZATION		
150	AIRLIFT OPERATIONS	2,015,902	2,015,902
160	MOBILIZATION PREPAREDNESS	147,216	147,216
170	DEPOT MAINTENANCE	1,556,232	1,556,232
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	167,402	167,402

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
190	BASE SUPPORT	707,040	707,040
	SUBTOTAL MOBILIZATION	**4,593,792**	**4,593,792**
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	102,334	102,334
210	RECRUIT TRAINING	17,733	17,733
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	94,600	94,600
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	217,011	217,011
240	BASE SUPPORT	800,327	800,327
250	SPECIALIZED SKILL TRAINING	399,364	399,364
260	FLIGHT TRAINING	792,275	792,275
270	PROFESSIONAL DEVELOPMENT EDUCATION	248,958	248,958
280	TRAINING SUPPORT	106,741	106,741
290	DEPOT MAINTENANCE	319,331	339,331
	Readiness funding increase		[20,000]
300	RECRUITING AND ADVERTISING	122,736	122,736
310	EXAMINING	3,679	3,679
320	OFF-DUTY AND VOLUNTARY EDUCATION	137,255	137,255
330	CIVILIAN EDUCATION AND TRAINING	176,153	176,153
340	JUNIOR ROTC	67,018	67,018
	SUBTOTAL TRAINING AND RECRUITING	**3,605,515**	**3,625,515**
	ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	1,103,684	1,103,684
360	TECHNICAL SUPPORT ACTIVITIES	919,923	919,923
370	DEPOT MAINTENANCE	56,601	56,601
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	281,061	281,061
390	BASE SUPPORT	1,203,305	1,198,128
	Unjustified increase for public-private competitions		[–5,177]
400	ADMINISTRATION	593,865	593,865
410	SERVICEWIDE COMMUNICATIONS	574,609	574,609
420	OTHER SERVICEWIDE ACTIVITIES	1,028,600	1,028,600
430	CIVIL AIR PATROL	24,720	24,720
460	INTERNATIONAL SUPPORT	89,008	89,008
465	CLASSIFIED PROGRAMS	1,227,796	1,227,796
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**7,103,172**	**7,097,995**
	UNDISTRIBUTED		
470	UNDISTRIBUTED		–200,000
	Average civilian end strength above projection		[–200,000]
	SUBTOTAL UNDISTRIBUTED		**–200,000**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**37,270,842**	**37,540,267**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,857,951	1,857,951
020	MISSION SUPPORT OPERATIONS	224,462	220,062
	Unjustified growth in civilian personnel compensation		[–4,400]
030	DEPOT MAINTENANCE	521,182	521,182
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	89,704	98,674
	Readiness funding increase		[8,970]
050	BASE SUPPORT	360,836	360,836

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	SUBTOTAL OPERATING FORCES	**3,054,135**	**3,058,705**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	64,362	64,362
070	RECRUITING AND ADVERTISING	15,056	15,056
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	23,617	23,617
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,618	6,618
100	AUDIOVISUAL	819	819
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**110,472**	**110,472**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,164,607**	**3,169,177**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,371,871	3,371,871
020	MISSION SUPPORT OPERATIONS	720,305	720,305
030	DEPOT MAINTENANCE	1,514,870	1,514,870
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	296,953	325,153
	Readiness funding increase		[28,200]
050	BASE SUPPORT	597,303	597,303
	SUBTOTAL OPERATING FORCES	**6,501,302**	**6,529,502**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	32,117	32,117
070	RECRUITING AND ADVERTISING	32,585	32,585
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**64,702**	**64,702**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,566,004**	**6,594,204**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	472,239	472,239
020	SPECIAL OPERATIONS COMMAND	5,261,463	5,233,611
	AFSOC Flying Hour Program		[70,100]
	International SOF Information Sharing System		[–7,017]
	Ongoing baseline contingency operations		[–35,519]
	Other Operations—military construction collateral equipment non-recurring costs		[–5,000]
	Pilot program for SOF family members		[5,000]
	Preserve the force and families—human performance program		[–11,605]
	Preserve the force and families—resiliency		[–8,786]
	Realignment of NATO Special Operations Headquarters to O&M, Army		[–31,200]
	Regional SOF Coordination Centers		[–14,725]
	USASOC Flying Hour Program		[18,000]
	USSOCOM NCR Contractor Support		[–7,100]
	SUBTOTAL OPERATING FORCES	**5,733,702**	**5,705,850**
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	157,397	157,397

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
050	NATIONAL DEFENSE UNIVERSITY	84,899	84,899
	SUBTOTAL TRAINING AND RECRUITING	**242,296**	**242,296**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	CIVIL MILITARY PROGRAMS	144,443	166,142
	STARBASE		[21,699]
080	DEFENSE CONTRACT AUDIT AGENCY	612,207	583,207
	Overestimation of Civilian Full Time Equivalent Targets		[–29,000]
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,378,606	1,319,606
	Overestimation of Civilian Full Time Equivalent Targets		[–59,000]
110	DEFENSE HUMAN RESOURCES ACTIVITY	763,091	763,091
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,326,243	1,326,243
140	DEFENSE LEGAL SERVICES AGENCY	29,933	29,933
150	DEFENSE LOGISTICS AGENCY	462,545	451,517
	Cost of DISA computing service rates		[–11,028]
160	DEFENSE MEDIA ACTIVITY	222,979	222,979
170	DEFENSE POW/MIA OFFICE	21,594	21,594
180	DEFENSE SECURITY COOPERATION AGENCY	788,389	761,589
	Combating terrorism fellowship program		[–7,000]
	Global Train and Equip		[–7,800]
	Regional centers for security centers—undistributed decrease		[–12,000]
190	DEFENSE SECURITY SERVICE	546,603	546,603
210	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,151	35,151
220	DEFENSE THREAT REDUCTION AGENCY	438,033	438,033
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,713,756	2,713,756
250	MISSILE DEFENSE AGENCY	256,201	254,801
	THAAD excess to requirement		[–1,400]
270	OFFICE OF ECONOMIC ADJUSTMENT	371,615	217,715
	Program decrease		[–273,300]
	Rephasing of Guam civilian water and waste water infrastructure projects		[119,400]
280	OFFICE OF THE SECRETARY OF DEFENSE	2,010,176	1,995,176
	BRAC 2015 Initiative		[–8,000]
	OUSD(P) program decrease		[–7,000]
290	WASHINGTON HEADQUARTERS SERVICES	616,572	611,572
	Price Growth Requested as Program Growth		[–5,000]
295	CLASSIFIED PROGRAMS	14,283,558	14,323,558
	Classified adjustment		[10,000]
	Increase to Operation Observant Compass		[30,000]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**27,021,695**	**26,782,266**
	UNDISTRIBUTED		
305	UNDISTRIBUTED		30,000
	Impact Aid		[25,000]
	Impact Aid for Children with Severe Disabilities		[5,000]
	SUBTOTAL UNDISTRIBUTED		**30,000**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**32,997,693**	**32,760,412**
	MISCELLANEOUS APPROPRIATIONS		
040	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,606	13,606

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
050	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,500	109,500
060	COOPERATIVE THREAT REDUCTION	528,455	528,455
080	ACQ WORKFORCE DEV FD	256,031	131,331
	Program decrease		[–124,700]
090	ENVIRONMENTAL RESTORATION, ARMY	298,815	298,815
100	ENVIRONMENTAL RESTORATION, NAVY	316,103	316,103
110	ENVIRONMENTAL RESTORATION, AIR FORCE	439,820	439,820
120	ENVIRONMENTAL RESTORATION, DEFENSE	10,757	10,757
130	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,443	237,443
160	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000	0
	Program reduction		[–5,000]
	TOTAL MISCELLANEOUS APPROPRIATIONS	**2,215,530**	**2,085,830**
	TOTAL OPERATION & MAINTENANCE	**175,097,941**	**176,420,426**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	217,571	217,571
020	MODULAR SUPPORT BRIGADES	8,266	8,266
030	ECHELONS ABOVE BRIGADE	56,626	56,626
040	THEATER LEVEL ASSETS	4,209,942	4,209,942
050	LAND FORCES OPERATIONS SUPPORT	950,567	950,567
060	AVIATION ASSETS	474,288	474,288
070	FORCE READINESS OPERATIONS SUPPORT	1,349,152	1,349,152
080	LAND FORCES SYSTEMS READINESS	655,000	655,000
090	LAND FORCES DEPOT MAINTENANCE	301,563	301,563
100	BASE OPERATIONS SUPPORT	706,214	706,214
140	ADDITIONAL ACTIVITIES	11,519,498	11,519,498
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	60,000	60,000
160	RESET	2,240,358	3,340,358
	Restore Critical Army Reset		[1,100,000]
	SUBTOTAL OPERATING FORCES	**22,749,045**	**23,849,045**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	4,601,356	4,601,356
380	AMMUNITION MANAGEMENT	17,418	17,418
400	SERVICEWIDE COMMUNICATIONS	110,000	110,000
420	OTHER PERSONNEL SUPPORT	94,820	94,820
430	OTHER SERVICE SUPPORT	54,000	54,000
450	REAL ESTATE MANAGEMENT	250,000	250,000
525	CLASSIFIED PROGRAMS	1,402,994	1,402,994
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**6,530,588**	**6,530,588**
	TOTAL OPERATION & MAINTENANCE, ARMY	**29,279,633**	**30,379,633**
	OPERATION & MAINTENANCE, ARMY RES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	6,995	6,995
050	LAND FORCES OPERATIONS SUPPORT	2,332	2,332
070	FORCE READINESS OPERATIONS SUPPORT	608	608
100	BASE OPERATIONS SUPPORT	33,000	33,000
	SUBTOTAL OPERATING FORCES	**42,935**	**42,935**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**42,935**	**42,935**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	29,314	29,314
020	MODULAR SUPPORT BRIGADES	1,494	1,494
030	ECHELONS ABOVE BRIGADE	15,343	15,343
040	THEATER LEVEL ASSETS	1,549	1,549
060	AVIATION ASSETS	64,504	64,504
070	FORCE READINESS OPERATIONS SUPPORT	31,512	31,512
100	BASE OPERATIONS SUPPORT	42,179	42,179
120	MANAGEMENT AND OPERATIONAL HQ'S	11,996	11,996
	SUBTOTAL OPERATING FORCES	**197,891**	**197,891**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE COMMUNICATIONS	1,480	1,480
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**1,480**	**1,480**
	TOTAL OPERATION & MAINTENANCE, ARNG	**199,371**	**199,371**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,735,603	2,735,603
020	INFRASTRUCTURE	278,650	278,650
030	EQUIPMENT AND TRANSPORTATION	2,180,382	2,180,382
040	TRAINING AND OPERATIONS	626,550	626,550
	SUBTOTAL MINISTRY OF DEFENSE	**5,821,185**	**5,821,185**
	MINISTRY OF INTERIOR		
060	SUSTAINMENT	1,214,995	1,214,995
080	EQUIPMENT AND TRANSPORTATION	54,696	54,696
090	TRAINING AND OPERATIONS	626,119	626,119
	SUBTOTAL MINISTRY OF INTERIOR	**1,895,810**	**1,895,810**
	DETAINEE OPS		
110	SUSTAINMENT	7,225	7,225
140	TRAINING AND OPERATIONS	2,500	2,500
	SUBTOTAL DETAINEE OPS	**9,725**	**9,725**
	UNDISTRIBUTED		
160	UNDISTRIBUTED		–1,500,000
	Program decrease		[–1,500,000]
	SUBTOTAL UNDISTRIBUTED		**–1,500,000**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**7,726,720**	**6,226,720**
	AFGHANISTAN INFRASTRUCTURE FUND		
	AFGHANISTAN INFRASTRUCTURE FUND		
010	POWER	279,000	250,000

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Unjustified expenditure		[–29,000]
	SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND	**279,000**	**250,000**
	TOTAL AFGHANISTAN INFRASTRUCTURE FUND	**279,000**	**250,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	845,169	845,169
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	600	600
040	AIR OPERATIONS AND SAFETY SUPPORT	17,489	17,489
050	AIR SYSTEMS SUPPORT	78,491	78,491
060	AIRCRAFT DEPOT MAINTENANCE	162,420	162,420
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,700	2,700
080	AVIATION LOGISTICS	50,130	50,130
090	MISSION AND OTHER SHIP OPERATIONS	949,539	949,539
100	SHIP OPERATIONS SUPPORT & TRAINING	20,226	20,226
110	SHIP DEPOT MAINTENANCE	1,679,660	1,679,660
130	COMBAT COMMUNICATIONS	37,760	37,760
160	WARFARE TACTICS	25,351	25,351
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	20,045	20,045
180	COMBAT SUPPORT FORCES	1,212,296	1,212,296
190	EQUIPMENT MAINTENANCE	10,203	10,203
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	127,972	127,972
260	WEAPONS MAINTENANCE	221,427	221,427
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	13,386	13,386
300	BASE OPERATING SUPPORT	110,940	110,940
	SUBTOTAL OPERATING FORCES	**5,585,804**	**5,585,804**
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	18,460	18,460
360	COAST GUARD SUPPORT	227,033	227,033
	SUBTOTAL MOBILIZATION	**245,493**	**245,493**
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	50,269	50,269
430	TRAINING SUPPORT	5,400	5,400
	SUBTOTAL TRAINING AND RECRUITING	**55,669**	**55,669**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,418	2,418
490	EXTERNAL RELATIONS	516	516
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,107	5,107
520	OTHER PERSONNEL SUPPORT	1,411	1,411
530	SERVICEWIDE COMMUNICATIONS	2,545	2,545
550	SERVICEWIDE TRANSPORTATION	153,427	153,427
580	ACQUISITION AND PROGRAM MANAGEMENT	8,570	8,570
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
705	CLASSIFIED PROGRAMS	5,608	5,608
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**181,027**	**181,027**
	TOTAL OPERATION & MAINTENANCE, NAVY	**6,067,993**	**6,067,993**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	992,190	992,190
020	FIELD LOGISTICS	559,574	559,574
030	DEPOT MAINTENANCE	570,000	570,000
060	BASE OPERATING SUPPORT	69,726	69,726
	SUBTOTAL OPERATING FORCES	**2,191,490**	**2,191,490**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	108,270	108,270
	SUBTOTAL TRAINING AND RECRUITING	**108,270**	**108,270**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	365,555	365,555
160	ADMINISTRATION	3,675	3,675
185	CLASSIFIED PROGRAMS	825	825
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**370,055**	**370,055**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**2,669,815**	**2,669,815**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	17,196	17,196
020	INTERMEDIATE MAINTENANCE	200	200
040	AIRCRAFT DEPOT MAINTENANCE	6,000	6,000
070	MISSION AND OTHER SHIP OPERATIONS	12,304	12,304
090	SHIP DEPOT MAINTENANCE	6,790	6,790
110	COMBAT SUPPORT FORCES	13,210	13,210
	SUBTOTAL OPERATING FORCES	**55,700**	**55,700**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**55,700**	**55,700**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	11,124	11,124
040	BASE OPERATING SUPPORT	1,410	1,410
	SUBTOTAL OPERATING FORCES	**12,534**	**12,534**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**12,534**	**12,534**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,712,393	1,712,393
020	COMBAT ENHANCEMENT FORCES	836,104	836,104
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	14,118	14,118
040	DEPOT MAINTENANCE	1,373,480	1,373,480
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	122,712	122,712
060	BASE SUPPORT	1,520,333	1,520,333
070	GLOBAL C3I AND EARLY WARNING	31,582	31,582
080	OTHER COMBAT OPS SPT PROGRAMS	147,524	147,524
110	LAUNCH FACILITIES	857	857
120	SPACE CONTROL SYSTEMS	8,353	8,353
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	50,495	50,495

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	SUBTOTAL OPERATING FORCES	**5,817,951**	**5,817,951**
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,091,133	3,091,133
160	MOBILIZATION PREPAREDNESS	47,897	47,897
170	DEPOT MAINTENANCE	387,179	517,179
	Program increase		[130,000]
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	7,043	7,043
190	BASE SUPPORT	68,382	68,382
	SUBTOTAL MOBILIZATION	**3,601,634**	**3,731,634**
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	100	100
210	RECRUIT TRAINING	478	478
240	BASE SUPPORT	19,256	19,256
250	SPECIALIZED SKILL TRAINING	12,845	12,845
260	FLIGHT TRAINING	731	731
270	PROFESSIONAL DEVELOPMENT EDUCATION	607	607
280	TRAINING SUPPORT	720	720
320	OFF-DUTY AND VOLUNTARY EDUCATION	152	152
	SUBTOTAL TRAINING AND RECRUITING	**34,889**	**34,889**
	ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	86,273	86,273
360	TECHNICAL SUPPORT ACTIVITIES	2,511	2,511
390	BASE SUPPORT	19,887	19,887
400	ADMINISTRATION	3,493	3,493
410	SERVICEWIDE COMMUNICATIONS	152,086	152,086
420	OTHER SERVICEWIDE ACTIVITIES	269,825	269,825
460	INTERNATIONAL SUPPORT	117	117
465	CLASSIFIED PROGRAMS	16,558	16,558
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**550,750**	**550,750**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**10,005,224**	**10,135,224**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	26,599	26,599
050	BASE SUPPORT	6,250	6,250
	SUBTOTAL OPERATING FORCES	**32,849**	**32,849**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**32,849**	**32,849**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	22,200	22,200
	SUBTOTAL OPERATING FORCES	**22,200**	**22,200**
	TOTAL OPERATION & MAINTENANCE, ANG	**22,200**	**22,200**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND	2,222,868	2,222,868
	SUBTOTAL OPERATING FORCES	**2,222,868**	**2,222,868**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
080	DEFENSE CONTRACT AUDIT AGENCY	27,781	27,781
090	DEFENSE CONTRACT MANAGEMENT AGENCY	45,746	45,746
120	DEFENSE INFORMATION SYSTEMS AGENCY	76,348	76,348
140	DEFENSE LEGAL SERVICES AGENCY	99,538	99,538
160	DEFENSE MEDIA ACTIVITY	9,620	9,620
180	DEFENSE SECURITY COOPERATION AGENCY	1,950,000	1,950,000
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	100,100	100,100
280	OFFICE OF THE SECRETARY OF DEFENSE	38,227	38,227
290	WASHINGTON HEADQUARTERS SERVICES	2,784	2,784
295	CLASSIFIED PROGRAMS	1,862,066	1,862,066
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**4,212,210**	**4,212,210**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**6,435,078**	**6,435,078**
	TOTAL OPERATION & MAINTENANCE	**62,829,052**	**62,530,052**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2014 Request	Agreement Authorized
Military Personnel Appropriations	130,399,881	129,716,981
Enlistment bonuses excess to requirement		[–38,000]
Excess to requirement		[–64,300]
Full Time Pay and Allowances projected underexecution		[–10,000]
Full Time Support projected underexecution		[–1,000]
Military Personnel unobligated		[–186,000]
Permanent Change of Station Travel—Army		[–150,000]
Recruiting and Retention programs excess to requirement		[–1,800]
Reenlistment bonuses excess to requirement		[–68,300]
Reserve Incentive Programs excess to requirement		[–7,750]
Travel, Active Duty for Training, projected underexecution		[–18,000]
Undistributed reduction consistent with pace of drawdown		[–137,750]
Medicare-Eligible Retiree Health Fund Contributions	6,676,750	6,676,750
Total, Military Personnel	**137,076,631**	**136,393,731**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2014 Request	Agreement Authorized
Military Personnel Appropriations	9,689,307	9,648,807
Projected underexecution		[–40,500]
Medicare-Eligible Retiree Health Fund Contributions	164,033	164,033
Total, Military Personnel	**9,853,340**	**9,812,840**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	25,158	25,158
TOTAL WORKING CAPITAL FUND, ARMY	**25,158**	**25,158**
WORKING CAPITAL FUND, AIR FORCE		
FUEL COSTS		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	61,731	61,731
TOTAL WORKING CAPITAL FUND, AIR FORCE	**61,731**	**61,731**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	46,428	46,428
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**46,428**	**46,428**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,412,510	1,412,510
TOTAL WORKING CAPITAL FUND, DECA	**1,412,510**	**1,412,510**
NATIONAL DEFENSE SEALIFT FUND		
LMSR		
MPF MLP	134,917	22,717
Navy requested adjustment		[–112,200]
POST DELIVERY AND OUTFITTING	43,404	43,404
NATIONAL DEF SEALIFT VESSEL		
LG MED SPD RO/RO MAINTENANCE	116,784	116,784
DOD MOBILIZATION ALTERATIONS	60,703	60,703
TAH MAINTENANCE	19,809	19,809
RESEARCH AND DEVELOPMENT	56,058	56,058
READY RESERVE FORCE	299,025	299,025
TOTAL NATIONAL DEFENSE SEALIFT FUND	**730,700**	**618,500**
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	451,572	451,572
RDT&E	604,183	604,183
PROCUREMENT	1,368	1,368
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,057,123**	**1,057,123**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
OPERATING FORCES	815,965	815,965
DRUG DEMAND REDUCTION PROGRAM	122,580	122,580
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**938,545**	**938,545**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	311,131	346,000
Program increase		[34,869]
RDT&E		
PROCUREMENT	1,000	1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	**312,131**	**347,000**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	8,880,738	8,880,738
PRIVATE SECTOR CARE	15,842,732	15,775,732
Pharmaceutical drugs excess growth		[–67,000]

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
CONSOLIDATED HEALTH SUPPORT	2,505,640	2,505,640
INFORMATION MANAGEMENT	1,450,619	1,450,619
MANAGEMENT ACTIVITIES	368,248	368,248
EDUCATION AND TRAINING	733,097	733,097
BASE OPERATIONS/COMMUNICATIONS	1,872,660	1,872,660
R&D RESEARCH	9,162	9,162
R&D EXPLORATRY DEVELOPMENT	47,977	47,977
R&D ADVANCED DEVELOPMENT	291,156	291,156
R&D DEMONSTRATION/VALIDATION	132,430	132,430
R&D ENGINEERING DEVELOPMENT	161,674	161,674
R&D MANAGEMENT AND SUPPORT	72,568	72,568
R&D CAPABILITIES ENHANCEMENT	14,646	14,646
RDT&E UNDISTRIBUTED		
DEFENSE HEALTH PROGRAM		
PROC INITIAL OUTFITTING	89,404	89,404
PROC REPLACEMENT & MODERNIZATION	377,577	377,577
PROC IEHR	204,200	204,200
UNDISTRIBUTED		–57,000
DHP Unobligated		[–275,000]
Restore Tricare savings		[218,000]
TOTAL DEFENSE HEALTH PROGRAM	**33,054,528**	**32,930,528**
TOTAL OTHER AUTHORIZATIONS	**37,638,854**	**37,437,523**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	44,732	44,732
TOTAL WORKING CAPITAL FUND, ARMY	**44,732**	**44,732**
WORKING CAPITAL FUND, AIR FORCE		
C–17 CLS ENGINE REPAIR	78,500	78,500
TRANSPORTATION FALLEN HEROES	10,000	10,000
TOTAL WORKING CAPITAL FUND, AIR FORCE	**88,500**	**88,500**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	131,678	131,678
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**131,678**	**131,678**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
OPERATING FORCES	376,305	376,305
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**376,305**	**376,305**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	10,766	10,766
TOTAL OFFICE OF THE INSPECTOR GENERAL	**10,766**	**10,766**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	375,958	375,958
PRIVATE SECTOR CARE	382,560	382,560
CONSOLIDATED HEALTH SUPPORT	132,749	132,749
INFORMATION MANAGEMENT	2,238	2,238
MANAGEMENT ACTIVITIES	460	460

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
EDUCATION AND TRAINING	10,236	10,236
TOTAL DEFENSE HEALTH PROGRAM	**904,201**	**904,201**
TOTAL OTHER AUTHORIZATIONS	**1,556,182**	**1,556,182**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Alaska			
Army	Fort Wainwright	Aviation Battalion Complex	45,000	45,000
Army	Fort Wainwright	Aviation Storage Hangar	58,000	58,000
	Colorado			
Army	Fort Carson	Aircraft Maintenance Hangar	66,000	66,000
Army	Fort Carson	Aircraft Maintenance Hangar	73,000	73,000
Army	Fort Carson	Central Energy Plant	34,000	34,000
Army	Fort Carson	Fire Station	12,000	12,000
Army	Fort Carson	Headquarters Building	33,000	33,000
Army	Fort Carson	Runway	12,000	12,000
Army	Fort Carson	Simulator Building	12,200	12,200
	Florida			
Army	Eglin AFB	Automated Sniper Field Fire Range	4,700	4,700
	Georgia			
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph2.	61,000	61,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility—Admin	75,000	70,000
	Kansas			
Army	Fort Leavenworth	Simulations Center	17,000	17,000
	Kentucky			
Army	Fort Campbell	Battlefield Weather Support Facility	4,800	4,800
	Maryland			
Army	Aberdeen Proving Ground	Operations and Maintenance Facilities	21,000	21,000
Army	Fort Detrick	Entry Control Point	2,500	2,500
Army	Fort Detrick	Hazardous Material Storage Building	4,600	4,600
	Missouri			
Army	Fort Leonard Wood	Adv Individual Training Barracks Cplx, Ph1.	86,000	86,000
Army	Fort Leonard Wood	Simulator Building	4,700	4,700
	New York			
Army	U.S. Military Academy	Cadet Barracks, Incr 2	42,000	42,000
	North Carolina			
Army	Fort Bragg	Command and Control Facility	5,900	5,900
	Texas			
Army	Fort Bliss	Control Tower	10,800	10,800
Army	Fort Bliss	Unmanned Aerial Vehicle Complex	36,000	36,000
	Virginia			
Army	Joint Base Langley-Eustis	Adv Individual Training Barracks Cplx, Ph3.	50,000	50,000
	Washington			
Army	Joint Base Lewis-Mcchord	Aircraft Maintenance Hangar	79,000	79,000
Army	Joint Base Lewis-Mcchord	Airfield Operations Complex	37,000	37,000
Army	Joint Base Lewis-Mcchord	Aviation Battalion Complex	28,000	28,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Army	Yakima	Automated Multipurpose Machine Gun Range.	9,100	9,100
	Worldwide Classified			
Army	Classified Location	Company Operations Complex	33,000	0
	Japan			
Army	Kyoga Misaki	Company Operations Complex	0	33,000
	Kwajalein			
Army	Kwajalein Atoll	Pier	63,000	63,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support Fy14	33,000	28,000
Army	Unspecified Worldwide Locations	Minor Construction Fy14	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design Fy14	41,575	41,575
Total Military Construction, Army			**1,119,875**	**1,109,875**
	California			
Navy	Barstow	Engine Dynamometer Facility	14,998	14,998
Navy	Camp Pendleton	Ammunition Supply Point Upgrade	13,124	13,124
Navy	Coronado	H–60 Trainer Facility	8,910	8,910
Navy	Point Mugu	Aircraft Engine Test Pads	7,198	7,198
Navy	Point Mugu	Bams Consolidated Maintenance Hangar	17,469	17,469
Navy	Port Hueneme	Unaccompanied Housing Conversion	33,600	33,600
Navy	San Diego	Steam Plant Decentralization	34,331	34,331
Navy	Twentynine Palms	Camp Wilson Infrastructure Upgrades	33,437	33,437
	Florida			
Navy	Jacksonville	P–8a Training & Parking Apron Expansion.	20,752	20,752
Navy	Key West	Aircraft Crash/Rescue & Fire Headquarters.	14,001	14,001
Navy	Mayport	Lcs Logistics Support Facility	16,093	16,093
	Georgia			
Navy	Albany	Cers Dispatch Facility	1,010	1,010
Navy	Albany	Weapons Storage and Inspection Facility	15,600	15,600
Navy	Savannah	Townsend Bombing Range Land Acq—Phase 1.	61,717	61,717
	Guam			
Navy	Joint Region Marianas	Aircraft Maintenance Hangar—North Ramp.	85,673	85,673
Navy	Joint Region Marianas	Bams Forward Operational & Maintenance Hangar.	61,702	61,702
Navy	Joint Region Marianas	Dehumidified Supply Storage Facility	17,170	17,170
Navy	Joint Region Marianas	Emergent Repair Facility Expansion	35,860	35,860
Navy	Joint Region Marianas	Modular Storage Magazines	63,382	63,382
Navy	Joint Region Marianas	Sierra Wharf Improvements	1,170	1,170
Navy	Joint Region Marianas	X-Ray Wharf Improvements	53,420	53,420
	Hawaii			
Navy	Kaneohe Bay	3rd Radio Bn Maintenance/Operations Complex.	25,336	25,336
Navy	Kaneohe Bay	Aircraft Maintenance Expansion	16,968	16,968
Navy	Kaneohe Bay	Aircraft Maintenance Hangar Upgrades	31,820	31,820
Navy	Kaneohe Bay	Armory Addition and Renovation	12,952	12,952

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Navy	Kaneohe Bay	Aviation Simulator Modernization/Addition.	17,724	17,724
Navy	Kaneohe Bay	Mv–22 Hangar	57,517	57,517
Navy	Kaneohe Bay	Mv–22 Parking Apron and Infrastructure.	74,665	74,665
Navy	Pearl City	Water Transmission Line	30,100	30,100
Navy	Pearl Harbor	Drydock Waterfront Facility	22,721	22,721
Navy	Pearl Harbor	Submarine Production Support Facility	35,277	35,277
	Illinois			
Navy	Great Lakes	Unaccompanied Housing	35,851	35,851
	Maine			
Navy	Bangor	Nctams Vlf Commercial Power Connection.	13,800	13,800
Navy	Kittery	Structural Shops Consolidation	11,522	11,522
	Maryland			
Navy	Fort Meade	Marforcybercom HQ-Ops Building	83,988	83,988
	Nevada			
Navy	Fallon	Wastewater Treatment Plant	11,334	11,334
	North Carolina			
Navy	Camp Lejeune	Landfill—Phase 4	20,795	20,795
Navy	Camp Lejeune	Operations Training Complex	22,515	22,515
Navy	Camp Lejeune	Steam Decentralization—BEQ Nodes	18,679	18,679
Navy	Camp Lejeune	Steam Decentralization—Camp Johnson	2,620	2,620
Navy	Camp Lejeune	Steam Decentralization—Hadnot Point	13,390	13,390
Navy	New River	Ch–53k Maintenance Training Facility	13,218	13,218
Navy	New River	Corrosion Control Hangar	12,547	12,547
Navy	New River	Regional Communication Station	20,098	20,098
	Oklahoma			
Navy	Tinker AFB	Tacamo E–6B Hangar	14,144	14,144
	Rhode Island			
Navy	Newport	Hewitt Hall Research Center	12,422	12,422
	South Carolina			
Navy	Charleston	Nuclear Power Operational Training Facility.	73,932	73,932
	Virginia			
Navy	Dam Neck	Aerial Target Operation Consolidation	10,587	10,587
Navy	Norfolk	Pier 11 Power Upgrades for Cvn–78	3,380	3,380
Navy	Quantico	Academic Instruction Facility Tecom Schools.	25,731	25,731
Navy	Quantico	Atc Transmitter/Receiver Relocation	3,630	3,630
Navy	Quantico	Fuller Road Improvements	9,013	9,013
Navy	Yorktown	Small Arms Ranges	18,700	18,700
	Washington			
Navy	Bremerton	Integrated Water Treatment Sys Dry Docks 3&4.	18,189	18,189
Navy	Kitsap	Explosives Handling Wharf #2 (Inc)	24,880	24,880
Navy	Whidbey Island	Ea–18g Facility Improvements	32,482	32,482
Navy	Whidbey Island	P–8a Hangar and Training Facilities	85,167	85,167
	Djibouti			
Navy	Camp Lemonier	Armory	6,420	6,420
Navy	Camp Lemonier	Unaccompanied Housing	22,580	22,580
	Japan			
Navy	Camp Butler	Airfield Security Upgrades	5,820	5,820
Navy	Yokosuka	Communication System Upgrade	7,568	7,568
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Mcon Design Funds	89,830	89,830
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	19,740	19,740
Navy	Unspecified Worldwide Locations	Unspecified Worldwide Construction	0	0
Total Military Construction, Navy			**1,700,269**	**1,700,269**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Arizona			
AF	Luke AFB	F–35 Field Training Detachment	5,500	5,500
AF	Luke AFB	F–35 Sq Ops/Aircraft Maintenance Unit #3.	21,400	21,400
	California			
AF	Beale AFB	Distributed Common Ground Station Ops Bldg.	62,000	62,000
	Florida			
AF	Tyndall AFB	F–22 Munitions Storage Complex	9,100	9,100
	Guam			
AF	Joint Region Marianas	Par—Fuel Sys Hardened Bldgs	20,000	20,000
AF	Joint Region Marianas	Par—Strike Tactical Missile Mxs Facility.	10,530	10,530
AF	Joint Region Marianas	Par—Tanker Gp Mx Hangar/AMU/Sqd Ops.	132,600	132,600
AF	Joint Region Marianas	Prtc Red Horse Airfield Operations Facility.	8,500	8,500
AF	Joint Region Marianas	Prtc Sf Fire Rescue & Emergency Mgt ...	4,600	4,600
	Hawaii			
AF	Joint Base Pearl Harbor-Hickam	C–17 Modernize Hgr 35, Docks 1&2	4,800	4,800
	Kansas			
AF	Mcconnell AFB	KC–46a 2–Bay Corrosion Control/Fuel Cell Hangar.	0	82,000
AF	Mcconnell AFB	KC–46a 3–Bay General Purpose Maintenance Hangar.	0	80,000
AF	Mcconnell AFB	KC–46a Aircraft Parking Apron Alteration.	0	2,200
AF	Mcconnell AFB	KC–46a Aprons Fuels Distribution System.	0	12,800
AF	Mcconnell AFB	KC–46a Flight Simulator Facility Phase 1.	0	2,150
AF	Mcconnell AFB	KC–46a General Maintenance Hangar ...	0	32,000
AF	Mcconnell AFB	KC–46a Miscellaneous Facilities Alteration.	0	970
AF	Mcconnell AFB	KC–46a Pipeline Student Dormatory	0	7,000
	Kentucky			
AF	Fort Campbell	19th Air Support Operations Sqdrn Expansion.	8,000	8,000
	Maryland			
AF	Fort Meade	Cybercom Joint Operations Center, Increment 1.	85,000	85,000
AF	Joint Base Andrews	Helicopter Operations Facility	30,000	30,000
	Missouri			
AF	Whiteman AFB	Wsa Mop Igloos and Assembly Facility ..	5,900	5,900
	Nebraska			
AF	Offutt AFB	Usstratcom Replacement Facility, Incr 3	136,000	136,000
	Nevada			
AF	Nellis AFB	Add Rpa Weapons School Facility	20,000	20,000
AF	Nellis AFB	Dormitory (240 Rm)	35,000	35,000
AF	Nellis AFB	F–35 Alt Mission Equip (Ame) Storage ..	5,000	5,000
AF	Nellis AFB	F–35 Fuel Cell Hangar	9,400	9,400
AF	Nellis AFB	F–35 Parts Store	9,100	9,100
	New Mexico			
AF	Cannon AFB	Airmen and Family Readiness Center	5,500	5,500
AF	Cannon AFB	Dormitory (144 Rm)	22,000	22,000
AF	Cannon AFB	Satellite Dining Facility	6,600	6,600
AF	Holloman AFB	F–16 Aircraft Covered Washrack and Pad.	2,250	2,250
AF	Kirtland AFB	Nuclear Systems Wing & Sustainment Center (Ph.	30,500	30,500
	North Dakota			
AF	Minot AFB	B–52 Adal Aircraft Maintenance Unit	15,530	15,530

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
AF	Minot AFB	B–52 Munitions Storage Igloos	8,300	8,300
	Oklahoma			
AF	Altus AFB	KC–46a Ftu Adal Fuel Systems Maintenance Dock.	0	3,350
AF	Altus AFB	KC–46a Ftu Adal Squad Ops/AMU	0	7,400
AF	Altus AFB	KC–46a Ftu Flight Training Center Simulators Facility Phase 1.	0	12,600
AF	Altus AFB	KC–46a Ftu Fuselage Trainer Phase 1	0	6,300
AF	Altus AFB	KC–46a Ftu Renovate Facility	0	1,200
AF	Tinker AFB	KC–46a Land Acquisition	8,600	8,600
	Texas			
AF	Fort Bliss	F–16 Bak 12/14 Aircraft Arresting System.	3,350	3,350
	Utah			
AF	Hill AFB	F–35 Aircraft Mx Unit Hangar 45e Ops #1.	13,500	13,500
AF	Hill AFB	Fire Crash Rescue Station	18,500	18,500
	Virginia			
AF	Joint Base Langley-Eustis	4–Bay Conventional Munitions Inspection Bldg.	4,800	4,800
	Greenland			
AF	Thule Ab	Thule Consolidation, Phase 2	43,904	43,904
	Mariana Islands			
AF	Saipan	Par—Airport Pol/Bulk Storage Ast	18,500	18,500
AF	Saipan	Par—Hazardous Cargo Pad	8,000	8,000
AF	Saipan	Par—Maintenance Facility	2,800	2,800
	United Kingdom			
AF	Croughton Raf	Main Gate Complex	12,000	0
AF	Varlocs	Guardian Angel Operations Facility	22,047	22,047
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	KC–46a Ftu Facility Projects	63,000	0
AF	Unspecified Worldwide Locations	KC–46a Mob #1 Facility Projects	192,700	0
AF	Unspecified Worldwide Locations	Planning & Design	11,314	11,314
AF	Unspecified Worldwide Locations	Unspecified Minor Construction	20,448	20,448
Total Military Construction, Air Force			**1,156,573**	**1,138,843**
	Alaska			
Def-Wide	Clear AFS	Bmds Upgrade Early Warning Radar	17,204	17,204
Def-Wide	Fort Greely	Mechanical-Electrical Bldg Missile Field #1.	82,000	82,000
	California			
Def-Wide	Brawley	SOF Desert Warfare Training Center	23,095	23,095
Def-Wide	Defense Distribution Depot-Tracy	General Purpose Warehouse	37,554	37,554
Def-Wide	Miramar	Replace Fuel Pipeline	6,000	6,000
	Colorado			
Def-Wide	Fort Carson	SOF Group Support Battalion	22,282	22,282
	Florida			
Def-Wide	Hurlburt Field	SOF Add/Alter Operations Facility	7,900	7,900
Def-Wide	Jacksonville	Replace Fuel Pipeline	7,500	7,500
Def-Wide	Key West	SOF Boat Docks	3,600	3,600
Def-Wide	Panama City	Replace Ground Vehicle Fueling Facility	2,600	2,600
Def-Wide	Tyndall AFB	Replace Fuel Pipeline	9,500	9,500
	Georgia			
Def-Wide	Fort Benning	Faith Middle School Addition	6,031	6,031
Def-Wide	Fort Benning	White Elemtary School Replacement	37,304	37,304

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Def-Wide	Fort Stewart	Diamond Elementary School Replacement.	44,504	44,504
Def-Wide	Hunter Army Airfield	Replace Fuel Island	13,500	13,500
Def-Wide	Moody AFB	Replace Ground Vehicle Fueling Facility	3,800	3,800
	Hawaii			
Def-Wide	Ford Island	DISA Pacific Facility Upgrades	2,615	2,615
Def-Wide	Joint Base Pearl Harbor-Hickam	Alter Warehouse Space	2,800	2,800
	Kentucky			
Def-Wide	Fort Campbell	Fort Campbell High School Replacement	59,278	59,278
Def-Wide	Fort Campbell	Marshall Elementary School Replacement.	38,591	38,591
Def-Wide	Fort Campbell	SOF Group Special Troops Battalion	26,342	26,342
Def-Wide	Fort Knox	Ambulatory Health Center	265,000	145,000
Def-Wide	Fort Knox	Consolidate/Replace Van Voorhis-Mudge Es.	38,023	38,023
	Maryland			
Def-Wide	Aberdeen Proving Ground	Public Health Command Lab Replacement.	210,000	75,000
Def-Wide	Bethesda Naval Hospital	Mech & Electrical Improvements	46,800	46,800
Def-Wide	Bethesda Naval Hospital	Parking Garage	20,000	20,000
Def-Wide	Fort Detrick	USAMRIID Replacement Stage 1, Incr 8	13,000	13,000
Def-Wide	Fort Meade	High Performance Computing Capacity Inc 3.	431,000	396,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 2.	58,000	58,000
Def-Wide	Joint Base Andrews	Ambulatory Care Center Inc 2	76,200	38,100
	Massachusetts			
Def-Wide	Hanscom AFB	Hanscom Primary School Replacement	36,213	36,213
	New Jersey			
Def-Wide	Joint Base Mcguire-Dix-Lakehurst	Replace Fuel Distribution Components	10,000	10,000
	New Mexico			
Def-Wide	Holloman AFB	Medical Clinic Replacement	60,000	60,000
Def-Wide	Holloman AFB	Replace Hydrant Fuel System	21,400	21,400
	North Carolina			
Def-Wide	Camp Lejeune	SOF Performance Resiliency Center	14,400	14,400
Def-Wide	Camp Lejeune	SOF Sustainment Training Complex	28,977	28,977
Def-Wide	Fort Bragg	Consolidate/Replace Pope Holbrook Elementary.	37,032	37,032
Def-Wide	Fort Bragg	SOF Civil Affairs Battalion Annex	37,689	37,689
Def-Wide	Fort Bragg	SOF Combat Medic Skills Sustain. Course Bldg.	7,600	7,600
Def-Wide	Fort Bragg	SOF Engineer Training Facility	10,419	10,419
Def-Wide	Fort Bragg	SOF Language and Cultural Center	64,606	64,606
Def-Wide	Fort Bragg	SOF Upgrade Training Facility	14,719	14,719
	North Dakota			
Def-Wide	Minot AFB	Replace Fuel Pipeline	6,400	6,400
	Oklahoma			
Def-Wide	Altus AFB	Replace Refueler Parking	2,100	2,100
Def-Wide	Tinker AFB	Replace Fuel Distribution Facilities	36,000	36,000
	Pennsylvania			
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Hazardous Material Warehouse	3,100	3,100
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Public Safety Facility	5,900	5,900
	South Carolina			
Def-Wide	Beaufort	Bolden Elementary/Middle School Replacement.	41,324	41,324
	Tennessee			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Def-Wide	Arnold Air Force Base	Replace Ground Vehicle Fueling Facility	2,200	2,200
	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Incr 5	252,100	100,000
Def-Wide	Joint Base San Antonio	Sammc Hyperbaric Facility Addition	12,600	12,600
	Virginia			
Def-Wide	Dam Neck	SOF Human Performance Center	11,147	11,147
Def-Wide	Def Distribution Depot Richmond	Operations Center Phase 1	87,000	87,000
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Logsu Two Operations Facility	30,404	30,404
Def-Wide	Pentagon	Boundary Channel Access Control Point	6,700	6,700
Def-Wide	Pentagon	Army Navy Drive Tour Bus Drop Off	1,850	0
Def-Wide	Pentagon	Pfpa Support Operations Center	14,800	14,800
Def-Wide	Pentagon	Raven Rock Administrative Facility Upgrade.	32,000	32,000
Def-Wide	Pentagon	Raven Rock Exterior Cooling Tower	4,100	4,100
Def-Wide	Quantico	Quantico Middle/High School Replacement.	40,586	40,586
	Washington			
Def-Wide	Whidbey Island	Replace Fuel Pier Breakwater	10,000	10,000
	Worldwide Classified			
Def-Wide	Classified Location	an/Tpy–2 Radar Site	15,000	0
	Bahrain Island			
Def-Wide	Sw Asia	Medical/Dental Clinic Replacement	45,400	45,400
	Belgium			
Def-Wide	Brussels	NATO Headquarters Facility	38,513	38,513
Def-Wide	Brussels	NATO Headquarters Fit-Out	29,100	29,100
	Germany			
Def-Wide	Kaiserlautern Ab	Kaiserslautern Elementary School Replacement.	49,907	49,907
Def-Wide	Ramstein Ab	Ramstein High School Replacement	98,762	98,762
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement, Incr 3	151,545	76,545
Def-Wide	Weisbaden	Hainerberg Elementary School Replacement.	58,899	58,899
Def-Wide	Weisbaden	Wiesbaden Middle School Replacement	50,756	50,756
	Japan			
Def-Wide	Atsugi	Replace Ground Vehicle Fueling Facility	4,100	4,100
Def-Wide	Iwakuni	Construct Hydrant Fuel System	34,000	34,000
Def-Wide	Kadena Ab	Kadena Middle School Addition/Renovation.	38,792	38,792
Def-Wide	Kyoga Misaki	an/Tpy–2 Radar Site	0	15,000
Def-Wide	Torri Commo Station	SOF Facility Augmentation	71,451	71,451
Def-Wide	Yokosuka	Upgrade Fuel Pumps	10,600	10,600
	Korea			
Def-Wide	Camp Walker	Daegu Middle/High School Replacement	52,164	52,164
	Romania			
Def-Wide	Deveselu	Aegis Ashore Missile Def Sys Cmplx, Increm. 2.	85,000	80,000
	United Kingdom			
Def-Wide	Raf Mildenhall	Replace Fuel Storage	17,732	17,732
Def-Wide	Raf Mildenhall	SOF Airfield Pavements and Hangar/AMU.	0	48,448
Def-Wide	Raf Mildenhall	SOF Airfiled Pavements	24,077	0
Def-Wide	Raf Mildenhall	SOF Hangar/AMU	24,371	0
Def-Wide	Raf Mildenhall	SOF Mrsp and Parts Storage	6,797	6,797
Def-Wide	Raf Mildenhall	SOF Squadron Operations Facility	11,652	11,652
Def-Wide	Royal Air Force Lakenheath	Lakenheath High School Replacement	69,638	69,638

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program.	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	9,730	9,730
Def-Wide	Unspecified Worldwide Locations	Planning & Design	10,891	10,891
Def-Wide	Unspecified Worldwide Locations	Planning and Design	50,192	50,192
Def-Wide	Unspecified Worldwide Locations	Planning and Design	75,905	75,905
Def-Wide	Unspecified Worldwide Locations	Planning and Design	57,053	57,053
Def-Wide	Unspecified Worldwide Locations	Planning and Design	36,866	36,866
Def-Wide	Unspecified Worldwide Locations	Planning and Design	6,931	6,931
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	7,430	7,430
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	5,409	5,409
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	5,170	5,170
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	9,578	9,578
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	2,000	2,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	1,500	1,500
Total Military Construction, Defense-Wide			**3,985,300**	**3,413,250**
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Facility, Ph Xiv.	122,536	122,536
Total Chemical Demilitarization Construction, Defense			**122,536**	**122,536**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	239,700	199,700
Total NATO Security Investment Program			**239,700**	**199,700**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Alabama			
Army NG	Decatur	National Guard Readiness Center Add/Alt.	4,000	4,000
	Arkansas			
Army NG	Fort Chaffee	Scout/Recce Gunnery Complex	21,000	21,000
	Florida			
Army NG	Pinellas Park	Ready Building	5,700	5,700
	Illinois			
Army NG	Kankakee	Aircraft Maintenance Hangar	28,000	28,000
Army NG	Kankakee	Readiness Center	14,000	14,000
	Massachusetts			
Army NG	Camp Edwards	Enlisted Barracks, Transient Training Add.	19,000	19,000
	Michigan			
Army NG	Camp Grayling	Enlisted Barracks, Transient Training	17,000	17,000
	Minnesota			
Army NG	Stillwater	Readiness Center	17,000	17,000
	Mississippi			
Army NG	Camp Shelby	Water Supply/Treatment Building, Potable.	3,000	3,000
Army NG	Pascagoula	Readiness Center	4,500	4,500
	Missouri			
Army NG	Macon	Vehicle Maintenance Shop	9,100	9,100
Army NG	Whiteman AFB	Aircraft Maintenance Hangar	5,000	5,000
	New York			
Army NG	New York	Readiness Center Add/Alt	31,000	31,000
	Ohio			
Army NG	Ravenna Army Ammunition Plant	Sanitary Sewer	5,200	5,200
	Pennsylvania			
Army NG	Fort Indiantown Gap	Aircraft Maintenance Instructional Building.	40,000	40,000
	Puerto Rico			
Army NG	Camp Santiago	Maneuver Area Training & Equipment Site Addit.	5,600	5,600
	South Carolina			
Army NG	Greenville	Readiness Center	13,000	13,000
Army NG	Greenville	Vehicle Maintenance Shop	13,000	13,000
	Texas			
Army NG	Fort Worth	Armed Forces Reserve Center Add	14,270	14,270
	Wyoming			
Army NG	Afton	National Guard Readiness Center	10,200	10,200
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	29,005	24,005
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	12,240	12,240
Total Military Construction, Army National Guard			**320,815**	**315,815**
	California			
Army Res	Camp Parks	Army Reserve Center	17,500	17,500
Army Res	Fort Hunter Liggett	Tass Training Center (Ttc)	16,500	16,500
	Maryland			
Army Res	Bowie	Army Reserve Center	25,500	25,500
	New Jersey			
Army Res	Joint Base Mcguire-Dix-Lakehurst	Automated Multipurpose Machine Gun (Mpmg).	9,500	9,500
Army Res	Joint Base Mcguire-Dix-Lakehurst	Central Issue Facility	7,900	7,900

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Army Res	Joint Base Mcguire-Dix-Lakehurst	Consolidated Dining Facility	13,400	13,400
Army Res	Joint Base Mcguire-Dix-Lakehurst	Modified Record Fire Range	5,400	5,400
	New York			
Army Res	Bullville	Army Reserve Center	14,500	14,500
	North Carolina			
Army Res	Fort Bragg	Army Reserve Center	24,500	24,500
	Wisconsin			
Army Res	Fort Mccoy	Access Control Point/Mail/Freight Center.	17,500	17,500
Army Res	Fort Mccoy	Nco Academy Dining Facility	5,900	5,900
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	14,212	14,212
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	1,748	1,748
Total Military Construction, Army Reserve			**174,060**	**174,060**
	California			
N/MC Res	March AFB	NOSC Moreno Valley Reserve Training Center.	11,086	11,086
	Missouri			
N/MC Res	Kansas City	Reserve Training Center—Belton, Missouri.	15,020	15,020
	Tennessee			
N/MC Res	Memphis	Reserve Boat Maintenance and Storage Facility.	4,330	4,330
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Mcnr Planning & Design	1,500	1,500
N/MC Res	Unspecified Worldwide Locations	Usmcr Planning and Design	1,040	1,040
Total Military Construction, Navy and Marine Corps Reserve			**32,976**	**32,976**
	Alabama			
Air NG	Birmingham IAP	Add to and Alter Distributed Ground Station F.	8,500	8,500
	Indiana			
Air NG	Hulman Regional Airport	Add/Alter Bldg 37 for Dist Common Ground Sta.	7,300	7,300
	Maryland			
Air NG	Fort Meade	175th Network Warfare Squadron Facility.	4,000	4,000
Air NG	Martin State Airport	Cyber/ISR Facility	8,000	8,000
	Montana			
Air NG	Great Falls IAP	Intra-Theater Airlift Conversion	22,000	22,000
	New York			
Air NG	Fort Drum	Mq–9 Flight Training Unit Hangar	4,700	4,700
	Ohio			
Air NG	Springfield Beckley-Map	Alter Intelligence Operations Facility	7,200	7,200
	Pennsylvania			
Air NG	Fort Indiantown Gap	Communications Operations and Training Facili.	7,700	7,700
	Rhode Island			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Air NG	Quonset State Airport	C–130J Flight Simulator Training Facility.	6,000	6,000
	Tennessee			
Air NG	Mcghee-Tyson Airport	Tec Expansion- Dormitory & Classroom Facility.	18,000	18,000
	Worldwide Unspecified			
Air NG	Various Worldwide Locations	Planning and Design	13,400	13,400
Air NG	Various Worldwide Locations	Unspecified Minor Construction	13,000	13,000
Total Military Construction, Air National Guard			**119,800**	**119,800**
	California			
AF Res	March AFB	Joint Regional Deployment Processing Center,.	19,900	19,900
	Florida			
AF Res	Homestead AFS	Entry Control Complex	9,800	9,800
	Oklahoma			
AF Res	Tinker AFB	Air Control Group Squadron Operations	12,200	12,200
	Worldwide Unspecified			
AF Res	Various Worldwide Locations	Planning and Design	2,229	2,229
AF Res	Various Worldwide Locations	Unspecified Minor Construction	1,530	1,530
Total Military Construction, Air Force Reserve			**45,659**	**45,659**
	Wisconsin			
FH Con Army	Fort Mccoy	Family Housing New Construction (56 Units).	23,000	23,000
	Germany			
FH Con Army	South Camp Vilseck	Family Housing New Construction (29 Units).	16,600	16,600
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	4,408	4,408
Total Family Housing Construction, Army			**44,008**	**44,008**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	33,125	33,125
FH Ops Army	Unspecified Worldwide Locations	Leased Housing	180,924	180,924
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	107,639	107,639
FH Ops Army	Unspecified Worldwide Locations	Management Account	54,433	54,433
FH Ops Army	Unspecified Worldwide Locations	Military Housing Privitization Initiative	25,661	25,661
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	646	646
FH Ops Army	Unspecified Worldwide Locations	Services	13,536	13,536

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
FH Ops Army	Unspecified Worldwide Locations	Utilities	96,907	96,907
Total Family Housing Operation & Maintenance, Army			**512,871**	**512,871**
FH Con AF	Worldwide Unspecified			
	Unspecified Worldwide Locations	Improvements	72,093	72,093
FH Con AF	Unspecified Worldwide Locations	Planning and Design	4,267	4,267
Total Family Housing Construction, Air Force			**76,360**	**76,360**
FH Ops AF	Worldwide Unspecified			
	Unspecified Worldwide Locations	Furnishings Account	39,470	39,470
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	41,436	41,436
FH Ops AF	Unspecified Worldwide Locations	Leasing	54,514	54,514
FH Ops AF	Unspecified Worldwide Locations	Maintenance (Rpma Rpmc)	110,786	110,786
FH Ops AF	Unspecified Worldwide Locations	Management Account	53,044	53,044
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous Account	1,954	1,954
FH Ops AF	Unspecified Worldwide Locations	Services Account	16,862	16,862
FH Ops AF	Unspecified Worldwide Locations	Utilities Account	70,532	70,532
Total Family Housing Operation & Maintenance, Air Force			**388,598**	**388,598**
FH Con Navy	Worldwide Unspecified			
	Unspecified Worldwide Locations	Design	4,438	4,438
FH Con Navy	Unspecified Worldwide Locations	Improvements	68,969	68,969
Total Family Housing Construction, Navy and Marine Corps			**73,407**	**73,407**
FH Ops Navy	Worldwide Unspecified			
	Unspecified Worldwide Locations	Furnishings Account	21,073	21,073
FH Ops Navy	Unspecified Worldwide Locations	Leasing	74,962	74,962

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	90,122	90,122
FH Ops Navy	Unspecified Worldwide Locations	Management Account	60,782	60,782
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous Account	362	362
FH Ops Navy	Unspecified Worldwide Locations	Privatization Support Costs	27,634	27,634
FH Ops Navy	Unspecified Worldwide Locations	Services Account	20,596	20,596
FH Ops Navy	Unspecified Worldwide Locations	Utilities Account	94,313	94,313
Total Family Housing Operation & Maintenance, Navy and Marine Corps.			**389,844**	**389,844**
FH Ops DW	Worldwide Unspecified	Furnishings Account	67	67
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	3,196	3,196
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Ops DW	Unspecified Worldwide Locations	Leasing	10,994	10,994
FH Ops DW	Unspecified Worldwide Locations	Leasing	40,433	40,433
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	311	311
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	74	74
FH Ops DW	Unspecified Worldwide Locations	Management Account	418	418
FH Ops DW	Unspecified Worldwide Locations	Services Account	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	12	12
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	288	288
Total Family Housing Operation & Maintenance, Defense-Wide			**55,845**	**55,845**
FHIF	Worldwide Unspecified	Family Housing Improvement Fund	1,780	1,780
Total DOD Family Housing Improvement Fund			**1,780**	**1,780**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure	180,401	180,401
BRAC	Base Realignment & Closure, Navy	Base Realignment & Closure	108,300	108,300
BRAC	Unspecified Worldwide Locations	Dod BRAC Activities—Air Force	126,376	126,376
BRAC	Unspecified Worldwide Locations	Don–100: Planing, Design and Management.	7,277	7,277
BRAC	Unspecified Worldwide Locations	Don–101: Various Locations	20,988	20,988
BRAC	Unspecified Worldwide Locations	Don–138: NAS Brunswick, ME	993	993
BRAC	Unspecified Worldwide Locations	Don–157: Mcsa Kansas City, MO	40	40
BRAC	Unspecified Worldwide Locations	Don–172: NWS Seal Beach, Concord, CA	5,766	5,766
BRAC	Unspecified Worldwide Locations	Don–84: JRB Willow Grove & Cambria Reg Ap.	1,216	1,216
Total Base Realignment and Closure Account			**451,357**	**451,357**
	Worldwide Unspecified			
PYS	Unspecified Worldwide Locations	Prior Year Savings—ANG Unspecified Minor Construction.	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Army Bid Savings	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Army Planning and Design Fy12.	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Defense Wide Bid Savings.	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Defense Wide Unspecified Minor Construction.	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Navy Bid Savings	0	0
PYS	Unspecified Worldwide Locations	Prior Year Savings—Section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, AS Amended.	0	0
Total Prior Year Savings			**0**	**0**
Total Military Construction			**11,011,633**	**10,366,853**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	16,000	0
Nuclear Energy	94,000	94,000
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,868,409	7,909,252
Defense nuclear nonproliferation	2,140,142	2,180,142
Naval reactors	1,246,134	1,246,134
Office of the administrator	397,784	389,784
Total, National nuclear security administration	**11,652,469**	**11,725,312**
Environmental and other defense activities:		
Defense environmental cleanup	5,316,909	5,015,409
Other defense activities	749,080	758,658
Total, Environmental & other defense activities	**6,065,989**	**5,774,067**
Total, Atomic Energy Defense Activities	**17,718,458**	**17,499,379**
Total, Discretionary Funding	**17,828,458**	**17,593,379**
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration (HS)	16,000	0
Nuclear Energy		
Idaho sitewide safeguards and security	94,000	94,000
Weapons Activities		
Life extension programs and major alterations		
B61 Life extension program	537,044	537,044
W76 Life extension program	235,382	245,082
W78/88–1 Life extension program	72,691	72,691
W88 ALT 370	169,487	169,487
Total, Stockpile assessment and design	**1,014,604**	**1,024,304**
Stockpile systems		
B61 Stockpile systems	83,536	83,536
W76 Stockpile systems	47,187	47,187
W78 Stockpile systems	54,381	54,381
W80 Stockpile systems	50,330	50,330
B83 Stockpile systems	54,948	54,948
W87 Stockpile systems	101,506	101,506
W88 Stockpile systems	62,600	62,600
Stockpile systems		
Total, Stockpile systems	**454,488**	**454,488**
Surveillance		
Weapons dismantlement and disposition		
Operations and maintenance	49,264	55,264

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Stockpile services		
Production support	321,416	345,000
Research and development support	26,349	26,349
R&D certification and safety	191,259	191,259
Management, technology, and production	214,187	214,187
Plutonium sustainment	156,949	156,949
Total, Stockpile services	**910,160**	**933,744**
Total, Directed stockpile work	**2,428,516**	**2,467,800**
Campaigns:		
Science campaign		
Advanced certification	54,730	54,730
Primary assessment technologies	109,231	109,231
Dynamic materials properties	116,965	116,965
Advanced radiography	30,509	30,509
Secondary assessment technologies	86,467	86,467
Total, Science campaign	**397,902**	**397,902**
Engineering campaign		
Enhanced surety	51,771	51,771
Weapon systems engineering assessment technology	23,727	23,727
Nuclear survivability	19,504	19,504
Enhanced surveillance	54,909	54,909
Total, Engineering campaign	**149,911**	**149,911**
Inertial confinement fusion ignition and high yield campaign		
Ignition	80,245	80,245
Support of other stockpile programs	15,001	15,001
Diagnostics, cryogenics and experimental support	59,897	59,897
Pulsed power inertial confinement fusion	5,024	5,024
Joint program in high energy density laboratory plasmas	8,198	8,198
Facility operations and target production	232,678	232,678
Total, Inertial confinement fusion and high yield campaign	**401,043**	**401,043**
Advanced simulation and computing campaign	564,329	564,329
Technology Maturation Campaign		
Readiness Campaign		
Component manufacturing development	106,085	106,085
Tritium readiness	91,695	91,695
Total, Readiness campaign	**197,780**	**197,780**
Total, Campaigns	**1,710,965**	**1,710,965**
Nuclear programs		
Nuclear operations capability	265,937	265,937
Capabilities based investments	39,558	39,558
Construction:		
12–D–301 TRU waste facilities, LANL	26,722	26,722
11–D–801 TA–55 Reinvestment project Phase 2, LANL	30,679	30,679
07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL	55,719	55,719
06–D–141 PED/Construction, Uranium Capabilities Replacement Project Y–12	325,835	325,835
Total, Construction	**438,955**	**438,955**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Nuclear programs	**744,450**	**744,450**
Secure transportation asset		
Operations and equipment	122,072	122,072
Program direction	97,118	97,118
Total, Secure transportation asset	**219,190**	**219,190**
Site stewardship		
Nuclear materials integration	17,679	17,679
Corporate project management	13,017	13,017
Minority serving institution partnerships program	14,531	14,531
Enterprise infrastructure		
Site Operations	1,112,455	1,112,455
Site Support	109,561	109,561
Sustainment	433,764	433,764
Facilities disposition	5,000	5,000
Subtotal, Enterprise infrastructure	**1,660,780**	**1,660,780**
Total, Site stewardship	**1,706,007**	**1,706,007**
Defense nuclear security		
Operations and maintenance	664,981	664,981
Construction:		
14–D–710 DAF Argus, NNSS	14,000	
Total, Defense nuclear security	**678,981**	**678,981**
NNSA CIO activities	148,441	150,000
Legacy contractor pensions	279,597	279,597
Subtotal, Weapons activities	**7,916,147**	**7,956,990**
Adjustments		
Use of prior year balances	–47,738	–47,738
Total, Adjustments	**–47,738**	**–47,738**
Total, Weapons Activities	**7,868,409**	**7,909,252**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global threat reduction initiative	424,487	424,487
Defense Nuclear Nonproliferation R&D		
Operations and maintenance	388,838	388,838
Nonproliferation and international security	141,675	141,675
International material protection and cooperation	369,625	369,625
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	157,557	157,557
U.S. uranium disposition	25,000	25,000
Total, Operations and maintenance	**182,557**	**182,557**
Construction:		
99–D–143 Mixed oxide fuel fabrication facility, Savannah River, SC	320,000	360,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Construction	**320,000**	**360,000**
Total, U.S. surplus fissile materials disposition	**502,557**	**542,557**
Total, Fissile materials disposition	**502,557**	**542,557**
Legacy contractor pensions	93,703	93,703
Total, Defense Nuclear Nonproliferation Programs	**1,920,885**	**1,962,444**
Nuclear counterterrorism incident response program	181,293	181,293
Counterterrorism and counterproliferation programs	74,666	74,666
Subtotal, Defense Nuclear Nonproliferation	**2,176,844**	**2,216,844**
Adjustments		
Use of prior year balances	–36,702	–36,702
Total, Adjustments	**–36,702**	**–36,702**
Total, Defense Nuclear Nonproliferation	**2,140,142**	**2,180,142**
Naval Reactors		
Naval reactors operations and infrastructure	455,740	453,740
Naval reactors development	419,400	419,400
Ohio replacement reactor systems development	126,400	126,400
S8G Prototype refueling	144,400	144,400
Program direction	44,404	44,404
Construction:		
14–D–902 KL Materials characterization laboratory expansion, KAPL	1,000	1,000
14–D–901 Spent fuel handling recapitalization project, NRF	45,400	45,400
13–D–905 Remote-handled low-level waste facility, INL	21,073	21,073
13–D–904 KS Radiological work and storage building, KSO	600	2,600
Naval Reactor Facility, ID	1,700	1,700
Total, Construction	**69,773**	**71,773**
Subtotal, Naval Reactors	**1,260,117**	**1,260,117**
Adjustments:		
Use of prior year balances (Naval reactors)	–13,983	–13,983
Total, Naval Reactors	**1,246,134**	**1,246,134**
Office Of The Administrator		
Office of the administrator	397,784	389,784
Total, Office Of The Administrator	**397,784**	**389,784**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,702	4,702
Hanford site:		
River corridor and other cleanup operations	393,634	408,634
Central plateau remediation	513,450	513,450
Richland community and regulatory support	14,701	14,701
Total, Hanford site	**921,785**	**936,785**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	362,100	372,600
Idaho community and regulatory support	2,910	2,910

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Idaho National Laboratory	**365,010**	**375,510**
NNSA sites		
Lawrence Livermore National Laboratory	1,476	1,476
Nuclear facility D & D Separations Process Research Unit	23,700	23,700
Nevada	61,897	61,897
Sandia National Laboratories	2,814	2,814
Los Alamos National Laboratory	219,789	234,789
Total, NNSA sites and Nevada off-sites	**309,676**	**324,676**
Oak Ridge Reservation:		
OR Nuclear facility D & D	73,716	73,716
OR cleanup and disposition	115,855	115,855
OR reservation community and regulatory support	4,365	4,365
Total, Oak Ridge Reservation	**193,936**	**193,936**
Office of River Protection:		
Waste treatment and immobilization plant		
01–D–416 A–E/ORP–0060 / Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	520,216	520,216
Total, Office of River protection	**1,210,216**	**1,210,216**
Savannah River sites:		
Savannah River risk management operations	432,491	432,491
SR community and regulatory support	11,210	11,210
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	552,560	657,560
Construction:		
05–D–405 Salt waste processing facility, Savannah River	92,000	92,000
Total, Construction	**92,000**	**92,000**
Total, Radioactive liquid tank waste	**644,560**	**749,560**
Total, Savannah River site	**1,088,261**	**1,193,261**
Waste Isolation Pilot Plant		
Waste isolation pilot plant	203,390	219,390
Total, Waste Isolation Pilot Plant	**203,390**	**219,390**
Program direction	280,784	280,784
Program support	17,979	17,979
Safeguards and Security:		
Oak Ridge Reservation	18,800	18,800
Paducah	9,435	9,435
Portsmouth	8,578	8,578
Richland/Hanford Site	69,078	69,078
Savannah River Site	121,196	121,196
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Technology development	24,091	24,091
Subtotal, Defense environmental cleanup	**4,853,909**	**5,015,409**
Uranium enrichment D&D fund contribution	463,000	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Defense Environmental Cleanup	**5,316,909**	**5,015,409**
Other Defense Activities		
Health, safety and security		
Health, safety and security	143,616	143,616
Program direction	108,301	108,301
Total, Health, safety and security	**251,917**	**251,917**
Specialized security activities	196,322	205,900
Office of Legacy Management		
Legacy management	163,271	163,271
Program direction	13,712	13,712
Total, Office of Legacy Management	**176,983**	**176,983**
Defense-related activities		
Defense related administrative support		
Chief financial officer	38,979	38,979
Chief information officer	79,857	79,857
Total, Defense related administrative support	**118,836**	**118,836**
Office of hearings and appeals	5,022	5,022
Subtotal, Other defense activities	**749,080**	**758,658**
Total, Other Defense Activities	**749,080**	**758,658**

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 3304:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 28, considered and passed House.
Nov. 19, considered and passed Senate, amended.
Dec. 12, House concurred in Senate amendments with an amendment pursuant to H. Res. 441.
Dec. 15, 18, 19, Senate considered and concurred in House amendment.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2013):
Dec. 26, Presidential statement.

Public Law 113–67
113th Congress

Joint Resolution

Making continuing appropriations for fiscal year 2014, and for other purposes.

Dec. 26, 2013
[H.J. Res. 59]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That

DIVISION A—BIPARTISAN BUDGET AGREEMENT

Bipartisan Budget Act of 2013.

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Bipartisan Budget Act of 2013". 2 USC 900 note.

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

DIVISION A—BUDGET ENFORCEMENT AND DEFICIT REDUCTION

Sec. 1. Short title and table of contents.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

Subtitle B—Establishing a Congressional Budget

Sec. 111. Fiscal year 2014 budget resolution.
Sec. 112. Limitation on advance appropriations in the Senate.
Sec. 113. Rule of construction in the House of Representatives.
Sec. 114. Additional Senate budget enforcement.
Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.
Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.
Sec. 117. Exclusion of savings from PAYGO scorecards.
Sec. 118. Exercise of rulemaking powers.

Subtitle C—Technical Corrections

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.
Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

Sec. 201. Improving the collection of unemployment insurance overpayments.
Sec. 202. Strengthening Medicaid Third-Party Liability.
Sec. 203. Restriction on access to the death master file.
Sec. 204. Identification of inmates requesting or receiving improper payments.

TITLE III—NATURAL RESOURCES

Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.

Sec. 302. Amendment to the Mineral Leasing Act.
Sec. 303. Approval of agreement with Mexico.
Sec. 304. Amendment to the Outer Continental Shelf Lands Act.
Sec. 305. Federal oil and gas royalty prepayment cap.
Sec. 306. Strategic Petroleum Reserve.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

Sec. 401. Increase in contributions to Federal Employees Retirement System for new employees.
Sec. 402. Foreign Service Pension System.
Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.

TITLE V—HIGHER EDUCATION

Sec. 501. Default reduction program.
Sec. 502. Elimination of nonprofit servicing contracts.

TITLE VI—TRANSPORTATION

Sec. 601. Aviation security service fees.
Sec. 602. Transportation cost reimbursement.
Sec. 603. Sterile areas at airports.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Extension of customs user fees.
Sec. 702. Limitation on allowable government contractor compensation costs.
Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.
Sec. 704. Cancellation of Unobligated Balances.
Sec. 705. Conservation planning technical assistance user fees.
Sec. 706. Self plus one coverage.

1 USC 1 note.

(c) REFERENCES.—Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

2 USC 901.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (1) through (10) and inserting the following new paragraphs:

"(1) for fiscal year 2014—

"(A) for the revised security category, $520,464,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $491,773,000,000 in new budget authority;

"(2) for fiscal year 2015—

"(A) for the revised security category, $521,272,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $492,356,000,000 in new budget authority;

"(3) for fiscal year 2016—

"(A) for the revised security category, $577,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $530,000,000,000 in new budget authority;

"(4) for fiscal year 2017—

"(A) for the revised security category, $590,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $541,000,000,000 in new budget authority;

"(5) for fiscal year 2018—

"(A) for the revised security category, $603,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $553,000,000,000 in new budget authority;

"(6) for fiscal year 2019—

"(A) for the revised security category, $616,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $566,000,000,000 in new budget authority;

"(7) for fiscal year 2020—

"(A) for the revised security category, $630,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $578,000,000,000 in new budget authority; and

"(8) for fiscal year 2021—

"(A) for the revised security category, $644,000,000,000 in new budget authority; and

"(B) for the revised nonsecurity category, $590,000,000,000 in new budget authority;".

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2014 AND 2015.—(1) Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d), is amended by adding at the end the following new paragraph: 2 USC 901a.

"(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.

"(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.".

(2) Paragraph (5)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d)(2)(C) of this section, is amended by striking "On" and inserting "Except as provided by paragraph (10), on".

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2022 AND 2023.—Paragraph (6), as redesignated by subsection (d)(2)(C) of this section, of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "(A)" before "On the date" and by adding at the end the following new subparagraph:

"(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that— President. Sequestration. Effective date.

"(i) the percentage reduction for nonexempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

"(ii) the percentage reduction for nonexempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).".

(d) CONFORMING AMENDMENTS.—Part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

Definitions.

(1) in section 250(c)(4) (2 U.S.C. 900(c)(4)), by adding at the end the following:

"(D) The term 'revised security category' means discretionary appropriations in budget function 050.

"(E) The term 'revised nonsecurity category' means discretionary appropriations other than in budget function 050.

"(F) The term 'category' means the subsets of discretionary appropriations in section 251(c). Discretionary appropriations in each of the categories shall be those designated in the joint explanatory statement accompanying the conference report on the Balanced Budget Act of 1997. New accounts or activities shall be categorized only after consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall, to the extent practicable, include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to new accounts or activities."; and

Consultation.

(2) in section 251A (2 U.S.C. 901a)—

(A) by striking, in the matter preceding paragraph (1), "Unless" through "as follows:" and inserting the following: "Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:";

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking "paragraph (3)" and inserting "paragraph (1)";

(E) in paragraph (3), as redesignated, by striking "paragraph (4)" each place it appears and inserting "paragraph (2)";

(F) in paragraph (4), as redesignated, by striking "paragraph (4)" each place it appears and inserting "paragraph (2)";

(G) in paragraph (5), as redesignated—

(i) by striking "paragraph (5)" each place it appears and inserting "paragraph (3)"; and

(ii) by striking "paragraph (6)" each place it appears and inserting "paragraph (4)";

(H) in paragraph (6), as redesignated—

(i) by striking "paragraph (4)" and inserting "paragraph (2)"; and

(ii) by striking "paragraphs (5) and (6)" and inserting "paragraphs (3) and (4)";

(I) in paragraph (7), as redesignated—

(i) by striking "paragraph (8)" and inserting "paragraph (6)"; and

(ii) by striking "paragraph (6)" each place it appears and inserting "paragraph (4)"; and

(J) in paragraph (9), as redesignated, by striking "paragraph (4)" and inserting "paragraph (2)".

Subtitle B—Establishing a Congressional Budget

SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.

(a) FISCAL YEAR 2014.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2014, and enforcing, in the Senate, budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the same manner as for a concurrent resolution on the budget for fiscal year 2014 with appropriate budgetary levels for fiscal year 2014 and for fiscal years 2015 through 2023. Applicability.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—The Chairmen of the Committee on the Budget of the House of Representatives and the Senate shall each submit a statement for publication in the Congressional Record as soon as practicable after the date of enactment of this Act that includes— Congressional Record, publication.

(1) for the Committee on Appropriations of that House, committee allocations for fiscal year 2014 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of that House other than the Committee on Appropriations, committee allocations for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2014 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) in the Senate only, levels of Social Security revenues and outlays for fiscal year 2014 and for the periods of fiscal

years 2014 through 2018 and 2014 through 2023 consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) FURTHER ADJUSTMENTS.—After the date of enactment of this Act, the Chairman of the Committee on the Budget of the House of Representatives may reduce the aggregates, allocations, and other budgetary levels included in the statement of the Chairman of the Committee on the Budget of the House of Representatives referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN THE SENATE.

(a) POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.—

(1) IN GENERAL.—

(A) POINT OF ORDER.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(B) DEFINITION.—In this subsection, the term "advance appropriation" means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(2) EXCEPTIONS.—Advance appropriations may be provided—

(A) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in a statement submitted to the Congressional Record by the Chairman of the Committee on the Budget of the Senate under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed $28,852,000,000 in new budget authority in each fiscal year;

(B) for the Corporation for Public Broadcasting; and

(C) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(3) SUPERMAJORITY WAIVER AND APPEAL.—

(A) WAIVER.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(4) FORM OF POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this subsection, and such point of order being sustained, such material contained in such conference report or amendment between the Houses shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph), no further amendment shall be in order.

(6) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

(b) EXPIRATION.—Subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REPRESENTATIVES.

In the House of Representatives, for the remainder of the 113th Congress, the provisions of H. Con. Res. 25 (113th Congress), as deemed in force by H. Res. 243 (113th Congress), shall remain in force to the extent its budgetary levels are not superseded by this subtitle or by further action of the House of Representatives.

SEC. 114. ADDITIONAL SENATE BUDGET ENFORCEMENT.

(a) SENATE PAY-AS-YOU-GO SCORECARD.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero. Effective date.

(2) FISCAL YEAR 2015.—After April 15, 2014, but not later than May 15, 2014, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero. Time period. Deadline.

(3) PUBLICATION.—Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman of the Committee on the Budget of the Senate shall publish a notification of such action in the Congressional Record. Congressional Record, publication. Notification.

(b) FURTHER ADJUSTMENTS.—With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this subtitle, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(c) DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.—The Chairman of the Committee on the Budget of the Senate

may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits set pursuant to this subtitle for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) to repeal or revise the enforcement procedures established under that section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2014 through 2023. For purposes of determining deficit-neutrality under this subsection, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

(d) ADDITIONAL DEFICIT-NEUTRAL RESERVE FUNDS.—In the Senate only, sections 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341, 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365, 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S. Con. Res. 8 (113th Congress), as passed the Senate, shall have force and effect.

(e) EXPIRATION.—Subsections (a)(2), (c), and (d) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.

Applicability. Effective date.

(a) FISCAL YEAR 2015.—If a concurrent resolution on the budget for fiscal year 2015 has not been adopted by April 15, 2014, for the purpose of enforcing the Congressional Budget Act of 1974, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives after April 15, 2014, in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal year 2015 and for fiscal years 2016 through 2024.

Congressional Record, publication. Time periods. Deadline.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the Chairman of the Committee on the Budget shall submit a statement for publication in the Congressional Record after April 15, 2014, but not later than May 15, 2014, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2015 at the total level as set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal year 2015 and for the period of fiscal years 2015 through 2024 at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974; and

(3) aggregate spending levels for fiscal year 2015 and aggregate revenue levels for fiscal year 2015 and for the period of fiscal years 2015 through 2024, at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The statement referred to in subsection (b) may also include for fiscal year 2015, the matter contained in title IV (reserve funds) and in sections 601, 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated by one fiscal year, including updated amounts for section 601.

(d) FISCAL YEAR 2015 ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS.—If the statement referred to in subsection (b) is not filed by May 15, 2014, then the matter referred to in subsection (b)(1) shall be submitted by the Chairman of the Committee on the Budget for publication in the Congressional Record on the next day that the House of Representatives is in session.

Deadline. Congressional Record, publication.

(e) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the House of Representatives may adjust the levels included in the statement referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit or as otherwise necessary.

(f) APPLICATION.—Subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE SENATE.

(a) FISCAL YEAR 2015.—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2014, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal years 2014 and 2016 through 2024.

Applicability.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—After April 15, 2014, but not later than May 15, 2014, the Chairman of the Committee on the Budget of the Senate shall file—

Time period. Deadline.

(1) for the Committee on Appropriations, committee allocations for fiscal years 2014 and 2015 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal years 2014 and 2015 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The filing referred to in subsection (b) may also include, for fiscal year 2015, the reserve funds included in section 114(c) and (d) of this Act, updated by one fiscal year.

(d) SUPERSEDING PREVIOUS STATEMENT.—In the Senate, the filing referred to in subsection (b) shall supersede the statement referred to in section 111(b) of this Act.

(e) EXPIRATION.—This section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORECARDS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 118. EXERCISE OF RULEMAKING POWERS.

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

Subtitle C—Technical Corrections

SEC. 121. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

2 USC 902.

(1) In section 252(b)(2)(B), strike "applicable to budget year" and insert "applicable to the budget year".

(2) In section 252(c)(1)(C)(i), strike "paragraph (1)" and insert "subsection (b)".

(3) In section 254(c)(3)(A), strike "subsection 252(b)" and insert "section 252(b)". 2 USC 904.

(4) In section 254(f)(4), strike "subsection 252(b)" and insert "section 252(b)".

(5) In section 255(a), strike "section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code" and insert "sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)". 2 USC 905.

(6) In section 255(h), in the item relating to Federal Pell Grants, strike "section 401 Title IV" and insert "section 401 of title IV".

(7) In the first subsection (j) of section 255 (relating to Split Treatment Programs), move the margins for the list items two ems to the right.

(8) Redesignate the second subsection (j) of section 255 (relating to Identification of Programs) as subsection (k).

(9) In section 257(b)(2)(A)(i), strike "differenes" and insert "differences". 2 USC 907.

(10) In section 258(a)(1), strike "section 254(j)" and insert "section 254(i)". 2 USC 907a.

SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRESSIONAL BUDGET ACT OF 1974.

The Congressional Budget Act of 1974 is amended as follows:

(1) In sections 301(a)(6) and 301(a)(7), strike "For purposes" and insert "for purposes". 2 USC 632.

(2) In section 301(a), in the matter following paragraph (7), strike "old age" and insert "old-age".

(3) In section 302(g)(2)(A), strike "committee on the Budget" and insert "Committee on the Budget". 2 USC 633.

(4) In section 305(a)(1), strike "clause 2(l)(6) of rule XI" and insert "clause 4 of rule XIII". 2 USC 636.

(5) In section 305(a)(5), strike "provisions of rule XXIII" and insert "provisions of rule XVIII".

(6) In section 305(b)(1), strike "section 304(a)" and insert "section 304".

(7) In section 306 strike "No" and insert "(a) IN THE SENATE.—In the Senate, no", strike "of either House" and "in that House", strike "of that House", and add at the end the following new subsection: 2 USC 637.

"(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.".

(8) In section 308(d), in the subsection heading, strike "Scorekeeping Guidelines.—" and insert "SCOREKEEPING GUIDELINES.—". 2 USC 639.

(9) In section 310(c)(1)(A)(i) and (ii), strike "under that paragraph by more than" and insert "under that paragraph by more than—". 2 USC 641.

2 USC 645.

(10) In section 314(d)(2), strike subparagraph (A), redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively, in subparagraph (A), as redesignated, strike "under subparagraph (A)" and insert "under paragraph (1)", and in subparagraph (B), as redesignated, strike "under subparagraph (B)" and insert "under subparagraph (A)".

2 USC 645a.
Determination.

(11) In section 315, add at the end the following new sentence: "In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.".

2 USC 651.

(12) In section 401(b)(2), strike "section 302(b)" and insert "section 302(a)".

(13) In section 401(c), add at the end the following new paragraph:

"(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.".

2 USC 658.

(14) In section 421(5)(A)(i)(II), strike "subparagraph (B))" and insert "subparagraph (B)".

2 USC 661d.

(15) In section 505(c), strike "section 406(b)" both places it appears and insert "section 405(b)".

2 USC 621 note.

(16) In section 904(c)(2), strike "258A(b)(3)(C)(I)" and "258(h)(3)" and insert "258A(b)(3)(C)(i)" and "258B(h)(3)", respectively, and strike "and 314(e)" and insert "314(e), and 314(f)".

(17) In section 904(d)(3), strike "258A(b)(3)(C)(I)" and "258(h)(3)" and insert "258A(b)(3)(C)(i)" and "258B(h)(3)", respectively, and strike "and 312(c)" and insert "312(c), 314(e), and 314(f)".

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

SEC. 201. IMPROVING THE COLLECTION OF UNEMPLOYMENT INSURANCE OVERPAYMENTS.

(a) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following:

"(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 1 year after the debt was finally determined to be due and collected, the State to which such debt is owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.".

42 USC 503 note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the date of enactment of this Act.

SEC. 202. STRENGTHENING MEDICAID THIRD-PARTY LIABILITY.

(a) PAYMENT FOR PRENATAL AND PREVENTIVE PEDIATRIC CARE AND IN CASES INVOLVING MEDICAL SUPPORT.—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended— Deadlines.

(1) in subparagraph (E)(i), by inserting before the semicolon at the end the following: ", except that the State may, if the State determines doing so is cost-effective and will not adversely affect access to care, only make such payment if a third party so liable has not made payment within 90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services"; and

(2) in subparagraph (F)(i), by striking "30 days after such services are furnished" and inserting "90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services, except that the State may make such payment within 30 days after such date if the State determines doing so is cost-effective and necessary to ensure access to care.".

(b) RECOVERY OF MEDICAID EXPENDITURES FROM BENEFICIARY LIABILITY SETTLEMENTS.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(A) in subparagraph (B), by striking "to the extent of such legal liability"; and

(B) in subparagraph (H), by striking "payment by any other party for such health care items or services" and inserting "any payments by such third party".

(2) ASSIGNMENT OF RIGHTS OF PAYMENT.—Section 1912(a)(1)(A) of such Act (42 U.S.C. 1396k(a)(1)(A)) is amended by striking "payment for medical care from any third party" and inserting "any payment from a third party that has a legal liability to pay for care and services available under the plan".

(3) LIENS.—Section 1917(a)(1)(A) of such Act (42 U.S.C. 1396p(a)(1)(A)) is amended to read as follows:

"(A) pursuant to—

"(i) the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or

"(ii) rights acquired by or assigned to the State in accordance with section 1902(a)(25)(H) or section 1912(a)(1)(A), or".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014. 42 USC 1396a note.

SEC. 203. RESTRICTION ON ACCESS TO THE DEATH MASTER FILE. 42 USC 1306c.

(a) IN GENERAL.—The Secretary of Commerce shall not disclose to any person information contained on the Death Master File with respect to any deceased individual at any time during the 3-calendar-year period beginning on the date of the individual's death, unless such person is certified under the program established under subsection (b). Privacy. Time period.

(b) CERTIFICATION PROGRAM.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a program—

(A) to certify persons who are eligible to access the information described in subsection (a) contained on the Death Master File, and

(B) to perform periodic and unscheduled audits of certified persons to determine the compliance by such certified persons with the requirements of the program.

(2) CERTIFICATION.—A person shall not be certified under the program established under paragraph (1) unless such person certifies that access to the information described in subsection (a) is appropriate because such person—

(A) has—

(i) a legitimate fraud prevention interest, or

(ii) a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty, and

(B) has systems, facilities, and procedures in place to safeguard such information, and experience in maintaining the confidentiality, security, and appropriate use of such information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986, and

(C) agrees to satisfy the requirements of such section 6103(p)(4) as if such section applied to such person.

(3) FEES.—

(A) IN GENERAL.—The Secretary of Commerce shall establish under section 9701 of title 31, United States Code, a program for the charge of fees sufficient to cover (but not to exceed) all costs associated with evaluating applications for certification and auditing, inspecting, and monitoring certified persons under the program. Any fees so collected shall be deposited and credited as offsetting collections to the accounts from which such costs are paid.

(B) REPORT.—The Secretary of Commerce shall report on an annual basis to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the total fees collected during the preceding year and the cost of administering the certification program under this subsection for such year.

(c) IMPOSITION OF PENALTY.—

(1) IN GENERAL.—Any person who is certified under the program established under subsection (b), who receives information described in subsection (a), and who during the period of time described in subsection (a)—

(A) discloses such information to any person other than a person who meets the requirements of subparagraphs (A), (B), and (C) of subsection (b)(2),

(B) discloses such information to any person who uses the information for any purpose not listed under subsection (b)(2)(A) or who further discloses the information to a person who does not meet such requirements, or

(C) uses any such information for any purpose not listed under subsection (b)(2)(A),

and any person to whom such information is disclosed who further discloses or uses such information as described in the preceding subparagraphs, shall pay a penalty of $1,000 for each such disclosure or use.

(2) LIMITATION ON PENALTY.—

(A) IN GENERAL.—The total amount of the penalty imposed under this subsection on any person for any calendar year shall not exceed $250,000.

(B) EXCEPTION FOR WILLFUL VIOLATIONS.—Subparagraph (A) shall not apply in the case of violations under paragraph (1) that the Secretary of Commerce determines to be willful or intentional violations.

(d) DEATH MASTER FILE.—For purposes of this section, the term "Death Master File" means information on the name, social security account number, date of birth, and date of death of deceased individuals maintained by the Commissioner of Social Security, other than information that was provided to such Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)). Definition.

(e) EXEMPTION FROM FREEDOM OF INFORMATION ACT REQUIREMENT WITH RESPECT TO CERTAIN RECORDS OF DECEASED INDIVIDUALS.—

(1) IN GENERAL.—No Federal agency shall be compelled to disclose the information described in subsection (a) to any person who is not certified under the program established under subsection (b).

(2) TREATMENT OF INFORMATION.—For purposes of section 552 of title 5, United States Code, this section shall be considered a statute described in subsection (b)(3) of such section 552.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

(2) FOIA EXEMPTION.—Subsection (e) shall take effect on the date of the enactment of this Act.

SEC. 204. IDENTIFICATION OF INMATES REQUESTING OR RECEIVING IMPROPER PAYMENTS.

(a) INFORMATION PROVIDED TO THE PRISONER UPDATE PROCESSING SYSTEM (PUPS).—

(1) SECTION 202(x)(3)(B)(i)(I).—Section 202(x)(3)(B)(i)(I) of the Social Security Act (42 U.S.C. 402(x)(3)(B)(i)(I)) is amended by—

(A) inserting "first, middle, and last" before "names";

(B) striking the comma after the words "social security account numbers" and inserting "or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,";

(C) inserting "dates of release or anticipated dates of release, dates of work release," before "and, to the extent available"; and

(D) by inserting "and clause (iv) of this subparagraph" after "paragraph (1)".

(2) SECTION 1611(e)(1)(I)(i)(I).—Section 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(I)) is amended by—

(A) inserting "first, middle, and last" before "names";

(B) striking the comma after the words "social security account numbers" and inserting "or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,";

(C) inserting "dates of release or anticipated dates of release, dates of work release," before "and, to the extent available"; and

(D) by inserting "and clause (iv) of this subparagraph" after "this paragraph".

(b) AUTHORITY OF SECRETARY OF THE TREASURY TO ACCESS PUPS.—

(1) SECTION 202(x)(3)(B).—Section 202(x)(3)(B) of the Social Security Act (42 U.S.C. 402(x)(3)(B)) is amended—

(A) in clause (iv), by inserting before the period the following: ", for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs"; and

(B) by adding at the end the following:

"(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

"(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity, and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

"(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.".

(2) SECTION 1611(e)(1)(I).—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)) is amended—

(A) in clause (iii), by inserting before the period the following: ", for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs"; and

(B) by adding at the end the following:

"(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent

debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

"(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

"(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.".

(c) CONFORMING AMENDMENT TO THE DO NOT PAY INITIATIVE.—Section 5(a)(2) of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

> "(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act.".

TITLE III—NATURAL RESOURCES

SEC. 301. ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER PETROLEUM RESOURCES.

(a) REPEAL.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is repealed.

(b) RESCISSION.—Any unobligated funds appropriated for carrying out the subtitle repealed by subsection (a) are rescinded.

SEC. 302. AMENDMENT TO THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows—

"(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the program authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.". Effective date.

SEC. 303. APPROVAL OF AGREEMENT WITH MEXICO.

43 USC 1356b note.

The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, is hereby approved.

SEC. 304. AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

43 USC 1356b.

"SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

"(a) AUTHORIZATION.—After the date of enactment of the Bipartisan Budget Act of 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and ensure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

"(b) SUBMISSION TO CONGRESS.—

Deadline.

"(1) IN GENERAL.—No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

"(A) the Speaker of the House of Representatives;

"(B) the Majority Leader of the Senate;

"(C) the Chair of the Committee on Natural Resources of the House of Representatives; and

"(D) the Chair of the Committee on Energy and Natural Resources of the Senate.

"(2) CONTENTS OF SUBMISSION.—The submission shall include—

"(A) any amendments to this Act or other Federal law necessary to implement the agreement;

"(B) an analysis of the economic impacts such agreement and any amendments necessitated by the agreement will have on domestic exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf; and

"(C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

"(c) IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

"(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

"(2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;

"(3) taking actions consistent with an expert determination under the agreement; and

"(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

"(d) SAVINGS PROVISIONS.—Nothing in this section shall be construed—

"(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba or the area known by the Department of the Interior as the 'Eastern Gap'; or

"(2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.".

SEC. 305. FEDERAL OIL AND GAS ROYALTY PREPAYMENT CAP.

(a) IN GENERAL.—Section 111(i) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(i)) is amended by striking "(i) Upon" and all that follows through "For purposes" and inserting the following:

"(i) LIMITATION ON INTEREST.—

"(1) IN GENERAL.—Interest shall not be paid on any excessive overpayment.

"(2) EXCESSIVE OVERPAYMENT DEFINED.—For purposes".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2014. 30 USC 1721 note.

SEC. 306. STRATEGIC PETROLEUM RESERVE.

(a) REPEAL OF AUTHORITY TO ACQUIRE IN-KIND ROYALTY CRUDE OIL.—Section 160(a) of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)) is amended to read as follows:

"(a) The Secretary may acquire, place in storage, transport, or exchange petroleum products acquired by purchase or exchange.".

(b) RESCISSION OF FUNDS.—Any unobligated balances available in the SPR Petroleum Account in the Treasury on the date of enactment of this section are permanently rescinded.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

SEC. 401. INCREASE IN CONTRIBUTIONS TO FEDERAL EMPLOYEES RETIREMENT SYSTEM FOR NEW EMPLOYEES.

(a) DEFINITION.—

(1) IN GENERAL.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (36), by striking "and" at the end;

(B) in paragraph (37), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(38) the term 'further revised annuity employee' means any individual who—

"(A) on December 31, 2013—

"(i) is not an employee or Member covered under this chapter;

"(ii) is not performing civilian service which is creditable service under section 8411; and

"(iii) has less than 5 years of creditable civilian service under section 8411; and

"(B) after December 31, 2013, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.".

(2) TECHNICAL AMENDMENT.—Section 8401(37)(B) of title 5, United States Code, is amended by inserting "and before January 1, 2014," after "after December 31, 2012,".

(b) INCREASE IN INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(1) in subparagraph (A), by inserting "or further revised annuity employees" after "revised annuity employees"; and

(2) by adding at the end the following:

"(C) The applicable percentage under this paragraph for civilian service by further revised annuity employees shall be as follows:

"Employee	10.6	After December 31, 2013.
Congressional employee	10.6	After December 31, 2013.
Member	10.6	After December 31, 2013.
Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller	11.1	After December 31, 2013.
Nuclear materials courier	11.1	After December 31, 2013.
Customs and border protection officer	11.1	After December 31, 2013.".

(c) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(1) by striking "(2)" and inserting "(2)(A)"; and

(2) by adding at the end the following:

Determination. Applicability.

"(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this subsection shall be determined and applied as if section 401(b) of the Bipartisan Budget Act of 2013 had not been enacted.

"(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

"(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

"(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.".

(d) ANNUITY CALCULATION.—Section 8415(d) of title 5, United States Code, is amended by inserting "or a further revised annuity employee" after "a revised annuity employee".

SEC. 402. FOREIGN SERVICE PENSION SYSTEM.

(a) DEFINITION.—

(1) IN GENERAL.—Section 852 of the Foreign Service Act of 1980 (22 U.S.C. 4071a) is amended—

(A) by redesignating paragraphs (8), (9), and (10) as paragraphs (9), (10), and (11), respectively; and

(B) by inserting after paragraph (7) the following:

"(8) the term 'further revised annuity participant' means any individual who—

"(A) on December 31, 2013—

"(i) is not a participant;

"(ii) is not performing service which is creditable service under section 854; and

"(iii) has less than 5 years creditable service under section 854; and

"(B) after December 31, 2013, becomes a participant performing service which is creditable service under section 854;".

(2) TECHNICAL AMENDMENT.—Section 852(7)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4071a(7)(B)) is amended by inserting "and before January 1, 2014," after "after December 31, 2012,".

(b) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended—

(1) in subparagraph (A), by inserting "or a further revised annuity participant" after "revised annuity participant"; and

(2) by adding at the end the following:

"(C) The applicable percentage for a further revised annuity participant shall be as follows:

"11.15	After December 31, 2013.".

(c) GOVERNMENT CONTRIBUTIONS.—Section 857 of the Foreign Service Act of 1980 (22 U.S.C. 4071f) is amended by adding at the end the following:

Determination. Applicability.

"(c)(1) Subject to paragraphs (2) and (3), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this section shall be determined and applied as if section 402(b) of the Bipartisan Budget Act of 2013 had not been enacted.

"(2) Any contributions under this section in excess of the amounts which (but for paragraph (1)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Foreign Service Retirement and Disability System.

"(3) After the unfunded liability of the Foreign Service Retirement and Disability System has been eliminated, as determined by the Secretary of State, Government contributions under this section shall be determined and made disregarding this subsection.".

SEC. 403. ANNUAL ADJUSTMENT OF RETIRED PAY AND RETAINER PAY AMOUNTS FOR RETIRED MEMBERS OF THE ARMED FORCES UNDER AGE 62.

(a) CPI MINUS ONE PERCENT.—Section 1401a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "paragraphs (2) and (3)" and inserting "paragraph (2), (3), or (4)";

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

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

"(4) REDUCED PERCENTAGE FOR RETIRED MEMBERS UNDER AGE 62.—

Effective date.

"(A) IN GENERAL.—Effective on December 1 of each year, the retired pay of each member and former member under 62 years of age entitled to that pay shall be adjusted in accordance with this paragraph instead of paragraph (2) or (3).

"(B) CPI MINUS ONE.—If the percent determined under paragraph (2) is greater than 1 percent, the Secretary shall increase the retired pay of each member and former member by the difference between—

"(i) the percent determined under paragraph (2); and

"(ii) 1 percent.

"(C) NO NEGATIVE ADJUSTMENT.—If the percent determined under paragraph (2) is equal to or less than 1 percent, the Secretary shall not increase the retired pay of members and former members under this paragraph.

"(D) REVISED ADJUSTMENT UPON REACHING AGE 62.—When a member or former member whose retired pay has been subject to adjustment under this paragraph becomes 62 years of age, the Secretary of Defense shall recompute the retired pay of the member or former member, to be effective on the date of the next adjustment of retired pay under this subsection, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if increases in the retired pay of the member or former member had been computed as provided in paragraph (2) or as specified in section 1410 of this title, as applicable, rather than this paragraph.

"(E) INAPPLICABILITY OF CATCH-UP RULE.—Paragraph (5) shall not apply in the case of adjustments made, or not made, as a result of application of this paragraph.".

(b) RESTORAL OF FULL RETIREMENT AMOUNT AT AGE 62.—Section 1410(1) of title 10, United States Code, is amended by striking "paragraph (3)" and inserting "paragraph (3) or (4)".

10 USC 1401a note.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015.

TITLE V—HIGHER EDUCATION

Effective date.
Loans.
20 USC 1078–6 note.

SEC. 501. DEFAULT REDUCTION PROGRAM.

Effective July 1, 2014, section 428F(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–6(a)(1)) is amended—

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

"(ii) beginning July 1, 2014, assign the loan to the Secretary if the guaranty agency has been unable to sell the loan under clause (i).''; and

(2) in subparagraph (D), by striking clause (i) and inserting the following:

"(i) the guaranty agency—

"(I) shall, in the case of a sale made on or after July 1, 2014, repay the Secretary 100 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

"(II) may, in the case of a sale made on or after July 1, 2014, in order to defray collection costs—

"(aa) charge to the borrower an amount not to exceed 16 percent of the outstanding principal and interest at the time of the loan sale; and

"(bb) retain such amount from the proceeds of the loan sale; and''.

SEC. 502. ELIMINATION OF NONPROFIT SERVICING CONTRACTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 456 (20 U.S.C. 1087f)—

(A) in subsection (a), by striking paragraph (4); and

(B) by striking subsection (c); and

(2) in section 458(a) (20 U.S.C. 1087h(a)), by striking paragraph (2).

TITLE VI—TRANSPORTATION

SEC. 601. AVIATION SECURITY SERVICE FEES.

(a) AIR CARRIER FEES.—

(1) REPEAL.—Section 44940(a)(2) of title 49, United States Code, is repealed.

(2) CONFORMING AMENDMENT.—Section 44940(d)(1) of such title is amended by striking '', and may impose a fee under subsection (a)(2),''.

(3) EFFECTIVE DATE.—The repeal made by paragraph (1) and the amendment made by paragraph (2) shall each take effect on October 1, 2014. 49 USC 44940 note.

(b) RESTRUCTURING OF PASSENGER FEE.—Section 44940(c) of such title is amended to read as follows:

"(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) shall be $5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States.''.

(c) DEPOSIT OF RECEIPTS IN GENERAL FUND.—Section 44940(i) of such title is amended to read as follows:

"(i) DEPOSIT OF RECEIPTS IN GENERAL FUND.—

Effective date.

"(1) IN GENERAL.—Beginning in fiscal year 2014, out of fees received in a fiscal year under subsection (a)(1), after amounts are made available in the fiscal year under section 44923(h), the next funds derived from such fees in the fiscal year, in the amount specified for the fiscal year in paragraph (4), shall be credited as offsetting receipts and deposited in the general fund of the Treasury.

"(2) FEE LEVELS.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect in a fiscal year at least the amount specified in paragraph (4) for the fiscal year for making deposits under paragraph (1).

"(3) RELATIONSHIP TO OTHER PROVISIONS.—Subsections (b) and (f) shall not apply to amounts to be used for making deposits under this subsection.

"(4) FISCAL YEAR AMOUNTS.—For purposes of paragraphs (1) and (2), the fiscal year amounts are as follows:

"(A) $390,000,000 for fiscal year 2014.
"(B) $1,190,000,000 for fiscal year 2015.
"(C) $1,250,000,000 for fiscal year 2016.
"(D) $1,280,000,000 for fiscal year 2017.
"(E) $1,320,000,000 for fiscal year 2018.
"(F) $1,360,000,000 for fiscal year 2019.
"(G) $1,400,000,000 for fiscal year 2020.
"(H) $1,440,000,000 for fiscal year 2021.
"(I) $1,480,000,000 for fiscal year 2022.
"(J) $1,520,000,000 for fiscal year 2023.".

49 USC 44940 note.

(d) IMPOSITION OF FEE INCREASE.—The Secretary of Homeland Security shall implement the fee increase authorized by the amendment made by subsection (b)—

Effective date.

(1) beginning on July 1, 2014; and

Notice.
Federal Register, publication.

(2) through the publication of notice of such fee in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

49 USC 44940 note.

(e) CONTINUED AVAILABILITY OF EXISTING BALANCES.—The amendments made by this section shall not affect the availability of funds made available under section 44940(i) of title 49, United States Code, before the date of enactment of this Act.

SEC. 602. TRANSPORTATION COST REIMBURSEMENT.

(a) REPEAL.—Sections 55316 and 55317 of chapter 553 of title 46, United States Code, are repealed.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 553 of title 46, United States Code, is amended by striking the items relating to section 55316 and 55317.

SEC. 603. STERILE AREAS AT AIRPORTS.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

"(n) PASSENGER EXIT POINTS FROM STERILE AREA.—

"(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of airports at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

"(2) STERILE AREA DEFINED.—In this section, the term 'sterile area' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).".

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking "October 22, 2021" and inserting "September 30, 2023"; and

(2) in subparagraph (B)(i), by striking "October 29, 2021" and inserting "September 30, 2023".

SEC. 702. LIMITATION ON ALLOWABLE GOVERNMENT CONTRACTOR COMPENSATION COSTS.

(a) LIMITATION.— Determination.

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

"(16) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds $487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive 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 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 contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds $487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive 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 executive agency has continued access to needed skills and capabilities.".

(b) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 1127 of title 41, United States Code, is hereby repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 41, United States Code, is amended by striking the item relating to section 1127.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply only 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. Time period. 10 USC 2324 note.

(d) REPORTS.— 41 USC 4304 note.

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Office of Management and Budget shall submit a report on contractor compensation to—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Oversight and Government Reform of the House of Representatives;

(E) the Committee on Appropriations of the Senate; and

(F) the Committee on Appropriations of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) the total number of contractor employees, by executive agency, in the narrowly targeted exception positions described under subsection (a) during the preceding fiscal year;

(B) the taxpayer-funded compensation amounts received by each contractor employee in a narrowly targeted exception position during such fiscal year; and

(C) the duties and services performed by contractor employees in the narrowly targeted exception positions during such fiscal year.

29 USC 1306 note.

(e) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall report to Congress on alternative benchmarks and industry standards for compensation, including whether any such benchmarks or standards would provide a more appropriate measure of allowable compensation for the purposes of section 2324(e)(1)(P) of title 10, United States Code, and section 4304(a)(16) of title 41, United States Code, as amended by this Act.

SEC. 703. PENSION BENEFIT GUARANTY CORPORATION PREMIUM RATE INCREASES.

(a) FLAT-RATE PREMIUM INCREASES.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended—

(1) in subclause (II), by striking "and" at the end;

(2) in subclause (III), by inserting "and before January 1, 2015," after "December 31, 2013"; and

Time periods.

(3) by inserting after subclause (III) the following:

"(IV) for plan years beginning after December 31, 2014, and before January 1, 2016, $57; and

"(V) for plan years beginning after December 31, 2015, and before January 1, 2017, $64.".

(b) FLAT-RATE PREMIUM RATE INDEXED TO WAGES.—

(1) IN GENERAL.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) by redesignating subparagraphs (G) through (J) as subparagraphs (H) through (K), respectively; and

(B) by inserting after subparagraph (F) the following:

"(G) For each plan year beginning in a calendar year after 2016, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

"(i) the product derived by multiplying the premium rate specified in clause (i) of subparagraph (A) by the ratio of—

"(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

"(II) the national average wage index (as so defined) for 2014; and

"(ii) the premium rate in effect under clause (i) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of $1, such product shall be rounded to the nearest multiple of $1.".

(2) CONFORMING AMENDMENTS.—Section 4006(a)(3)(F) of such Act (29 U.S.C. 1306(a)(3)(F)) is amended—

(A) in the matter before clause (i), by inserting "and before 2013" after "after 2006"; and

(B) in the flush text following clause (ii), by striking the second sentence.

(c) VARIABLE RATE PREMIUM INCREASES.—

(1) IN GENERAL.—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in clause (i), by striking "and" at the end;

(B) in clause (ii), by striking "$5." and inserting "$10; and"; and

(C) by adding at the end the following:

"(iii) in the case of plan years beginning in calendar year 2016, by $5.".

(2) CONFORMING AMENDMENTS.—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (ii), by striking "and" at the end;

(ii) in clause (iii), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(iv) for plan years beginning after calendar year 2016, the amount in effect for plan years beginning in 2016 (determined after application of subparagraph (C)).."; and

(B) in subparagraph (D)—

(i) in clause (ii), by striking "and" at the end;

(ii) in clause (iii), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(iv) 2014, in the case of plan years beginning after calendar year 2016.".

(d) INCREASE IN VARIABLE RATE PREMIUM CAP.—

(1) IN GENERAL.—Section 4006(a)(3)(E)(i) of such Act (29 U.S.C. 1306(a)(3)(E)(i)) is amended—

(A) in subclause (I), by striking "and" at the end;

(B) in subclause (II)—

(i) by inserting "and before 2016" after "2012"; and

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

(C) by adding at the end the following:

Effective date.

"(III) in the case of plan years beginning in a calendar year after 2015, shall not exceed $500.".

(2) INDEX TO WAGES.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) in subparagraph (K) (as redesignated by subsection (b)(1)(A)), by inserting "and before 2016" after "2013"; and

(B) by inserting at the end the following:

Effective date.

"(L) For each plan year beginning in a calendar year after 2016, there shall be substituted for the dollar amount specified in subclause (III) of subparagraph (E)(i) an amount equal to the greater of—

"(i) the product derived by multiplying such dollar amount by the ratio of—

"(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

"(II) the national average wage index (as so defined) for 2014; and

"(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of $1, such product shall be rounded to the nearest multiple of $1.".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2013.

Effective date.

SEC. 704. CANCELLATION OF UNOBLIGATED BALANCES.

(a) DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of Justice Assets Forfeiture Fund, $693,000,000 are permanently cancelled.

(b) TREASURY FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of the Treasury Forfeiture Fund, $867,000,000, are permanently cancelled.

SEC. 705. CONSERVATION PLANNING TECHNICAL ASSISTANCE USER FEES.

(a) USER FEES AUTHORIZED.—Section 3 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590c) is amended—

(1) by striking "require—" and inserting "require the following:";

(2) in paragraph (1), by striking the semicolon at the end and inserting a period;

(3) in paragraph (2), by striking "; and" at the end and inserting a period; and

(4) by adding at the end the following:

Determination.

"(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

"(i) reasonable and appropriate;

"(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

"(iii) assessed based on the size of the land or the complexity of the resource issues involved.

"(B) Fees under subparagraph (A) may not exceed $150 per conservation plan for which technical assistance is provided.

"(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided— Waiver.

"(i) to beginning farmers or ranchers (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a));

"(ii) to limited resource farmers or ranchers (as defined by the Secretary);

"(iii) to socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e));

"(iv) to qualify for an exemption from ineligibility under section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); or

"(v) to comply with Federal, State, or local regulatory requirements.".

(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—Section 6 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590f) is amended—

(1) by striking "**SEC. 6.**" and all that follows through "There are hereby authorized" and inserting the following:

"SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CONSERVATION TECHNICAL ASSISTANCE FUNDS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized"; and

(2) by adding at the end the following:

"(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—

"(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the 'Conservation Technical Assistance Fund' (referred to in this subsection as the 'Fund'), to be administered by the Secretary of Agriculture.

"(2) DEPOSITS.—An amount equal to the amounts collected as fees under section 3(4) and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31, United States Code, shall be deposited in the Fund.

"(3) AVAILABILITY.—Amounts in the Fund shall—

"(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

"(B) be used for the costs of carrying out this Act; and

"(C) remain available until expended.".

SEC. 706. SELF PLUS ONE COVERAGE.

(a) ELECTION OF COVERAGE.—Section 8905 of title 5, United States Code, is amended—

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

"(a) An employee may enroll in an approved health benefits plan described in section 8903 or 8903a—

"(1) as an individual;

"(2) for self plus one; or

"(3) for self and family.";

(2) in subsection (c)—

(A) in paragraph (1), in the matter following subparagraph (B), by inserting "for self plus one or" before "self and family as provided in paragraph (2) of this subsection"; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting "for self plus one or" before "for self and family"; and

(ii) in subparagraph (B), by inserting "(or, in the case of self plus one coverage, not more than 1 such child)" after "adopted children";

(3) in subsection (e), by striking "or each spouse may enroll as an individual" and inserting "or for a self plus one enrollment that covers the spouse, or each spouse may enroll as an individual or for a self plus one enrollment that does not cover the other spouse or a child who is covered under the enrollment of the other spouse"; and

(4) in subsection (h)—

(A) by striking "self and family enrollment" each place it appears and inserting "self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order,";

(B) by striking "a child" each place it appears and inserting "1 or more children";

(C) by striking "the child resides" each place it appears and inserting "the child or children reside";

(D) in paragraph (1), by striking "self and family coverage" each place it appears and inserting "self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order,"; and

(E) in paragraph (3), by striking "the child continues" and inserting "the child or children continue".

(b) CONTINUED COVERAGE.—Section 8905a of title 5, United States Code, is amended—

(1) in subsection (d)(3)(A), by inserting "for self plus one or" before "for self and family"; and

(2) in subsection (f)(3)(A), by striking "for self and family based on such person's separation from service" and inserting "based on such person's separation from service under a self plus one enrollment that covered the individual or under a self and family enrollment".

(c) CONTRIBUTIONS.—Section 8906(a)(1) of title 5, United States Code is amended—

(1) in subparagraph (A), by striking at the end "and";

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

(3) by inserting after subparagraph (A) the following:

"(B) enrollments under this chapter for self plus one; and".

Determination.
5 USC 8905 note.

(d) WEIGHTED AVERAGE FOR FIRST YEAR.—For the first contract year for which an employee may enroll for self plus one coverage under chapter 89 of title 5, United States Code, the Office of Personnel Management shall determine the weighted average of the subscription charges that will be in effect for the contract

year for enrollments for self plus one under such chapter based on an actuarial analysis.

DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

Pathway for SGR Reform Act of 2013.

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Pathway for SGR Reform Act of 2013". 42 USC 1305 note.

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

DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

Sec. 1001. Short title; table of contents.
Sec. 1002. Findings; purpose statement.

TITLE I—MEDICARE EXTENDERS

Sec. 1101. Physician payment update.
Sec. 1102. Extension of work GPCI floor.
Sec. 1103. Extension of therapy cap exceptions process.
Sec. 1104. Extension of ambulance add-ons.
Sec. 1105. Medicare inpatient hospital payment adjustment for low-volume hospitals.
Sec. 1106. Medicare-dependent hospital (MDH) program.
Sec. 1107. 1-year extension of authorization for special needs plans.
Sec. 1108. 1-year extension of Medicare reasonable cost contracts.
Sec. 1109. Extension of existing funding for contract with consensus-based entity.
Sec. 1110. Extension of funding outreach and assistance for low-income programs.

TITLE II—OTHER HEALTH PROVISIONS

Sec. 1201. Extension of the qualifying individual (QI) program.
Sec. 1202. Temporary extension of transitional medical assistance (TMA).
Sec. 1203. Extension of funding for family-to-family health information centers.
Sec. 1204. Delay of reductions to Medicaid DSH allotments.
Sec. 1205. Realignment of the Medicare sequester for fiscal year 2023.
Sec. 1206. Payment for inpatient services in long-term care hospitals (LTCHs).

SEC. 1002. FINDINGS; PURPOSE STATEMENT.

42 USC 1395w–4 note.

In order to support the provision of quality care for our nation's seniors, Congress finds it appropriate to reform physician reimbursements under the Medicare program. SGR reform legislation provides such an opportunity, but not until next year. In order to facilitate such reform, Congress finds that the Centers for Medicare & Medicaid Services should continue to focus its efforts on the following areas:

(1) SIMPLIFY AND REDUCE ADMINISTRATIVE BURDEN ON PHYSICIANS.—The application and assessment of measures and other activities under SGR reform should be facilitated by the Centers for Medicare and Medicaid Services (CMS) in a way that accounts for the administrative burden such measurement places on physicians. Therefore, the Congress encourages CMS to identify and implement, to the extent practicable, mechanisms to ensure that the application and assessment of measures be coordinated across programs.

(2) TIMELY FEEDBACK FOR PHYSICIANS.—In order for measure and assessment programs to encourage the highest quality care for Medicare seniors, the Congress finds it critical that CMS provide physicians with feedback on performance in as close to real time as possible. Such timely feedback will ensure that physicians can excel under a system of meaningful measurement.

(3) ENCOURAGE DEVELOPMENT OF NEW MODELS.—There is great need to test alternatives to Fee-For-Service reimbursement in the Medicare program. One option is the promotion and adoption of new models of care for physicians. To date, there has been significant development and testing of models for primary care. Congress supports these efforts and encourages them to continue in the future. Congress also encourages the development and testing of models of specialty care.

TITLE I—MEDICARE EXTENDERS

SEC. 1101. PHYSICIAN PAYMENT UPDATE.

Section 1848(d) of the Social Security Act (42 U.S.C. 10 1395w–4(d)) is amended by adding at the end the following new paragraph:

Time periods.

"(15) UPDATE FOR JANUARY THROUGH MARCH OF 2014.—

"(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), (12)(B), (13)(B), and (14)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2014 for the period beginning on January 1, 2014, and ending on March 31, 2014, the update to the single conversion factor shall be 0.5 percent.

"(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2014 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on April 1, 2014, and ending on December 31, 2014, and for 2015 and subsequent years as if subparagraph (A) had never applied.".

SEC. 1102. EXTENSION OF WORK GPCI FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking "January 1, 2014" and inserting "April 1, 2014".

SEC. 1103. EXTENSION OF THERAPY CAP EXCEPTIONS PROCESS.

Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (5)(A), in the first sentence, by striking "December 31, 2013" and inserting "March 31, 2014"; and

(2) in paragraph (6)(A)—

(A) by striking "December 31, 2013" and inserting "March 31, 2014"; and

(B) by striking "or 2013" and inserting ", 2013, or the first three months of 2014".

SEC. 1104. EXTENSION OF AMBULANCE ADD-ONS.

(a) GROUND AMBULANCE.—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking "January 1, 2014" and inserting "April 1, 2014"; and

(2) in each of clauses (i) and (ii), by striking "January 1, 2014" and inserting "April 1, 2014" each place it appears.

(b) SUPER RURAL GROUND AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking "January 1, 2014" and inserting "April 1, 2014".

SEC. 1105. MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking "fiscal year 2014 and subsequent fiscal years" and inserting "the portion of fiscal year 2014 beginning on April 1, 2014, fiscal year 2015, and subsequent fiscal years";

(2) in subparagraph (C)(i)—

(A) by inserting "and the portion of fiscal year 2014 before" after "and 2013," each place it appears; and

(B) by inserting "or portion of fiscal year" after "during the fiscal year"; and

(3) in subparagraph (D)—

(A) by inserting "and the portion of fiscal year 2014 before April 1, 2014," after "and 2013,"; and

(B) by inserting "or the portion of fiscal year" after "in the fiscal year".

SEC. 1106. MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) IN GENERAL.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking "October 1, 2013" and inserting "April 1, 2014"; and

(2) in clause (ii)(II), by striking "October 1, 2013" and inserting "April 1, 2014".

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNT.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking "October 1, 2013" and inserting "April 1, 2014"; and

(B) in clause (iv), by inserting "and the portion of fiscal year 2014 before April 1, 2014" after "through fiscal year 2013".

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking "through fiscal year 2013" and inserting "through the first 2 quarters of fiscal year 2014".

SEC. 1107. 1-YEAR EXTENSION OF AUTHORIZATION FOR SPECIAL NEEDS PLANS.

Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking "2015" and inserting "2016".

SEC. 1108. 1-YEAR EXTENSION OF MEDICARE REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking "January 1, 2014" and inserting "January 1, 2015".

SEC. 1109. EXTENSION OF EXISTING FUNDING FOR CONTRACT WITH CONSENSUS-BASED ENTITY.

Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended by adding at the end the following new sentence: "Amounts transferred under the preceding sentence shall remain available until expended.".

SEC. 1110. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act Public Law 111–148) and section 610 of the American Taxpayer Relief Act of 2012 (Public Law 112–240), is amended—

(1) in clause (ii), by striking "and" at the end;

(2) in clause (iii), by striking the period at the end and inserting "; and"; and

(3) by inserting after clause (iii) the following new clause:

"(iv) for the portion of fiscal year 2014 before April 1, 2014, of $3,750,000.".

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking "and" at the end;

(2) in clause (iii), by striking the period at the end and inserting "; and"; and

(3) by inserting after clause (iii) the following new clause:

"(iv) for the portion of fiscal year 2014 before April 1, 2014, of $3,750,000.".

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking "and" at the end;

(2) in clause (iii), by striking the period at the end and inserting "; and"; and

(3) by inserting after clause (iii) the following new clause:

"(iv) for the portion of fiscal year 2014 before April 1, 2014, of $2,500,000.".

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking "and" at the end;

(2) in clause (iii), by striking the period at the end and inserting "; and"; and

(3) by inserting after clause (iii) the following new clause:

"(iv) for the portion of fiscal year 2014 before April 1, 2014, of $2,500,000.".

TITLE II—OTHER HEALTH PROVISIONS

SEC. 1201. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking "December 2013" and inserting "March 2014".

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of the Social Security Act (42 U.S.C. 1396u–3(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (S), by striking "and" after the semicolon;

(B) in subparagraph (T), by striking the period at the end and inserting "; and"; and

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

"(U) for the period that begins on January 1, 2014, and ends on March 31, 2014, the total allocation amount is $200,000,000.". Time period.

SEC. 1202. TEMPORARY EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r–6(f)) are each amended by striking "December 31, 2013" and inserting "March 31, 2014".

SEC. 1203. EXTENSION OF FUNDING FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A) of the Social Security Act (42 U.S.C. 701(c)(1)(A)) is amended—

(1) in clause (ii), by striking at the end "and";

(2) in clause (iii), by striking the period at the end and inserting "; and"; and

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

"(iv) $2,500,000 for the portion of fiscal year 2014 before April 1, 2014.".

SEC. 1204. DELAY OF REDUCTIONS TO MEDICAID DSH ALLOTMENTS.

(a) IN GENERAL.—Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended—

(1) in paragraph (7)(A)—

(A) in clause (i), by striking "2014" and inserting "2016"; and

(B) in clause (ii)—

(i) by striking subclauses (I) and (II);

(ii) by redesignating subclauses (III) through (VII) as subclauses (I) through (V), respectively; and

(iii) in subclause (I) (as redesignated by clause (ii)), by striking "$600,000,000" and inserting "$1,200,000,000"; and

(2) in paragraph (8)—

(A) by redesignating subparagraph (C) as subparagraph (D);

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

"(C) FISCAL YEAR 2023.—Only with respect to fiscal year 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022."; and

(C) in subparagraph (D) (as redesignated by subparagraph (A)), by striking "fiscal year 2022" and inserting "fiscal year 2023".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as of October 1, 2013. 42 USC 1396r–4 note.

SEC. 1205. REALIGNMENT OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2023.

Paragraph (6) (relating to implementing direct spending reductions, as redesignated by section 101(d)(2)(C), and as amended by section 101(c), of the Bipartisan Budget Act of 2013) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following new subparagraph:

Applicability.

"(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

"(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

"(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 1.11 percent.".

SEC. 1206. PAYMENT FOR INPATIENT SERVICES IN LONG-TERM CARE HOSPITALS (LTCHS).

(a) ESTABLISHMENT OF CRITERIA FOR APPLICATION OF SITE NEUTRAL PAYMENT.—

(1) IN GENERAL.—Section 1886(m) of the Social Security Act (42 U.S.C. 1395ww(m)) is amended by adding at the end the following:

"(6) APPLICATION OF SITE NEUTRAL IPPS PAYMENT RATE IN CERTAIN CASES.—

"(A) GENERAL APPLICATION OF SITE NEUTRAL IPPS PAYMENT AMOUNT FOR DISCHARGES FAILING TO MEET APPLICABLE CRITERIA.—

"(i) IN GENERAL.—For a discharge in cost reporting periods beginning on or after October 1, 2015, except as provided in clause (ii) and subparagraph (C), payment under this title to a long-term care hospital for inpatient hospital services shall be made at the applicable site neutral payment rate (as defined in subparagraph (B)).

"(ii) EXCEPTION FOR CERTAIN DISCHARGES MEETING CRITERIA.—Clause (i) shall not apply (and payment shall be made to a long-term care hospital without regard to this paragraph) for a discharge if—

"(I) the discharge meets the ICU criterion under clause (iii) or the ventilator criterion under clause (iv); and

"(II) the discharge does not have a principal diagnosis relating to a psychiatric diagnosis or to rehabilitation.

"(iii) INTENSIVE CARE UNIT (ICU) CRITERION.—

Determination.

"(I) IN GENERAL.—The criterion specified in this clause (in this paragraph referred to as the 'ICU criterion'), for a discharge from a long-term care hospital, is that the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital that included at least

3 days in an intensive care unit (ICU), as determined by the Secretary.

"(II) DETERMINING ICU DAYS.—In determining intensive care unit days under subclause (I), the Secretary shall use data from revenue center codes 020x or 021x (or such successor codes as the Secretary may establish).

"(iv) VENTILATOR CRITERION.—The criterion specified in this clause (in this paragraph referred to as the 'ventilator criterion'), for a discharge from a long-term care hospital, is that—

"(I) the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital; and

"(II) the individual discharged was assigned to a Medicare-Severity-Long-Term-Care-Diagnosis-Related-Group (MS–LTC–DRG) based on the receipt of ventilator services of at least 96 hours.

"(B) APPLICABLE SITE NEUTRAL PAYMENT RATE DEFINED.—

"(i) IN GENERAL.—In this paragraph, the term 'applicable site neutral payment rate' means—

"(I) for discharges in cost reporting periods beginning during fiscal year 2016 or fiscal year 2017, the blended payment rate specified in clause (iii); and

"(II) for discharges in cost reporting periods beginning during fiscal year 2018 or a subsequent fiscal year, the site neutral payment rate (as defined in clause (ii)).

"(ii) SITE NEUTRAL PAYMENT RATE DEFINED.—In this paragraph, the term 'site neutral payment rate' means the lower of—

"(I) the IPPS comparable per diem amount determined under paragraph (d)(4) of section 412.529 of title 42, Code of Federal Regulations, including any applicable outlier payments under section 412.525 of such title; or

"(II) 100 percent of the estimated cost for the services involved.

"(iii) BLENDED PAYMENT RATE.—The blended payment rate specified in this clause, for a long-term care hospital for inpatient hospital services for a discharge, is comprised of—

"(I) half of the site neutral payment rate (as defined in clause (ii)) for the discharge; and

"(II) half of the payment rate that would otherwise be applicable to such discharge without regard to this paragraph, as determined by the Secretary.

"(C) LIMITING PAYMENT FOR ALL HOSPITAL DISCHARGES TO SITE NEUTRAL PAYMENT RATE FOR HOSPITALS FAILING TO MEET APPLICABLE LTCH DISCHARGE THRESHOLDS.—

"(i) NOTICE OF LTCH DISCHARGE PAYMENT PERCENTAGE.—For cost reporting periods beginning during or after fiscal year 2016, the Secretary shall inform each Time period.

long-term care hospital of its LTCH discharge payment percentage (as defined in clause (iv)) for such period.

Time periods.

"(ii) LIMITATION.—For cost reporting periods beginning during or after fiscal year 2020, if the Secretary determines for a long-term care hospital that its LTCH discharge payment percentage for the period is not at least 50 percent—

Notification.

"(I) the Secretary shall inform the hospital of such fact; and

"(II) subject to clause (iii), for all discharges in the hospital in each succeeding cost reporting period, the payment amount under this subsection shall be the payment amount that would apply under subsection (d) for the discharge if the hospital were a subsection (d) hospital.

"(iii) PROCESS FOR REINSTATEMENT.—The Secretary shall establish a process whereby a long-term care hospital may seek to and have the provisions of subclause (II) of clause (ii) discontinued with respect to that hospital.

Definition.

"(iv) LTCH DISCHARGE PAYMENT PERCENTAGE.—In this subparagraph, the term 'LTCH discharge payment percentage' means, with respect to a long-term care hospital for a cost reporting period beginning during or after fiscal year 2020, the ratio (expressed as a percentage) of—

"(I) the number of discharges for such hospital and period for which payment is not made at the site neutral payment rate, to

"(II) the total number of discharges for such hospital and period.

"(D) INCLUSION OF SUBSECTION (D) PUERTO RICO HOSPITALS.—In this paragraph, any reference in this paragraph to a subsection (d) hospital shall be deemed to include a reference to a subsection (d) Puerto Rico hospital.".

(2) MEDPAC STUDY AND REPORT ON IMPACT OF CHANGES.—

(A) STUDY.—The Medicare Payment Assessment Commission shall examine the effect of applying section 1886(m)(6) of the Social Security Act, as added by the amendment made by paragraph (1), on—

(i) the quality of patient care in long-term care hospitals;

(ii) the use of hospice care and post-acute care settings;

(iii) different types of long-term care hospitals; and

(iv) the growth in Medicare spending for services in such hospitals.

(B) REPORT.—Not later than June 30, 2019, the Commission shall submit to Congress a report on such study. The Commission shall include in such report such recommendations for changes in the application of such section as the Commission deems appropriate as well as the impact of the application of such section on the need to continue applying the 25 percent rule described under sections 412.534 and 412.536 of title 42, Code of Federal Regulations.

Recommendations.

(3) CALCULATION OF LENGTH OF STAY EXCLUDING CASES PAID ON A SITE NEUTRAL BASIS.—

42 USC 1395ww note.

(A) IN GENERAL.—For discharges occurring in cost reporting periods beginning on or after October 1, 2015, subject to subparagraph (B), in calculating the length of stay requirement applicable to a long-term care hospital or satellite facility under section 1886(d)(1)(B)(iv)(I) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I)) and section 1861(ccc)(2) of such Act (42 U.S.C. 1395x(ccc)(2)), the Secretary of Health and Human Services shall exclude the following:

Time periods.

(i) SITE NEUTRAL PAYMENT.—Any patient for whom payment is made at the site neutral payment rate (as defined in section 1886(m)(6)(B)(ii)) of such Act, as added by paragraph (1)).

(ii) MEDICARE ADVANTAGE.—Any patient for whom payment is made under a Medicare Advantage plan under part C of title XVIII of such Act.

(B) LIMITATION ON CONVERTING SUBSECTION (D) HOSPITALS.—Subparagraph (A) shall not apply to a hospital that is classified as of December 10, 2013, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act, 42 U.S.C. 1395ww(d)(1)(B)) for purposes of determining whether the requirements of section 1886(d)(1)(B)(iv)(I) or 1861(ccc)(2) of such Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I), 1395x(ccc)(2)) are met.

(b) EXTENSION OF CERTAIN LTCH PAYMENT RULES AND MORATORIUM ON THE ESTABLISHMENT OF CERTAIN HOSPITALS AND FACILITIES.—

(1) EXTENSION OF CERTAIN PAYMENT RULES.—

(A) PAYMENT FOR HOSPITALS-WITHIN-HOSPITALS.—Paragraph (2)(C) of section 114(c) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111–148, is amended by striking "5-year period" and inserting "9-year period".

(B) 25 PERCENT PATIENT THRESHOLD PAYMENT ADJUSTMENT; MAKING THE GRANDFATHERED EXEMPTION FOR LONG-TERM CARE HOSPITALS PERMANENT.—Section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111–148, is amended—

(i) in the matter preceding subparagraph (A), by striking "for a 5-year period"; and

(ii) in subparagraph (A), by inserting "for a 9-year period," before "section 412.536".

(C) REPORT ASSESSING CONTINUED SUSPENSION OF 25 PERCENT RULE.—Not later than 1 year before the end of the 9-year period referred to in section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by subparagraph (B), the Secretary of Health and Human Services shall submit to Congress a report on the need for any further extensions (or modifications of the extensions) of the 25 percent rule described in sections 412.534 and 412.536 of title 42, Code of Federal Regulations, particularly taking

into account the application of section 1886(m)(6) of the Social Security Act, as added by subsection (a)(1).

(2) EXTENSION OF MORATORIUM ON ESTABLISHMENT OF AND INCREASE IN BEDS FOR LTCHS.—Section 114(d) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(b) and 10312(b) of Public Law 111–148, is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting after "5-year period" the following: "(and for the period beginning January 1, 2015, and ending September 30, 2017)"; and

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

Time period.

"(6) LIMITATION ON APPLICATION OF EXCEPTIONS.—Paragraphs (2) and (3) shall not apply during the period beginning January 1, 2015, and ending September 30, 2017.".

(c) ADDITIONAL QUALITY MEASURE.—Section 1886(m)(5)(D) of the Social Security Act (42 U.S.C. 1395ww(m)(5)(D)) is amended by adding at the end the following new clause:

Deadline.

"(iv) ADDITIONAL QUALITY MEASURES.—Not later than October 1, 2015, the Secretary shall establish a functional status quality measure for change in mobility among inpatients requiring ventilator support.".

42 USC 1395ww note.

(d) REVIEW OF TREATMENT OF CERTAIN LTCHS.—

(1) EVALUATION.—As part of the annual rulemaking for fiscal year 2015 or fiscal year 2016 to carry out the payment rates under subsection (d) of section 1886 of the Social Security Act (42 U.S.C. 1395ww), the Secretary shall evaluate both the payment rates and regulations governing hospitals which are classified under subclause (II) of subsection (d)(1)(B)(iv) of such section.

(2) ADJUSTMENT AUTHORITY.—Based upon such evaluation, the Secretary may adjust payment rates under subsection (b)(3) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) for a hospital so classified (such as payment based upon the TEFRA-payment model) and may adjust the regulations governing such hospitals, including applying the regulations governing hospitals which are classified under clause (I) of subsection (d)(1)(B) of such section.

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.J. Res. 59:

CONGRESSIONAL RECORD, Vol. 159 (2013):

Sept. 20, considered and passed House.

Sept. 24–27, considered and passed Senate, amended.

Sept. 28, House concurred in Senate amendment with amendments.

Sept. 30, Senate disagreed to House amendments. House receded from its amendments and concurred in Senate amendment with another amendment. Senate disagreed to House amendment.

Dec. 12, House receded and concurred in Senate amendment with an amendment.

Dec. 15, 17, 18, Senate considered and concurred in House amendment.

Public Law 113–68
113th Congress

An Act

To provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium.

Dec. 26, 2013
[H.R. 623]

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

Alaska Native Tribal Health Consortium Land Transfer Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alaska Native Tribal Health Consortium Land Transfer Act".

SEC. 2. CONVEYANCE OF PROPERTY.

(a) DEFINITIONS.—In this section:

(1) ANTHC.—The term "ANTHC" means the Alaska Native Tribal Health Consortium.

(2) PROPERTY.—The term "property" means the property described in subsection (d).

(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, but not later than 90 days after that date, the Secretary shall convey to ANTHC all right, title, and interest of the United States in and to the property for use in connection with health and related programs. The Secretary's conveyance of title by warranty deed under this section shall, on its effective date, supersede and render of no future effect any quitclaim deed to the property described in subsection (d) executed by the Secretary and ANTHC.

(c) CONDITIONS.—The conveyance of the property under this Act—

(1) shall be made by warranty deed;

(2) shall not require any consideration from ANTHC for the property;

(3) shall not impose any obligation, term, or condition on ANTHC; and

(4) shall not allow for any reversionary interest of the United States in the property.

(d) DESCRIPTION OF PROPERTY.—The property (including all improvements thereon and appurtenances thereto) to be conveyed under this Act is described as follows: Tract A-3A, Tudor Centre, according to plat no. 2013-43, recorded on June 20, 2013 in Anchorage recording district, Alaska.

(e) ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of Federal law, ANTHC shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the

disposal, release, or presence of any environmental contamination, including any oil or petroleum product, any hazardous substance, hazardous material, hazardous waste, pollutant, toxic substance, solid waste, or any other environmental contamination or hazard as defined in any Federal or State law, on the property on or before the date on which the property was conveyed by quitclaim deed.

(2) EASEMENT.—The Secretary shall be accorded any easement or access to the property as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

Compliance.

(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 623:

HOUSE REPORTS: No. 113–248, Pt. 1 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Oct. 29, considered and passed House.
Dec. 19, considered and passed Senate.

Public Law 113–69
113th Congress

An Act

To amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

Dec. 26, 2013
[H.R. 767]

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

SECTION 1. PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT.

Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended by striking subsection (d) and inserting the following:

"(d) PILOT PROJECT OFFICES.—The following Bureau of Land Management Offices shall serve as the Pilot Project offices: State listing.

"(1) Rawlins Field Office, Wyoming.
"(2) High Plains District Office, Wyoming.
"(3) Montana/Dakotas State Office, Montana.
"(4) Farmington Field Office, New Mexico.
"(5) Carlsbad Field Office, New Mexico.
"(6) Grand Junction/Glenwood Springs Field Office, Colorado.
"(7) Vernal Field Office, Utah.".

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 767:

HOUSE REPORTS: No. 113–55 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
May 15, considered and passed House.
Dec. 19, considered and passed Senate.

Public Law 113–70
113th Congress

An Act

Dec. 26, 2013
[H.R. 2319]

To clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

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

Native American Veterans' Memorial Amendments Act of 2013.
20 USC 80q note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Veterans' Memorial Amendments Act of 2013".

SEC. 2. NATIVE AMERICAN VETERANS' MEMORIAL.

(a) AUTHORITY TO ESTABLISH MEMORIAL.—Section 3 of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—

(1) in subsection (b), by striking "within the interior structure of the facility provided for by" and inserting "on property under the jurisdiction of the Museum on the site described in"; and

(2) in subsection (c)(1), by striking ", in consultation with the Museum, is" and inserting "and the National Museum of the American Indian are".

(b) PAYMENT OF EXPENSES.—Section 4(a) of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—

(1) in the heading, by inserting "AND NATIONAL MUSEUM OF THE AMERICAN INDIAN" after "AMERICAN INDIANS"; and

(2) in the first sentence, by striking "shall be solely" and inserting "and the National Museum of the American Indian shall be".

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 2319:

HOUSE REPORTS: No. 113–287 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 11, considered and passed House.
Dec. 19, considered and passed Senate.

Public Law 113–71
113th Congress

An Act

To amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.

Dec. 26, 2013
[H.R. 3343]

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

SECTION 1. CLARIFICATION OF DETERMINATION OF COMPENSATION OF CHIEF FINANCIAL OFFICER OF DISTRICT OF COLUMBIA.

(a) DETERMINATION OF COMPENSATION.—Section 424(b)(2)(E) of the District of Columbia Home Rule Act (sec. 1–204.24(b)(2)(E), D.C. Official Code) is amended to read as follows:

"(E) PAY.—The Chief Financial Officer shall be paid at a rate such that the total amount of compensation paid during any calendar year does not exceed an amount equal to the limit on total pay which is applicable during the year under section 5307 of title 5, United States Code, to an employee described in section 5307(d) of such title.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 3343:

HOUSE REPORTS: No. 113–267 (Comm. on Oversight and Government Reform).
CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 18, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 113–72
113th Congress

An Act

Dec. 26, 2013
[H.R. 3487]

To amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

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

SECTION 1. EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY OF FEDERAL ELECTION COMMISSION THROUGH 2018.

Section 309(a)(4)(C)(iv) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)(C)(iv)) is amended by striking "December 31, 2013" and inserting "December 31, 2018".

SEC. 2. EXPANSION OF ADMINISTRATIVE PENALTY AUTHORITY OF FEDERAL ELECTION COMMISSION.

(a) APPLICATION TO QUALIFIED DISCLOSURE REQUIREMENTS.—Section 309(a)(4)(C)(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)(C)(i)) is amended by striking "any requirement of section 304(a) of the Act (2 U.S.C. 434(a))" and inserting "a qualified disclosure requirement".

(b) SCHEDULE OF PENALTIES FOR EACH VIOLATION.—Section 309(a)(4)(C)(i)(II) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)(C)(i)(II)) is amended by inserting ", for violations of each qualified disclosure requirement," before "under a schedule of penalties".

(c) DEFINITION OF QUALIFIED DISCLOSURE REQUIREMENT.—Section 309(a)(4)(C) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)(C)) is amended—

(1) by redesignating clause (iv), as amended by section 1, as clause (v); and

(2) by inserting after clause (iii) the following new clause:

"(iv) In this subparagraph, the term 'qualified disclosure requirement' means any requirement of—

"(I) subsections (a), (c), (e), (f), (g), or (i) of section 304; or

"(II) section 305.".

SEC. 3. EFFECTIVE DATE. 2 USC 437g note.

The amendments made by this Act shall take effect on the earlier of—

(1) December 31, 2013; or

(2) the date of the enactment of this Act.

Approved December 26, 2013.

LEGISLATIVE HISTORY—H.R. 3487:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Nov. 18, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 113–74
113th Congress

An Act

Jan. 16, 2014
[S. 1614]

To require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

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

Accuracy for Adoptees Act.
8 USC 1101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Accuracy for Adoptees Act".

SEC. 2. RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.

Section 320 of the Immigration and Nationality Act (8 U.S.C. 1431) is amended by adding at the end the following:

"(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child's name and date of birth as indicated on a State court order, birth certificate, certificate of foreign birth, certificate of birth abroad, or similar State vital records document issued by the child's State of residence in the United States after the child has been adopted or readopted in that State.".

Approved January 16, 2014.

LEGISLATIVE HISTORY—S. 1614:

CONGRESSIONAL RECORD, Vol. 159 (2013):
Dec. 19, considered and passed Senate.
Dec. 23, considered and passed House.

CONCURRENT RESOLUTIONS

FIRST SESSION, ONE HUNDRED THIRTEENTH CONGRESS

JOINT SESSION—ELECTORAL VOTE COUNT

Jan. 3, 2013
[S. Con. Res. 1]

Resolved by the Senate (the House of Representatives concurring), That provide the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 4th day of January 2013, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Agreed to January 3, 2013.

JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES—REAUTHORIZATION AND CAPITOL AUTHORIZATIONS

Jan. 3, 2013
[S. Con. Res. 2]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2013, the joint committee created by Senate Concurrent Resolution 35 (112th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2013, the provisions of Senate Concurrent Resolution 36 (112th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

Agreed to January 3, 2013.

Jan. 4, 2013
[S. Con. Res. 3]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, January 4, 2013 through Monday, January 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, January 21, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, January 4, 2013, through Saturday, January 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, January 14, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to January 4, 2013.

Feb. 7, 2013
[H. Con. Res. 11]

JOINT SESSION

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 12, 2013, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Agreed to February 7, 2013.

Feb. 15, 2013
[H. Con. Res. 15]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, February 15, 2013, through Thursday, February 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, February 25, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Friday, February 15, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed

or adjourned until noon on Monday, February 25, 2013, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to February 15, 2013.

HOLOCAUST DAYS OF REMEMBRANCE CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

Mar. 11, 2013
[H. Con. Res. 14]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The rotunda of the Capitol is authorized to be used on April 11, 2013, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to March 11, 2013.

CONGRESSIONAL GOLD MEDAL CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

Mar. 11, 2013
[H. Con. Res. 20]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR CEREMONY TO AWARD CONGRESSIONAL GOLD MEDAL TO PROFESSOR MUHAMMAD YUNUS.

The rotunda of the Capitol is authorized to be used on April 17, 2013, for a ceremony to award the Congressional Gold Medal to Professor Muhammad Yunus in recognition of his contributions to the fight against global poverty. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to March 11, 2013.

Mar. 21, 2013
[H. Con. Res. 18]

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, the 32nd Annual National Peace Officers' Memorial Service (in this resolution referred to as the "event"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2012.

(b) DATE OF EVENT.—The event shall be held on May 15, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to March 21, 2013.

Mar. 21, 2013
[H. Con. Res. 19]

SOAP BOX DERBY RACES—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the "sponsor") shall

be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the "event"), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 15, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

Agreed to March 21, 2013.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Mar. 25, 2013
[S. Con. Res. 11]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, March 22, 2013 through Tuesday, March 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 8, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on Monday, March 25, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 9, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.SEC. 2. The Majority

Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to March 25, 2013.

May 8, 2013
[H. Con. Res. 32]

NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the "event"), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bag pipe exhibition.

(b) DATE OF EVENT.—The event shall be held on May 14, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to May 8, 2013.

KING KAMEHAMEHA—BIRTHDAY CELEBRATION—EMANCIPATION HALL AUTHORIZATION

May 14, 2013
[S. Con. Res. 10]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 9, 2013, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to May 14, 2013.

FREDERICK DOUGLASS STATUE—EMANCIPATION HALL AUTHORIZATION

May 21, 2013
[S. Con. Res. 16]

Resolved by the Senate (the House of Representatives concurring), That

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF FREDERICK DOUGLASS STATUE.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 19, 2013, to unveil a statue of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to May 21, 2013.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

May 24, 2013
[S. Con. Res. 17]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, June 3, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, May 23, 2013, through Friday, May 31, 2013, on

a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, June 3, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to May 24, 2013.

June 4, 2013
[S. Con. Res. 18]

FRANK R. LAUTENBERG—FUNERAL SERVICES—CATAFALQUE AUTHORIZATION

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the Senate Chamber so that such catafalque may be used in connection with services to be conducted there for the Honorable Frank R. Lautenberg, late a Senator from the State of New Jersey.

Agreed to June 4, 2013.

June 27, 2013
[S. Con. Res. 19]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, June 27, 2013, through Friday, July 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 8, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 28, 2013, through Friday, July 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 8, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the

Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to June 27, 2013.

NELSON MANDELA'S BIRTH—95TH ANNIVERSARY—EMANCIPATION HALL AUTHORIZATION

July 11, 2013
[H. Con. Res. 43]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY HONORING NELSON MANDELA.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on July 18, 2013, for a ceremony honoring the life and legacy of Nelson Mandela on the occasion of the 95th anniversary of his birth. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to July 11, 2013.

2013 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN—CAPITOL GROUNDS AUTHORIZATION

July 30, 2013
[H. Con. Res. 44]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF THE CAPITOL GROUNDS FOR DC SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On September 27, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 28th Annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the "event") may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations

on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to July 30, 2013.

Aug. 1, 2013
[H. Con. Res. 41]

KOREAN WAR—ARMISTICE AGREEMENT—60TH ANNIVERSARY

Whereas the Republic of Korea (in this resolution referred to as "South Korea") and the Democratic People's Republic of Korea (in this resolution referred to as "North Korea") have never formally ended hostilities and have been technically in a state of war since the Armistice Agreement was signed on July 27, 1953;

Whereas the United States, representing the United Nations Forces Command which was a signatory to the Armistice Agreement, and with 28,500 of its troops currently stationed in South Korea, has a stake in the progress towards peace and reunification on the Korean Peninsula;

Whereas progress towards peace and reunification on the Korean Peninsula would mean greater security and prosperity for the region and the world;

Whereas, at the end of World War II, Korea officially gained independence from Japanese rule, as agreed to at the Cairo Conference on November 22, 1943, through November 26, 1943;

Whereas, on August 10, 1945, the Korean Peninsula was temporarily divided along the 38th parallel into two military occupation zones commanded by the United States and the Soviet Union;

Whereas, on June 25, 1950, communist North Korea attacked the South, thereby initiating the Korean War and diminishing prospects for a peaceful unification of Korea;

Whereas, during the Korean War, more than 36,000 members of the United States Armed Forces were killed and approximately 1,789,000 members of the United States Armed Forces served in-theater along with the South Korean forces and 20 other members of the United Nations to secure peace on the Korean Peninsula and in the Asia-Pacific region;

Whereas, since the end of the Korean War era, the United States Armed Forces have remained in South Korea to promote regional peace;

Whereas provocations by the Government of North Korea in recent years have escalated tension and instability in the Asia-Pacific region;

Whereas North Korea's human rights abuses, suppression of dissent, and hostility to South Korea remain significant obstacles to peace and reunification on the Korean Peninsula;

Whereas North Korea's economic policies have led to extreme economic privation for its citizens, whose quality of life ranks among the world's lowest;

Whereas North Korea's proliferation of nuclear and missile technology threatens international peace and stability;

Whereas North Korea has systematically violated numerous International Atomic Energy Agency and United Nations Security Council Resolutions with respect to its nuclear weapons and ballistic missile programs;

Whereas the refusal of the Government of North Korea to denuclearize disrupts peace and security on the Korean Peninsula;

Whereas, beginning in 2003, the United States, along with the two Koreas, Japan, the People's Republic of China, and the Russian Federation, have engaged in six rounds of Six-Party Talks aimed at the verifiable and irreversible denuclearization of the Korean Peninsula and finding a peaceful resolution to the security concerns resulting from North Korea's nuclear development;

Whereas the three-mile wide buffer zone between the two Koreas, known as the Demilitarized Zone, or DMZ, is the most heavily armed border in the world;

Whereas the Korean War separated more than 10,000,000 Korean family members, including 100,000 Korean Americans who, after 60 years of separation, are still waiting to see their families in North Korea;

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end "take effective collective measures for the prevention and removal of threats to the peace";

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on North Korea to respect the fundamental human rights of its citizens, abandon and dismantle its nuclear weapons program, and end its nuclear and missile proliferation as integral steps toward peace and eventual reunification.

Agreed to August 1, 2013.

Aug. 2, 2013
[S. Con. Res. 22]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 1, 2013, through Sunday, August 11, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, August 12, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn; and that when the Senate recesses or adjourns on Monday, August 12, 2013, it stand adjourned until 12:00 noon on Monday, September 9, 2013, or such other time on that day as may be specified by its Majority Leader or his designee, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, August 2, 2013, through Friday, September 6, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 9, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to August 2, 2013.

Oct. 16, 2013
[H. Con. Res. 58]

ARMED FORCES—RELIGIOUS SERVICES AND CLERGY—SUPPORT

Whereas the Department of Defense determined that some contractor clergy, like other Department of Defense contractors, were unable to perform their contractual duties during the current lapse in appropriations;

Whereas this determination may have impacted the ability of members of the Armed Forces and their families to worship and participate in religious activities;

Whereas military chaplains on active duty, like all military personnel on active duty, continue to perform their duties during the current lapse in appropriations;

Whereas the Department continues to analyze its authorities under the Pay Our Military Act (Public Law 113–39) with respect to contractors; and

Whereas the Pay Our Military Act appropriates such sums as are necessary to pay contractors of the Department whom the Secretary of Defense determines are providing support to members of the Armed Forces: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) finds that the provision and availability of religious services and clergy is important to the morale and wellbeing of many members of the Armed Forces and their families; and

(2) hopes the Secretary of Defense is able to determine that contractor clergy provide necessary support to military personnel, and would therefore be covered under the appropriations made available under the Pay Our Military Act (Public Law 113–39).

Agreed to October 16, 2013.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Oct. 16, 2013
[S. Con. Res. 24]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Wednesday, October 16, 2013, through Friday, October 25, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, October 28, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Wednesday, October 16, 2013, through Monday, October 21, 2013, on a motion offered pursuant to this current resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, October 22, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Agreed to October 16, 2013.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Oct. 30, 2013
[H. Con. Res. 62]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, October 30, 2013, Thursday, October 31, 2013, or Friday, November 1, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, November 12, 2013, or until

the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to October 30, 2013.

CONGRESSIONAL GOLD MEDAL CEREMONY—EMANCIPATION HALL AUTHORIZATION

Nov. 18, 2013
[S. Con. Res. 25]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR GOLD MEDAL CEREMONY FOR NATIVE AMERICAN CODE TALKERS.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on November 20, 2013, for a ceremony to award the Congressional Gold Medal to Native American code talkers. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to November 18, 2013.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Nov. 22, 2013
[S. Con. Res. 28]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, November 21, 2013, through Friday, December 6, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, December 9, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 or section 3 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, November 21, 2013, through Tuesday, November 26, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 2, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SEC. 3. After the House reassembles pursuant to the first section of this concurrent resolution, the Majority Leader of the Senate after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

Agreed to November 22, 2013.

ENROLLMENT CORRECTIONS—H.R. 3304

Dec. 20, 2013
[H. Con. Res. 71]

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3304, the Clerk of the House of Representatives shall make the following corrections:

(1) Strike sections 1 and 2.

(2) Redesignate sections 3, 4, 5, and 6 as sections 1, 2, 3, and 4, respectively.

(3) Strike any matter following the end of the tables in title XLVII.

(4) Amend the long title so as to read: "To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.".

Agreed to December 20, 2013.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Dec. 26, 2013
[S. Con. Res. 30]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:00 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to December 26, 2013.

PROCLAMATIONS

Proclamation 8926 of January 16, 2013

Religious Freedom Day, 2013

By the President of the United States of America
A Proclamation

Foremost among the rights Americans hold sacred is the freedom to worship as we choose. Today, we celebrate one of our Nation's first laws to protect that right—the Virginia Statute for Religious Freedom. Written by Thomas Jefferson and guided through the Virginia legislature by James Madison, the Statute affirmed that ''Almighty God hath created the mind free'' and ''all men shall be free to profess . . . their opinions in matters of religion.'' Years later, our Founders looked to the Statute as a model when they enshrined the principle of religious liberty in the Bill of Rights.

Because of the protections guaranteed by our Constitution, each of us has the right to practice our faith openly and as we choose. As a free country, our story has been shaped by every language and enriched by every culture. We are a nation of Christians and Muslims, Jews and Hindus, Sikhs and non-believers. Our patchwork heritage is a strength we owe to our religious freedom.

Americans of every faith have molded the character of our Nation. They were pilgrims who sought refuge from persecution; pioneers who pursued brighter horizons; protesters who fought for abolition, women's suffrage, and civil rights. Each generation has seen people of different faiths join together to advance peace, justice, and dignity for all.

Today, we also remember that religious liberty is not just an American right; it is a universal human right to be protected here at home and across the globe. This freedom is an essential part of human dignity, and without it our world cannot know lasting peace.

As we observe Religious Freedom Day, let us remember the legacy of faith and independence we have inherited, and let us honor it by forever upholding our right to exercise our beliefs free from prejudice or persecution.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 16, 2013, as Religious Freedom Day. I call on all Americans to commemorate this day with events and activities that teach us about this critical foundation of our Nation's liberty, and show us how we can protect it for future generations at home and around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8927 of January 18, 2013

Martin Luther King, Jr., Federal Holiday, 2013

By the President of the United States of America
A Proclamation

At a time of deep division nearly 50 years ago, a booming voice for justice rang out across the National Mall, reverberated around our country, and sent ripples throughout the world. Speaking to thousands upon thousands rallying for jobs and freedom, the Reverend Dr. Martin Luther King, Jr., delivered his ''I Have a Dream'' speech, challenging America to take up the worthy task of perfecting our Union. Today, we celebrate a man whose clarion call stirred our Nation to bridge our differences, and whose legacy still drives us to bend the arc of the moral universe toward justice.

By words and example, Dr. King reminded us that ''Change does not roll in on the wheels of inevitability, but comes through continuous struggle.'' Throughout the 1950s and 1960s, he mobilized multitudes of men and women to take on a struggle for justice and equality. They braved billy clubs and bomb threats, dogs and fire hoses. For their courage and sacrifice, they earned our country's everlasting gratitude.

A half-century later, the march of progress has brought us closer than ever to achieving Dr. King's dream, but our work is not yet done. Too many young people still grow up in forgotten neighborhoods with persistent violence, underfunded schools, and inadequate health care, holding little hope and few prospects for the future. Too many Americans are denied the full equality and opportunity guaranteed by our founding documents. Today, Dr. King's struggle reminds us that while change can sometimes seem impossible, if we maintain our faith in ourselves and in the possibilities of this Nation, there is no challenge we cannot surmount.

Every year, Americans mark this day by answering Dr. King's call to service. In his memory, let us recall his teaching that ''we are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.'' In keeping with Dr. King's example, let us embrace the belief that our destiny is shared, accept our obligations to each other and to future generations, and strengthen the bonds that hold together the most diverse Nation on earth.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 21, 2013, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this day with appropriate civic, community, and service projects in honor of Dr. King and to visit www.MLKDay.gov to find Martin Luther King, Jr., Day of Service projects across our country.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8928 of January 21, 2013

National Day of Hope and Resolve, 2013

By the President of the United States of America
A Proclamation

Four years ago, the American people came together to chart a new course through an uncertain hour. We chose hope over fear and hard work during hardship, confident that the age-old values that had guided our Nation through even its darkest days would be sufficient to meet the trials of our time.

Together, we have brought a decade of war toward a responsible end. We have saved our economy from collapse and fought for a future where everyone has an equal chance at opportunity. Millions of men, women, and children have made service their mission, reaffirming that America's greatest strength lies not in might or wealth, but in the bonds we share with one another.

Today, I have sworn an oath to preserve the fundamental freedoms and protections that are the lasting birthright of all who call this land home. I stand humbled by the responsibilities entrusted to me by our people, and I pray God's grace will see us through the tests we will surely face in the days ahead. But even as I assume once more the solemn duty of this Presidency, let us also remember that the oath I spoke shares much in common with those taken by every service member and every immigrant, and with the pledge we make before our flag. These are the words of America's citizens, and they represent our greatest hope.

On the opposite end of the National Mall from where I delivered my address, a preacher once told us ''we cannot walk alone.'' Empowered by our faith in each other and united by the purpose that binds our fates as one, let us learn again that most enduring lesson. Let us renew our resolve to meet the challenges of our age together. And when our grandchildren reflect on the history we leave, let them say we did what was required of us, that our words were true to our Founders' dreams for a young Republic and our actions foretold the dawn of a new and brighter day.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 21, 2013, a National Day of Hope and Resolve. I call upon all Americans to join together in courage, in compassion, and in purpose to more fully realize the eternal promises of our founding and the more perfect Union that must remain ever within our reach.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8929 of January 31, 2013

American Heart Month, 2013

By the President of the United States of America
A Proclamation

Heart disease is the leading cause of death among American men and women, claiming well over half a million lives annually. While no one is immune to heart disease, everyone can take steps to reduce their risk. During American Heart Month, we make a commitment—for ourselves and our families—to staying healthy and keeping our hearts strong.

Although genetic factors likely play a role in cardiovascular disease, there are also several controllable risk factors, including: blood cholesterol levels, high blood pressure, diabetes, poor diet, obesity, tobacco use, and physical inactivity. Any one of them can lead to heart disease, and additional factors magnify the risk. That is why a heart-healthy lifestyle is so important. Certain improvements to daily routines—like eating healthy, not smoking, limiting alcohol use, and getting routine health screenings—can lower several of these risk factors and set the stage for a long and healthy life.

My Administration is committed to helping Americans achieve and maintain heart health. Under the Affordable Care Act, many insurance plans must cover certain preventive services like blood pressure screening and obesity screening at no out-of-pocket cost to the patient. In 2014, a new Health Insurance Marketplace will make affordable health insurance available to millions of men, women, and children—including those with pre-existing conditions. We are also working to prevent heart disease through efforts like First Lady Michelle Obama's *Let's Move!* initiative, which encourages young people and families to eat healthy and get active. And throughout the Federal Government, we are partnering with communities, health care providers, organizations, and other stakeholders to make care more accessible and prevent more heart attacks than ever before. To learn more, visit www.HealthCare.gov.

On Friday, February 1, Michelle and I invite all Americans to join in marking National Wear Red Day. By wearing red, we pay tribute to men and women affected by heart disease, recognize dedicated health care professionals, honor researchers working toward tomorrow's breakthroughs, and demonstrate our personal commitment to a heart-healthy lifestyle.

In acknowledgement of the importance of the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as ''American Heart Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim February 2013 as American Heart Month, and I invite all Americans to participate in National Wear Red Day on February 1, 2013. I also invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people

to join me in recognizing and reaffirming our commitment to fighting cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8930 of January 31, 2013

National African American History Month, 2013

By the President of the United States of America

A Proclamation

In America, we share a dream that lies at the heart of our founding: that no matter who you are, no matter what you look like, no matter how modest your beginnings or the circumstances of your birth, you can make it if you try. Yet, for many and for much of our Nation's history, that dream has gone unfulfilled. For African Americans, it was a dream denied until 150 years ago, when a great emancipator called for the end of slavery. It was a dream deferred less than 50 years ago, when a preacher spoke of justice and brotherhood from Lincoln's memorial. This dream of equality and fairness has never come easily—but it has always been sustained by the belief that in America, change is possible.

Today, because of that hope, coupled with the hard and painstaking labor of Americans sung and unsung, we live in a moment when the dream of equal opportunity is within reach for people of every color and creed. National African American History Month is a time to tell those stories of freedom won and honor the individuals who wrote them. We look back to the men and women who helped raise the pillars of democracy, even when the halls they built were not theirs to occupy. We trace generations of African Americans, free and slave, who risked everything to realize their God-given rights. We listen to the echoes of speeches and struggle that made our Nation stronger, and we hear again the thousands who sat in, stood up, and called out for equal treatment under the law. And we see yesterday's visionaries in tomorrow's leaders, reminding us that while we have yet to reach the mountaintop, we cannot stop climbing.

Today, Dr. King, President Lincoln, and other shapers of our American story proudly watch over our National Mall. But as we memorialize their extraordinary acts in statues and stone, let us not lose sight of the enduring truth that they were citizens first. They spoke and marched and toiled and bled shoulder-to-shoulder with ordinary people who burned with the same hope for a brighter day. That legacy is shared; that spirit is American. And just as it guided us forward 150 years ago and 50 years ago, it guides us forward today. So let us honor those who came before by striving toward their example, and let us follow in their footsteps toward the better future that is ours to claim.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim February 2013 as National African American History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8931 of January 31, 2013

National Teen Dating Violence Awareness and Prevention Month, 2013

By the President of the United States of America

A Proclamation

This year, it is estimated that 1 in 10 teens will be hurt intentionally by someone they are dating. While this type of abuse cuts across lines of age and gender, young women are disproportionately affected by both dating violence and sexual assault. This month, we stand with those who have known the pain and isolation of an abusive relationship, and we recommit to ending the cycle of violence that affects too many of our sons and daughters.

Whether physical or emotional, dating violence can leave scars that last a lifetime. Teens who suffer abuse at the hands of a partner are more likely to struggle in school, develop depression, or turn to drugs or alcohol. Victims are also at greater risk of experiencing the same patterns of violence later in life. These tragic realities tug at our conscience, and they call upon us to ensure survivors of abuse get the services and support they need.

We also have a responsibility to make dating violence an act that is never tolerated in our communities, among those we know, or in our own lives. That is why my Administration has made preventing abuse a priority. We continue to support educators, advocates, and organizations who are advancing outreach and education, and we are harnessing the power of technology to get the message out under Vice President Joe Biden's *1is2many* initiative. Last June, we built on those efforts by launching a new public service announcement that features professional athletes and other role models speaking out against dating violence. And in the months ahead, we will keep working to empower all Americans in the fight against abuse. To learn more, visit www.WhiteHouse.gov/1is2many.

Each of us has an obligation to stand against dating violence when we see it. This month, as we remember that important lesson, let us rededicate ourselves to making its promise real. I encourage all Americans seeking immediate and confidential advice regarding dating violence to contact the National Dating Abuse Helpline at 1–866–331–9474, by texting ''loveis'' to 77054, or by visiting

www.LoveIsRespect.org. Additional resources are available at www.CDC.gov/features/datingviolence.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 2013 as National Teen Dating Violence Awareness and Prevention Month. I call upon all Americans to support efforts in their communities and schools, and in their own families, to empower young people to develop healthy relationships throughout their lives and to engage in activities that prevent and respond to teen dating violence.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8932 of February 1, 2013

100th Anniversary of the Birth of Rosa Parks

By the President of the United States of America
A Proclamation

On December 1, 1955, our Nation was forever transformed when an African-American seamstress in Montgomery, Alabama, refused to give up her seat on a city bus to a white passenger. Just wanting to get home after a long day at work, Rosa Parks may not have been planning to make history, but her defiance spurred a movement that advanced our journey toward justice and equality for all.

Though Rosa Parks was not the first to confront the injustice of segregation laws, her courageous act of civil disobedience sparked the Montgomery Bus Boycott—381 days of peaceful protest when ordinary men, women, and children sent the extraordinary message that second-class citizenship was unacceptable. Rather than ride in the back of buses, families and friends walked. Neighborhoods and churches formed carpools. Their actions stirred the conscience of Americans of every background, and their resilience in the face of fierce violence and intimidation ultimately led to the desegregation of public transportation systems across our country.

Rosa Parks's story did not end with the boycott she inspired. A lifelong champion of civil rights, she continued to give voice to the poor and the marginalized among us until her passing on October 24, 2005.

As we mark the 100th anniversary of Rosa Parks's birth, we celebrate the life of a genuine American hero and remind ourselves that although the principle of equality has always been self-evident, it has never been self-executing. It has taken acts of courage from generations of fearless and hopeful Americans to make our country more just. As heirs to the progress won by those who came before us, let us pledge not only to honor their legacy, but also to take up their cause of perfecting our Union.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 4, 2013, as the 100th Anniversary of the Birth of Rosa Parks. I call upon all Americans to observe this day with appropriate service, community, and education programs to honor Rosa Parks's enduring legacy.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of February, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8933 of February 28, 2013

American Red Cross Month, 2013

By the President of the United States of America

A Proclamation

Since our Nation's founding, seasons of trial and bitter hardship have revealed a core belief we share as Americans: that when we see our neighbors in need, we will always stand united in helping them get back on their feet. This month, we honor men and women who deliver relief to communities around the world, and we renew the compassionate spirit that continues to keep our country strong and our people safe.

The American Red Cross has proudly upheld a commitment to service that spans generations. Witness to the scars left by civil war, Clara Barton founded the organization in 1881 as a way to lift up the suffering—from warriors wounded in the line of duty to families displaced by damaging storms. In the years since, countless service and relief organizations have joined the American Red Cross in realizing that noble vision.

We saw the depth of their dedication just 4 months ago, when the sweeping devastation of Hurricane Sandy put millions of Americans in harm's way. In darkness and danger, thousands of professionals and volunteers stepped up to serve. They secured supplies and shelter when our people needed them most. And when times were tough, they proved that America is tougher because we all pull together.

That sense of resolve has seen our Nation through our greatest challenges, and the conviction that we are our brothers' and sisters' keepers will always remain at the heart of who we are as a people. As we reflect on the ties that bind us together, let us pay tribute to humanitarian organizations working here at home and around the world, and let us rededicate ourselves to service in the months ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2013 as American Red Cross Month. I encourage all Americans to observe this month

with appropriate programs, ceremonies, and activities, and by supporting the work of service and relief organizations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8934 of February 28, 2013

Irish-American Heritage Month, 2013

By the President of the United States of America
A Proclamation

For more than two centuries, America has been made and remade by striving, hopeful immigrants looking for a chance to pursue their dreams. Millions among them were born in Ireland, separated from our shores but united by their belief in a better day. This month, we celebrate the Irish-American journey, and we reflect on the ways a nation so small has inspired so much in another.

Generations of Irish left the land of their forebears to cast their fortunes with a young Republic. Escaping the blight of famine or the burden of circumstance, many found hardship even here. They endured prejudice and stinging ridicule. But through it all, these new citizens never gave up on one of our oldest ideas: that anyone from anywhere can write the next great chapter in the American story. So they raised families and built communities, earned a living and sent their kids to school. In time, what it meant to be Irish helped define what it means to be American. And as they did their part to make this country stronger, Irish Americans shared in its success, retaining the best of their heritage and passing it down to their children.

That familiar story has been lived and cherished by Americans from all backgrounds, and it reaffirms our identity as a Nation of immigrants from all around the world. So as we celebrate Irish-American Heritage Month, let us retell those stories of sweat and striving. And as two nations united by people and principle, may America and Ireland always continue to move forward together in common purpose.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2013 as Irish-American Heritage Month. I call upon all Americans to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8935 of February 28, 2013

Women's History Month, 2013

By the President of the United States of America
A Proclamation

For more than two centuries, our Nation has grown under the simple creed that each of us is created equal. It is a notion that makes America unlike any other place on earth—a country where no matter where you come from or what you look like, you can go as far as your talents will take you.

Women's History Month is a time to remember those who fought to make that freedom as real for our daughters as for our sons. Written out of the promise of the franchise, they were women who reached up to close the gap between what America was and what it could be. They were driven by a faith that our Union could extend true equality to every citizen willing to claim it. Year after year, visionary women met and marched and mobilized to prove what should have been self-evident. They grew a meeting at Seneca Falls into a movement that touched every community and took on our highest institutions. And after decades of slow, steady, extraordinary progress, women have written equal opportunity into the law again and again, giving generations of girls a future worthy of their potential.

That legacy of change is all around us. Women are nearly half of our Nation's workforce and more than half of our college graduates. But even now, too many women feel the weight of discrimination on their shoulders. They face a pay gap at work, or higher premiums for health insurance, or inadequate options for family leave. These issues affect all of us, and failing to address them holds our country back.

That is why my Administration has made the needs of women and girls a priority since day one—from signing the Lilly Ledbetter Fair Pay Act to helping ensure women are represented among tomorrow's top scientists and engineers. It is why we secured stronger protections and more preventive services for women under the Affordable Care Act. It is why we have fought for greater workplace flexibility, access to capital and training for women-owned businesses, and equal pay for equal work. And it is why we have taken action to reduce violence against women at home and abroad, and to empower women around the world with full political and economic opportunity.

Meeting those challenges will not be easy. But our history shows that when we couple grit and ingenuity with our basic beliefs, there is no barrier we cannot overcome. We can stay true to our founding creed that in America, all things should be possible for all people. That spirit is what called our mothers and grandmothers to fight for a world where no wall or ceiling could keep their daughters from their dreams. And today, as we take on the defining issues of our time, America looks to the next generation of movers and marchers to lead the way.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2013 as Women's History Month. I call upon all Americans to observe this month and to celebrate International Women's Day on March 8,

2013, with appropriate programs, ceremonies, and activities. I also invite all Americans to visit www.WomensHistoryMonth.gov to learn more about the generations of women who have shaped our history.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8936 of February 28, 2013

Read Across America Day, 2013

By the President of the United States of America
A Proclamation

Today, people of all ages will mark Read Across America Day by celebrating stories that have shaped us. We take this opportunity to reflect on the transformative power of the written word and lift up literacy as a key to success in the 21st century.

We also take time to remember Theodor Seuss Geisel—better known as Dr. Seuss—whose works of humor and heart remind us that it is never too early to kindle a passion for reading. Books open the window to worlds of imagination, and the lessons they teach form the bedrock for a lifetime of learning. By encouraging reading at home and in school, parents, caregivers, and educators help set our children on the path to years of fulfillment and possibility. American progress depends on what we do for our students, so all of us must strive to empower the next generation with the tools they need to build a brighter future.

Great written works resonate with us. They challenge us. They reveal new insights about ourselves and the world we share. Today, as we celebrate the ways reading has enriched our lives, let us recommit to giving our sons and daughters the fullest opportunity to find inspiration on the printed page.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 1, 2013, as Read Across America Day. I call upon children, families, educators, librarians, public officials, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8937 of March 1, 2013

National Consumer Protection Week, 2013

By the President of the United States of America
A Proclamation

Over 4 years ago, widespread abuses in America's financial system nearly brought our economy to its knees. Millions saw their life savings erode, businesses shuttered their doors, and families were devastated by job loss and foreclosure. This crisis cast a harsh light on the breakdown in oversight that led to an epidemic of irresponsibility, and it highlighted the need for common-sense regulations to protect the vast majority of Americans from the reckless actions of a few. During National Consumer Protection Week, we remember those lessons, and we recognize that our shared prosperity depends on empowering all Americans to make sound decisions for themselves and their families.

My Administration is ramping up consumer protection throughout the economy. Last year, we established a new unit to combat fraud and investigate the abusive lending and mortgage packaging that led to the housing crisis. We launched the ''Know Before You Owe'' campaign to help students and their parents make smart decisions about paying for college. We cracked down on unscrupulous lenders and credit card companies that charge hidden fees. And we did away with the practice of adding pages of misleading fine print to important financial agreements.

We are also committed to helping consumers avoid scams, protect their personal information, and make good financial decisions. That is why agencies across the Federal Government joined with consumer advocates to launch www.NCPW.gov, an online resource that provides practical advice for managing finances and safeguarding against identity theft.

As the driving force behind our economy, consumers deserve clear rules, fair treatment, and full disclosure. Whether opening credit cards, buying cars, applying for mortgages, or taking out student loans, all Americans should have access to complete, concise information. This week, we resolve to strengthen consumer rights and build a more transparent, efficient, effective marketplace.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 3 through March 9, 2013, as National Consumer Protection Week. I call upon government officials, industry leaders, and advocates across the Nation to share information about consumer protection and provide our citizens with information about their rights as consumers.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8938 of March 1, 2013

10th Anniversary of the United States Department of Homeland Security

By the President of the United States of America

A Proclamation

Ten years ago, when the tragic events of September 11 were fresh in our hearts and our Nation found itself in a more uncertain world, the United States Department of Homeland Security (DHS) opened its doors with a single task: keeping the American people safe. Day by day, hour by hour, the Department has advanced that critical mission through a decade of shifting threats and new challenges. We take this opportunity to recognize its accomplishments and pay tribute to the people who have made them possible.

Alongside its partners in government and the private sector, DHS has taken action to make our borders and ports more secure, our critical infrastructure and cyber networks more resilient, and our people more engaged in addressing the dangers we face. While threats persist, America is better prepared to meet them, and we stand ready to overcome whatever challenges the future holds.

Homeland security cannot begin and end with the Federal Government; it takes commitment from every part of society. By forging lasting partnerships with stakeholders at home and abroad, DHS has worked to streamline our legal immigration system, stem the tide of illegal immigration, and chart a course toward sensible reform. And in a decade marked by national emergencies and natural disasters, the Department has invested in communities nationwide, improving our preparedness for times of crisis.

As we commemorate a decade of service, our Nation recognizes the men and women who have carried out the Department of Homeland Security's vision for a safer, stronger America.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 1, 2013, as the 10th Anniversary of the United States Department of Homeland Security. I call upon all Americans to recognize the United States Department of Homeland Security for improving America's readiness and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8939 of March 1, 2013

100th Anniversary of the United States Department of Labor

By the President of the United States of America

A Proclamation

On March 4, 1913, President William Howard Taft signed a bill establishing the United States Department of Labor—an agency charged with promoting the welfare of American workers and ensuring their efforts are rewarded with fair wages and real protections. After decades of struggle by labor leaders and ordinary citizens, the Department took up the cause of justice in the workplace and lifted it to the highest halls of government.

Over the course of a century, the Department of Labor has fought to secure strong safeguards for workers and their families. It helped lay the cornerstones of middle class security, from the 40-hour work week and the minimum wage to family leave and pensions. As the agency once led by our Nation's first female Cabinet Secretary, the Department has broken down barriers to equal opportunity in the workplace. And for decades, it has improved worker safety and health and aggressively combated child labor at home and abroad.

Today, the Department of Labor is working to restore the basic bargain that built our country: that no matter what you look like or where you come from, if you work hard and meet your responsibilities, you can get ahead. It is forging new ladders of opportunity so a generation of workers can get the 21st century skills and training they need. And to preserve a century's progress in labor rights, the Department will continue to ensure hardworking Americans always have a voice in government and on the job.

On this centennial, we recognize the dedicated public servants at the Department of Labor who have helped move our country forward, and we reaffirm our commitment to giving America's workers the chance to build a brighter future for themselves and their families.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 4, 2013, as the 100th Anniversary of the United States Department of Labor. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities that recognize the United States Department of Labor for upholding dignity in our workplaces and our way of life.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8940 of March 15, 2013

National Poison Prevention Week, 2013

By the President of the United States of America
A Proclamation

For more than 50 years, Americans have marked National Poison Prevention Week by highlighting the steps we can take to protect ourselves and our loved ones from accidental poisoning. This week, we carry that tradition forward by encouraging common-sense precautions and raising awareness about how to respond in a poison emergency.

Thanks to greater public awareness and stronger safeguards, we have dramatically reduced childhood death rates from accidental poisoning—but work remains. To keep our kids safe, parents and caregivers can take action by storing medicine and hazardous products out of their children's reach and removing unused or expired medications from their homes. Anyone who believes a child or loved one has been poisoned should call the National Poison Help Line immediately at 1–800–222–1222.

Today, the majority of unintentional poisoning deaths are caused by overdoses involving prescription drugs, including painkillers. As my Administration works to address this serious public health issue, all of us can take part by using, storing, and disposing of medications correctly, and by speaking out about drug misuse and abuse in our communities. For more resources on preventing drug overdose and other forms of poisoning, visit www.PoisonHelp.HRSA.gov. Information about safe drug disposal is available at www.DEAdiversion.USDOJ.gov.

To encourage Americans to learn more about the dangers of accidental poisonings and to take appropriate preventative measures, the Congress, by joint resolution approved September 26, 1961, as amended (75 Stat. 681) has authorized and requested the President to issue a proclamation designating the third week of March each year as ''National Poison Prevention Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim March 17 through March 23, 2013, as National Poison Prevention Week. I call upon all Americans to observe this week by taking actions to protect their families from hazardous household materials and misuse of prescription medicines.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8941 of March 21, 2013

Education and Sharing Day, U.S.A., 2013

By the President of the United States of America
A Proclamation

In a letter to his nephew, Thomas Jefferson once wrote, ''an honest heart being the first blessing, a knowing head is the second.'' It is a notion that rings as true today as it did in 1785: that just as we owe our children a strong start in the classroom, so must we pass on the common values that help define us as a people. On Education and Sharing Day, U.S.A., we celebrate hard work, service, and commitment to learning as cornerstones of a bright future for our youth.

We know education is essential to putting our children on the path to good jobs and a decent living. It is a simple fact that to out-compete the rest of the world for tomorrow's jobs, we need to equip our sons and daughters with the education and skills a 21st-century economy demands. We need to give them every chance to work harder, learn more, and reach higher, from cradle to career.

We also know that learning does not stop when students leave the classroom. Whether at the dinner table or on the field, it is our task as parents, teachers, and mentors to make sure our children grow up practicing the values we preach. We have an obligation to instill in them the virtues that define our national character—honesty and independence, drive and discipline, courage and compassion. And as citizens of a country where so much progress came only after we fought for fairness and equality, we must remember the wisdom of the Golden Rule by treating others as we would want to be treated.

This day recalls the memory of Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe, who taught generations of young men and women the importance of education and good character. His work strengthened ties between people around the world, and his legacy continues to inspire the service, charity, and goodwill he championed in life. As we reflect on the example he and so many others have set, let each of us strive to better realize the values we share.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 22, 2013, as Education and Sharing Day, U.S.A. I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8942 of March 22, 2013

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2013

By the President of the United States of America

A Proclamation

Each year, America celebrates Greek Independence Day to strengthen the bonds between the birthplace of democracy and the world's oldest republic. We recognize the enduring contributions of Greek Americans, woven into the fabric of our national life. And we reflect on the ancient Hellenic principles that inspired our Founders to vest the powers of government in the hands of the people.

In both America and Greece, we are inheritors to great republics, entrusted to safeguard the ideals that make representative government work. Our peoples have learned that democracy flourishes when we respect our differences, hold fast to the principles that unite us, and move forward with common purpose. It is a legacy lived by generations of Greek Americans, who for centuries have helped write proud chapters in our country's history and continue to enrich the character of our Nation.

Today, we congratulate Greece, a valued NATO ally, as it commemorates the 192nd anniversary of its independence, and we pledge our continued solidarity as the country works to rebuild its economy. In the face of hardship, America stands with the people of Greece, confident they can meet the challenges of the 21st century while upholding their ancient ideals.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 25, 2013, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I call upon the people of the United States to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8943 of March 25, 2013

Establishment of the Harriet Tubman—Underground Railroad National Monument

By the President of the United States of America

A Proclamation

Harriet Tubman is an American hero. She was born enslaved, liberated herself, and returned to the area of her birth many times to lead family,

friends, and other enslaved African Americans north to freedom. Harriet Tubman fought tirelessly for the Union cause, for the rights of enslaved people, for the rights of women, and for the rights of all. She was a leader in the struggle for civil rights who was forever motivated by her love of family and community and by her deep and abiding faith.

Born Araminta Ross in 1822 in Dorchester County, Maryland, on the plantation where her parents were enslaved, she took the name ''Harriet'' at the time she married John Tubman, a free black man, around 1844. Harriet Tubman lived and worked enslaved in this area from her childhood until she escaped to freedom at age 27 in 1849. She returned to Dorchester County approximately 13 times to free family, friends, and other enslaved African Americans, becoming one of the most prominent ''conductors'' on the Underground Railroad. In 1859, she purchased a farm in Auburn, New York, and established a home for her family and others, which anchored the remaining years of her life. In the Civil War she supported the Union forces as a scout, spy, and nurse to African-American soldiers on battlefields and later at Fort Monroe, Virginia. After the war, she established the Harriet Tubman Home for the Aged, which institutionalized a pattern of her life—caring for African Americans in need.

In 1868, the great civil rights leader Frederick Douglass wrote to Harriet Tubman:

> I have had the applause of the crowd and the satisfaction that comes of being approved by the multitude, while the most that you have done has been witnessed by a few trembling, scarred, and foot-sore bondmen and women, whom you have led out of the house of bondage, and whose heartfelt ''God bless you'' has been your only reward. The midnight sky and the silent stars have been the witnesses of your devotion to freedom and of your heroism.

The ''midnight sky and the silent stars'' and the Dorchester County landscape of Harriet Tubman's homeland remain much as they were in her time there. If she were to return to this area today, Harriet Tubman would recognize it.

It was in the flat, open fields, marsh, and thick woodlands of Dorchester County that Tubman became physically and spiritually strong. Many of the places in which she grew up and worked still remain. Stewart's Canal at the western edge of this historic area was constructed over 20 years by enslaved and free African Americans. This 8-mile long waterway, completed in the 1830s, connected Parsons Creek and Blackwater River with Tobacco Stick Bay (known today as Madison Bay) and opened up some of Dorchester's more remote territory for timber and agricultural products to be shipped to Baltimore markets. Tubman lived near here while working for John T. Stewart. The canal, the waterways it opened to the Chesapeake Bay, and the Blackwater River were the means of conveying goods, lumber, and those seeking freedom. And the small ports were places for connecting the enslaved with the world outside the Eastern Shore, places on the path north to freedom.

Near the canal is the Jacob Jackson Home Site, 480 acres of flat farmland, woodland, and wetland that was the site of one of the first safe houses along the Underground Railroad. Jackson was a free black man to whom Tubman appealed for assistance in 1854 in attempting to re-

trieve her brothers and who, because he was literate, would have been an important link in the local communication network. The Jacob Jackson Home Site has been donated to the United States.

Further reinforcing the historical significance and integrity of these sites is their proximity to other important sites of Tubman's life and work. She was born in the heart of this area at Peter's Neck at the end of Harrisville Road, on the farm of Anthony Thompson. Nearby is the farm that belonged to Edward Brodess, enslaver of Tubman's mother and her children. The James Cook Home Site is where Tubman was hired out as a child. She remembered the harsh treatment she received here, long afterward recalling that even when ill, she was expected to wade into swamps throughout the cold winter to haul muskrat traps. A few miles from the James Cook Home Site is the Bucktown Crossroads, where a slave overseer hit the 13-year-old Tubman with a heavy iron as she attempted to protect a young fleeing slave, resulting in an injury that affected Tubman for the rest of her life. A quarter mile to the north are Scotts Chapel and the associated African-American graveyard. The church was founded in 1812 as a Methodist congregation. Later, in the mid-19th century, African Americans split off from the congregation and formed Bazel Church. Across from Scotts Chapel is an African-American graveyard with headstones dating to 1792. Bazel Church is located nearby on a 1-acre clearing edged by the road and otherwise surrounded by cultivated fields and forest. According to tradition, this is where African Americans worshipped outdoors during Tubman's time.

The National Park Service has found this landscape in Dorchester County to be nationally significant because of its deep association with Tubman and the Underground Railroad. It is representative of the landscape of this region in the early and mid-19th century when enslavers and enslaved worked the farms and forests. This is the landscape where free African Americans and the enslaved led a clandestine movement of people out of slavery towards the North Star of freedom. These sites were places where enslaved and free African Americans intermingled. Moreover, these sites fostered an environment that enabled free individuals to provide aid and guidance to those enslaved who were seeking freedom. This landscape, including the towns, roads, and paths within it, and its critical waterways, was the means for communication and the path to freedom. The Underground Railroad was everywhere within it.

Much of the landscape in Dorchester County that is Harriet Tubman's homeland, including a portion of Stewart's Canal, is now part of Blackwater National Wildlife Refuge. The Refuge provides vital habitat for migratory birds, fish, and wildlife that are components of this historic landscape. Management of the Refuge by the U.S. Fish and Wildlife Service has played an important role in the protection of much of the historic landscape that was formative to Harriet Tubman's life and experiences. The Refuge has helped to conserve the landscape since 1933 and will continue to conserve, manage, and restore this diverse assemblage of wetlands, uplands, and aquatic habitats that play such an important role in telling the story of the cultural history of the area. In the midst of this landscape, the State of Maryland is developing the Harriet Tubman Underground Railroad State Park on a 17-acre parcel. The State of Maryland and the Federal Government will work closely

together in managing these special places within their respective jurisdictions to preserve this critically important era in American history.

Harriet Tubman is revered by many as a freedom seeker and leader of the Underground Railroad. Although Harriet Tubman is known widely, no Federal commemorative site has heretofore been established in her honor, despite the magnitude of her contributions and her national and international stature.

WHEREAS members of the Congress, the Governor of Maryland, the City of Cambridge, and other State, local, and private interests have expressed support for the timely establishment of a national monument in Dorchester County commemorating Harriet Tubman and the Underground Railroad to protect the integrity of the evocative landscape and preserve its historic features;

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve and protect the objects of historic and scientific interest associated with Harriet Tubman and the Underground Railroad in Dorchester County, Maryland;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim, set apart, and reserve as the Harriet Tubman—Underground Railroad National Monument (monument), the objects identified above and all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation, for the purpose of protecting those objects. These reserved Federal lands and interests in lands encompass approximately 11,750 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of this monument is subject to valid existing rights. Lands and interests in lands within the boundaries of the monument that are not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.

The Secretary of the Interior (Secretary) shall manage the monument through the National Park Service and the U.S. Fish and Wildlife Service, pursuant to their respective applicable legal authorities, to implement the purposes of this proclamation. The National Park Service shall have the general responsibility for administration of the monu-

ment, including the Jacob Jackson Home Site, subject to the responsibility and jurisdiction of the U.S. Fish and Wildlife Service to administer the portions of the national monument that are within the National Wildlife Refuge System. When any additional lands and interests in lands are hereafter acquired by the United States within the monument boundaries, the Secretary shall determine whether such lands will be administered as part of the National Park System or the National Wildlife Refuge System. Hunting and fishing within the National Wildlife Refuge System shall continue to be administered by the U.S. Fish and Wildlife Service in accordance with the provisions of the National Wildlife Refuge System Administration Act and other applicable laws.

Consistent with applicable laws, the National Park Service and the U.S. Fish and Wildlife Service shall enter into appropriate arrangements to share resources and services necessary to properly manage the monument. Consistent with applicable laws, the National Park Service shall offer to enter into appropriate arrangements with the State of Maryland for the efficient and effective cooperative management of the monument and the Harriet Tubman—Underground Railroad State Park.

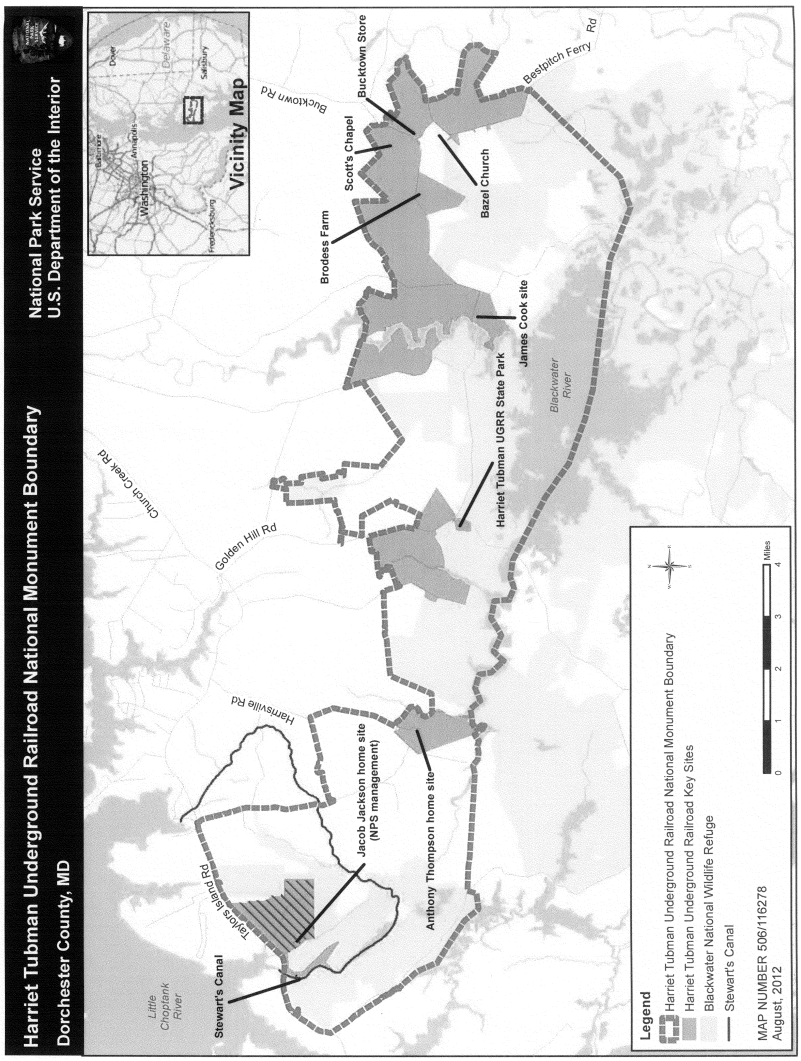
The Secretary shall prepare a management plan for the monument, with full public involvement, within 3 years of the date of this proclamation. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve the historic and scientific resources identified above, (2) to commemorate the life and work of Harriet Tubman, and (3) to interpret the story of the Underground Railroad and its significance to the region and the Nation as a whole. The management plan shall set forth, among other provisions, the desired relationship of the monument to other related resources, programs, and organizations in the region and elsewhere.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA



Proclamation 8944 of March 25, 2013

Establishment of the First State National Monument

By the President of the United States of America
A Proclamation

Sites within the State of Delaware encompass nationally significant objects related to the settlement of the Delaware region by the Swedes, Finns, Dutch, and English, the role that Delaware played in the establishment of the Nation, and the preservation of the cultural landscape of the Brandywine Valley. A national monument that includes certain property in New Castle, Dover, and the Brandywine Valley, Delaware

(with contiguous acreage in the Township of Chadd's Ford, Pennsylvania) will allow the National Park Service and its partners to protect and manage these objects of historic interest and interpret for the public the resources and values associated with them.

In 1638, Peter Minuit led Swedish and Finnish colonists to present-day Wilmington, established New Sweden, and built Fort Christina. Holy Trinity (Old Swedes) Church nearby includes a burial ground used since the Swedes landed in this area in 1638. In 1651, Peter Stuyvesant led Dutch settlers from New Amsterdam in present-day New York to a site approximately 7 miles south of Fort Christina. There, in present-day New Castle, the Dutch built Fort Casimir and named the place ''New Amstel.'' The Dutch fort at New Amstel occupied a better position than the Swedish Fort Christina for controlling commerce. Conflicts between the Swedish and Dutch colonists resulted in changing occupations of Fort Casimir, with the Dutch regaining control in 1655.

In 1664, the English arrived in New Amstel, seized the city for the King of England, and renamed it ''New Castle.'' The English also wrested control of all of New Netherland, incorporating it into the colony of New York under the Duke of York, brother of King Charles II.

In 1681, King Charles II deeded Pennsylvania to William Penn. To protect the land around New Castle that he had previously granted to the Duke of York, the King set the boundary 12 miles from New Castle in an arc extending radially from a point subsequently marked by the cupola of the New Castle Court House built in 1732. To gain access to the Atlantic Ocean for his new Quaker Colony, however, William Penn persuaded the Duke of York to give him the three ''Lower Counties of Pennsylvania'' that eventually became Delaware. The ''12-mile arc'' that separated these lower counties from the rest of Pennsylvania, and eventually became the State boundary between Pennsylvania and Delaware, runs through the present-day Woodlawn property in the Brandywine Valley (Woodlawn).

William Penn landed in New Castle in 1682, and took possession of the city. In 1704, Penn allowed the General Assembly of the Three Lower Counties to meet in New Castle separately from the Assembly in Philadelphia, portending the development of the State of Delaware. New Castle remained the colonial capital of Delaware until 1777, and the New Castle Court House served as the meeting place of the Delaware Assembly.

During the 1700s, colonial Delaware actively participated in both the first and second Continental Congresses, and engaged in the debates over British actions and the question of independence. The Delaware Assembly met on June 15, 1776, in the New Castle Court House, where it voted to separate from England and from Pennsylvania, creating the ''Delaware State.'' The Court House served as the capitol until 1777, when government functions moved to Dover as a precaution against attack from British warships in the Delaware River.

The Court House and the New Castle Historic District, including the Green, the Sheriff's House, and numerous additional resources from the time of earliest settlement through the Federal era, are National Historic Landmarks. The Green has served as a center of activity since the Dutch laid it out as the Public Square. The Sheriff's House, abutting the Court House on the Green, is architecturally significant and is all that remains of the State's first prison system. The New Castle Court

House later provided the setting for a dramatic chapter in the history of the Underground Railroad: the criminal trial, presided over by Chief Justice Roger B. Taney, of prominent Quaker abolitionist Thomas Garrett and his colleague John Hunn for assisting runaway slaves escaping from Maryland to Pennsylvania. In the trial Garrett defiantly asserted that he would continue to assist runaway slaves, as he did working with Harriet Tubman and other heroes of the Underground Railroad.

The Constitution of the United States was completed in Philadelphia on September 17, 1787, and then sent to the Congress of the Confederation for transmittal to the State legislatures. At the Golden Fleece Tavern on the Dover Green, a Delaware convention ratified the Constitution on December 7, 1787, earning Delaware the accolade of ''the First State.'' Though the Tavern no longer exists, Dover Green is the central area of the Dover Green Historic District that signifies this event and many others, including the mustering of a Continental Regiment during the American Revolution and the reading of the Declaration of Independence in 1776.

The boundary arc establishing the three ''Lower Counties of Pennsylvania'' that became the State of Delaware runs, in part, through Woodlawn, northwest of Wilmington. Woodlawn is situated on land in the Brandywine Valley acquired by William Penn in 1682. Penn commissioned a survey of this land that marked the 12-mile boundary arc through his property with tree blazes, which were replaced in 1892 with stone markers, two of which still stand. In 1699, Penn sold 2,000 acres of this property to the Pennsylvania Land Company, which in turn sold the land predominantly to Quakers, who had begun settling the area before 1690. In time, the Brandywine and Delaware valleys were more densely settled with Quakers than any other rural area in the United States. At least eight structures from the 18th century are known to be located at Woodlawn. Because Woodlawn has been relatively undisturbed, it still exhibits colonial and Quaker settlement patterns that have vanished elsewhere.

The preservation of Woodlawn is the result of the little-known but historically significant story of Quaker industrialist William Poole Bancroft's prescient planning efforts for the region. Beginning in 1906, Bancroft began to purchase property in the Brandywine Valley, 5 miles outside Wilmington city limits, to hold in reserve for the health and well-being of the public. Heir to the Bancroft textile mills on the Brandywine River, Bancroft eventually amassed over 1,300 acres, of which Woodlawn comprises approximately 1,100 acres that remain essentially the same as when he purchased them: farm fields and forest predominate, dotted with old farmsteads, bridges, and a few roads and trails.

Bancroft provided this rural landscape as part of an altruistic planning effort that also included affordable housing in the City of Wilmington and a system of parks and parkways, on which Frederick Law Olmsted consulted, that linked the neighborhoods to the green spaces. Bancroft established the Woodlawn Trustees to preserve much of the rural landscape as public park land where city residents could enjoy recreation and bucolic surroundings.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and pre-

historic structures, and other objects of historic interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS, for the purpose of establishing a national monument, the State of Delaware has donated to the United States certain lands and interests in lands in New Castle, Delaware (including the Sheriff's House in fee, and an easement for the protection of and access to the New Castle Court House and the Green); the City of Dover has donated to the United States an easement for the protection of and access to the Dover Green; and the Conservation Fund, with the support of the Mt. Cuba Center and the cooperation of the Rockford Woodlawn Fund has donated the Woodlawn property to the United States in fee;

WHEREAS it is in the public interest to preserve and protect the objects of historic interest associated with the early settlement of Delaware, the role of Delaware as the first State to ratify the Constitution, and the establishment and conservation of Woodlawn;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim, set apart, and reserve as the First State National Monument (monument), the objects identified above and all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying maps, which are attached to and form a part of this proclamation, for the purpose of protecting those objects. These reserved Federal lands and interests in lands encompass approximately 1,108 acres, together with appurtenant easements for all necessary purposes, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the monument is subject to valid existing rights. Lands and interests in lands within the monument boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.

The Secretary of the Interior (Secretary) shall manage the monument through the National Park Service, pursuant to applicable legal authorities, consistent with the purposes and provisions of this proclamation. Further, to the extent authorized by law, the Secretary shall promulgate any additional regulations needed for the proper care and management of the monument.

The Secretary shall prepare a management plan for the monument, with full public involvement, within 3 years of the date of this proclamation. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future genera-

tions: (1) to preserve and protect the objects of historic interest identified above; (2) to interpret the story of early Swedish, Finnish, Dutch, and English settlement in the region, and Delaware's role in the establishment of the Nation, including as the first State to ratify the Constitution; and (3) to preserve Woodlawn consistent with William Poole Bancroft's vision of a rural landscape accessible to the public for their health and well-being. The management plan shall set forth, among other provisions, the desired relationship of the monument to other related resources, programs, and organizations in the region, including Old Swedes Church, Fort Christina, Stonum, Lombardy Hall, Brandywine Creek State Park, Hagley Museum and Library, Nemours Mansion and Gardens, Winterthur Museum and Country Estate, Brandywine River Museum, Longwood Gardens, John Dickinson Plantation, and First State Heritage Park.

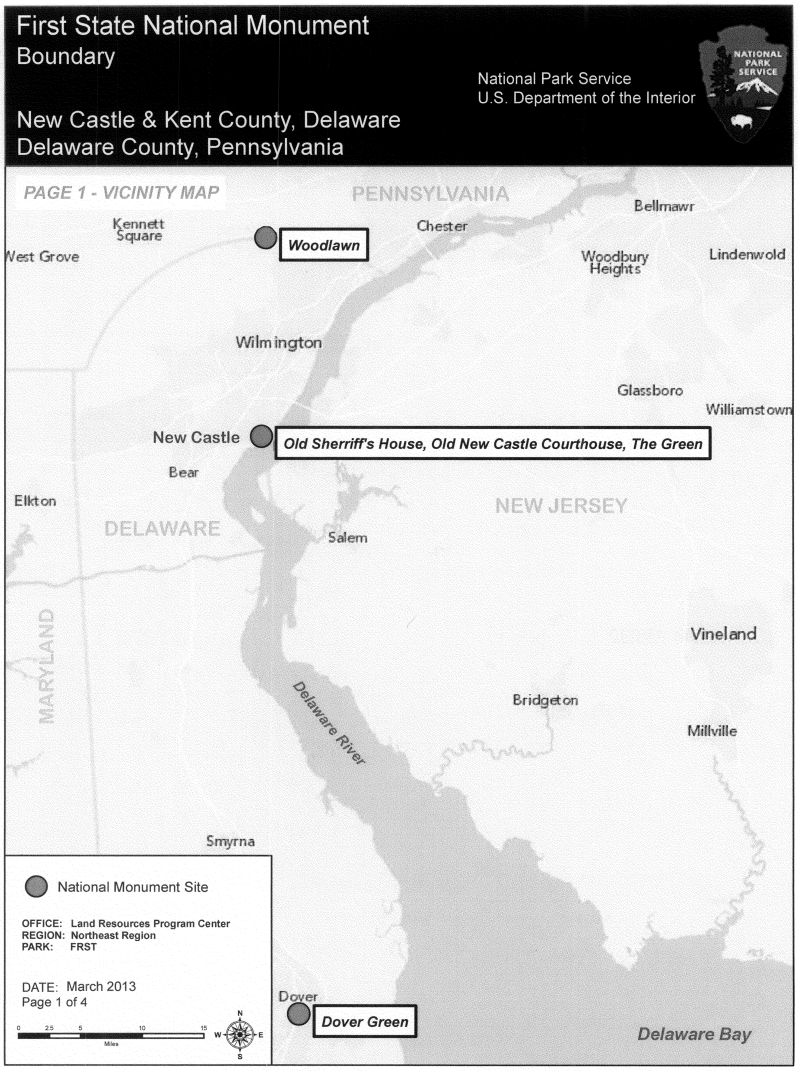
The National Park Service shall consult with State and local agencies and other appropriate organizations in planning for interpretation and visitor services at the monument. The National Park Service is directed to use applicable authorities to seek to enter into agreements addressing common interests and promoting management efficiencies, including provision of visitor services, interpretation and education, and preservation of resources and values.

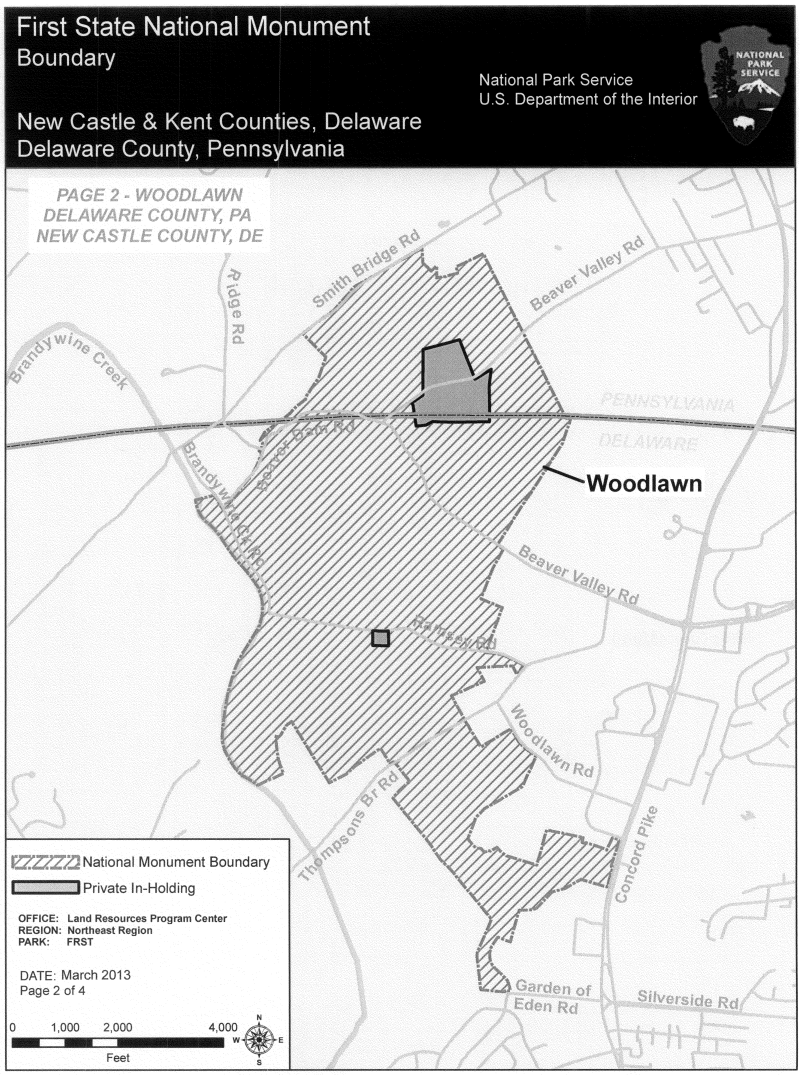
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

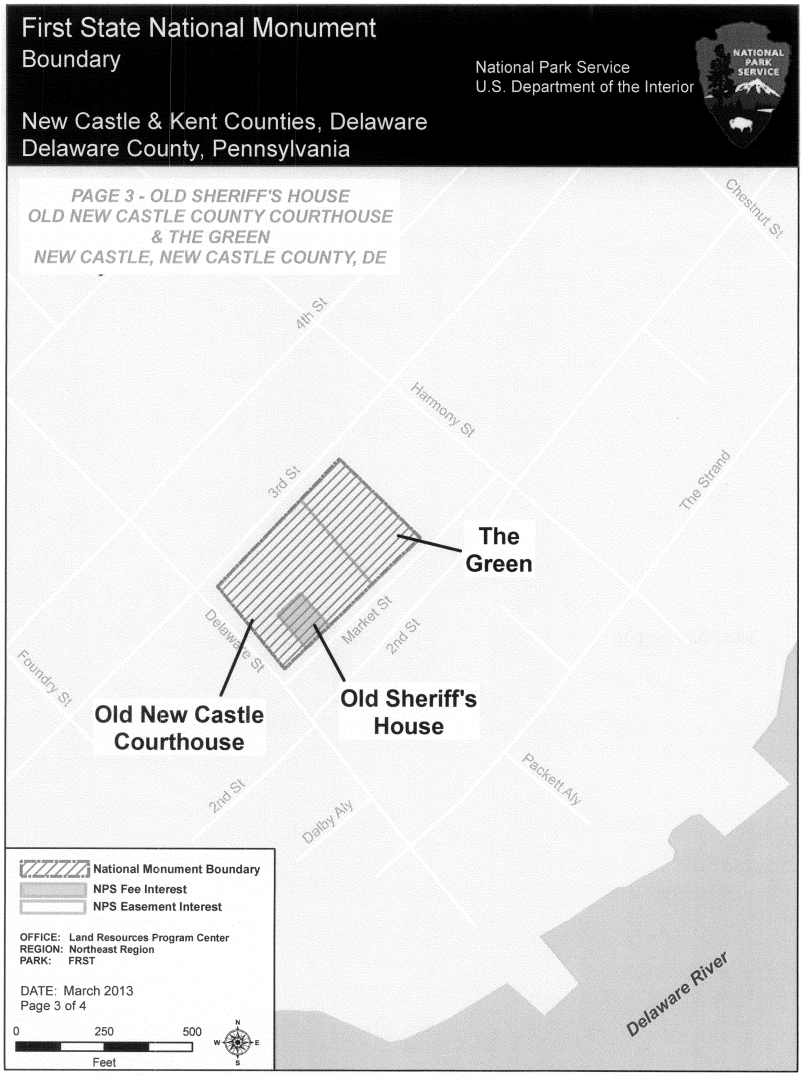
Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

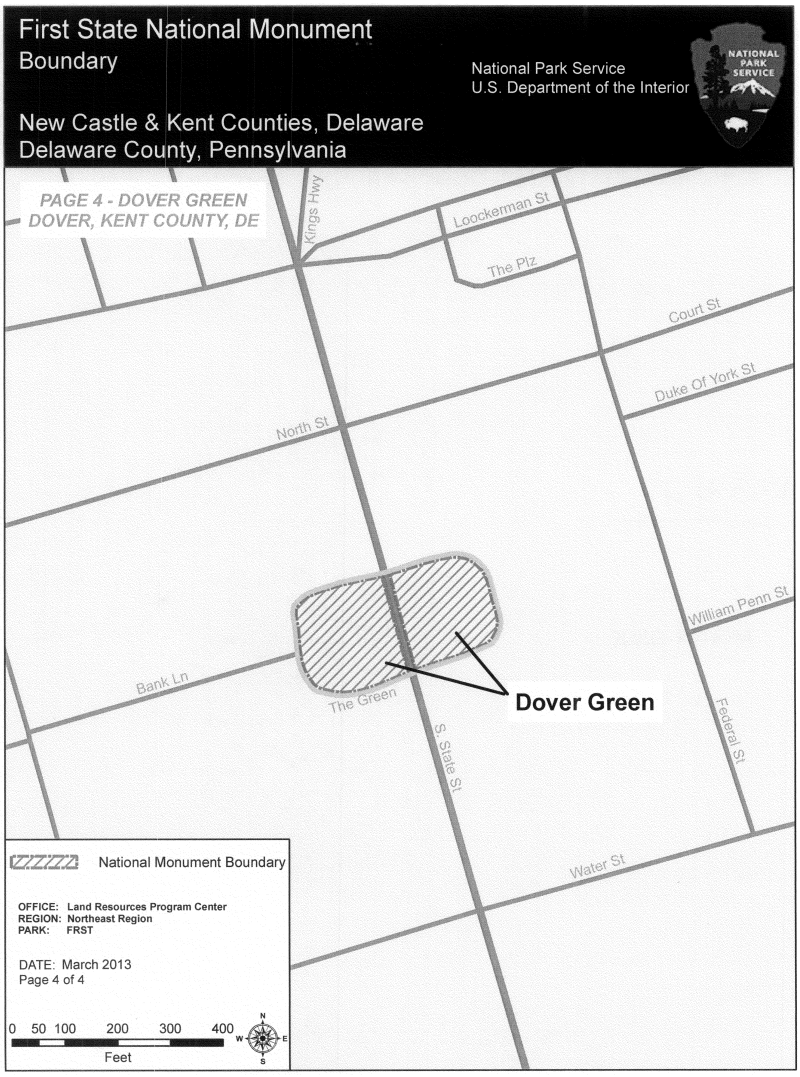
IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA


First State National Monument
Boundary
New Castle & Kent County, Delaware
Delaware County, Pennsylvania
National Park Service
U.S. Department of the Interior
PAGE 1 - VICINITY MAP
PENNSYLVANIA
Kennett Square
West Grove
Woodlawn
Chester
Bellmawr
Woodbury Heights
Lindenwold
Wilmington
Glassboro
Williamstown
New Castle
Old Sherriff's House, Old New Castle Courthouse, The Green
Bear
Elkton
DELAWARE
NEW JERSEY
Salem
MARYLAND
Vineland
Bridgeton
Millville
Delaware River
Smyrna
National Monument Site
OFFICE: Land Resources Program Center
REGION: Northeast Region
PARK: FRST
DATE: March 2013
Page 1 of 4
Dover
Dover Green
Delaware Bay


First State National Monument
Boundary
New Castle & Kent Counties, Delaware
Delaware County, Pennsylvania
National Park Service
U.S. Department of the Interior
NATIONAL PARK SERVICE
PAGE 2 - WOODLAWN
DELAWARE COUNTY, PA
NEW CASTLE COUNTY, DE
Smith Bridge Rd
Beaver Valley Rd
Ridge Rd
Brandywine Creek
PENNSYLVANIA
DELAWARE
Woodlawn
Brandywine Creek Rd
Beaver Valley Rd
Hamorton Rd
Woodlawn Rd
Thompsons Br Rd
Concord Pike
Garden of Eden Rd
Silverside Rd
National Monument Boundary
Private In-Holding
OFFICE: Land Resources Program Center
REGION: Northeast Region
PARK: FRST
DATE: March 2013
Page 2 of 4
0 1,000 2,000 4,000
Feet
N
W
E
S


First State National Monument
Boundary
New Castle & Kent Counties, Delaware
Delaware County, Pennsylvania
National Park Service
U.S. Department of the Interior
NATIONAL PARK SERVICE
PAGE 3 - OLD SHERIFF'S HOUSE
OLD NEW CASTLE COUNTY COURTHOUSE
& THE GREEN
NEW CASTLE, NEW CASTLE COUNTY, DE
Chestnut St
4th St
Harmony St
3rd St
The Strand
The Green
Market St
2nd St
Delaware St
Foundry St
Old New Castle Courthouse
Old Sheriff's House
2nd St
Packett Aly
Dalby Aly
Delaware River
National Monument Boundary
NPS Fee Interest
NPS Easement Interest
OFFICE: Land Resources Program Center
REGION: Northeast Region
PARK: FRST
DATE: March 2013
Page 3 of 4
0
250
500
Feet
N
W
E
S



Proclamation 8945 of March 25, 2013

Establishment of the Charles Young Buffalo Soldiers National Monument

By the President of the United States of America
A Proclamation

Colonel Charles Young was the highest ranking African-American commanding officer in the United States Army from 1894 until his death in 1922. He also served as the first African-American superintendent of a national park, overseeing Sequoia and General Grant (now Kings

Canyon) National Parks while commanding a troop of Buffalo Soldiers in the years before the creation of the National Park Service.

Young served nearly his entire military career with the all-black 9th and 10th Calvary regiments, often called ''Buffalo Soldiers.'' Commissioned in 1889 as a second lieutenant, Young attained the rank of colonel in 1917. During his career he served on the western frontier, saw combat in the Philippines, and rode with General John ''Black Jack'' Pershing in Mexico in 1916. He was the first African American to serve as a United States military attaché, first to Hispaniola (Haiti and the Dominican Republic) and later to Liberia. Young's diverse military career included a posting to Wilberforce University to serve as a professor of tactics and military science.

Born to enslaved parents in Kentucky in 1864, Young's parents, Gabriel and Arminta Young, moved to Ripley, Ohio, in 1866 with their two-year-old son Charles to improve their prospects after the Civil War. This Ohio River town was a center of abolitionism renowned as a welcoming place on the Underground Railroad during the antebellum years. Young thrived there and, in 1881 at age 17, he graduated with academic honors as a member of his integrated high school class. His mother encouraged his life-long intellectual and musical pursuits. Young grew up proud of his father's military service as a Union soldier during the Civil War, and he heeded his father's advice by entering the United States Military Academy at West Point. In 1889, Young was the third African American to graduate from West Point and the last African American to complete West Point until 1936.

Young established his career between 1889 and 1907, serving in the 9th Cavalry at western posts as a second lieutenant in Nebraska and Utah before accepting the military posting at Wilberforce University, where he was promoted to the rank of first lieutenant. During the Spanish-American War he was commissioned in the volunteers as a major, and accepted command of the 9th Ohio Volunteer Infantry Battalion. Although the unit did not deploy or see action, it gained a reputation for discipline and efficiency. Following the war, he returned to his regiment, and was promoted to captain in 1901. He saw combat with the regiment in the Philippine Islands and returned with the 9th Cavalry to California, where his troop was selected as honor guard for the visiting President Theodore Roosevelt—the first time African-American soldiers had served in that capacity. While assigned to the Presidio, Young and his regiment of Buffalo Soldiers were dispatched to Sequoia and General Grant National Parks where Young served as the acting superintendent, and earned the respect of not only the African-American troops he commanded, but also of the white construction crews he directed. His achievements drew the attention of President Theodore Roosevelt. Captain Young was appointed military attaché to Hispaniola in 1904—the first such appointment for an African American—before rejoining the 9th Cavalry in the Philippines, Wyoming, and Texas from 1908 to 1911.

In 1894, when Young accepted a posting at Wilberforce University, he returned to Ohio and with his widowed mother purchased a large house and adjoining farmland, which he named ''Youngsholm.'' While a professor at Wilberforce University, Young established life-long friendships with poet Paul Laurence Dunbar and philosopher W.E.B. Dubois. Youngsholm served as a gathering place for elite African-American thinkers, performers, and leaders. Young opened his doors

to aspiring young people, and welcomed a revolving extended family there even during his many military postings. Although Young's career took him to far-flung places, it was Wilberforce, Ohio—where he established his home, raised a family, mentored a successive generation of leaders, and found intellectual refuge—that remained his base of operation.

From 1912 to 1916, Young served as the military attaché to Liberia, helping to train the Liberian Frontier Force, and then served as a squadron commander during the Punitive Expedition in Mexico against Pancho Villa. He distinguished himself at the Battle of Agua Caliente, leading his men to the aid of a cavalry unit that had been ambushed. During the same period, Young won additional promotions, to major in 1912, and lieutenant colonel in 1916. The 1916 examination board for his promotion to lieutenant colonel acknowledged Young's prior illness (malaria contracted while in Liberia), but concluded he was fit for duty.

On the eve of World War I, Young was the highest ranking African-American officer in the U.S. Army. As the United States readied its forces for Europe, Young and his supporters expected that he would continue to rise in rank and contribute to the wartime effort. Subsequent examination boards recommended Young for a promotion, but also noted medical concerns about his fitness to serve. In June 1917, Young was selected for promotion to the rank of colonel; however, his physical exam revealed he suffered from nephritis (a condition first diagnosed in 1901), high blood pressure, and an enlarged heart. Around the same time, several Southern Senators were pressuring President Woodrow Wilson and his Secretary of War to take steps to reassign or otherwise prevent white officers from serving under Young's command. Indeed, as the United States entered World War I, the War Department generally kept African Americans from assuming leadership of African-American regiments being sent to France and largely restricted African-American troops to non-combat roles.

In July 1917, Young was medically retired as a result of his illnesses, and promoted to Colonel in recognition of his distinguished Army service. Young was disappointed, and he and his supporters asked for reconsideration. To demonstrate his fitness to serve, Young—who was then 54—made an historic 500-mile horseback ride from Wilberforce, Ohio, to Washington, DC Afterwards, the Secretary of War gave Young an informal hearing, but did not reverse the decision. The War Department's action in this matter was controversial, especially within the African-American community, during this time of significant racial tension. Young continued to protest his retirement and work for the civil rights of all African-American soldiers.

Yet, Young's career was not over. Though medically retired, he was retained on a list of active duty officers. During World War I, the War Department sent him back to Ohio to help muster and train African-American troops being recruited for the war. Days before the November 1918 armistice, Young was assigned for a few months to Camp Grant in Rockford, Illinois, to train African-American servicemen for non-combat duties. Shortly thereafter, at the request of the State Department, Colonel Young was sent once more to serve again as military attaché to Liberia, arriving in Monrovia in February 1920. While in neighboring Nigeria, he passed away at the British hospital in Lagos on January 8, 1922. In 1923, Colonel Charles Young became only the

fourth soldier to be honored with a funeral service at the Arlington Amphitheatre before burial in Arlington Cemetery.

Colonel Charles Young's story and leadership are also emblematic of the experience of the Buffalo Soldiers during difficult and racially tense times. The story of the Buffalo Soldiers' bravery and service is not fully told at any existing national park sites. In 1866, the Congress established six all-black regiments, later consolidated to four, to help rebuild the country after the Civil War and to patrol the remote western frontier during the ''Indian Wars.'' Although the pay was low for the time—only $13 a month—many African Americans enlisted because they could earn more and be treated with more dignity than they typically could in civilian life. According to legend, American Indians called the black cavalry troops ''buffalo soldiers'' because of their dark, curly hair, which resembled a buffalo's coat. Aware of the buffalo's fierce bravery and fighting spirit, the African-American troops accepted the name with pride and honor.

The Buffalo Soldiers fought alongside white regiments in many conflicts and were instrumental in the exploration and settlement of western lands. They were also an important part of the early history of America's national parks. Before the Congress created the National Park Service in 1916, the U.S. Army played a critical role in administering several parks. The Army sent the Buffalo Soldiers stationed at the Presidio to manage Yosemite, General Grant, and Sequoia National Parks in California. The Buffalo Soldiers blazed early park trails, built roads, produced maps, drove out trespassing livestock, extinguished fires, monitored tourists, and kept poachers and loggers at bay.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS the National Park Foundation and the Trust for Public Lands, with the assistance and cooperation of the Friendship Foundation, Omega Psi Phi fraternity, and Central State University, have relinquished the existing remainder of the Youngsholm property, consisting of Colonel Young's home and surrounding farmland, to the United States for the purpose of establishing this monument;

WHEREAS it is in the public interest to preserve and protect the objects of historic and scientific interest associated with Charles Young and the Buffalo Soldiers at Youngsholm in Wilberforce, Ohio;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim, set apart, and reserve as the Charles Young Buffalo Soldiers National Monument (monument) the objects identified above and all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation, for the purpose of protecting those objects. These reserved Federal lands and interests in lands encompass 59.65

acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the monument is subject to valid existing rights. Lands and interests in lands within the monument boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.

The Secretary of the Interior (Secretary) shall manage the monument through the National Park Service, pursuant to applicable legal authorities, consistent with the purposes of this proclamation.

The Secretary shall prepare a management plan for the monument, with full public involvement, within 3 years of the date of this proclamation. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve and protect the objects of historic and scientific interest identified above, (2) to commemorate the life and accomplishments of Colonel Charles Young, and (3) to interpret the struggles and achievements of the Buffalo Soldiers in their service to the United States. The management plan shall identify steps to be taken to provide interpretive opportunities concerning Colonel Young and the Buffalo Soldiers both at the monument and at other sites where appropriate. The management plan shall also set forth the desired relationship of the monument to other related resources, programs, and organizations associated with the life of Colonel Charles Young, such as the U.S. Army, the Omega Psi Phi fraternity, and Wilberforce University, as well as to other sites significant to the Buffalo Soldiers.

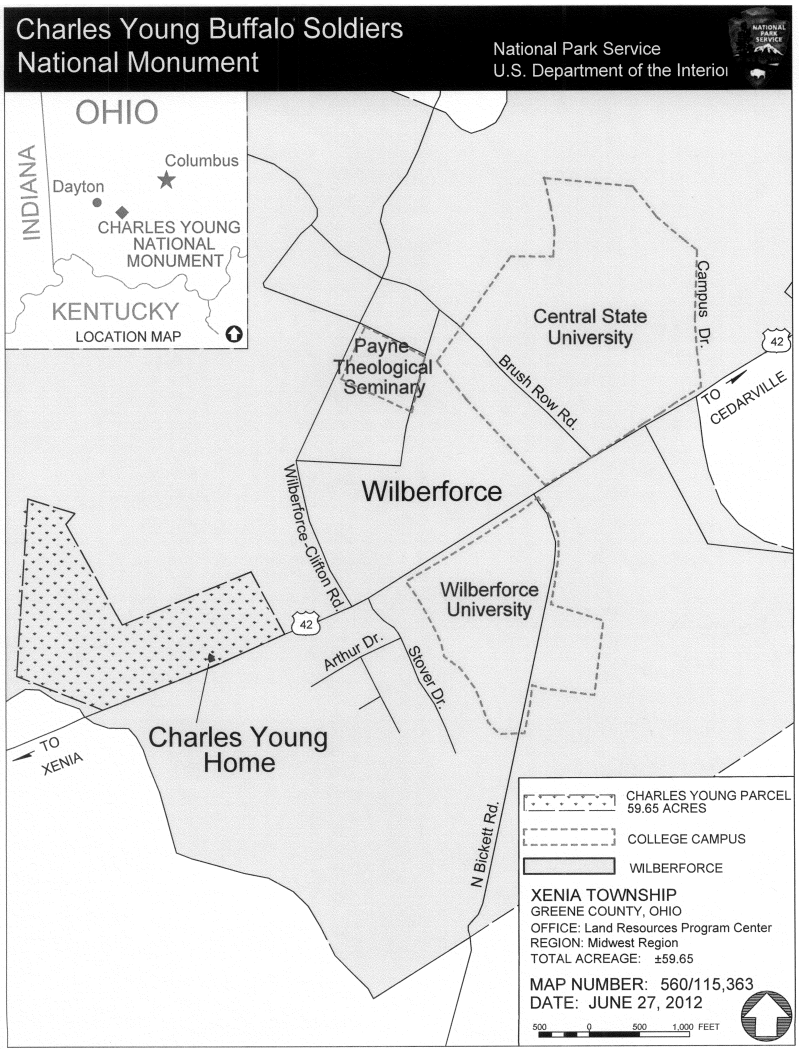
The National Park Service shall use existing authorities as appropriate to enter into agreements with Central State University, Wilberforce University, Omega Psi Phi, the Ohio Historical Society, and other organizations and individuals to provide further opportunities for interpretation and education consistent with monument purposes. The National Park Service shall coordinate with the Golden Gate National Recreation Area, which manages the Presidio in San Francisco, and Sequoia, Kings Canyon, and Yosemite National Parks to commemorate the historical ties between Colonel Charles Young and his military assignments at those sites, and the role of the Buffalo Soldiers as pioneering stewards of our national parks. The National Park Service shall use available authorities, as appropriate, to enter into agreements with other organizations to provide for interpretation and education at additional sites with an historic association or affiliation with the Buffalo Soldiers.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA



Proclamation 8946 of March 25, 2013

Establishment of the Río Grande del Norte National Monument

By the President of the United States of America

A Proclamation

In far northern New Mexico, the Río Grande Wild and Scenic River flows through a deep gorge at the edge of the stark and sweeping expanse of the Taos Plateau. Volcanic cones, including the Cerro de la Olla, Cerro San Antonio, and Cerro del Yuta, jut up from this surrounding plateau. Canyons, volcanic cones, wild rivers, and native grasslands harbor vital wildlife habitat, unique geologic resources, and imprints of human passage through the landscape over the past 10,000 years. This extraordinary landscape of extreme beauty and daunting harshness is known as the Río Grande del Norte, and its extraordinary array of scientific and historic resources offer opportunities to develop our understanding of the forces that shaped northern New Mexico, including the diverse ecological systems and human cultures that remain present today.

For millennia, humans have seasonally passed through the Río Grande del Norte, gathering resources and finding spiritual meaning in its dramatic geologic features. Although few have attempted to live year-round in this harsh landscape, the images carved into the gorge's dark basalt cliffs and the artifacts scattered across the forested slopes of the volcanic cones bear ample testimony to the human use of the area.

The Río Grande gorge lies within the traditional area of the nearby Taos and Picuris Pueblos, as well as the Jicarilla Apache and Ute Tribes, and hosts a dazzling array of rock art. Carved into the boulders and cliffs are hundreds of images ranging from seemingly abstract swirls and dots to clear depictions of human and animal figures. Dense collections of petroglyphs are found near the hot springs that bubble up in the deep heart of the gorge, with some dating back to the Archaic Period (ca. 7,500 B.C.–500 A.D.). In addition to petroglyphs, these lands harbor small hunting blinds, pit houses, chipping stations, potsherds, tools and projectile points, as well as large ceramic vessels. The area is home to a rich array of archaeological resources that represent diverse cultural traditions. Archeological resources are found throughout the proposed monument, with its rugged terrain serving as the focal point for ongoing archaeological research. More recent artifacts and images mark the passage of settlers and Hispanic explorers dating back to the early 18th century. Ongoing explorations and inquiries of this unique cultural landscape have resulted in continuous discoveries that further illuminate northern New Mexico's human history.

Separated from the Río Grande Wild and Scenic River by a broad swath of sagebrush and grassland, the Río San Antonio gorge is another area of concentrated artifact and petroglyph sites. People were drawn to this area by the flowing water, hunting opportunities, and nearby San Antonio Mountain, which is thought to have been a major regional source for the dacite used by nomadic peoples to create stone tools thousands of years ago. This corner of the Río Grande del Norte landscape was traversed by traders and other travelers during the 18th and

19th centuries, who traded furs and other goods and later brought woolen articles from New Mexico's sheep grazing communities to markets throughout the Southwest.

Between the Río Grande gorge and the Río San Antonio gorge stretches a sweeping and austere expanse of the Taos Plateau. The Río Grande del Norte landscape is a testament to the geologic past of New Mexico and the 70 million year tectonic history of the Río Grande Rift, one of the world's major rift systems. Composed of Servilleta lava basalts and rhyolites, the Taos Plateau has long been a center of research in geology and volcanology. Rising in stark contrast from the plateau's broad expanse, Cerro de la Olla, Cerro San Antonio, and other volcanic cones provide visible reminders of the area's volatile past. Cerro del Yuta, or Ute Mountain, the tallest of these extinct volcanoes, rises above the plateau to an elevation topping 10,000 feet. Springs within the Río Grande gorge have been measured emitting 6,000 gallons of water per minute into the river bed and are thought to be part of a flooded lava tube system.

This northern New Mexico landscape also exhibits significant ecological diversity in these different geologic areas. From the cottonwood and willows along the Río Grande corridor, to the expansive sagebrush plains above the gorge on the Taos Plateau, the piñons at the base of Ute Mountain, and the spruce, aspen, and Douglas fir covering the mountain's northern slopes, the diversity of both ecosystems and species allows for, and has been the subject of, substantial scientific research.

The Río Grande gorge connects the northern reaches of the river's watershed with its middle and lower stretches. Deep within the gorge, beneath soaring cliffs that rise hundreds of feet above the river, stands of willow and cottonwood thrive in riparian and canyon ecosystems that have been present since the river first appeared in the Río Grande Rift Valley. The river provides habitat for fish such as the Río Grande cutthroat trout as well as the recently reintroduced North American river otter. The Río Grande del Norte is part of the Central Migratory Flyway, a vital migration corridor for birds such as Canada geese, herons, sandhill cranes, hummingbirds, and American avocets. Several species of bats make their home in the gorge, which also provides important nesting habitat for golden eagles and numerous other raptor species, as well as habitat for the endangered southwestern willow flycatcher.

Bald eagles roost above the river in winter and fly out over the Taos Plateau's sagebrush shrub habitat and native grasslands, which stretch for thousands of acres to the west. The vast plateau harbors a significant diversity of mammals and birds, from the eagles, hawks, falcons, and owls soaring above the plateau to the small mammals on which they prey. Many other bird species, including Merriam's turkey, scaled quail, mourning dove, mountain plover, and loggerhead shrike, can be seen or heard on the plateau. Large mammals, including the Rocky Mountain elk, mule deer, pronghorn, and Rocky Mountain bighorn sheep, find their winter homes on the plateau alongside a population of rare Gunnison's prairie dogs. The Río Grande del Norte also provides habitat for many species of predators, including the ringtail, black bear, coyote, red fox, cougar, and bobcat.

While diverse peoples have used this area intermittently for thousands of years, its challenging conditions make it inhospitable for permanent settlement. In an area near the forested slopes of Cerro Montoso, however, a group of eastern homesteaders attempted to make a living in the years immediately following World War I. The nearly forgotten story of this fleeting community, recently revealed through detailed historical research, is written on the landscape by the remnants of homes, root cellars, cistern-style water catchments, and cast metal toys. At one site, researchers have found several World War I brass uniform buttons, evidence of the veterans who once made their homes on this rugged land.

The protection of the Río Grande del Norte will preserve its cultural, prehistoric, and historic legacy and maintain its diverse array of natural and scientific resources, ensuring that the historic and scientific values of this area remain for the benefit of all Americans.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the objects of scientific and historic interest on the Río Grande del Norte lands;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim, set apart, and reserve as the Río Grande del Norte National Monument (monument), the objects identified above and all lands and interest in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 242,555 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of this proclamation.

The establishment of this monument is subject to valid existing rights. Lands and interests in lands within the monument's boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.

The Secretary of the Interior (Secretary) shall manage the monument through the Bureau of Land Management (BLM) as a unit of the National Landscape Conservation System, pursuant to applicable legal au-

thorities, including the Wild and Scenic Rivers Act (82 Stat. 906, 16 U.S.C. 1271 et seq.), to implement the purposes of this proclamation.

For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments as well as community land grant and acequia associations.

Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on designated roads and non-motorized mechanized vehicle use shall be permitted only on designated roads and trails.

Nothing in this proclamation shall be construed to preclude the Secretary from renewing or authorizing the upgrading of existing utility line rights-of-way within the physical scope of each such right-of-way that exists on the date of this proclamation. Additional utility line rights-of-way or upgrades outside the existing utility line rights-of-way may only be authorized if consistent with the care and management of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe or pueblo. The Secretary shall, in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (92 Stat. 469, 42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).

Laws, regulations, and policies followed by the BLM in issuing and administering grazing permits or leases on lands under its jurisdiction shall continue to apply with regard to the lands in the monument, consistent with the purposes of this proclamation.

Nothing in this proclamation shall be construed to alter or affect the Río Grande Compact between the States of Colorado, New Mexico, and Texas, or to create any reservation of water in the monument.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of New Mexico with respect to fish and wildlife management.

Nothing in this proclamation shall be construed to preclude the traditional collection of firewood and piñon nuts in the monument for personal non-commercial use consistent with the purposes of this proclamation.

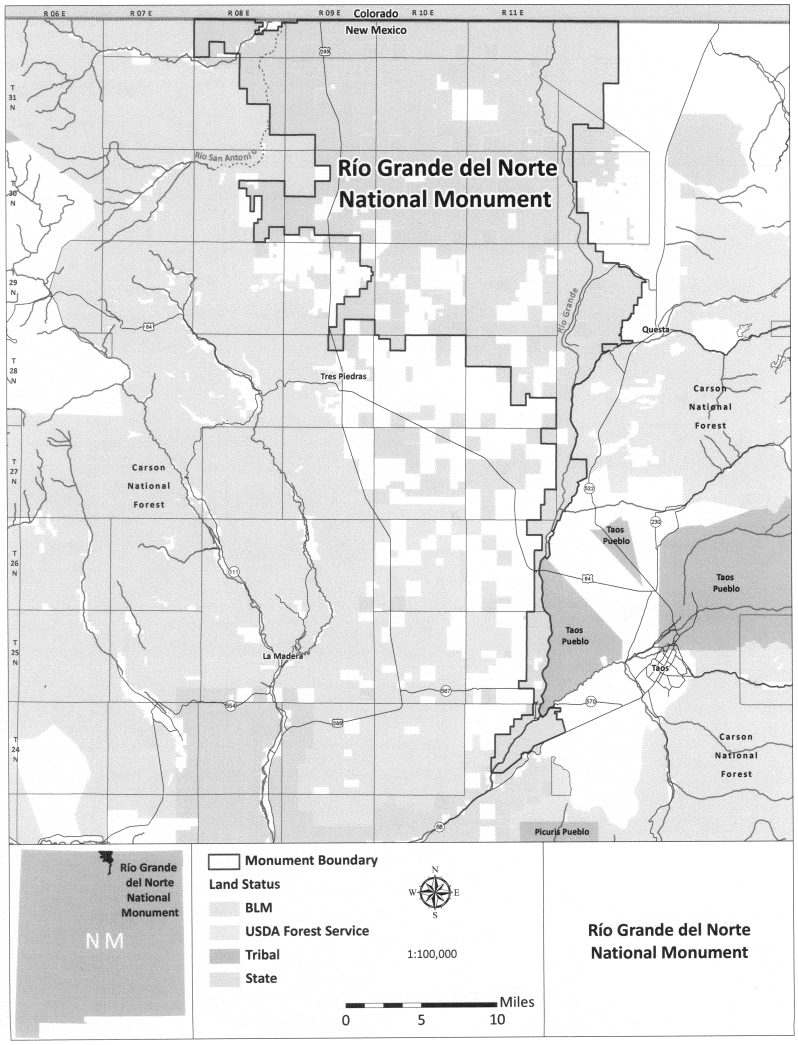
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand thirteen, and of

the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA



Proclamation 8947 of March 25, 2013

Establishment of the San Juan Islands National Monument

By the President of the United States of America

A Proclamation

Within Washington State's Puget Sound lies an archipelago of over 450 islands, rocks, and pinnacles known as the San Juan Islands. These islands form an unmatched landscape of contrasts, where forests seem to spring from gray rock and distant, snow-capped peaks provide the backdrop for sandy beaches. Numerous wildlife species can be found here, thriving in the diverse habitats supported by the islands. The presence of archeological sites, historic lighthouses, and a few tight-knit communities testifies that humans have navigated this rugged landscape for thousands of years. These lands are a refuge of scientific and historic treasures and a classroom for generations of Americans.

The islands are part of the traditional territories of the Coast Salish people. Native people first used the area near the end of the last glacial period, about 12,000 years ago. However, permanent settlements were relatively uncommon until the last several hundred years. The Coast Salish people often lived in villages of wooden-plank houses and used numerous smaller sites for fishing and harvesting shellfish. In addition to collecting edible plants, and hunting various birds and mammals, native people used fire to maintain meadows of the nutritionally rich great camas. Archaeological remains of the villages, camps, and processing sites are located throughout these lands, including shell middens, reef net locations, and burial sites. Wood-working tools, such as antler wedges, along with bone barbs used for fishing hooks and projectile points, are also found on the islands. Scientists working in the San Juan Islands have uncovered a unique array of fossils and other evidence of long-vanished species. Ancient bison skeletons (10,000–12,000 years old) have been found in several areas, indicating that these islands were an historic mammal dispersal corridor. Butcher marks on some of these bones suggest that the earliest human inhabitants hunted these large animals.

The first Europeans explored the narrows of the San Juan Islands in the late 18th century, and many of their names for the islands are still in use. These early explorers led the way for 19th century European and American traders and trappers. By 1852, American settlers had established homesteads on the San Juan Islands, some of which remain today. In the late 19th century, the Federal Government built several structures to aid in maritime navigation. Two light stations and their associated buildings are located on lands administered by the Bureau of Land Management (BLM): Patos Island Light Station (National Register of Historic Places, 1977) and Turn Point Light Station (Washington State Register of Historic Places, 1978).

The lands on Patos Island, Stuart Island, Lopez Island, and neighboring islands constitute some of the most scientifically interesting lands in the San Juan Islands. These lands contain a dramatic and unusual diversity of habitats, with forests, woodlands, grasslands, and wetlands intermixed with rocky balds, bluffs, inter-tidal areas, and sandy beaches. The stands of forests and open woodlands, some of which are sev-

eral hundred years old, include a majestic assemblage of trees, such as Douglas fir, red cedar, western hemlock, Oregon maple, Garry oak, and Pacific madrone. The fire-dependent grasslands, which are also susceptible to invasive species, are home to chick lupine, historically significant great camas, brittle cactus, and the threatened golden paintbrush. Rocky balds and bluffs are home to over 200 species of moss that are extremely sensitive to disturbance and trampling. In an area with limited fresh water, two wetlands on Lopez Island and one on Patos Island are the most significant freshwater habitats in the San Juan Islands.

The diversity of habitats in the San Juan Islands is critical to supporting an equally varied collection of wildlife. Marine mammals, including orcas, seals, and porpoises, attract a regular stream of wildlife watchers. Native, terrestrial mammals include black-tail deer, river otter, mink, several bats, and the Shaw Island vole. Raptors, such as bald eagles and peregrine falcons, are commonly observed soaring above the islands. Varied seabirds and terrestrial birds can also be found here, including the threatened marbled murrelet and the recently reintroduced western bluebird. The island marble butterfly, once thought to be extinct, is currently limited to a small population in the San Juan Islands.

The protection of these lands in the San Juan Islands will maintain their historical and cultural significance and enhance their unique and varied natural and scientific resources, for the benefit of all Americans.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the objects of scientific and historic interest on the lands of the San Juan Islands;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be the San Juan Islands National Monument (monument), and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Government of the United States and administered by the Department of the Interior through the BLM, including all unappropriated or unreserved islands, rocks, exposed reefs, and pinnacles above mean high tide, within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 970 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the monument administered by the Department of the Interior through the BLM are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public

land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of this proclamation.

The establishment of the monument is subject to valid existing rights. Lands and interests in lands within the monument boundaries not owned or controlled by the Government of the United States shall be reserved as a part of the monument upon acquisition of ownership or control by the Secretary of the Interior (Secretary) on behalf of the United States.

The Secretary shall manage the monument through the BLM as a unit of the National Landscape Conservation System, pursuant to applicable legal authorities, to implement the purposes of this proclamation, except that if the Secretary hereafter acquires on behalf of the United States ownership or control of any lands or interests in lands within the monument boundaries not owned or controlled by the United States, the Secretary shall determine whether such lands and interests in lands will be administered by the BLM as a unit of the National Landscape Conservation System or by another component of the Department of the Interior, consistent with applicable legal authorities.

For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall establish an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) to provide information and advice regarding the development of such plan.

Except for emergency, Federal law enforcement, or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on designated roads, and non-motorized mechanized vehicle use in the monument shall be permitted only on designated roads and trails.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretary shall, in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction or authority of the State of Washington or the United States over submerged or other lands within the territorial waters off the coast of Washington.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Washington with respect to fish and wildlife management.

Nothing in this proclamation shall be deemed to limit the authority of the Secretary of Homeland Security to engage in search and rescue operations, or to use Patos Island Light Station, Turn Point Light Station, or other aids to navigation for navigational or national security purposes.

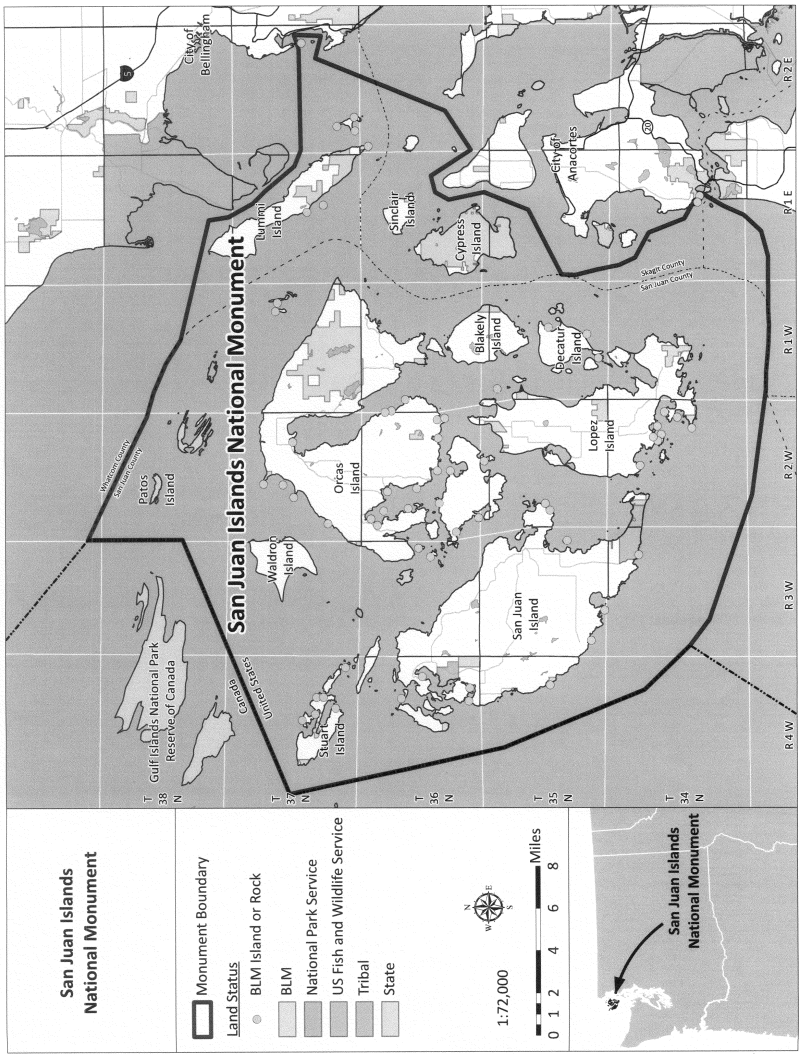
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Nothing in this proclamation shall be deemed to restrict safe and efficient aircraft operations, including activities and exercises of the Armed Forces and the United States Coast Guard, in the vicinity of the monument.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA



Proclamation 8948 of March 29, 2013

National Cancer Control Month, 2013

By the President of the United States of America
A Proclamation

For more than a decade, Americans have watched the overall cancer death rate drop lower and lower with each passing year. As a Nation, we have measured that progress not just in the lives we have saved, but also in the moments we have shared—patients lifted up by the promise of remission, parents blessed with the chance to watch their children grow up, young people confident that a diagnosis cannot put

a limit on their dreams. But even with the gains we have made, we know there is more work to do when more than half a million Americans lose their lives to cancer every year. This month, we rededicate ourselves to securing better outcomes, reducing new cases, and advancing cancer research.

To beat this disease, we must continue our efforts to prevent it. Each of us can reduce our risk of developing cancer by maintaining a healthy weight, exercising regularly, limiting alcohol intake and sun exposure, and living tobacco-free. For help quitting smoking, visit www.BeTobaccoFree.gov. Additional resources on what cancer is and how to prevent it are available at www.Cancer.gov.

Detecting cancer early gives patients the best chance for successful treatment. Thanks to the Affordable Care Act, insurers are required to cover recommended cancer screenings and other preventive services at no out-of-pocket cost to the patient—a provision that has already helped nearly 71 million people. To build on those gains and stop cancer before it takes hold, I encourage all Americans to see their health care providers for regular screenings and check-ups.

Expanding on today's progress also means investing in tomorrow's breakthroughs. My Administration is committed to supporting the kind of medical research that has unlocked decades of new therapies and promising interventions. Beginning in 2014, the Affordable Care Act will also give cancer patients better access to those treatments by preventing insurance companies from denying coverage because of a preexisting condition or putting annual dollar limits on most benefits.

Together, our Nation is moving forward in the fight against cancer. As we recommit to improving prevention, detection, and treatment, let us honor the memory of the courageous men and women we have lost to the disease, and let us stand with all those facing it today.

The Congress of the United States, by joint resolution approved March 28, 1938 (52 Stat. 148; 36 U.S.C. 103), as amended, has requested the President to issue an annual proclamation declaring April as ''Cancer Control Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim April 2013 as National Cancer Control Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent and control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8949 of March 29, 2013

National Child Abuse Prevention Month, 2013

By the President of the United States of America
A Proclamation

America is a country where all of us should be able to pursue our own measure of happiness and live free from fear. But for the millions of children who have experienced abuse or neglect, it is a promise that goes tragically unfulfilled. National Child Abuse Prevention Month is a time to make their struggle our own and reaffirm a simple truth: that no matter the challenges we face, caring for our children must always be our first task.

Realizing that truth in our society means ensuring children know they are never alone—that they always have a place to go and there are always people on their side. Parents and caregivers play an essential part in giving their children that stability. But we also know that keeping our children safe is something we can only do together, with the help of friends and neighbors and the broader community. All of us bear a responsibility to look after them, whether by lifting children toward their full potential or lending a hand to a family in need.

Our Government shares in that obligation, which is why my Administration has made addressing child abuse a priority. Since I took office, we have advocated for responsible parenting and invested in programs that can give our sons and daughters a strong start in life. I was also proud to sign measures into law that equip State and local governments with the tools to take on abuse, like the CAPTA Reauthorization Act and the Violence Against Women Reauthorization Act.

Together, we are making important progress in stopping child abuse and neglect. But we cannot let up—not when children are still growing up looking for a lifeline, and not when more than half a million young people are robbed of their basic right to safety every year. So this month, let us stand up for them and make their voices heard. To learn more about ending child abuse and how to get involved, visit www.ChildWelfare.gov/Preventing.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2013 as National Child Abuse Prevention Month. I call upon all Americans to observe this month with programs and activities that help prevent child abuse and provide for children's physical, emotional, and developmental needs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8950 of March 29, 2013

National Donate Life Month, 2013

By the President of the United States of America
A Proclamation

Today, more than 115,000 men, women, and children are on the waiting list for an organ transplant. To help them get the care they need, millions of Americans choose to be organ and tissue donors—a decision that reflects not only profound generosity, but also our commitment to one another. During National Donate Life Month, we renew the call for organ and tissue donation.

Most people can be donors, and the need is great. I encourage Americans of every background to learn the facts about organ and tissue donation, consider signing up for their State's registry, and talk to family and friends about their decision. Information and resources about how to get involved are available at www.OrganDonor.gov.

Together, we can respond to the donor shortage that keeps thousands of patients from getting life-saving care. Let us mark this month by rededicating ourselves to that task, standing with donors and their families, and igniting hope for those in need.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2013 as National Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to join forces to boost the number of organ and tissue donors throughout our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8951 of March 29, 2013

National Financial Capability Month, 2013

By the President of the United States of America
A Proclamation

All Americans deserve the chance to turn their hard work into a decent living for their families and a bright future for their children. Seizing that opportunity takes more than drive and initiative—it also requires smart financial planning. During National Financial Capability Month, we recommit to empowering individuals and families with the knowledge and tools they need to get ahead in today's economy.

My Administration is dedicated to helping people make sound decisions in the marketplace. Last year, we partnered with businesses and community leaders to roll out new public and private commitments to

increasing financial literacy. We released a new financial capability toolkit to help schools and employers as they launch their own initiatives. And with our College Scorecard and Financial Aid Shopping Sheet, we are working to give families clear, transparent information on college costs so they can make good choices when they invest in higher education. Together, we can prepare young people to tackle financial challenges—from learning how to budget responsibly to saving for college, starting a business, or opening a retirement account.

Financial capability also means helping people avoid scams and demand fair treatment when they take out a mortgage, use a credit card, or apply for a student loan. My Administration continues to encourage responsibility at all levels of our financial system by cracking down on deceptive practices and ensuring that consumers are informed of their rights.

We also know that too many families are living paycheck-to-paycheck, unable to take advantage of tools that would help them plan for a middle class life. That is why we must build ladders of opportunity for everyone willing to climb them—from a fair minimum wage that lifts working Americans out of poverty to high-quality preschool and early education that gets every child on the right track early. These reforms would encourage the kind of broad-based economic growth that gives everyone a better chance to secure their financial future.

Our history shows that there is no economic engine more powerful than a thriving middle class. Reigniting that engine means giving ordinary citizens the tools to find prosperity, including strong financial capability. To learn more about managing money and navigating the 21st-century marketplace, visit www.MyMoney.gov and www.ConsumerFinance.gov, or call 1–888–MyMoney.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2013 as National Financial Capability Month. I call upon all Americans to observe this month with programs and activities to improve their understanding of financial principles and practices.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8952 of March 29, 2013

National Sexual Assault Awareness and Prevention Month, 2013

By the President of the United States of America

A Proclamation

In the last 20 years, our Nation has made meaningful progress toward addressing sexual assault. Where victims were once left without recourse, laws have opened a path to safety and justice; where a culture

of fear once kept violence hidden, survivors are more empowered to speak out and get help. But even today, too many women, men, and children suffer alone or in silence, burdened by shame or unsure anyone will listen. This month, we recommit to changing that tragic reality by stopping sexual assault before it starts and ensuring victims get the support they need.

Sexual violence is an affront to human dignity and a crime no matter where it occurs. While rape and sexual assault affect all communities, those at the greatest risk are children, teens, and young women. Nearly one in five women will be a victim of sexual assault during college. For some groups, the rates of violence are even higher—Native American women are more than twice as likely to experience sexual assault as the general population. Moreover, we know rape and sexual assault are consistently underreported, and that the physical and emotional trauma they leave behind can last for years.

With Vice President Joe Biden's leadership, we have made preventing sexual violence and supporting survivors a top priority. Earlier this month, I was proud to sign the Violence Against Women Reauthorization Act, which renews and strengthens the law that first made it possible for our country to address sexual assault in a comprehensive way. The Act preserves critical services like rape crisis centers, upholds protections for immigrant victims, gives State and tribal law enforcement better tools to investigate cases of rape, and breaks down barriers that keep lesbian, gay, bisexual, and transgender victims from getting help. It also expands funding for sexual assault nurse examiner programs and sexual assault response teams, helping States deliver justice for survivors and hold offenders accountable.

Just as we keep fighting sexual assault in our neighborhoods, we must also recommit to ending it in our military—because no one serving our country should be at risk of assault by a fellow service member. Where this crime does take place, it cannot be tolerated; victims must have access to support, and offenders must face the consequences of their actions. Members of our Armed Forces and their families can learn more about the resources available to them at 1–877–995–5247 and SafeHelpline.org.

All Americans can play a role in changing the culture that enables sexual violence. Each of us can take action by lifting up survivors we know and breaking the silence surrounding rape and sexual assault. To get involved, visit www.WhiteHouse.gov/1is2many.

Together, our Nation is moving forward in the fight against sexual assault. This month, let us keep working to prevent violence in every corner of America, and let us rededicate ourselves to giving survivors the bright future they deserve.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2013 as National Sexual Assault Awareness and Prevention Month. I urge all Americans to support survivors of sexual assault and work together to prevent these crimes in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and

of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8953 of March 29, 2013

Cesar Chavez Day, 2013

By the President of the United States of America

A Proclamation

Every year, Americans all across our country pause on March 31 to remember a man who made justice his life's calling. Growing up the son of migrant farm workers who lost everything in the Great Depression, Cesar Chavez knew hard work and hardship from an early age. He labored long hours for little pay, taking odd jobs to help his family get by and forgoing a formal education to follow the crop cycles. But where others might have given up or given in, Cesar Chavez never lost hope in the power of opportunity. He lived each day by a belief as old as America itself—the idea that with courage and determination, any of us can reach beyond our circumstances and leave our children something better.

More than anything, we remember Cesar Chavez for lending voice to the voiceless. When no one seemed to care about the invisible farm workers who picked our Nation's food, beset by poverty and cheated by growers, a courageous man dedicated to dignity stood up and spoke out. Alongside Dolores Huerta and fellow organizers, he rallied a generation of workers around ''La Causa,'' marching and fasting and boycotting for fair pay and protections on the job. They fought through decades of setbacks and fierce resistance. But through every trial, Cesar Chavez refused to curb his ambitions or scale back his hope. Step by step, march by march, he helped lead a community of farm workers to make the change they sought.

Cesar Chavez's legacy lives on at Nuestra Señora Reina de la Paz, his home and workplace, which I was proud to designate a National Monument last October. It also lives on in those who remember his central teaching: that when workers are treated fairly and humanely, our country grows more just, opportunity becomes more equal, and all of us do better. Because even with the strides we have made, we know there is more left to do when working men and women toil in poverty without adequate protections or simple respect. We know there is more to do when our broken immigration system forces workers into a shadow economy where companies can ignore labor laws and undermine businesses following the rules. Fixing those problems means securing what Cesar Chavez fought for at La Paz. It means taking on injustice, making sure hard work is rewarded, and bringing more Americans into a rising middle class.

In 1966, when Cesar Chavez was struggling to bring attention to his cause, he received a telegram from Dr. Martin Luther King, Jr. ''As brothers in the fight for equality, I extend the hand of fellowship and goodwill,'' he wrote. ''We are with you in spirit and in determination that our dreams for a better tomorrow will be realized.'' It is a story

that reminds us how here in America, we are bound together not by the colors of our skin or the languages we speak, but by the values we share and the brighter future we seek for our children. So today, as we honor a man who risked everything to stand up for what he believed in, let us reflect on our common cause and recommit to moving forward together—as one Nation and one people.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 31, 2013, as Cesar Chavez Day. I call upon all Americans to observe this day with appropriate service, community, and education programs to honor Cesar Chavez's enduring legacy.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8954 of April 1, 2013

World Autism Awareness Day, 2013

By the President of the United States of America

A Proclamation

Today, public health officials estimate that 1 in every 88 children in America is growing up on the autism spectrum. It is a reality that affects millions of families every day, from the classroom to the job market. And while our country has made progress in supporting Americans with autism spectrum disorders (ASDs), we are only beginning to understand the factors behind the challenges they face. On World Autism Awareness Day, we recommit to helping individuals on the autism spectrum reach their full potential.

To achieve that goal, we need a health care system that works for children and adults with ASDs. The Affordable Care Act prevents insurers from denying coverage to children on the autism spectrum, and it ensures new health plans must cover autism screenings at no cost to parents. Beginning in 2014, the Act will make it illegal for insurance companies to discriminate against men and women with preexisting conditions, including ASDs. And looking ahead, my Administration is investing in medical research that can help unlock tomorrow's breakthroughs in autism detection, intervention, and education.

Leveling the playing field for Americans on the autism spectrum also takes commitment in our schools. That is why we are advancing initiatives to help students with ASDs get a good education free from discrimination and undue hardship. And it is why we are making sure that education can lead to meaningful employment by supporting vocational rehabilitation programs and opening higher education to more people on the autism spectrum.

All Americans should have the chance to live full, independent lives and follow their talents wherever they lead. This month, we recognize

Americans with ASDs who are walking through doors of opportunity, and we recommit to opening them wider in the years ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2, 2013, as World Autism Awareness Day. I encourage all Americans to learn more about autism and what they can do to support individuals on the autism spectrum and their families.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8955 of April 8, 2013

National Equal Pay Day, 2013

By the President of the United States of America
A Proclamation

Over the past 4 years, the American people have come together to lift our economy out of recession and forge a foundation for lasting prosperity. Our businesses have created millions of new jobs, our stock market is rebounding, and our housing market has begun to heal. But even now, too many Americans are seeing their hard work go unrewarded because of circumstances beyond their control. Women—who make up nearly half of our Nation's workforce—face a pay gap that means they earn 23 percent less on average than men do. That disparity is even greater for African-American women and Latinas. On National Equal Pay Day, we recognize this injustice by marking how far into the new year women have to work just to make what men did in the previous one.

Wage inequality undermines the promise of fairness and opportunity upon which our country was founded. For families trying to make ends meet, that gap can also mean the difference between falling behind and getting ahead. When working mothers make less than their male counterparts, they have less to spend on basic necessities like child care, groceries, and rent. Small businesses see fewer customers walk through their doors. Tuition payments get harder to afford, and rungs on the ladder of opportunity get farther apart. And just as diminished wages shortchange families, they slow our entire economy—weakening growth here at home and eroding American competitiveness abroad.

To grow our middle class and spur progress in the years ahead, we need to address longstanding inequity that keeps women from earning a living equal to their efforts. That is why I have made pay equity a top priority—from signing the Lilly Ledbetter Fair Pay Act days after I took office to cracking down on equal pay law violations wherever they occur. And to back our belief in equality with the weight of law, I continue to call on the Congress to pass the Paycheck Fairness Act.

Our country has come a long way toward ensuring everyone gets a fair shot at opportunity, no matter who you are or where you come from. But our journey will not be complete until our mothers, our wives, our sisters, and our daughters are treated equally in the workplace and always see an honest day's work rewarded with honest wages. Today, let us renew that vision for ourselves and for our children, and let us rededicate ourselves to realizing it in the days ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 9, 2013, as National Equal Pay Day. I call upon all Americans to recognize the full value of women's skills and their significant contributions to the labor force, acknowledge the injustice of wage inequality, and join efforts to achieve equal pay.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8956 of April 8, 2013

National Former Prisoner of War Recognition Day, 2013

By the President of the United States of America
A Proclamation

From the days of the Revolutionary War to the trials of our times, America has been blessed with an unbroken chain of patriots who have always stepped forward to serve. Whenever our country has come under attack, our men and women in uniform have risen to its defense. And whenever our freedoms have been threatened, they have responded with unyielding resolve—sometimes trading their liberty to secure our own.

Today, we pay tribute to former prisoners of war who made that profound sacrifice. Caught behind enemy lines and stripped of their rights, these service members endured trials few of us can imagine. Many lost their lives. But in reflecting on the tragic price they paid, we also remember how their courage lit up even the darkest night. Where others might have given up or broken down, they dug in. They summoned an iron will. In their strength, we see the measure of their character; in their sacrifice, we see the spirit of a Nation.

As we express our gratitude to heroes who gave so much for their country, we remain mindful that no one gesture is enough to truly honor their service. For that, we must recommit to serving our veterans as well as they served us—not just today, but every day. We must pursue a full accounting of those who are still missing. And for service members who have come home, we must never stop fighting to give them the stability and the support they have earned. That is the promise we renew today—for former prisoners of war, for their families, and for every American who has sworn an oath to protect and defend.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 9, 2013, as National Former Prisoner of War Recognition Day. I call upon all Americans to observe this day of remembrance by honoring all American prisoners of war, our service members, and our veterans. I also call upon Federal, State, and local government officials and organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8957 of April 12, 2013

Pan American Day and Pan American Week, 2013

By the President of the United States of America
A Proclamation

One hundred and twenty-three years ago, countries across the Western Hemisphere came together to found the International Union of American Republics—a forerunner to the Organization of American States and a foundation for progress throughout the region. In the decades since, nations in the Americas have forged lasting partnerships in trade, security, and democracy that reflect our shared commitment to peace and prosperity. As we celebrate those ties this week, we recognize the Pan American community's accomplishments and recommit to advancing common goals.

Delivering prosperity for all our people takes strong, broad-based economic growth. That is why my Administration has worked tirelessly to boost trade with our partners abroad and open new markets for American products. We have worked together to increase lending through the Inter-American Development Bank, promote microfinance, reform tax systems, eliminate barriers to investment, and forge clean energy and climate partnerships. In the United States, we have secured trade agreements with Colombia and Panama. Alongside partners like Canada, Mexico, Chile, and Peru, we are making progress toward a Trans-Pacific Partnership. And inter-American trade is continuing to expand dramatically, supporting millions of jobs here in the United States and still more abroad.

These initiatives are strengthening economies across the Americas. And just as the benefits of trade and development should be shared between nations, we also know they should be shared within nations. That takes the assurance of security and transparency, education and equality, human rights and the rule of law. As countries throughout the hemisphere build up those fundamental protections and opportunities for their citizens, the United States will work alongside them. It is a commitment we make not only because it is the right thing to do—we

make it knowing that our futures depend on what we can do together as partners in progress.

On Pan American Day and during Pan American Week, we renew the bonds of friendship that unite us across cultures and continents. Let us mark this week by reinvesting in the prosperity and dignity of our peoples, confident that the Americas' best days are still ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 14, 2013, as Pan American Day and April 14 through April 20, 2013, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of the other areas under the flag of the United States of America to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8958 of April 16, 2013

Honoring the Victims of the Tragedy in Boston, Massachusetts

By the President of the United States of America
A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on April 15, 2013, in Boston, Massachusetts, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, April 20, 2013. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8959 of April 19, 2013

National Crime Victims' Rights Week, 2013

By the President of the United States of America
A Proclamation

Every year, millions of Americans fall victim to crime through no fault of their own. These are people we know: families trying to rebuild after financial fraud or identity theft, grandparents spending their golden years in the shadow of elder abuse, children whose right to safety has been stolen away by violence or neglect. Many struggle to get help in the aftermath of a crime, and some never report their crime at all. During National Crime Victims' Rights Week, we reaffirm our solemn obligation to ensure they get the services they need—from care and counseling to justice under the law.

Thanks to thousands of victim assistance programs all across our country, we are making progress toward that goal. As dedicated advocates continue their important work, my Administration will continue to support them by raising awareness about victims' rights, making sure those rights are protected and practiced, and investing in training programs for law enforcement and other professionals. I was proud to sign the Violence Against Women Reauthorization Act into law last month, preserving and strengthening critical services for victims of abuse. We have continued to crack down on financial crimes that leave too many families struggling to get back on their feet. And we are stepping up our efforts in the fight against human trafficking, whether it occurs halfway around the world or right here at home.

Even now, we have more work to do. As an epidemic of gun violence has swept through places like Newtown, Aurora, Oak Creek, and cities and towns all across America, our country has come up against the hard question of whether we are doing enough to protect our children and our communities. As Americans everywhere have stood up and spoken out for change, my Administration has responded with reforms that give law enforcement, schools, mental health professionals, and public health officials better tools to reduce violent crime. But we cannot solve this problem alone. That is why I will continue to fight for common-sense measures that would address the epidemic of gun violence and help keep our children safe.

By working to prevent crime and extend support to those in need, we keep faith with our fellow citizens and the basic values that unite us. Let us renew that common cause this week, and let us rededicate ourselves to advancing it in the year ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 21 through April 27, 2013, as National Crime Victims' Rights Week. I call upon all Americans to observe this week by participating in events that raise awareness of victims' rights and services, and by volunteering to serve victims in their time of need.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of April, in the year of our Lord two thousand thirteen, and of the

Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8960 of April 19, 2013

National Volunteer Week, 2013

By the President of the United States of America

A Proclamation

As Americans, we are inheritors to a legacy of diversity unlike any other place on earth. We are home to more than 300 million people who come from every background, practice every faith, and hold every point of view. But where difference could draw us apart, we are bound together by a single sacred word: citizen. It defines our way of life, and it captures our belief in something bigger than ourselves—the notion that our destiny is shared, and all of us do better when we accept certain obligations to one another.

National Volunteer Week is a time to renew that fundamentally American idea of service and responsibility. It is also a time to recognize the men, women, and children who bring that principle into practice every day by lifting up the people around them. Volunteering rates are the highest they have been in years. More Americans are answering the call to serve—not for fanfare or attention, but because they want to give back. And as they do, they are making our communities stronger. They are boosting local economies. And they are building ladders of opportunity for those who need them most.

My Administration is dedicated to helping more Americans make that commitment. Through the Corporation for National and Community Service, we are investing in programs like AmeriCorps, FEMA Corps, and Senior Corps so more people can focus their talents on improving our neighborhoods. As we continue to draw down our forces abroad, we are opening up new ways for Americans to serve our veterans and military families here at home. We are encouraging States to let workers on unemployment insurance volunteer and build the skills they need to find a job. And this year, we are proposing new funding for the Volunteer Generation Fund that would help nonprofits recruit, manage, and maintain strong volunteer workforces. We also renamed the program the George H.W. Bush Volunteer Generation Fund, honoring the legacy of our 41st President and his enduring commitment to volunteerism.

We need not look far to see the power of service. Less than 6 months ago, when Hurricane Sandy bore down on our Atlantic coast, Americans responded with compassion and resolve. As an act of terror struck Boston at the finish line of a great race, and an explosion in Texas tore through a tight-knit community, we stood by each other in times of need. Ordinary men and women have stepped forward and accomplished extraordinary things together, uniting as friends and neighbors and fellow citizens. The strength they have shown reminds us that even in our darkest hours, we look out for each other. We pull together. And we move forward as one. During National Volunteer Week,

let us tap into that spirit once more. To find a service opportunity nearby, visit www.Serve.gov.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 21 through April 27, 2013, as National Volunteer Week. I call upon all Americans to observe this week by volunteering in service projects across our country and pledging to make service a part of their daily lives.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8961 of April 19, 2013

National Park Week, 2013

By the President of the United States of America

A Proclamation

For generations, ordinary Americans have taken it upon themselves to preserve our national landscape. They have been public servants and private citizens, patrons and Presidents—visionaries who saw our natural inheritance not as something to be used up, but as a treasure to be passed on. During National Park Week, we celebrate the wonders entrusted to us by our forebears and recommit to preserving them for our children and grandchildren.

We also take time to remember that in places like the Grand Canyon and the Teton Range, we see more than raw beauty. We see expansive freedom and rugged independence. We see the big ideas and bold ingenuity that inspired the first conservationists. We see our belief in collective responsibility—the notion that all of us have an equal share in this land and an equal obligation to keep it safe. These spaces embody the best of the American spirit, and they summon us to experience it firsthand.

This week, the National Park Service will make that opportunity available to everyone by offering free admission to every park in the Union from April 22 through April 26. And to keep building on our country's long legacy of conservation, I have been proud to establish eight new National Monuments in the past year. These sites honor rich histories, spectacular landscapes, and pioneering heroes of the American story, from Colonel Charles Young to Harriet Tubman to Cesar Chavez. They also reflect my commitment to advancing a 21st-century conservation strategy that responds to the priorities of the American people, strengthens local economies, and protects our most special places for generations to come.

As we mark this week, I encourage all Americans to experience our natural heritage by stepping into the outdoors. To find a National Park in your area, visit www.NPS.gov.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 20 through April 28, 2013, as National Park Week. I encourage all Americans to visit their National Parks and be reminded of these unique blessings we share as a Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8962 of April 19, 2013

Earth Day, 2013

By the President of the United States of America
A Proclamation

As the world's technological leader and home to some of its most breathtaking natural wonders, America has a special responsibility to safeguard our environment. On Earth Day, we celebrate our rich legacy of stewardship and reflect on what we can do, as individuals and as a Nation, to preserve our planet for future generations.

The first Earth Day marked a renewal of America's global leadership in conservation. It began as a national discussion on pollution and came to embody a simple truth: that nothing is more powerful than millions of voices calling for change. In only a few years, those voices rang as clear in our laws as on our streets—from the creation of the Environmental Protection Agency to landmark legislation for clean air and water. These successes continue to bring health and prosperity to communities nationwide, demonstrating that our economy can grow alongside a healthy environment.

As environmental challenges evolve with a changing world, my Administration is committed to meeting them. During my first term, we launched the America's Great Outdoors initiative, made historic progress restoring precious ecosystems, and finalized standards to curb toxic emissions from power plants. Implementing these standards will help prevent thousands of premature deaths each year by substantially reducing mercury and other pollutants.

We have made real progress, but we cannot stop there. We cannot afford to ignore what the overwhelming judgment of science tells us: that climate change is real and that it poses an urgent threat to our people and our planet. That is why my Administration set historic fuel efficiency standards that will nearly double how far our cars go on a gallon of gas while reducing harmful carbon pollution. It is why we made unprecedented investments in clean energy, allowing us to double renewable energy production in only 4 years. And it is why I am challenging Americans to double it again by 2020.

Because climate change and other environmental problems cannot be fully addressed by government alone, we are also engaging key stake-

holders at home and abroad. Last year, we launched a global initiative to cut short-lived climate pollutants that contribute to global warming. We have proposed historic investments in Land and Water Conservation Fund programs. And we continue to stand behind innovators and entrepreneurs who will unleash the next wave of clean energy technologies and drive long-term economic growth. At the same time, we are working to protect our communities and our economy from the unavoidable effects of climate change that we are already starting to feel.

Today, America is sending less carbon pollution into the environment than we have in nearly 20 years. But we owe it to our children to do more. That is why I have called on the Congress to pursue a bipartisan, market-based solution to climate change. In the meantime, I will direct my Cabinet to come up with executive actions to reduce pollution, prepare our communities for the consequences of climate change, and speed our transition to sustainable energy.

More than four decades after the first Earth Day, millions of Americans have answered the call to protect the environment. Today, let us do so again by joining together, raising our voices, and standing up for our planet and our future.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 22, 2013, as Earth Day. I encourage all Americans to participate in programs and activities that will protect our environment and contribute to a healthy, sustainable future.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8963 of April 24, 2013

Honoring the Victims of the Explosion in West, Texas

By the President of the United States of America
A Proclamation

As a mark of respect for the memory of those who perished in the explosion in West, Texas, on April 17, 2013, I hereby order, by the authority vested in me by the Constitution and the laws of the United States of America, that the flag of the United States shall be flown at half-staff at all public buildings and grounds and at all military facilities and naval stations of the Federal Government in the State of Texas on April 25, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8964 of April 26, 2013

Workers Memorial Day, 2013

By the President of the United States of America
A Proclamation

Our country boasts the world's most talented, driven, effective labor force. American workers power our homes and feed our families. They raise skyscrapers, transport goods to market, and manufacture products that are the envy of the world. Together, they form the backbone of our economy. As a Nation, we have an obligation to protect the men and women who perform these vital tasks. Yet tragically, thousands of American workers die on the job each year, and millions more suffer work-related injuries or illnesses. On Workers Memorial Day, we honor them, and we reaffirm that no one should have to put their life on the line to bring home a paycheck.

At the turn of the 20th century, laborers faced hazardous conditions. Factory doors were locked from the outside, which prevented quick evacuation in emergencies. A combination of shoddy equipment and fatigue from long shifts made serious injury and death all too common. Career-ending injuries often led to poverty and starvation.

From mine shafts to railroads to factory floors, workers began to speak out. Thanks to generations of union organizers and advocates, conditions slowly improved. But it was not until decades later that our laws assured the right to a safe workplace. The Federal Coal Mine Health and Safety Act of 1969 established comprehensive health and safety standards for the mining industry, and the Occupational Safety and Health Act of 1970 enacted similar standards for all workers. These statutes remain the cornerstone of our protections today, and my Administration remains committed to enforcing them by ensuring workers know their rights, worksites comply with the law, and wrongdoers are held accountable.

Today, our thoughts and prayers are with all those who have lost a loved one to a workplace accident or work-related illness. But we owe them more than prayers. We owe them action and accountability. While we cannot eliminate all risk from the world's most dangerous professions, we can guarantee that when a worker steps up to an assembly line or into a mine shaft, their country stands alongside them, protecting their safety and their stake in the American dream.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 28, 2013, as Workers Memorial Day. I call upon all Americans to participate in ceremonies and activities in memory of those killed or injured due to unsafe working conditions.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8965 of April 30, 2013

Asian American and Pacific Islander Heritage Month, 2013

By the President of the United States of America

A Proclamation

Each May, our Nation comes together to recount the ways Asian Americans and Pacific Islanders (AAPIs) helped forge our country. We remember a time 170 years ago, when Japanese immigrants first set foot on American shores and opened a path for millions more. We remember 1869, when Chinese workers laid the final ties of the transcontinental railroad after years of backbreaking labor. And we remember Asian Americans and Pacific Islanders who have made our country bigger and brighter again and again, from Native Hawaiians to the generations of striving immigrants who shaped our history—reaching and sweating and scraping to give their children something more. Their story is the American story, and this month, we honor them all.

For many in the AAPI community, that story is one also marked by lasting inequality and bitter wrongs. Immigrants seeking a better life were often excluded, subject to quotas, or denied citizenship because of their race. Native Hawaiians and Pacific Islanders endured decades of persecution and broken promises. Japanese Americans suffered profoundly under internment during World War II, even as their loved ones fought bravely abroad. And in the last decade, South Asian Americans—particularly those who are Muslim, Hindu, or Sikh—have too often faced senseless violence and suspicion due only to the color of their skin or the tenets of their faith.

This year, we recognize the 25th anniversary of the Civil Liberties Act of 1988 and the 70th anniversary of the Chinese Exclusion Act's repeal—milestones that helped mend deep wounds of systemic discrimination. And with irrepressible determination and optimism, Asian Americans and Pacific Islanders have prevailed over adversity and risen to the top of their fields—from medicine to business to the bench. But even now, too many hardworking AAPI families face disparities in health care, education, and employment that keep them from getting ahead.

My Administration remains committed to addressing those disparities. Through the White House Initiative on AAPIs, we are working to ensure equal access to Federal programs that meet the diverse needs of AAPI communities. We are standing up for civil rights, economic opportunity, and better outcomes in health and education. We are fighting for commonsense immigration reform so America can continue to be a magnet for the best and brightest from all around the world, including Asia and the Pacific.

Meeting those challenges will not be easy. But the history of the AAPI community shows us how with hope and resolve, we can overcome the problems we face. We can reaffirm our legacy as a Nation where all things are possible for all people. So this month, as we recognize Asian Americans and Pacific Islanders who are fulfilling that promise in every corner of our country, let us recommit to giving our children and grandchildren the same opportunity in the years ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as Asian American and Pacific Islander Heritage Month. I call upon all Americans to visit www.WhiteHouse.gov/AAPI and www.AsianPacificHeritage.gov to learn more about the history of Asian Americans and Pacific Islanders, and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8966 of April 30, 2013

Jewish American Heritage Month, 2013

By the President of the United States of America
A Proclamation

In his second year in office, President George Washington wrote a letter to the Touro Synagogue in Newport, Rhode Island—one of our Nation's first Jewish houses of worship—and reaffirmed our country's commitment to religious freedom. He noted that the Government of the United States would give ''to bigotry no sanction [and] to persecution no assistance,'' and that all Americans are entitled to ''liberty of conscience and immunities of citizenship.'' Those words ring as true today as they did then, and they speak to a principle as old as America itself: that no matter who you are, where you come from, or what faith you practice, all of us have an equal share in America's promise.

It was such a belief that drew generations of Jewish immigrants to our shores. It is what brought Jewish families westward when pogroms and persecution cast a shadow over Europe in the last century. It is what led Holocaust survivors and Jews trapped behind the Iron Curtain to rebuild their lives across the Atlantic. And with every group that arrived here, the Jewish American community grew stronger. Our Nation grew stronger. Jewish immigrants from all over the world wove new threads into our cultural fabric with rich traditions and indomitable faith, and their descendants pioneered incredible advances in science and the arts. Teachings from the Torah lit the way toward a more perfect Union, from women's rights to workers' rights to the end of segregation.

That story is still unfolding today. Jewish Americans continue to guide our country's progress as scientists and teachers, public servants and private citizens, wise leaders and loving parents. We see their accomplishments in every neighborhood, and we see them abroad in our unbreakable bond with Israel that Jewish Americans helped forge. More than 350 years have passed since Jewish refugees first made landfall on American shores. We take this month to celebrate the progress that followed, and the bright future that lies ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as Jewish American Heritage Month. I call upon all Americans to visit www.JewishHeritageMonth.gov to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8967 of April 30, 2013

National Building Safety Month, 2013

By the President of the United States of America
A Proclamation

When natural disasters and other hazards put American lives at risk, robust codes and standards for our buildings play an important role in keeping us safe. They ensure our homes and businesses are resilient to the challenges of our time—not just by making them structurally sound, but also by boosting their energy efficiency. This month, as we pay tribute to professionals who design, construct, and secure our infrastructure, let us raise awareness about building safety and rededicate ourselves to improving it in the days to come.

Protecting our communities from harm requires commitment from all of us. Alongside partners in government and industry, my Administration is encouraging stakeholders across our country to adopt disaster-resistant building codes and standards. We are collaborating with experts to issue modern guidance on construction and retrofitting techniques. And we are supporting cities and towns from coast to coast as they pursue disaster preparedness, mitigation, and redevelopment. To get involved, visit www.Ready.gov.

Time and again, devastating natural disasters have tested the strength of our communities and the resilience of our people. Our capacity to withstand these threats depends on what we do to prepare today—from reinforcing critical infrastructure to making sure our buildings adhere to local codes and standards. This month, we take up those tasks once more and recommit to safety in the year ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as National Building Safety Month. I encourage citizens, government agencies, businesses, nonprofits, and other interested groups to join in activities that raise awareness about building safety. I also call on all Americans to learn more about how they can contribute to building safety at home and in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8968 of April 30, 2013

National Foster Care Month, 2013

By the President of the United States of America
A Proclamation

As a Nation, we have no task more important than ensuring our children grow up healthy and safe. It is a promise we owe to the hundreds of thousands of youth in foster care—boys and girls who too often go without the love, protection, and stability of a permanent family. This month, we recommit to giving them that critical support, and we recognize the foster parents and professionals who work every day to lift up the children in their care toward a bright, productive future.

Thanks to those efforts, the number of young people in foster care is falling and fewer children are waiting for adoption. But even now, more than 400,000 kids are looking for permanency with caring parents. Many are struggling to find the meaningful, long-term relationships that will help them transition into adulthood. Some young men and women are aging out of the system without a permanent home, making it harder for them to get a good education, find a job, and build a better life.

To give foster youth the support they need, Americans in every community are stepping up to serve. They are mentors, teachers, faith leaders, caseworkers, advocates, family members—individuals dedicated to making a difference. As they lend their strength to our most vulnerable children, my Administration will continue to invest in services that strengthen the foster care system and encourage adoption. We will keep working to ensure every qualified caregiver has the chance to be an adoptive or foster parent. And we will support programs that help increase permanency, reduce rates of re-entry into foster care, and address the issues that bring young people in the child welfare system in the first place.

Whether as a friend, a role model, or a guardian, any of us can be a supportive adult for a child in need. As we honor the countless Americans who are answering that call to action, let us mark this month by showing children and youth in foster care the best our country has to offer.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as National Foster Care Month. I call upon all Americans to observe this month by taking time to help youth in foster care and recognizing the commitment of all who touch their lives at a most challenging time.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8969 of April 30, 2013

National Mental Health Awareness Month, 2013

By the President of the United States of America

A Proclamation

Today, tens of millions of Americans are living with the burden of a mental health problem. They shoulder conditions like depression and anxiety, post-traumatic stress and bipolar disorder—debilitating illnesses that can strain every part of a person's life. And even though help is out there, less than half of children and adults with diagnosable mental health problems receive treatment. During National Mental Health Awareness Month, we shine a light on these issues, stand with men and women in need, and redouble our efforts to address mental health problems in America.

For many, getting help starts with a conversation. People who believe they may be suffering from a mental health condition should talk about it with someone they trust and consult a health care provider. As a Nation, it is up to all of us to know the signs of mental health issues and lend a hand to those who are struggling. Shame and stigma too often leave people feeling like there is no place to turn. We need to make sure they know that asking for help is not a sign of weakness—it is a sign of strength. To find treatment services nearby, call 1–800–662–HELP. The National Suicide Prevention Lifeline offers immediate assistance for all Americans, including service members and veterans, at 1–800–273–TALK.

Our commitment cannot end there. We must ensure people have access to the care they need—which is why the Affordable Care Act will expand mental health and substance use disorder benefits and Federal parity protections for 62 million Americans. For the first time, the health care law will prevent insurers from denying coverage because of a pre-existing condition. The Act already requires new health plans to cover recommended preventive services like depression screening and behavioral assessments for children at no extra cost to patients.

My Administration will keep building on those achievements. Earlier this year, I was proud to launch the BRAIN Initiative—a new partnership between government, scientists, and leaders in the private sector to invest in research that could unlock new treatments for mental illness and drive growth throughout our economy. We have made unprecedented commitments to improving mental health care for veterans suffering from traumatic brain injury and post-traumatic stress disorder. And we have proposed new funding for mental health programs that will help teachers and other adults recognize the signs of mental illness in children, improve mental health outcomes for young people, and train 5,000 more mental health professionals to serve our youth.

Mental health problems remain a serious public health concern, but together, our Nation is making progress. This month, I encourage all Americans to advance this important work by raising awareness about mental health and lending strength to all who need it.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as National Mental Health Awareness Month. I call upon citizens, government agencies, organizations, health care providers, and research institutions to raise mental health awareness and continue helping Americans live longer, healthier lives.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8970 of April 30, 2013

National Physical Fitness and Sports Month, 2013

By the President of the United States of America
A Proclamation

Over the past 3 years, communities all across America have joined First Lady Michelle Obama's *Let's Move!* initiative, which aims to help parents make healthy choices and give our children a strong start. Today, families have more of the tools and know-how they need to embrace a healthy lifestyle. Kids and adults are finding new ways to bring exercise into their daily lives. And by getting active, our youngest generation is not only improving their health, but also their ability to learn and be successful later in life. During National Physical Fitness and Sports Month, we celebrate that progress and keep striving for more.

To help more kids and families get moving and make exercise a lifelong habit, we are working to create more opportunities for physical activity—whether on the playground, in the classroom, or at work. Through *Let's Move!* and the President's Council on Fitness, Sports, and Nutrition, we continue to advance that mission by collaborating with partners in every corner of our country—public and private, large and small, national and neighborhood. Together, we are helping cities, towns, and counties raise a healthier generation of kids. And earlier this year, we built on that work by launching a new program to bring physical activity back to our schools. To learn more and join in, visit www.LetsMove.gov and www.Fitness.gov.

With simple steps, all of us can make physical activity a way of life. This month, we recognize Americans who are choosing that future for themselves and inspiring others to do the same. We also take this opportunity to renew the call to action. I encourage business, faith, and community leaders to uphold physical activity as an important way to enrich our neighborhoods. I call on schools to make good health and exercise part of a good education. And alongside our friends and fam-

ily, let each of us recommit to leading a healthy, active lifestyle, and setting our children on the path to a bright future.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as National Physical Fitness and Sports Month. I call upon the people of the United States to make daily physical activity, sports participation, and good nutrition a priority in their lives.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8971 of April 30, 2013

Older Americans Month, 2013

By the President of the United States of America

A Proclamation

For half a century, communities in every corner of our country have come together to honor older Americans in a special way during the month of May. We carry that tradition forward again this year by recognizing their accomplishments, sharing their stories, and showing support and appreciation for our elders.

With groundbreaking advances in medicine and health care, Americans are living longer and achieving more. Many seniors are using a lifetime of experience to serve those around them. Even after decades of hard work, men and women are taking on new roles after retirement—organizing, educating, innovating, and making sure they leave the next generation with the same opportunities they had. It is a commitment that shines brightly in programs like Senior Corps, which connects more than half a million people to service opportunities from coast to coast.

As older Americans strive to lift up their neighborhoods, my Administration is working to make sure they get the tools they need to make a difference. We are helping more seniors get involved in volunteer service and give back to those around them. We are also finding new ways to make sure seniors live with dignity as full members of their communities—from improving access to health care to broadening employment opportunities. And to ensure older Americans have resources they can count on, my Administration will continue to protect and strengthen Medicare and Social Security not just for this generation, but also for those to come.

Our seniors deserve the best our country has to offer. This month, we pay tribute to the men and women who raised us, and we pledge anew to show them the fullest care, support, and respect of a grateful Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2013 as Older Americans Month. I call upon all Americans of all ages

to acknowledge the contributions of older Americans during this month and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8972 of April 30, 2013

Law Day, U.S.A., 2013

By the President of the United States of America
A Proclamation

As a Nation, we are bound together not by the colors of our skin, the tenets of our faith, or the origins of our names. What unites us as Americans is our allegiance to an idea articulated more than two centuries ago: that ''all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.'' In the years since that declaration, we not only forged a Republic of, by, and for the people; we also set ourselves to the task of perfecting it, and bridging the meaning of those words with the realities of our time.

This Law Day, we look back on our long journey toward equality for all. We reflect on the Emancipation Proclamation, issued by President Abraham Lincoln 150 years ago to mend a Nation half-slave and half-free under the unifying promise of liberty. We remember when Dr. Martin Luther King, Jr., stood in Lincoln's shadow a century later and gave voice to a dream, sounding the call for an America that truly lives out the meaning of its founding creed. We honor the courageous men and women who fought to bring those ageless ideals of freedom and fairness into the rule of law—from the Civil Rights Act and the Voting Rights Act to Title IX and the Americans with Disabilities Act.

Even now, that work is not yet finished. Opportunity remains painfully unequal for too many among us; justice too often goes undone. Law Day is a chance to reaffirm the critical role our courts have always played in addressing those wrongs and aligning our Nation with its first principles. Let us mark this occasion by celebrating that history, upholding the right to due process, and honoring all who have sustained our proud legal tradition.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2013, as Law Day, U.S.A. I call upon all Americans to acknowledge the importance of our Nation's legal and judicial systems with appropriate ceremonies and activities, and to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the

Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8973 of April 30, 2013

Loyalty Day, 2013

By the President of the United States of America
A Proclamation

In the centuries since America broke from an empire and claimed independence, our people have come together again and again to meet the challenges of a changing world. We have reinvented our cities with advances in science and reformed our markets with new understanding of the forces that guide them. We have fought for freedom in the theater of war and expanded its reach during times of peace. We have revamped and recovered and remade ourselves anew, mindful that when times change, so must we. But with every step forward, we have reaffirmed our faith in the ideals that inspired our founding. We have held fast to the principles at our country's core: service and citizenship; courage and the common good; liberty, equality, and justice for all.

This is our Nation's heritage, and it is what we remember on Loyalty Day. It is an occasion that asks something of us as a people: to rediscover those ageless truths our Founders held to be self-evident, and to renew them in our own time. We look back to Americans who did the same, from generation to generation—citizens who strengthened our democracy, organizers who made it broader, service members who gave everything to protect it. These patriots and pioneers remind us that while our path to a more perfect Union is unending, with hope and hard work, we can move forward together.

Today, we rededicate ourselves to that enduring task. We do so knowing our journey is not complete until the promises of our founding documents are made real for every American, regardless of their station in life or the circumstances of their birth. Progress may come slow; the road may be long. But as loyal citizens of these United States, we have the power to set our country's course. Let us mark this day by pressing on in the march toward lasting freedom and true equality, grateful for the precious rights and responsibilities entrusted to each of us by our forebears.

In order to recognize the American spirit of loyalty and the sacrifices that so many have made for our Nation, the Congress, by Public Law 85–529 as amended, has designated May 1 of each year as ''Loyalty Day.'' On this day, let us reaffirm our allegiance to the United States of America, our Constitution, and our founding values.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 1, 2013, as Loyalty Day. This Loyalty Day, I call upon all the people of the United States to join in support of this national observance, whether by displaying the flag of the United States or pledging allegiance to the Republic for which it stands.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8974 of May 1, 2013

National Day of Prayer, 2013

By the President of the United States of America

A Proclamation

Americans have long turned to prayer both in times of joy and times of sorrow. On their voyage to the New World, the earliest settlers prayed that they would ''rejoice together, mourn together, labor, and suffer together, always having before our eyes our commission and community in the work.'' From that day forward, Americans have prayed as a means of uniting, guiding, and healing. In times of hardship and tragedy, and in periods of peace and prosperity, prayer has provided reassurance, sustenance, and affirmation of common purpose.

Prayer brings communities together and can be a wellspring of strength and support. In the aftermath of senseless acts of violence, the prayers of countless Americans signal to grieving families and a suffering community that they are not alone. Their pain is a shared pain, and their hope a shared hope. Regardless of religion or creed, Americans reflect on the sacredness of life and express their sympathy for the wounded, offering comfort and holding up a light in an hour of darkness.

All of us have the freedom to pray and exercise our faiths openly. Our laws protect these God-given liberties, and rightly so. Today and every day, prayers will be offered in houses of worship, at community gatherings, in our homes, and in neighborhoods all across our country. Let us give thanks for the freedom to practice our faith as we see fit, whether individually or in fellowship.

On this day, let us remember in our thoughts and prayers all those affected by recent events, such as the Boston Marathon bombings, the Newtown, Connecticut shootings, and the explosion in West, Texas. Let us pray for the police officers, firefighters, and other first responders who put themselves in harm's way to protect their fellow Americans. Let us also pray for the safety of our brave men and women in uniform and their families who serve and sacrifice for our country. Let us come together to pray for peace and goodwill today and in the days ahead as we work to meet the great challenges of our time.

The Congress, by Public Law 100–307, as amended, has called on the President to issue each year a proclamation designating the first Thursday in May as a ''National Day of Prayer.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2, 2013, as a National Day of Prayer. I join the citizens of our Nation in giving thanks, in accordance with our own faiths and consciences,

for our many freedoms and blessings, and in asking for God's continued guidance, mercy, and protection.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8975 of May 3, 2013

National Charter Schools Week, 2013

By the President of the United States of America
A Proclamation

America's success in the 21st century depends on what we do today to reignite the true engine of our economic growth: a thriving middle class. Achieving that vision means making sure our education system provides ladders of opportunity for our sons and daughters. We need to equip all our students with the education and skills that put them on the path to good jobs and a bright future—no matter where they live or what school they attend.

Charter schools play an important role in meeting that obligation. These learning laboratories give educators the chance to try new models and methods that can encourage excellence in the classroom and prepare more of our children for college and careers. In return for this flexibility, we should expect high standards and accountability, and make tough decisions to close charter schools that are underperforming and not improving. But where charter schools demonstrate success and exceed expectations, we should share what they learn with other public schools and replicate those that produce dramatic results. Many charter schools choose to locate in communities with few high-quality educational options, making them an important partner in widening the circle of opportunity for students who need it most.

Our children are ready to write the next great chapter in the American story. As parents and teachers and citizens, it is up to all of us to provide them the tools they need to keep our country moving forward—from a degree that leads to a good job to the critical thinking skills that make our democracy thrive. This week, we recognize charter schools that are advancing those goals, and we recommit to helping our Nation's children go as far as their talents will take them.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 5 through May 11, 2013, as National Charter Schools Week. I commend our Nation's charter schools, teachers, and administrators, and I call on States and communities to support charter schools and the students they serve.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord two thousand thirteen, and of the Inde-

pendence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8976 of May 9, 2013

Military Spouse Appreciation Day, 2013

By the President of the United States of America
A Proclamation

As long as there have been courageous men and women willing to protect our Union and our ideals, there have been extraordinary spouses at their side—patriots in their own right who serve and sacrifice in ways many cannot fathom. They are moms and dads who take up the work of two during deployments, shuffling their careers and packing up their lives whenever our Nation calls. They are dedicated employees at our businesses, committed volunteers in our communities, and essential caretakers for our wounded warriors. America's military spouses are at the core of our Armed Forces, and on Military Spouse Appreciation Day, we celebrate their contributions to keeping our country safe.

Just as we are bound by a sacred obligation to care for our men and women in uniform, we are equally responsible for making sure their loved ones get the support they deserve. My Administration has taken steps to uphold that special trust, from investing in childcare and education for military families to providing mortgage assistance for military homeowners. Through First Lady Michelle Obama and Dr. Jill Biden's Joining Forces initiative, we have partnered with the private sector to expand hiring for military spouses and veterans.

We have also called on States to streamline credentialing and licensing procedures that hinder too many military spouses when they move from duty station to duty station. Military spouses with professional experience should not have to wait for work, and our businesses should not have to go without their skills. By simplifying the certification process, we can help ensure the financial stability of our military families, strengthen our Armed Forces, and spur growth throughout our economy. To learn more and get involved, visit www.JoiningForces.gov.

In the past few years, we have seen every part of our society come together and make a real commitment to supporting our military families—not just with words, but with deeds. Yet, we must do more to honor the profound debt of gratitude we owe our military spouses. Their strength and resolve reflects the best of the American spirit, and on this occasion, let us pledge once more to serve them as well as they serve us.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 10, 2013, as Military Spouse Appreciation Day. I call upon the people of the United States to honor military spouses with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8977 of May 10, 2013

National Defense Transportation Day and National Transportation Week, 2013

By the President of the United States of America
A Proclamation

As a Nation, we have no task more urgent than creating good jobs, strengthening our economy, and reigniting the thriving middle class that has always been the true engine of America's growth. To meet these goals, we need to rebuild the infrastructure that powers our industries. We need to make our cities more connected and more resilient to the challenges we face. We need to restore our roads, bridges, and ports—transportation networks that are essential to making the United States the best place in the world to do business.

In the past 4 years, we have taken important steps down that path. But even now, too many of our rail lines are slow and backed up. Too many of our bridges remain unsafe. We know our country can do better—which is why I proposed a ''Fix-It-First'' program earlier this year to put people to work on our most pressing transportation projects. Alongside it, I also proposed a Partnership to Rebuild America, which would attract private capital to upgrade the infrastructure our businesses need most. These initiatives would help modernize communities, expand small businesses, and get more construction workers back on the job.

We also recognize that repairing our transportation networks is about more than economic growth—it is about security. At a time when our cities face unprecedented threats and hazards, we must do more to ensure our first responders and our service members can respond effectively during crisis. That means protecting our critical infrastructure and repairing roads and bridges that put our people at risk.

Together, we can make meaningful progress toward those goals. Let us recommit this week to revitalizing transportation, pioneering new solutions to tough challenges, and making lasting investments in America's infrastructure.

In recognition of the importance of our Nation's transportation infrastructure, and of the men and women who build, maintain, and utilize it, the Congress has requested, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), that the President designate the third Friday in May of each year as ''National Defense Transportation Day,'' and, by joint resolution approved May 14, 1962, as amended (36 U.S.C. 133), that the week during which that Friday falls be designated as ''National Transportation Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Friday, May 17, 2013, as National Defense Transportation Day and May 12 through May 18, 2013, as National Transportation Week. I call upon all Americans to recognize the importance of our Nation's transportation infrastructure and to acknowledge the contributions of those who build, operate, and maintain it.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8978 of May 10, 2013

National Women's Health Week, 2013

By the President of the United States of America

A Proclamation

Since our Nation's founding, women have given their all to expanding opportunity for their families and for future generations. Decade after decade, that fierce dedication has been rewarded with remarkable progress in nearly every part of society; yet all too often, advances in women's health and well-being have lagged behind. During National Women's Health Week, we recommit to changing that reality and increasing access to health services that help women and girls get the care they need.

Three years ago, I signed the Affordable Care Act—reform that brought about a new era of equality in health care and gave women unprecedented control over their health. Under the law, women will no longer face higher insurance premiums because of their gender. It will be illegal for insurers to deny coverage due to pre-existing conditions like pregnancy or cancer. Already, 47 million women have gained access to preventive services at no out-of-pocket cost, including well-woman visits, domestic violence screenings and counseling, and contraceptive care. And millions more are benefitting from improved prescription drug coverage under Medicare that helps seniors get the medication they need at prices they can afford.

These changes are making a real difference for families in every part of our country. Thanks to the Affordable Care Act, working mothers no longer have to choose between getting essential care and paying their bills. Women no longer have to delay mammograms just because money is tight. And young people can stay on their parent's health insurance until age 26, so they no longer have to worry about how to afford health care when they are just starting out. I encourage women of all ages to visit www.WomensHealth.gov, www.GirlsHealth.gov, and www.HealthCare.gov to learn more about resources available to them, including the new Health Insurance Marketplace.

This week, as we reflect on how far we have come in the fight to provide Americans with the care they deserve, let us renew our commit-

ment to empowering all women with the chance to live strong, healthy lives.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 12 through May 18, 2013, as National Women's Health Week. I encourage all Americans to celebrate the progress we have made in protecting women's health and to promote awareness, prevention, and educational activities that improve the health of all women.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8979 of May 10, 2013

Peace Officers Memorial Day and Police Week, 2013

By the President of the United States of America
A Proclamation

Day after day, police officers in every corner of America suit up, put on the badge, and carry out their sworn duty to protect and serve. They step out the door every morning without considering bravery or heroics. They stay focused on meeting their responsibilities. They concentrate on keeping their neighborhoods safe and doing right by their fellow officers. And with quiet courage, they help fulfill the demanding yet vital task of shielding our people from harm. It is work that deserves our deepest respect—because when darkness and danger would threaten the peace, our police officers are there to step in, ready to lay down their lives to protect our own.

This week, we pay solemn tribute to men and women who did. Setting aside fear and doubt, these officers made the ultimate sacrifice to preserve the rule of law and the communities they loved. They heard the call to serve and answered it; braved the line of fire; charged toward the danger. Our hearts are heavy with their loss, and on Peace Officers Memorial Day, our Nation comes together to reflect on the legacy they left us.

As we mark this occasion, let us remember that we can do no greater service to those who perished than by upholding what they fought to protect. That means doing everything we can to make our communities safer. It means putting cops back on the beat and supporting them with the tools and training they need. It means getting weapons of war off our streets and keeping guns out of the hands of criminals—commonsense measures that would reduce gun violence and help officers do their job safely and effectively.

Together, we can accomplish those goals. So as we take this time to honor law enforcement in big cities and small towns all across our country, let us join them in pursuit of a brighter tomorrow. Our police

officers serve and sacrifice on our behalf every day, and as citizens, we owe them nothing less than our full and lasting support.

By a joint resolution approved October 1, 1962, as amended (76 Stat. 676), and by Public Law 103–322, as amended (36 U.S.C. 136–137), the President has been authorized and requested to designate May 15 of each year as ''Peace Officers Memorial Day'' and the week in which it falls as ''Police Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 15, 2013, as Peace Officers Memorial Day and May 12 through May 18, 2013, as Police Week. I call upon all Americans to observe these events with appropriate ceremonies and activities. I also call on Governors of the United States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day. I further encourage all Americans to display the flag at half-staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8980 of May 10, 2013

Mother's Day, 2013

By the President of the United States of America
A Proclamation

Today, sons and daughters all across America come together to honor the women who raised them. Whether single or in partnership, foster or adoptive, mothers hold a special place in our hearts. For many of us, they are our first caretakers and our first teachers, imparting the early lessons that guide us growing up. And no matter the challenges we face or the paths we choose, moms are there for their children with hope and love—scraping and sacrificing and doing whatever it takes to give them a bright future.

That work has often stretched outside the home. In the century since Americans first came together to mark Mother's Day, generations of women have empowered their children with the courage and grit to fight for change. But they have also fought to secure it themselves. Mothers pioneered a path to the vote, from Seneca Falls to the 19th Amendment. They helped write foundational protections into our laws, like freedom from workplace discrimination and access to affordable health care. They shattered ceilings in business and government, on the battlefield and on the court. With every step, they led the way to a more perfect Union, widening the circle of opportunity for our daughters and sons alike.

That history of striving and success affirms America's promise as a place where all things can be possible for all people. But even now, we have more work to do before that promise is made real for each of us. Workplace inflexibility puts a strain on too many mothers juggling their jobs' needs with those of their kids. Wage inequality still leaves too many families struggling to make ends meet. These problems affect all of us—and just as mothers pour themselves into giving their children the best chance in life, we need to make sure they get the fairness and opportunities they deserve.

On Mother's Day, we give thanks to proud, caring women from every walk of life. Whether balancing the responsibilities of career and family or taking up the work of sustaining a home, a mother's bond with her child is unwavering; her love, unconditional. Today, we celebrate those blessings, and we renew them for the year to come.

The Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as ''Mother's Day'' and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 12, 2013, as Mother's Day. I urge all Americans to express love and gratitude to mothers everywhere, and I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8981 of May 17, 2013

National Safe Boating Week, 2013

By the President of the United States of America

A Proclamation

Every year, the United States Coast Guard joins partners nationwide to raise awareness about boating responsibly. We highlight that important work during National Safe Boating Week, and we encourage all boaters to take appropriate precautions before casting off this season.

Safe boating starts onshore. Americans planning to spend a day on the water should prepare by filing a float plan with family or a friend, getting a free vessel safety check, and participating in a boating safety course. As they embark, boaters should make sure they have checked the marine forecast and all passengers are wearing a life jacket. And to put an end to preventable accidents that claim too many lives every year, individuals should never operate a boat under the influence of drugs or alcohol.

Boating is an important part of our national heritage. This week, let us carry that tradition forward by following commonsense safety procedures and keeping our lakes, rivers, and oceans safe for all to enjoy.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period prior to Memorial Day weekend as ''National Safe Boating Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 18 through May 24, 2013, as National Safe Boating Week. I encourage all Americans who participate in boating activities to observe this occasion by learning more about safe boating practices and taking advantage of boating education.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8982 of May 17, 2013

Emergency Medical Services Week, 2013

By the President of the United States of America

A Proclamation

In every corner of our country, emergency medical services (EMS) practitioners are hard at work delivering hope and care to Americans in dire circumstances. In the face of chaos and tragedy, their steady hands provide vital, life-saving services, and their calm under pressure delivers comfort to neighbors in need. During Emergency Medical Services Week, we pause to offer our gratitude to these remarkable men and women, whose dedication is fundamental to our society's well-being.

In recent weeks, we have again seen the critical role EMS professionals play in times of crisis. When explosives went off at the Boston Marathon, EMS personnel rushed toward the blasts and, with selfless disregard for their own safety, immediately tended to the injured. Alongside countless volunteers and ordinary citizens, they demonstrated the very best of the American spirit—a spirit that EMS professionals display every day. My Administration remains dedicated to providing these courageous first responders, emergency medical technicians, 911 dispatchers, law enforcement officers, volunteers, and others throughout our health care system with the support they need to aid the American people in their darkest hours.

When Americans find themselves in times of crisis—from car accidents to national tragedies—our robust network of EMS professionals ensures that quality medical care is only moments away. This week, let us recommit to supporting EMS personnel and thanking them for their heroic contributions to our lives.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 19 through May 25, 2013, as Emergency Medical Services Week. I en-

courage all Americans to observe this occasion by sharing their support with their local EMS providers and taking steps to improve their personal safety and preparedness.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8983 of May 17, 2013

World Trade Week, 2013

By the President of the United States of America
A Proclamation

As a Nation, we need to do everything we can to create good, middle-class jobs right here in America. And one of the best ways we can do that is by boosting manufacturing and expanding trade that allows us to sell more of our goods and services all around the world. We have made important progress toward meeting that goal under our National Export Initiative, and we are taking historic steps to help our businesses access new markets abroad. But we cannot stop there. We need to keep making the investments in commerce and infrastructure that drive our economic growth and bring more Americans into a thriving middle class.

We can start by modernizing our roads, bridges, and ports. These upgrades would allow American companies to ship their goods faster and cheaper, and they would encourage businesses worldwide to set up shop here and bring more jobs to our shores. So earlier this year, I proposed the Partnership to Rebuild America—a collaboration between the private and public sectors to break ground on our most pressing infrastructure projects.

In the past 4 years, we have focused on opening up growing markets for our businesses through historic trade agreements and enforcing trade rights so American workers can compete on a level playing field. To build on that progress, we are joining nations in Asia and the Americas to negotiate a new, high-standard trade agreement: the Trans-Pacific Partnership. Once realized, the deal would boost our exports, support American jobs, and help our companies succeed in the global marketplace. And to ramp up trade with Europe, we also plan to launch talks for a Transatlantic Trade and Investment Partnership with the European Union.

My Administration is committed to expanding international commerce that creates jobs and grows our economy. During World Trade Week, we recognize workers, growers, and entrepreneurs nationwide who share that ambition, and we rededicate ourselves to advancing it in the year ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May

19 through May 25, 2013, as World Trade Week. I encourage all Americans to observe this week with events, trade shows, and educational programs that celebrate and inform Americans about the benefits of trade to our Nation and the global economy.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8984 of May 17, 2013

Armed Forces Day, 2013

By the President of the United States of America
A Proclamation

Since the earliest days of our Union, America has been blessed with an unbroken chain of patriots willing to give of themselves so their fellow citizens might live free. Whenever our Nation has come under attack, courageous men and women in uniform have risen to her defense. Whenever our liberties have come under assault, our service members have responded with resolve. Time and again, these heroes have sacrificed to sustain that powerful promise that we hold so dear—life, liberty, and the pursuit of happiness. And on Armed Forces Day, we honor those who serve bravely and sacrifice selflessly in our name.

Our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen represent the best of the American character. They serve with integrity and do whatever the country they love asks of them, choosing flag over fortune and service over self-interest. Year after year, tour after tour, their dedication to protecting us at home and preserving our ideals never wavers; their commitment to each other never falters. They are the few who carry the remarkable weight of our entire Nation, and in their example we see why America is and always will be the greatest country on Earth.

Today, we pause to express our gratitude, mindful that words and ceremonies are not enough and that our thanks extend not only to those in uniform, but also to the families who serve alongside them. We are bound by a sacred obligation to ensure our service members and their loved ones have the resources and benefits they have earned and deserve, and only when we uphold this trust do we truly show our appreciation for our Armed Forces.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, and Commander in Chief of the Armed Forces of the United States, continuing the precedent of my predecessors in office, do hereby proclaim the third Saturday of each May as Armed Forces Day.

I direct the Secretary of Defense on behalf of the Army, Navy, Air Force, and Marine Corps, and the Secretary of Homeland Security on behalf of the Coast Guard, to plan for appropriate observances each

year, with the Secretary of Defense responsible for encouraging the participation and cooperation of civil authorities and private citizens.

I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States, to provide for the observance of Armed Forces Day within their jurisdiction each year in an appropriate manner designed to increase public understanding and appreciation of the Armed Forces of the United States. I also invite veterans, civic leaders, and organizations to join in the observance of Armed Forces Day.

Finally, I call upon all Americans to display the flag of the United States at their homes on Armed Forces Day, and I urge citizens to learn more about military service by attending and participating in the local observances of the day. I also encourage Americans to volunteer at organizations that provide support to our troops.

Proclamation 8823 of May 18, 2012, is hereby superseded.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8985 of May 21, 2013

National Maritime Day, 2013

By the President of the United States of America

A Proclamation

Through every chapter of the American story, ordinary men and women have accomplished extraordinary things as members of the United States Merchant Marine. When the idea of America depended on the success of a revolution, mariners took on the world's most powerful navy and helped secure our future as a sovereign Nation. In the decades since, they have sustained critical supply lines for our troops abroad—at times enduring profound losses to keep our sea lanes open. And through war and peace alike, the Merchant Marine has driven our economic growth by shipping our products all around the world. On National Maritime Day, we honor the generations of mariners who have served and sacrificed to make our country what it is today.

To keep America moving forward in the 21st century, we need to expand trade and commerce that creates good jobs for our people. Businesses in every corner of our country are stepping up to meet that challenge, ramping up manufacturing and selling more goods and services overseas. As they do, our Merchant Marine is making sure our products get wherever they need to go—from ports here at home to new markets halfway across the globe. Their work is essential to growing our economy, and my Administration remains committed to getting our mariners the support they need to carry out their mission.

Whether equipping our service members in the theater of war or guiding our maritime industry in the calm of peace, the United States Merchant Marine has helped keep America strong for more than two cen-

turies. Let us mark this day by reflecting on that legacy of service, honoring the men and women who forged it, and saluting the proud mariners who carry it forward today.

The Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as ''National Maritime Day,'' and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 22, 2013, as National Maritime Day. I call upon the people of the United States to mark this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8986 of May 24, 2013

National Hurricane Preparedness Week, 2013

By the President of the United States of America
A Proclamation

Last year, devastating hurricanes upended coastal communities spanning the shores of New England to the Gulf of Mexico. Scenes from Isaac and Sandy shook us to the core—great cities plunged into darkness, homes swept away with the tide, families whose worlds were torn apart with the loss of a loved one. But in the aftermath, we also saw what is best in America. Heroic first responders rose far beyond the call of duty, working around the clock to rescue, recover, and rebuild. Ordinary citizens fought through tough times together, looking out for their neighbors and leaving nobody behind.

This week, we reaffirm that it is never too early to prepare for this year's hurricane season. As my Administration keeps working with State and local partners to apply lessons learned and improve hurricane preparedness, all families can take simple steps to ensure that if disaster strikes, they are ready. These steps include building a supply kit with food, water, and medicine; taking time now to learn evacuation routes, and how workplaces and schools will respond in an emergency; and most importantly, discussing what to do in a disaster and developing a plan that everyone knows. If a hurricane is coming, always follow instructions from State and local officials, and heed evacuation orders if they are given.

The Federal Government also has an important role to play in hurricane preparedness. My Administration stands shoulder-to-shoulder with our partners in emergency management throughout the public, private, and nonprofit sectors, and we remain committed to getting them the resources they need to act quickly and effectively. Going for-

ward, we will keep working to improve hurricane forecasting with the latest science and technology. And in the months and years ahead, we will continue to help communities stay resilient to severe weather threats and the consequences of climate change. To learn more and get involved, visit www.Ready.gov or www.Listo.gov.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 26 through June 1, 2013, as National Hurricane Preparedness Week. I call upon government agencies, private organizations, schools, media, and residents in the coastal areas of our Nation to share information about hurricane preparedness and response to help save lives and protect communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8987 of May 24, 2013

Prayer for Peace, Memorial Day, 2013

By the President of the United States of America
A Proclamation

Since our Nation's earliest days, America has been blessed with an unbroken chain of patriots who have served our country with honor and distinction. From Concord to the Korengal, generations of brave warriors have fought for freedom across sand and snow, over mud and mountains, into lonely deserts and through crowded streets. Today, we pay tribute to those patriots who never came back—who fought for a home to which they never returned, and died for a country whose gratitude they will always have.

Scripture teaches us that ''greater love hath no man than this, that a man lay down his life for his friends.'' On Memorial Day, we remember those we have lost not only for what they fought for, but who they were: proud Americans, often far too young, guided by deep and abiding love for their families, for each other, and for this country. Our debt to them is one we can never fully repay. But we can honor their sacrifice and strive to be a Nation equal to their example. On this and every day, we must meet our obligations to families of the fallen; we must uphold our sacred trust with our veterans, our service members, and their loved ones.

Above all, we can honor those we have lost by living up to the ideals they died defending. It is our charge to preserve liberty, to advance justice, and to sow the seeds of peace. With courage and devotion worthy of the heroes we remember today, let us rededicate ourselves to those unending tasks, and prove once more that America's best days are still ahead. Let us pray the souls of those who died in war rest in eternal peace, and let us keep them and their families close in our hearts, now and forever.

In honor of all of our fallen service members, the Congress, by a joint resolution approved May 11, 1950, as amended (36 U.S.C. 116), has requested the President issue a proclamation calling on the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer. The Congress, by Public Law 106–579, has also designated 3:00 p.m. local time on that day as a time for all Americans to observe, in their own way, the National Moment of Remembrance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Memorial Day, May 27, 2013, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time to unite in prayer. I also ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m. local time on Memorial Day.

I request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control. I also request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8988 of May 31, 2013

Great Outdoors Month, 2013

By the President of the United States of America
A Proclamation

The United States is blessed with a wealth of natural diversity that remains at the heart of who we are as a people. From breathtaking seascapes to the limitless stretch of the Great Plains, our natural surroundings animate the American spirit, fuel discovery and innovation, and offer unparalleled opportunities for recreation and learning. During Great Outdoors Month, we celebrate the land entrusted to us by our forebears and resolve to pass it on safely to future generations.

We owe our heritage to the work of visionary citizens who believed that our obligations as Americans are not just to ourselves, but to all posterity. It is up to all of us to carry that legacy forward in the 21st century—which is why I was proud to launch the America's Great Outdoors Initiative to bring innovative strategies to today's conservation challenges. Alongside leaders in government and the private sector, we are taking action to expand outdoor opportunities in urban areas, promote outdoor recreation, protect our landscapes, and connect the next generation to our natural treasures. And by tapping into the wisdom

of concerned citizens from every corner of our country, we are finding new solutions that respond to the priorities of the American people.

At a time when too many of our young people find themselves in sedentary routines, we need to do more to help all Americans reconnect with the outdoors. To lead the way, First Lady Michelle Obama's *Let's Move Outside!* initiative encourages families to get out and enjoy our beautiful country, whether at a National Park or just outside their doorstep. And through the 21st Century Conservation Service Corps, young men and women will get hands-on experience restoring our public lands and protecting our cultural heritage.

Fortunately, we do not have to choose between good environmental stewardship and economic progress because they go hand-in-hand. Smart, sustainable policies can create jobs, increase tourism, and lay the groundwork for long-term economic growth. For example, our National Travel and Tourism Strategy aims to bring more people to all of our national attractions, including our public lands and waters, and the five new National Monuments I was proud to designate earlier this year. Our natural spaces are also laboratories for scientists, inventors, and creators—Americans who sustain a tradition of innovation that makes our country the most dynamic economy on earth.

For centuries, America's great outdoors have given definition to our national character and inspired us toward bold new horizons. This month, let us reflect on those timeless gifts, and let us vow to renew them in the years to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2013 as Great Outdoors Month. I urge all Americans to explore the great outdoors and to uphold our Nation's legacy of conserving our lands and waters for future generations.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8989 of May 31, 2013

Lesbian, Gay, Bisexual, and Transgender Pride Month, 2013

By the President of the United States of America

A Proclamation

For more than two centuries, our Nation has struggled to transform the ideals of liberty and equality from founding promise into lasting reality. Lesbian, gay, bisexual, and transgender (LGBT) Americans and their allies have been hard at work on the next great chapter of that history—from the patrons of The Stonewall Inn who sparked a movement to service members who can finally be honest about who they love to brave young people who come out and speak out every day.

This year, we celebrate LGBT Pride Month at a moment of great hope and progress, recognizing that more needs to be done. Support for LGBT equality is growing, led by a generation which understands that, in the words of Dr. Martin Luther King, Jr., ''injustice anywhere is a threat to justice everywhere.'' In the past year, for the first time, voters in multiple States affirmed marriage equality for same-sex couples. State and local governments have taken important steps to provide much-needed protections for transgender Americans.

My Administration is a proud partner in the journey toward LGBT equality. We extended hate crimes protections to include attacks based on sexual orientation or gender identity and repealed ''Don't Ask, Don't Tell.'' We lifted the HIV entry ban and ensured hospital visitation rights for LGBT patients. Together, we have investigated and addressed pervasive bullying faced by LGBT students, prohibited discrimination based on sexual orientation and gender identity in Federal housing, and extended benefits for same-sex domestic partners. Earlier this year, I signed a reauthorization of the Violence Against Women Act (VAWA) that prohibits discrimination on the basis of sexual orientation or gender identity in the implementation of any VAWA-funded program. And because LGBT rights are human rights, my Administration is implementing the first-ever Federal strategy to advance equality for LGBT people around the world.

We have witnessed real and lasting change, but our work is not complete. I continue to support a fully inclusive Employment Non-Discrimination Act, as well as the Respect for Marriage Act. My Administration continues to implement the Affordable Care Act, which beginning in 2014, prohibits insurers from denying coverage to consumers based on their sexual orientation or gender identity, as well as the National HIV/AIDS Strategy, which addresses the disparate impact of the HIV epidemic among certain LGBT sub-communities. We have a long way to go, but if we continue on this path together, I am confident that one day soon, from coast to coast, all of our young people will look to the future with the same sense of promise and possibility. I am confident because I have seen the talent, passion, and commitment of LGBT advocates and their allies, and I know that when voices are joined in common purpose, they cannot be stopped.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2013 as Lesbian, Gay, Bisexual, and Transgender Pride Month. I call upon the people of the United States to eliminate prejudice everywhere it exists, and to celebrate the great diversity of the American people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8990 of May 31, 2013

National Caribbean-American Heritage Month, 2013

By the President of the United States of America
A Proclamation

For centuries, the United States and nations in the Caribbean have grown alongside each other as partners in progress. Separated by sea but united by a yearning for independence, our countries won the right to chart their own destinies after generations of colonial rule. Time and again, we have led the way to a brighter future together—from lifting the stains of slavery and segregation to widening the circle of opportunity for our sons and daughters.

National Caribbean-American Heritage Month is a time to celebrate those enduring achievements. It is also a chance to recognize men and women who trace their roots to the Caribbean. Through every chapter of our Nation's history, Caribbean Americans have made our country stronger—reshaping our politics and reigniting the arts, spurring our movements and answering the call to serve. Caribbean traditions have enriched our own, and woven new threads into our cultural fabric. Again and again, Caribbean immigrants and their descendants have reaffirmed America's promise as a land of opportunity—a place where no matter who you are or where you come from, you can make it if you try.

Together, as a Nation of immigrants, we will keep writing that story. And alongside our partners throughout the Caribbean, we will keep working to achieve inclusive economic growth, access to clean and affordable energy, enhanced security, and lasting opportunity for all our people. As we honor Caribbean Americans this month, let us strengthen the ties that bind us as members of the Pan American community, and let us resolve to carry them forward in the years ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2013 as National Caribbean-American Heritage Month. I encourage all Americans to celebrate the history and culture of Caribbean Americans with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8991 of May 31, 2013

National Oceans Month, 2013

By the President of the United States of America
A Proclamation

From providing food and energy to helping sustain our climate and our security, the oceans play a critical role in nearly every part of our national life. They connect us to countries around the world, and support transportation and trade networks that grow our economy. For millions of Americans, our coasts are also a gateway to good jobs and a decent living. All of us have a stake in keeping the oceans, coasts, and Great Lakes clean and productive—which is why we must manage them wisely not just in our time, but for generations to come.

Rising to meet that test means addressing threats like overfishing, pollution, and climate change. Alongside partners at every level of government and throughout the private sector, my Administration is taking up that task. Earlier this year, we finalized a plan to turn our National Ocean Policy into concrete actions that protect the environment, streamline Federal operations, and promote economic growth. The plan charts a path to better decision-making through science and data sharing, and it ensures tax dollars are spent more efficiently by reducing duplication and cutting red tape. Best of all, it puts stock in the American people—drawing on their knowledge and empowering communities to bring local solutions to the challenges we face.

By making smart choices in ocean management, we can give our businesses the tools they need to thrive while protecting the long-term health of our marine ecosystems. Let us mark this month by renewing those goals, reinvesting in our coastal economies, and recommitting to good stewardship in the years ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2013 as National Oceans Month. I call upon Americans to take action to protect, conserve, and restore our oceans, coasts, and the Great Lakes.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8992 of May 31, 2013

African-American Music Appreciation Month, 2013

By the President of the United States of America
A Proclamation

Since our Nation's founding, people from every walk of life have set out to capture the American experience not just in poetry or prose, but

also in the timeless quality of song. When the outcome of a revolution hung in the balance, drums and fifes filled brave patriots with the strength to carry on. When slavery kept millions in bondage, spirituals gave voice to a dream of true and lasting freedom. Through every generation, music has reflected and renewed our national conversation, bringing us together and reminding us of the humanity we share.

African Americans have always had a hand in shaping the American sound. From gospel and Motown to bebop and blues, their story is bound up in the music they made—songs of hurt and hardship, yearning and hope, and struggle for a better day. Those feelings speak to something common in all of us. With passion and creativity, African-American performers have done more than reinvent the musical styles they helped define; they have channeled their music into making change and advancing justice, from radio booths to the stage to our city streets.

That story is still unfolding today. We see it in the young poet putting his words to a beat; the conservatory student perfecting her technique; the jazz musician making old melodies new again. During African-American Music Appreciation Month, let us celebrate these artists and the generations who inspired them, and let us reflect on our heritage as a Nation forever enriched by the power of song.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2013 as African-American Music Appreciation Month. I call upon public officials, educators, and all the people of the United States to observe this month with appropriate activities and programs that raise awareness and foster appreciation of music that is composed, arranged, or performed by African Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8993 of June 7, 2013

Flag Day and National Flag Week, 2013

By the President of the United States of America
A Proclamation

Each June, our Nation lifts its sights to the flag that has watched over us since the days of our founding. In those broad stripes and bright stars, we see the arc of the American story—from a handful of colonies to 50 States, united and free.

When proud patriots took up the fight for independence, they came together under a standard that showed their common cause. When the wounds of civil war were still fresh and our country walked the long road to reconstruction, our people found hope in a banner that testified to the strength of our Union. Wherever our American journey has taken

us, whether on that unending path to the mountaintop or high above into the reaches of space, Old Glory has followed, reminding us of the rights and responsibilities we share as citizens.

This week, we celebrate that legacy, and we honor the brave men and women who have secured it through centuries of service at home and abroad. Let us raise our flags high, from small-town storefronts to duty stations stretched around the globe, and let us look to them once more as we press on in the march toward a more perfect Union.

To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as ''Flag Day'' and requested that the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President annually issue a proclamation designating the week in which June 14 occurs as ''National Flag Week'' and call upon citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim June 14, 2013, as Flag Day and the week beginning June 9, 2013, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during that week, and I urge all Americans to observe Flag Day and National Flag Week by displaying the flag. I also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of June, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8994 of June 14, 2013

National Small Business Week, 2013

By the President of the United States of America
A Proclamation

In America, we believe that anyone willing to work hard and take risks can get their good idea off the ground and into the marketplace. It is a notion that has made our Nation bold and bright, and the best place to do business for generations—from small-town storefronts to pioneering startups that keep our country on the cutting edge. This week, we celebrate America's entrepreneurial spirit, and we recommit to helping our small businesses get ahead.

My Administration has been a proud partner in that important work from day one. We have cut taxes for small businesses 18 times, broadened their access to capital, and provided billions in loans so they can grow and hire. We have helped companies break into new markets abroad and export their products all over the world. Every step of the way, we have focused on making Government work better for business through initiatives like Startup America and BusinessUSA—groundbreaking programs that connect entrepreneurs to resources that can spur their success.

Together, we can build on that progress. At a time when abusive patent litigation is stifling economic growth and putting companies of all sizes at risk, my Administration is taking action to protect innovators and keep our patent system strong. To create more opportunities for small businesses to compete and win in the global marketplace, we are moving forward on a Trans-Pacific Partnership that will boost our exports and level the playing field for American workers. We are implementing the Affordable Care Act so small businesses can make quality, affordable health insurance available to all their employees. And in the months ahead, we will continue pushing for tax reform that supports small businesses and keeps them at the forefront of our economic recovery.

America's small businesses reflect the best of who we are as a Nation—daring and innovative, courageous and hopeful, always working hard and looking ahead for that next great idea. They are our economy's engine and our biggest source of new jobs. So this week, as entrepreneurs across our country keep striving to turn their dreams into reality, let us keep investing in them and doing everything we can to help our small businesses succeed.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 16 through June 22, 2013, as National Small Business Week. I call upon all Americans to recognize the contributions of small businesses to the competitiveness of the American economy with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8995 of June 14, 2013

World Elder Abuse Awareness Day, 2013

By the President of the United States of America
A Proclamation

After a lifetime of hard work and sacrifice, every American should be able to enjoy their golden years with dignity and security. But too often, senior citizens are the victims of abuse, neglect, or financial exploitation. Elder abuse is a global public health problem that affects

people of every background and culture, and while it often occurs in silence, it takes a devastating toll on millions of older Americans each year. On World Elder Abuse Awareness Day, we reaffirm our commitment to ending this crime in all its forms.

My Administration is a determined advocate for older Americans. Through the Elder Justice Act, which was enacted as part of the Affordable Care Act, we are working to prevent elder abuse, neglect, and exploitation. States and tribes are investigating risk factors for abuse and neglect and identifying strategies to stop it. We convened the Elder Justice Coordinating Council to better focus prevention efforts across the Federal Government. We are committed to combatting exploitation by empowering seniors to meet financial challenges and helping them avoid scams. And we continue to pursue a rigorous criminal justice response to elder abuse, neglect, and exploitation—one that holds offenders accountable, gives professionals meaningful training, and ensures victims get the help they need.

Older Americans have steered our Nation through times of hardship and war, and ushered in eras of progress and prosperity. Today, let us stand up and speak out on their behalf, and meet our responsibility to show our elders the care and respect they deserve.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 15, 2013, as World Elder Abuse Awareness Day. I call upon all Americans to observe this day by learning the signs of elder abuse, neglect, and exploitation, and by raising awareness about this growing public health issue.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8996 of June 14, 2013

Father's Day, 2013

By the President of the United States of America

A Proclamation

Each day, men from every walk of life pour themselves into the hard, proud, rewarding work of raising our sons and daughters. And each June, families all across our country pause to say thanks and let fathers know how much they mean to us—not just as partners or providers, but also as loving parents who never stop striving to give their kids the best life has to offer.

We see that sense of commitment throughout our communities. We see it in our schools, where dads attend assemblies and parent-teacher conferences, and help out with homework. We see it on our playing fields and in our congregations, where fathers instill the life lessons that set our kids on a path to success. We see it in parents working a second

job or taking on an extra shift, putting a little away so their children can go to college. And we see it in mentors and tutors and foster dads, taking on the duties of fatherhood for young people in need.

That work is rarely easy. But we know it adds up, building character in our children and instilling in them qualities to last a lifetime: love and hope, courage and discipline, trust in themselves and others. As fathers, teaching those values is our first task. Yet too often, boys and girls are growing up without the support of their fathers. We know our country can do better. So as men in every corner of America keep stepping up and being present in the lives of our children, my Administration will keep striving to support them.

Today, we rededicate ourselves to that important work. And as sons and daughters, let us show our lasting gratitude to the men who have shaped us, who lift our sights, and who enrich our lives with a father's love, day after day.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 16, 2013, as Father's Day. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day, and I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of June, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

Proclamation 8997 of June 27, 2013

To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes

By the President of the United States of America

A Proclamation

1. Section 502(b)(2)(G) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(b)(2)(G)), provides that the President shall not designate any country a beneficiary developing country under the Generalized System of Preferences (GSP) if such country has not taken or is not taking steps to afford internationally recognized worker rights to workers in the country (including any designated zone in that country). Section 502(d)(2) of the 1974 Act (19 U.S.C. 2462(d)(2)) provides that, after complying with the requirements of section 502(f)(2) of the 1974 Act (19 U.S.C. 2462(f)(2)), the President shall withdraw or suspend the designation of any country as a beneficiary developing country if, after such designation, the President determines that as the result of changed circumstances such country would be barred from designation as a beneficiary developing country under section 502(b)(2) of the 1974 Act. Section 502(f)(2) of the 1974 Act requires the President to notify the Congress and the country concerned at least 60 days before

terminating its designation as a beneficiary developing country for purposes of the GSP.

2. Having considered the factors set forth in section 502(b)(2)(G) and providing the notification called for in section 502(f)(2), I have determined pursuant to section 502(d) of the 1974 Act, that it is appropriate to suspend Bangladesh's designation as a GSP beneficiary developing country because it has not taken or is not taking steps to afford internationally recognized worker rights to workers in the country. In order to reflect the suspension of Bangladesh's status as a beneficiary developing country under the GSP, I have determined that it is appropriate to modify general notes 4(a) and 4(b)(i) of the Harmonized Tariff Schedule of the United States (HTS).

3. Section 503(c)(2)(A) of the 1974 Act provides that beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries as provided in section 503(c)(2)(D) of the 1974 Act (19 U.S.C. 2463(c)(2)(D)), are subject to competitive need limitations on the preferential treatment afforded under the GSP to eligible articles.

4. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that in 2012 certain beneficiary developing countries exported eligible articles in quantities exceeding the applicable competitive need limitations, and I therefore terminate the duty-free treatment for such articles from such beneficiary developing countries.

5. Section 503(c)(2)(F)(i) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(i)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article from any beneficiary developing country, if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed an amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

6. Pursuant to section 503(c)(2)(F)(i) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act should be disregarded with respect to certain eligible articles from certain beneficiary developing countries.

7. Section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)) provides that the President may waive the application of the competitive need limitations in section 503(c)(2) of the 1974 Act with respect to any eligible article from any beneficiary developing country if certain conditions are met.

8. Pursuant to section 503(d)(1) of the 1974 Act, I have received the advice of the United States International Trade Commission on whether any industry in the United States is likely to be adversely affected by waivers of the competitive need limitations provided in section 503(c)(2), and I have determined, based on that advice and on the considerations described in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2462(c)) and after giving great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), that such waivers are in the national economic interest of the United States. Accordingly, I have determined that the competitive need limitations of

section 503(c)(2) of the 1974 Act should be waived with respect to certain eligible articles from certain beneficiary developing countries.

9. Section 503(d)(4)(B)(ii) of the 1974 Act (19 U.S.C. 2463(d)(4)(B)(ii)) provides that the President should revoke any waiver of the application of the competitive need limitations that has been in effect with respect to an article for 5 years or more if the beneficiary developing country has exported to the United States during the preceding calendar year an amount that exceeds the quantity set forth in section 503(d)(4)(B)(ii)(I) or section 503(d)(4)(B)(ii)(II) of the 1974 Act (19 U.S.C. 2463(d)(4)(B)(ii)(I) and 19 U.S.C. 2463(d)(4)(B)(ii)(II)).

10. Pursuant to section 503(d)(4)(B)(ii) of the 1974 Act, I have determined that in 2012 certain beneficiary developing countries exported eligible articles for which a waiver has been in effect for 5 years or more in quantities exceeding the applicable limitation set forth in section 503(d)(4)(B)(ii)(I) or section 503(d)(4)(B)(ii)(II) of the 1974 Act, and I therefore revoke said waivers.

11. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including removal, modification, continuance, or imposition of any rate of duty or other import restriction.

12. Presidential Proclamation 6763 of December 23, 1994, implemented the trade agreements resulting from the Uruguay Round of multilateral negotiations, including Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 (Schedule XX). In order to maintain the intended tariff treatment for certain products covered in Schedule XX, I have determined that technical corrections to the HTS are necessary.

13. Presidential Proclamation 7011 of June 30, 1997, implemented modifications of the World Trade Organization Ministerial Declaration on Trade in Information Technology Products (the ''ITA'') for the United States. Products included in Attachment B to the ITA are entitled to duty-free treatment wherever classified. Presidential Proclamation 8840 of June 29, 2012, implemented certain technical corrections are necessary to the HTS in order to maintain the intended tariff treatment for certain products covered in Attachment B. I have determined that certain additional technical corrections are necessary to conform the HTS to the changes made by Presidential Proclamation 8840.

14. Presidential Proclamation 8818 of May 14, 2012, implemented U.S. tariff commitments under the United States-Colombia Trade Promotion Agreement and incorporated by reference Publication 4320 of the United States International Trade Commission, entitled ''Modifications to the Harmonized Tariff Schedule of the United States to Implement the United States-Colombia Trade Promotion Agreement.'' Presidential Proclamation 8894 of October 29, 2012, made modifications to the HTS to correct technical errors and omissions in Annexes I and II to Publication 4320. I have determined that a modification is necessary to correct an additional omission.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to title V and section 604 of the 1974 Act, do proclaim that:

(1) The designation of Bangladesh as a beneficiary developing country under the GSP is suspended on the date that is 60 days after the date this proclamation is published in the *Federal Register.*

(2) In order to reflect the suspension of benefits under the GSP with respect to Bangladesh, general notes 4(a) and 4(b)(i) of the HTS are modified as set forth in section A of Annex I to this proclamation by deleting ''Bangladesh'' from the list of independent countries and least developed countries, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date this proclamation is published in the *Federal Register.*

(3) In order to provide that one or more countries should no longer be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, the Rates of Duty 1—Special subcolumn for the corresponding HTS subheadings and general note 4(d) of the HTS are modified as set forth in sections B and C of Annex I to this proclamation.

(4) The modifications to the HTS set forth in sections B and C of Annex I to this proclamation shall be effective with respect to the articles entered, or withdrawn from warehouse for consumption, on or after the dates set forth in the relevant sections of Annex I.

(5) The competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act is disregarded with respect to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in Annex II to this proclamation.

(6) A waiver of the application of section 503(c)(2) of the 1974 Act shall apply to the articles in the HTS subheadings and to the beneficiary developing countries set forth in Annex III to this proclamation.

(7) In order to provide the intended tariff treatment to certain products as set out in Schedule XX, the HTS is modified as set forth in section A of Annex IV to this proclamation.

(8) In order to conform the HTS to certain technical corrections made to provide the intended tariff treatment to certain products as set out in the ITA, the HTS is modified as set forth in section B of Annex IV to this proclamation.

(9) In order to provide the intended tariff treatment to certain goods from Colombia, the HTS is modified as set forth in section C of Annex IV to this proclamation.

(10) The modifications to the HTS set forth in Annex IV to this proclamation shall be effective with respect to the articles entered, or withdrawn from warehouse for consumption, on or after the dates set forth in the relevant sections of Annex IV.

(11) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of June, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.

BARACK OBAMA

ANNEX I

MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date this publication is published in the *Federal Register*, the Harmonized Tariff Schedule of the United States (HTS) is modified by:

(1) deleting "Bangladesh" from the list entitled "Independent Countries" in general note 4(a); and

(2) deleting "Bangladesh" from general note 4(b)(i).

Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2013, the HTS is modified by:

(1) for the following subheading, the Rates of Duty 1-Special column is modified by deleting the symbol "A" and inserting the symbol "A*" in lieu thereof:

1005.90.40

(2) adding to general note 4(d), in numerical sequence, the following subheading number and the country set out opposite such subheading number:

1005.90.40 Brazil

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2013, general note 4(d) to the HTS is modified by adding, in alphabetical order, the following country opposite the following subheading number:

4011.10.10 Indonesia

ANNEX II

HTS Subheadings and Countries for Which the Competitive Need Limitation Provided in Section 503(c)(2)(A)(i)(II) is Disregarded

0302.79.11	Suriname	2915.50.20	India
0304.95.90	Indonesia	2921.42.15	India
0410.00.00	Indonesia	2921.42.21	India
0603.13.00	Thailand	2922.29.26	India
0711.40.00	India	2924.21.04	Brazil
0713.60.80	Bolivia	2927.00.30	India
0713.90.81	Bolivia	2933.99.06	India
0802.52.00	Turkey	3815.90.10	Brazil
0802.80.10	India	3824.90.32	Brazil

0810.60.00	Thailand
0813.40.10	Thailand
0813.40.80	Thailand
1102.90.30	India
1604.13.90	Ecuador
1702.90.52	India
1703.90.50	Ukraine
1806.10.22	Brazil
1901.20.45	Turkey
2001.90.45	India
2004.90.10	Ecuador
2005.80.00	Thailand
2005.91.97	India
2008.30.96	Ecuador
2008.99.50	Thailand
2103.90.72	India
2401.20.57	Jordan
2516.12.00	India
2813.90.50	India
2827.39.25	India
2827.39.45	India
2830.90.20	Russia
2831.90.00	India
2833.29.10	India
2833.29.40	Turkey
2834.10.10	India
2840.11.00	Turkey
2841.61.00	India
2844.30.10	India
2904.90.15	India
2905.19.10	Brazil
2905.44.00	Indonesia
2907.29.25	India
2908.19.20	India
2909.11.00	India
2912.49.10	India
2913.00.50	India
2914.29.10	India
2914.40.10	Brazil
2914.40.20	India
2915.39.20	India
3912.11.00	India
4010.36.41	India
4101.20.40	Brazil
4101.20.70	Brazil
4101.50.35	India
4101.50.40	Brazil
4101.50.70	Brazil
4101.90.40	Brazil
4104.11.30	India
4104.19.30	Pakistan
4106.21.90	India
4106.22.00	Pakistan
4107.11.40	Brazil
4107.11.60	Turkey
4107.12.40	India
4107.19.40	India
4107.91.40	India
4107.92.40	India
4107.99.40	Pakistan
4412.94.90	Indonesia
4412.99.80	Brazil
4602.12.05	Indonesia
5208.31.20	India
5209.31.30	India
5209.41.30	India
5607.90.35	Philippines
5702.92.10	India
6216.00.35	Indonesia
6913.10.20	Thailand
7113.20.25	India
7325.91.00	India
7505.11.30	Brazil
8112.12.00	Kazakhstan
8112.19.00	Kazakhstan
8112.59.00	Russia
8406.10.10	Brazil
8507.20.40	Ecuador
9010.90.40	India
9027.50.10	Philippines
9205.90.14	India
9303.30.40	Russia

ANNEX III

HTS Subheadings and Countries Granted a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act

7202.99.20 Brazil

ANNEX IV
Technical Corrections to the HTS

Section A. The HTS is modified as provided in this section, with bracketed material included to assist in the understanding of proclaimed modifications, on or after July 1, 2013:

The following provisions supersede matter now in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article description", "Rates of Duty 1 General", "Rates of Duty 1 Special", and "Rates of Duty 2", respectively.

Subheading 8526.92.00 is superseded and the following provisions inserted in numerical sequence, with the superior text inserted at the same level of indentation as the description in subheading 8526.91.00:

	[Radar apparatus . .]				
	[Other . . .]				
"8526.92	Radio remote control apparatus:				
8526.92.10	Radio remote control apparatus for video game consoles	Free			35%
8526.92.50	Other	4.9%	Free (A,AU,BH, C,CA,CL,CO,E, IL,J,JO,KR,MA, MX,OM,P,PA,PE, SG)		35%"

Any staged reduction of a rate of duty set forth in the Rates of Duty 1-Special column for HTS subheading 8526.92.00 that was proclaimed by the President before the effective date of this proclamation for such subheading shall apply to the corresponding rate of duty set forth in subheadings 8526.92.50.

Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2013, the HTS is modified by:

(1) for subheading 8528.59.33, inserting "D," after "CO," in the column "Rates of Duty 1 Special"; and

(2) for subheading 8529.90.53, deleting numbers "8528.59.20," and "8528.59.30," and inserting numbers "8528.59.21", "8528.59.23", "8528.59.31", and "8528.59.33" in numerical sequence in the column "Article Description".

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2013, the HTS is modified by, for subheadings 9901.00.50 and 9901.00.52, inserting "CO," before "PE" in the column "Rates of Duty 1-Special".

Proclamation 8998 of July 19, 2013

Captive Nations Week, 2013

By the President of the United States of America
A Proclamation

As citizens of the oldest democracy on earth, we believe that all people are created equal with certain inalienable rights, including life, liberty, and the pursuit of happiness. Together, we have kept that most basic promise shining bright for more than two centuries—upholding civil rights and expanding their reach, advancing freedom's march and widening the circle of opportunity for all.

Our commitment to universal rights is also a foundation for American leadership abroad. In the course of our Nation's history, countries

worldwide have pledged themselves to a Universal Declaration of Human Rights. Corrupt dictatorships have given way to new democracies, forcing out the stale air of authoritarian rule with a fresh breath of freedom.

We know that work is not yet complete. Even as the light of liberty and justice has spread across the globe, too many people still labor in the darkness of tyranny and oppression. In too many parts of the world, fundamental freedoms remain unrealized, and the protections of law extend only to a privileged few.

Captive Nations Week is an opportunity to reaffirm America's role in advancing human rights worldwide. It is a task that can begin here, with the example we set and the understanding that we are stronger when all our people are granted opportunity—no matter what they look like, where they worship, or who they love. And it can continue by extending a hand to those who reach for freedom abroad. Different peoples will determine their own paths. But we must reject the notion that those who live in distant places do not yearn for freedom, self-determination, dignity, and the rule of law, just as we do.

When President Dwight D. Eisenhower first marked this day, he noted that it should recur ''until such time as freedom and independence shall have been achieved for all the captive nations of the world.'' We have come a long way since then—but despite our progress, that time has not yet come. So let us keep striving to bring it about—supporting those who seek the same freedoms we enjoy as Americans, and extending the blessings of peace and prosperity here at home and around the world.

The Congress, by joint resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week of July of each year as ''Captive Nations Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim July 21 through July 27, 2013, as Captive Nations Week. I call upon the people of the United States to reaffirm our deep ties to all governments and people committed to freedom, dignity, and opportunity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of July, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 8999 of July 25, 2013

Anniversary of the Americans With Disabilities Act, 2013

By the President of the United States of America
A Proclamation

More than two centuries ago, our forebears began an unending journey to form a more perfect Union. Twenty-three years ago, we took a historic step down that path with the Americans with Disabilities Act (ADA)—a landmark law that seeks to extend the promise of equal opportunity enshrined in our founding documents.

It promises equal access, from the classroom to the workplace to the transportation required to get there. It promises fairness, and the chance to live a full and independent life. It affords Americans with disabilities the protections they need to claim a future worthy of their talents.

Today, we celebrate the ADA's lasting legacy as a pillar of civil rights. We also recognize that while the law continues to move America forward, our march to equality is not yet complete. Even now, barriers still keep too many people with disabilities from fully participating in our society and our workforce. Our country suffers when our citizens are denied the chance to strengthen our economy, support their families, and fully participate in our American life.

That is why my Administration is dedicated to leveling the playing field for Americans with disabilities. We are committed to making the Federal Government a model employer by recruiting, hiring, and retaining more workers with disabilities than at any time in our Nation's history. In addition, we are working to connect people with disabilities to jobs in every part of our economy.

To get those jobs, students with disabilities need an education system that works for them. We must ensure lessons are inclusive, assessments are fair, and technology is accessible. We must rededicate ourselves to building supportive classrooms and putting an end to bullying that all too often targets young people with disabilities.

My Administration is bringing the same commitment to our health care system. The Affordable Care Act already made it illegal for insurers to deny coverage to children with disabilities because of pre-existing conditions, medical history, or genetic information. On January 1, 2014, the same will be true for all Americans. Alongside those protections, we have strengthened Medicare and Medicaid and ramped up programs to encourage community living and supportive services.

Together, we have come a long way toward ensuring equal opportunity for all. On this anniversary, let us recommit to going the rest of the distance. Let us enforce the ADA, promote disability rights at home and abroad, and make America a place that values the contributions of all our citizens—regardless of disability.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 26, 2013, the Anniversary of the Americans with Disabilities Act. I encourage Americans across our Nation to celebrate the 23rd anniversary of

this civil rights law and the many contributions of individuals with disabilities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9000 of July 25, 2013

National Korean War Veterans Armistice Day, 2013

By the President of the United States of America

A Proclamation

Today, America pauses to observe the 60th anniversary of the end of the Korean War—a conflict that defined a generation and decided the fate of a nation. We remember the troops who hit the beaches when Communist forces were pressing south; who pushed back, and fought their way north through hard mountains and bitter cold. We remember ordinary men and women who showed extraordinary courage through 3 long years of war, fighting far from home to defend a country they never knew and a people they never met.

Most of all, we remember those brave Americans who gave until they had nothing left to give. No monument will ever be worthy of their service, and no memorial will fully heal the ache of their sacrifice. But as a grateful Nation, we must honor them—not just with words, but with deeds. We must uphold our sacred obligation to all who serve—giving our troops the resources they need, keeping faith with our veterans and their families, and never giving up the search for our missing and our prisoners of war. Our fallen laid down their lives so we could live ours. It is our task to live up to the example they set, and make America a country worthy of their sacrifice.

This anniversary marks the end of a war. But it also commemorates the beginning of a long and prosperous peace. In six decades, the Republic of Korea has become one of the world's largest economies and one of America's closest allies. Together, we have built a partnership that remains a bedrock of stability throughout the Pacific. That legacy belongs to the service members who fought for freedom 60 years ago, and the men and women who preserve it today.

So as we mark this milestone, let us offer a special salute to our Korean War veterans. Let us renew the sacred trust we share with all who have served. And let us reaffirm that no matter what the future holds, America will always honor its promise to serve our veterans as well as they served us—now and forever.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 27, 2013, as National Korean War Veterans Armistice Day. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor our distinguished Korean War veterans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9001 of July 25, 2013

World Hepatitis Day, 2013

By the President of the United States of America

A Proclamation

Each year, we mark World Hepatitis Day to bring attention to a disease that afflicts one in twelve people worldwide. Viral hepatitis is a major cause of liver cancer and cirrhosis in the United States, leading to approximately 18,000 American deaths every year. Outcomes can significantly improve with treatment, but because viral hepatitis can be present without symptoms for decades, most infected Americans do not know they have it. Today, we raise awareness about preventing and treating viral hepatitis, and we renew our commitment to combat this disease in all its forms.

Public awareness is key to halting the spread of viral hepatitis. All types of this disease pose serious health threats, and both hepatitis B and C can become chronic infections that lead to liver cancer and liver disease. Vaccines for hepatitis A and B are crucial to preventing new cases, and they are recommended for all children, as well as adults at an elevated risk of infection. There is no vaccine against hepatitis C, but through early detection and treatment, it is possible to reduce the risk of transmission, avert the worst complications, and in many cases even cure the infection.

Anyone can contract hepatitis, but in the United States it disproportionately affects the African American, Hispanic, and Asian American and Pacific Islander communities, and people born between 1945 and 1965. Injection drug users of all ages are also at increased risk. My Administration is working to raise awareness among communities hardest hit by viral hepatitis, organizing campaigns to prevent new infections, and promoting testing and treatment.

My Administration also continues to work with our partners across the Federal Government, in States, communities, and the public and nonprofit sectors to implement programs like the Healthy People 2020 initiative and the Action Plan for the Prevention, Care, and Treatment of Viral Hepatitis. This ambitious plan aims to reduce the number of new hepatitis C cases by 25 percent, eliminate mother-to-child transmission of hepatitis B, and significantly increase the proportion of people who know of their hepatitis B and C infections. In addition, the Affordable Care Act requires health insurance plans to cover, without co-pays, hepatitis A and B vaccines as recommended for children and adults at elevated risk for infection, as well as hepatitis B screenings for pregnant women at their first prenatal visit. After June 2014, new health plans must cover screening, without co-pays, for hepatitis C virus infection in persons at high risk for infection. Plans must also cover one-

time screening for hepatitis C infection for adults born between 1945 and 1965.

Viral hepatitis is a silent epidemic, and we can only defeat it if we break that silence. Now is the time to learn the risk factors for hepatitis, talk to family, friends, and neighbors who may be at risk, and to speak with healthcare providers about strategies for staying healthy. On World Hepatitis Day, let each of us lend our support to those living with hepatitis and do our part to bring this epidemic to an end.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 28, 2013, as World Hepatitis Day. I encourage citizens, Government agencies, nonprofit organizations, and communities across the Nation to join in activities that will increase awareness about hepatitis and what we can do to prevent it.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9002 of August 9, 2013

National Health Center Week, 2013

By the President of the United States of America

A Proclamation

Community health centers play a critical role in providing affordable, high-quality preventive and primary health care to millions of Americans. From urban centers to rural towns, they offer vital services regardless of ability to pay—services that help patients stay healthy and avoid emergency room visits. During National Health Center Week, we recognize health centers' significant contributions to keeping America healthy, and we offer our continuing support to the dedicated providers who operate them.

Today, health centers operate thousands of clinics across our country. One in every fifteen people living in the United States depends on their services. They are an important source of jobs in many low-income communities, employing more than 148,000 people nationwide. And with clinical and support staff who are responsive to their communities' needs and cultures, health centers are important partners in our efforts to reduce health disparities. From coast to coast, they coordinate care and build professional, compassionate health care teams focused on improving patient outcomes.

My Administration has worked to strengthen this essential network. Through the Affordable Care Act and the Recovery Act, we have made significant investments that have helped health centers expand their work, which is now reaching more than 20 million people each year.

As millions of Americans gain access to more health insurance options through the Affordable Care Act, health centers remain as valuable as

ever. They help community members understand their options, determine their eligibility, and review possibilities for financial assistance. With support and funding from the health care law, health centers are also helping the uninsured enroll in plans made available through the new Health Insurance Marketplace, as well as in Medicaid and the Children's Health Insurance Program.

This week, we celebrate these valuable services and extend our thanks to the women and men who operate America's health centers.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim the week of August 11 through August 17, 2013, as National Health Center Week. I encourage all Americans to celebrate this week by visiting their local health center, meeting health center providers, and exploring the programs they offer to help keep families healthy.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9003 of August 23, 2013

Women's Equality Day, 2013

By the President of the United States of America

A Proclamation

On August 26, 1920, after decades of organizing, agitating, and demonstrating, our country achieved a major victory for women's rights and American democracy. The 19th Amendment was certified, extending the vote to women and advancing our Nation's long journey toward full equality for all Americans. The ratification of the 19th Amendment paved the way for more women to participate in American politics—as leaders, candidates, voters, and volunteers. Today, women make up the majority of the electorate, and last year a record number of women were elected to the United States Congress. On Women's Equality Day, we celebrate the progress that has been made, and renew our commitment to securing equal rights, freedoms, and opportunities for women everywhere.

From the beginning, my Administration has been committed to advancing the historic march toward gender equality. We have fought for equal pay, prohibited gender discrimination in America's healthcare system, and established the White House Council on Women and Girls, which works to ensure fair treatment in all matters of public policy. In March, I signed a reauthorization of the Violence Against Women Act, which provides better tools to law enforcement to reduce domestic and sexual violence, strengthens support systems, and extends protections to even more women. And earlier this year, the Department of Defense announced plans to remove roadblocks that prevent women from serving the country they love at the highest levels their extraordinary valor and talent will take them.

Yet we have more work to do. A fair deal for women is essential to a thriving middle class, but while women graduate college at higher rates than men, they still make less money after graduation and often have fewer opportunities to enter well-paid occupations or receive promotions. On average, women are paid 77 cents for every dollar paid to men. That is why the first bill I signed was the Lilly Ledbetter Fair Pay Act. It is also why I established the National Equal Pay Task Force, which is cracking down on equal pay violations at a record rate. And it is why I issued a Presidential Memorandum calling for a Government-wide strategy to close any gender pay gap within the Federal workforce. To build on this work, I will continue to urge the Congress to pass the Paycheck Fairness Act, a bill that would strengthen the Equal Pay Act and give women more tools to challenge unequal wages. My Administration will also continue our campaign to engage women and girls in science, technology, engineering, and mathematics careers, and we will broaden our efforts to empower women and girls around the world.

As we reflect with pride on decades of progress toward gender equality, we must also resolve to make progress in our time. Today, we honor the pioneers of women's equality by doing our part to realize that great American dream—the dream of a Nation where all things are possible for all people.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 26, 2013, as Women's Equality Day. I call upon the people of the United States to celebrate the achievements of women and promote gender equality in our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9004 of August 23, 2013

50th Anniversary of the March on Washington for Jobs and Freedom

By the President of the United States of America
A Proclamation

On August 28, 1963, hundreds of thousands converged on the National Mall to take part in what the Reverend Dr. Martin Luther King, Jr., called ''the greatest demonstration for freedom in the history of our nation.'' Demonstrators filled the landscape—from the steps of the Lincoln Memorial, alongside the still waters of the reflecting pool, to the proud base of the Washington Monument. They were men and women; young and old; black, white, Latino, Asian, and Native American—woven together like a great American tapestry, sharing in the dream that our Nation would one day make real the promise of liberty, equality, and justice for all.

The March on Washington capped off a summer of discontent, a time when the clarion call for civil rights was met with imprisonment, bomb threats, and base brutality. Many of the marchers had endured the smack of a billy club or the blast of a fire hose. Yet they chose to respond with nonviolent resistance, with a fierce dignity that stirred our Nation's conscience and paved the way for two major victories of the Civil Rights Movement—the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Today, we remember that the March on Washington was a demonstration for jobs as well as freedom. The coalition that brought about civil rights understood that racial equality and fairness for workers are bound together; when one American gets a raw deal, it jeopardizes justice for everyone. These are lessons we carry forward—that we cannot march alone, that America flourishes best when we acknowledge our common humanity, that our future is linked to the destiny of every soul on earth.

It is not enough to reflect with pride on the victories of the Civil Rights Movement. In honor of every man, woman, and child who left footprints on the National Mall, we must make progress in our time. Let us guard against prejudice—whether at the polls or in the workplace, whether on our streets or in our hearts—and let us pledge that, in the words of Dr. King, ''we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 28, 2013, as the 50th Anniversary of the March on Washington for Jobs and Freedom. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities that celebrate the March on Washington and advance the great causes of jobs and freedom.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9005 of August 30, 2013

National Alcohol and Drug Addiction Recovery Month, 2013

By the President of the United States of America

A Proclamation

Each day, millions of Americans take courageous steps toward recovery from alcohol and drug addiction. Their examples reveal the transformative power of recovery, and their stories provide hope to those struggling to break free from addiction. During National Alcohol and Drug Addiction Recovery Month, we celebrate their strength, challenge the stigmas that stand as barriers to recovery, and encourage those needing help to seek it.

This year's theme, ''Together on Pathways to Wellness'' encourages all Americans to walk alongside family, friends, and neighbors who are fighting to overcome addiction. My Administration is proud to advance evidence-based approaches to recovery—approaches that view addiction as a preventable, treatable disease of the brain. The *2013 National Drug Control Strategy* builds on our work over the past 4 years, increasing access to treatment and recovery services, and supporting early intervention to address substance abuse in schools, on college campuses, and in the workplace. And to give more Americans a chance to enter recovery, the Affordable Care Act expands mental health and substance use disorder benefits and Federal parity protections for millions of Americans. Thanks to this law, insurance companies must cover treatment for substance use disorders as they would any other chronic disease.

Alcohol and drug addiction remains a serious challenge in our country, but with support from loved ones and allies, Americans seeking help make steady progress each day. As we observe National Alcohol and Drug Addiction Recovery Month, let us unite to prevent addiction, give hope to everyone still struggling with this disease, and celebrate all those moving along the life-saving path to recovery.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Alcohol and Drug Addiction Recovery Month. I call upon the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9006 of August 30, 2013

National Childhood Cancer Awareness Month, 2013

By the President of the United States of America

A Proclamation

Every September, America renews our commitment to curing childhood cancer and offers our support to the brave young people who are fighting this disease. Thousands are diagnosed with pediatric cancer each year, and it remains the leading cause of death by disease for American children under 15. For those children and their families, and in memory of every young person lost to cancer, we unite behind improved treatment, advanced research, and brighter futures for young people everywhere.

Over the past few decades, we have made great strides in the fight against pediatric cancer. Thanks to significant advances in treatment over the last 30 years, the combined 5-year survival rate for children with cancer increased by more than 20 percentage points. Today, a substantial proportion of children diagnosed with cancer can anticipate

a time when their illness will be in long-term remission or cured altogether.

My Administration is dedicated to carrying this progress forward. We are funding extensive research into the causes of childhood cancer and its safest and most effective treatments. We also remain committed to easing financial burdens on families supporting a loved one with cancer. Under the Affordable Care Act, insurance companies can no longer deny coverage to children with pre-existing conditions or set lifetime caps on essential health benefits. As of January 2014, insurers will be prohibited from dropping coverage for patients who choose to participate in a clinical trial, including clinical trials that treat childhood cancer.

All children deserve the chance to dream, discover, and realize their full potential. This month, we extend our support to young people fighting for that opportunity, and we recognize all who commit themselves to advancing the journey toward a cancer-free world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Childhood Cancer Awareness Month. I encourage all Americans to join me in reaffirming our commitment to fighting childhood cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9007 of August 30, 2013

National Childhood Obesity Awareness Month, 2013

By the President of the United States of America

A Proclamation

In the United States, obesity affects millions of children and teenagers, raising their risk of developing serious health problems, including diabetes, cancer, asthma, heart disease, and high blood pressure. While childhood obesity remains a serious public health issue, we have made significant strides toward stemming the tide. After three decades of dramatic increases in obesity rates among America's youth, recent studies by the Centers for Disease Control and Prevention indicate that rates are holding steady and even decreasing in some areas. During National Childhood Obesity Awareness Month, let us build on this momentum and strengthen the trend toward healthier lifestyles and brighter futures for our Nation's children.

First Lady Michelle Obama's *Let's Move!* initiative is on the front lines in the fight against childhood obesity. With partners across the public and private sectors and through targeted programs, this comprehensive campaign aims to solve the challenge of childhood obesity within a generation. *Let's Move!* is dedicated to making nutritious food more

available and affordable, helping kids get active, and fostering environments that support healthy choices.

To this end, the initiative is always looking for new ways to engage parents, families, kids, and communities. We launched *Let's Move!* Active Schools to help bring physical activity back into the school day. We are teaming up with mayors, faith leaders, and businesses to make the healthy choice the easy choice for families. And we are working with the Department of Agriculture to provide more nutritious school lunches and snacks.

Through the Affordable Care Act, my Administration is expanding access to services that can help all Americans reach and maintain a healthy weight. Thanks to this law, millions of children can receive obesity screening and counseling at no out-of-pocket cost to their parents. The Affordable Care Act also created the Community Transformation Grant Program, which is tackling the root causes of chronic disease, including poor nutrition and lack of physical activity. Through this initiative, communities across our country are working with public health leaders, businesses, schools, faith-based organizations, and individuals to build partnerships that promote healthy lifestyles.

We all share in the responsibility of helping our Nation's children enjoy longer, healthier lives. Together, we can give them the energy and confidence to learn, excel, and pursue their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Childhood Obesity Awareness Month. I encourage all Americans to learn about and engage in activities that promote healthy eating and greater physical activity by all our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9008 of August 30, 2013

National Ovarian Cancer Awareness Month, 2013

By the President of the United States of America

A Proclamation

Each September, America calls attention to a deadly disease that affects thousands of women across our country. This year, over 22,000 women will develop ovarian cancer, and more than half that number of women will die of this disease. During National Ovarian Cancer Awareness Month, we lend our support to everyone touched by this disease, we remember those we have lost, and we strengthen our resolve to better prevent, detect, treat, and ultimately defeat ovarian cancer.

Because ovarian cancer often goes undetected until advanced stages, increasing awareness of risk factors is critical to fighting this disease.

Chances of developing ovarian cancer are greater in women who are middle-aged or older, women with a family history of breast or ovarian cancer, and those who have had certain types of cancer in the past. I encourage all women, especially those at increased risk, to talk to their doctors. For more information, visit www.Cancer.gov.

My Administration is investing in research to improve our understanding of ovarian cancer and develop better methods for diagnosis and treatment. As we continue to implement the Affordable Care Act, women with ovarian cancer will receive increased access to health care options, protections, and benefits. Thanks to this law, insurance companies can no longer set lifetime dollar limits on coverage or cancel coverage because of errors on paperwork. By 2014, the health care law will ban insurers from setting restrictive annual caps on benefits and from charging women higher rates simply because of their gender. Additionally, insurance companies will be prohibited from denying coverage or charging higher premiums to patients with pre-existing conditions, including ovarian cancer.

This month, we extend a hand to all women battling ovarian cancer. We pledge our support to them, to their families, and to the goal of defeating this disease.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Ovarian Cancer Awareness Month. I call upon citizens, government agencies, organizations, health care providers, and research institutions to raise ovarian cancer awareness and continue helping Americans live longer, healthier lives. I also urge women across our country to talk to their health care providers and learn more about this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9009 of August 30, 2013

National Preparedness Month, 2013

By the President of the United States of America
A Proclamation

Time and again, America faces crises that test our readiness and challenge our resolve—from natural disasters like hurricanes, tornadoes, and floods to shootings, cyber incidents, and even acts of terrorism. While my Administration is working tirelessly to avert national tragedies, it is every American's responsibility to be prepared. By planning for emergencies, individuals can protect themselves and their families while also contributing to their communities' resilience. During National Preparedness Month, we refocus our efforts on readying ourselves, our families, our neighborhoods, and our Nation for any crisis we may face.

My Administration is committed to preparing our country for the full range of threats. In the face of an emergency, we will continue to cut through red tape and bolster coordination. At my direction, the Federal Emergency Management Agency will launch a comprehensive campaign to build and sustain national preparedness with private sector, non-profit, and community leaders and all levels of government. The campaign will be based on science, research and development, public outreach, and broad participation. It will aim to inspire Americans of all ages to increase their preparedness by moving from awareness to action.

Over this past year, ordinary Americans have stepped up in moments of trial and tragedy to perform real acts of heroism. Despite the brave actions of first responders across America, neighbors and friends are often the first on the scene after an emergency, and circumstances can call anyone to become a hero. This year's National Preparedness Month theme, ''You Can Be the Hero,'' asks all Americans to ready themselves to assist in case of emergency. Anyone can improve their preparedness by making or reviewing emergency plans with their family and by building a disaster kit with food, water, and essential supplies. Visit www.Ready.gov or www.Listo.gov to see which types of disasters are most likely for your area and learn more about what you can do to prepare.

This month, as we reflect on challenges to our communities, regions, and our Nation, we continue to lend our support to recovery efforts, and we honor our first responders by doing our part to build a more resilient America.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Preparedness Month. I encourage all Americans to recognize the importance of preparedness and work together to enhance our national security, resilience, and readiness.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9010 of August 30, 2013

National Prostate Cancer Awareness Month, 2013

By the President of the United States of America
A Proclamation

Among American men, prostate cancer is both the second most commonly diagnosed cancer and the second-leading cause of cancer deaths. Although prostate cancer incidence and mortality rates have declined over the past two decades, in 2013 alone, an estimated 239,000 men in the United States will be diagnosed with the illness, and almost 30,000 men will die from this disease. During National Prostate Cancer Awareness Month, we remember those lost to prostate

cancer, offer our support to patients and their families, and highlight our commitment to better prevention, detection, and treatment methods.

The exact causes remain unknown, but medical professionals have identified several risk factors that can increase a man's chances of developing prostate cancer. It is more common among older men and men with a family history of prostate cancer. African American men also have a significantly higher risk, both of developing and dying from prostate cancer. I encourage all men to learn about warning signs by visiting www.Cancer.gov.

My Administration continues to support important prostate cancer research—research that will enhance our knowledge and improve prostate cancer prevention and treatment. The Affordable Care Act also offers new protections for all Americans. The health care law bans insurance companies from placing lifetime dollar limits on essential health benefits and from dropping coverage because of mistakes on insurance applications. Beginning in 2014, the Affordable Care Act will also eliminate annual dollar limits on vital benefits, and insurers will no longer be able to deny coverage or charge higher premiums to patients with prostate cancer—or any other pre-existing medical condition.

This month, I encourage all Americans to lend their support to family, friends, and neighbors whose lives have been touched by prostate cancer. Let us celebrate the compassion and perseverance of health care providers, researchers, and dedicated advocates. Together, we can raise awareness, support research, improve care, and reduce the impact of this disease on our citizens and our Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Prostate Cancer Awareness Month. I encourage all citizens, government agencies, private businesses, non-profit organizations, and other groups to join in activities that will increase awareness and prevention of prostate cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9011 of August 30, 2013

National Wilderness Month, 2013

By the President of the United States of America
A Proclamation

In September 1964, President Lyndon B. Johnson signed the Wilderness Act into law, recognizing places ''where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.'' Throughout our history, countless people have passed through America's most treasured landscapes, leaving their

beauty unmarred. This month, we uphold that proud tradition and resolve that future generations will trek forest paths, navigate winding rivers, and scale rocky peaks as visitors to the majesty of our great outdoors.

My Administration is dedicated to preserving our Nation's wild and scenic places. During my first year as President, I designated more than 2 million acres of wilderness and protected over 1,000 miles of rivers. Earlier this year, I established five new national monuments, and I signed legislation to redesignate California's Pinnacles National Monument as Pinnacles National Park. To engage more Americans in conservation, I also launched the America's Great Outdoors Initiative. Through this innovative effort, my Administration is working with communities from coast to coast to preserve our outdoor heritage, including our vast rural lands and remaining wild spaces.

As natural habitats for diverse wildlife; as destinations for family camping trips; and as venues for hiking, hunting, and fishing, America's wilderness landscapes hold boundless opportunities to discover and explore. They provide immense value to our Nation—in shared experiences and as an integral part of our economy. Our iconic wilderness areas draw tourists from across the country and around the world, bolstering local businesses and supporting American jobs.

During National Wilderness Month, we reflect on the profound influence of the great outdoors on our lives and our national character, and we recommit to preserving them for generations to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2013 as National Wilderness Month. I invite all Americans to visit and enjoy our wilderness areas, to learn about their vast history, and to aid in the protection of our precious national treasures.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9012 of August 30, 2013

Labor Day, 2013

By the President of the United States of America
A Proclamation

On September 5, 1882, in what is thought to be the first Labor Day event, thousands of working Americans gathered to march in a New York City parade. In the 131 years since, America has called on our workers time and again—to raise and connect our cities; to feed, heal, and educate our Nation; to forge the latest technological revolution. On Labor Day, we celebrate these enduring contributions and honor all the men and women who make up the world's greatest workforce.

America is what it is today because workers began to organize—to demand fair pay, decent hours, safe working conditions, and the dignity of a secure retirement. Through decades upon decades of struggle, they won many of the rights and benefits we too often take for granted today, from the 40-hour work week and minimum wage to safety standards, workers' compensation, and health insurance. These basic protections allowed the middle class to flourish. They formed the basis of the American dream and offered a better life to anyone willing to work for it.

Yet over the past decades, that promise began to erode. People were working harder for less, and good jobs became more difficult to find. My Administration remains committed to restoring the basic bargain at the heart of the American story. We are bringing good jobs back to the United States. We are expanding programs that train workers in tomorrow's industries, and we eliminated tax breaks that benefited the wealthiest Americans at the expense of the middle class. In the years to come, I will continue to support collective bargaining rights that strengthen the middle class and give voice to workers across our Nation. And I will keep pushing for a higher minimum wage—because in America, no one who works full-time should have to live in poverty.

Thanks to the grit and resilience of the American worker, we have cleared away the rubble of the worst recession since the Great Depression. Now is the time to reward that hard work. Today, as America celebrates working people everywhere, we unite behind good jobs in growing industries, and we strengthen our resolve to rebuild our economy on a stronger foundation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2, 2013, as Labor Day. I call upon all public officials and people of the United States to observe this day with appropriate programs, ceremonies, and activities that honor the contributions and resilience of working Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9013 of September 6, 2013

National Grandparents Day, 2013

By the President of the United States of America

A Proclamation

In every corner of our country and across all walks of life, grandparents are a tremendous source of wisdom, strength, and joy. They are caregivers, teachers, and friends—windows to the past and guideposts for the future. On National Grandparents Day, America pauses to honor the bedrocks of our families and thank every grandmother and grandfather for their immeasurable contributions to our country.

Our grandparents' generations made America what it is today. They led our Nation through times of war, heralded new ages of innovation, and tested the limits of human imagination. They challenged longstanding prejudices and shattered barriers, both cultural and scientific. In our homes and our communities, grandparents pass down the values that have led generations of Americans to live well and give back. As individuals, as families, and as a society, we have an unshakable obligation to provide the care and support our grandparents have earned. Together, let us guarantee the right of every American to live out their golden years in dignity and security.

Today, we reflect on the ways our grandparents have enriched our lives, and we celebrate their contributions to the life of our Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 8, 2013, as National Grandparents Day. I call upon all Americans to take the time to honor their own grandparents and those in their community.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9014 of September 6, 2013

National Days of Prayer and Remembrance, 2013

By the President of the United States of America

A Proclamation

This week, Americans come together to mark the 12th anniversary of a day that shook our country to its core. Where two towers once cast a shadow, men and women gather in the early light to pay their respects. In a Pennsylvania field once scarred by debris, bells ring out and fingers trace over names etched in white marble. At the Pentagon, where a single stone still bears the scars of fire, a Nation honors souls who now know peace.

On this anniversary, images of darkness are never far from our thoughts. We remember planes cutting through a clear September sky, black smoke rising from the ruins below. These images will never leave us. But Scripture teaches us that light shines even in the darkness, and the darkness has not overcome it.

When the first calls for help reached squad cars, ambulances, and ladder companies, there was no hesitation. First responders rushed to the scene. They stormed up the stairs and into the flames. Aboard Flight 93, heroic passengers and crew members gave everything they had to prevent even more devastation.

Their legacy lives on in those they saved and in the memories we keep. Most of all, it lives on in the spirit they embodied: compassion,

resilience, unity. Many of those we lost set aside their own well-being in the hope they could save someone they would never know.

That selflessness shows the best of who we are as a people. And for more than a decade, that same selflessness has summoned a new generation to serve in our Armed Forces. These solemn days also call upon us to reflect on their extraordinary service and sacrifice and to rededicate ourselves to showing our troops, our veterans, and their families the fullest support of a grateful Nation.

Finally, as we honor those who have borne so much since 9/11, let us turn our thoughts once again toward renewal. When shock and confusion could have torn us apart, we chose instead to move forward together, as one people. We have proven our resilience. We have recovered and rebuilt, better and brighter. We have kept faith with our oldest American beliefs. Years from now, these acts will reveal the true legacy of that day—of a safer world, a stronger Nation, and a country more united than ever before.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Friday, September 6 through Sunday, September 8, 2013, as National Days of Prayer and Remembrance. I ask that the people of the United States honor and remember the victims of September 11, 2001, and their loved ones through prayer, contemplation, memorial services, the visiting of memorials, the ringing of bells, evening candlelight remembrance vigils, and other appropriate ceremonies and activities. I invite people around the world to participate in this commemoration.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9015 of September 10, 2013

Patriot Day and National Day of Service and Remembrance, 2013

By the President of the United States of America

A Proclamation

Twelve years ago this month, nearly three thousand innocent men, women, and children lost their lives in attacks meant to terrorize our Nation. They had been going about their day, harming no one, when sudden violence struck. We will never undo the pain and injustice borne that terrible morning, nor will we ever forget those we lost.

On September 11, 2001, amid shattered glass, twisted steel, and clouds of dust, the spirit of America shone through. We remember the sacrifice of strangers and first responders who rushed into darkness to carry others from danger. We remember the unbreakable bonds of unity we felt in the long days that followed—how we held each other, how we came to our neighbors' aid, how we prayed for one another. We re-

call how Americans of every station joined together to support the survivors in their hour of need and to heal our Nation in the years that followed.

Today, we can honor those we lost by building a Nation worthy of their memories. Let us also live up to the selfless example of the heroes who gave of themselves in the face of such great evil. As we mark the anniversary of September 11, I invite all Americans to observe a National Day of Service and Remembrance by uniting in the same extraordinary way we came together after the attacks. Like the Americans who chose compassion when confronted with cruelty, we can show our love for one another by devoting our time and talents to those in need. I encourage all Americans to visit www.Serve.gov, or www.Servir.gov for Spanish speakers, to find ways to get involved in their communities.

As we serve and remember, we reaffirm our ties to one another. On September 11, 2001, no matter where we came from, what God we prayed to, or what race or ethnicity we were, we were united as one American family. May the same be said of us today, and always.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as ''Patriot Day,'' and by Public Law 111–13, approved April 21, 2009, the Congress has requested the observance of September 11 as an annually recognized ''National Day of Service and Remembrance.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 11, 2013, as Patriot Day and National Day of Service and Remembrance. I call upon all departments, agencies, and instrumentalities of the United States to display the flag of the United States at half-staff on Patriot Day and National Day of Service and Remembrance in honor of the individuals who lost their lives on September 11, 2001. I invite the Governors of the United States and the Commonwealth of Puerto Rico and interested organizations and individuals to join in this observance. I call upon the people of the United States to participate in community service in honor of those our Nation lost, to observe this day with appropriate ceremonies and activities, including remembrance services, and to observe a moment of silence beginning at 8:46 a.m. Eastern Daylight Time to honor the innocent victims who perished as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9016 of September 13, 2013

National Hispanic Heritage Month, 2013

By the President of the United States of America

A Proclamation

From the earliest days of our Republic, Hispanic Americans have written crucial chapters in our national story. Hispanics have honorably defended our country in war and built prosperity during times of peace. They run successful businesses, teach our next generation of leaders, and pioneer scientific and technological breakthroughs. This month, America acknowledges these vital contributions and celebrates our Hispanic heritage.

Hispanic Americans represent an array of distinct and vibrant cultures, each of which enriches communities in valuable ways. Just as America embraces a rich blend of backgrounds, those who journey to our shores embrace America. Sharing the dream of equality and boundless opportunity, many Hispanics have marched for social justice and helped advance America's journey toward a more perfect Union. Last year, I was proud to establish the César E. Chávez National Monument in honor of an American hero, a man who reminded us that every life has value, that together, those who recognize their common humanity have the power to shape a better world.

As César Chávez's example teaches us, we must never scale back our dreams. My Administration remains committed to building a rising, thriving middle class, a middle class accessible to the Hispanic community and to all Americans. As we continue to implement the Affordable Care Act, more than 10 million uninsured Latinos will gain access to coverage. To reduce health disparities, my Administration will work to educate, engage, and enrolle Hispanic Americans in the Health Insurance Marketplace.

Last year, we lifted the shadow of deportation off young people who are American in every way but on paper. Today, I am as determined as ever to pass commonsense immigration reform—reform that helps American workers get a fairer deal, adds more than one trillion dollars to our economy, and provides a pathway to earned citizenship. A bipartisan bill consistent with these principles has already passed the Senate, and a growing coalition of Republicans and Democrats is calling for action.

Whether our ancestors crossed the Atlantic in 1790 or the Rio Grande in 1970, Americans are bound by a set of common values—a love of liberty and justice, the belief that a better life should await anyone willing to work for it. As we celebrate the unique influences of Hispanic cultures during National Hispanic Heritage Month, let us also rededicate ourselves to realizing our shared aspirations.

To honor the achievements of Hispanics in America, the Congress by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as ''National Hispanic Heritage Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 15 through October 15, 2013, as National Hispanic Heritage Month. I call upon public offi-

cials, educators, librarians, and all Americans to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9017 of September 13, 2013

National Farm Safety and Health Week, 2013

By the President of the United States of America

A Proclamation

Farmers, ranchers, and farmworkers form the cornerstones of some of America's most essential economic sectors. Their products feed, clothe, and fuel our Nation. Their way of life—handed down from generation to generation—is central to the American story. During National Farm Safety and Health Week, we celebrate our agricultural producers' values, experiences, and contributions, and we recommit to secure work environments on all our country's farms.

For many agricultural workers, the risk of injury and illness is a daily reality. They face multiple challenges, including entering hazardous grain storage bins, handling livestock and chemicals, and transporting large machinery on our Nation's rural roadways. I encourage agricultural producers and their families and communities to participate in comprehensive farm safety and health programs, take precautions, and prepare themselves for emergencies. I urge all Americans to respect farming and ranching families by driving rural roadways with care, and I ask communities to remember agricultural workers' needs in setting up health facilities and emergency response programs.

As the fall harvest season begins, we pay tribute to the generations of Americans who have devoted themselves to supplying the basic materials that make our country work. This week, we resolve to make farms and ranches safer places to live, work, and raise families.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 15 through September 21, 2013, as National Farm Safety and Health Week. I call upon the agencies, organizations, businesses, and extension services that serve America's agricultural workers to strengthen their commitment to promoting farm safety and health programs. I also urge Americans to honor our agricultural heritage and express appreciation to our farmers, ranchers, and farmworkers for their contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9018 of September 13, 2013

National Hispanic-Serving Institutions Week, 2013

By the President of the United States of America
A Proclamation

There is no better investment than a great education—both for young people individually, and for our Nation as a whole. In an increasingly competitive, knowledge-based economy, higher education helps build a skilled workforce and provides clear pathways to success. Hispanic-Serving Institutions (HSIs) impart essential knowledge while broadening horizons and giving students the tools to pursue their own measure of happiness. During National Hispanic-Serving Institutions Week, we celebrate these institutions, renew our support for their mission, and recommit to helping tomorrow's leaders reach their fullest potential.

Preparing to fill the jobs of today and tomorrow requires our Nation to share in the responsibility of making college more accessible, affordable, and attainable for all Americans. As more than 20 percent of our Nation's elementary and high school students are Hispanic, HSIs play an integral role in helping fulfill this commitment. That is why the Federal Government will invest more than $1 billion in these vital institutions over the course of this decade. At the same time, we are tackling rising college costs, expanding Pell Grants, promoting innovation and value in higher education, and improving student loan repayment options. If we continue to support and challenge our students, I am confident that America can have the world's highest share of college graduates by 2020.

Hispanic-Serving Institutions enable young people and adults to explore their intellectual passions. From the arts and humanities to education to science, technology, engineering, and mathematics, HSIs help students hone their talents, launch their careers, and eventually become leaders in their fields. As we honor America's Hispanic-Serving Institutions, let us fight to remain a country that rewards hard work, responsibility, and the pursuit of education. Let us advance a principle at the heart of the American dream—that no matter who you are or where you come from, in the United States of America, you can make it if you try.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 15 through September 21, 2013, as National Hispanic-Serving Institutions Week. I call on public officials, educators, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities that acknowledge the many ways these institutions and their graduates contribute to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9019 of September 16, 2013

Constitution Day and Citizenship Day, Constitution Week, 2013

By the President of the United States of America

A Proclamation

In May of 1787, delegates gathered in the Pennsylvania State House to chart a new course for our nascent country. They met in a time of economic hardship and passionate debate, but with the understanding that while controversy is a hallmark of democracy, the forces of tension and uncertainty pale in comparison to the strength of our common ideals. In a document that has endured for more than two and a quarter centuries, the Framers put forth their vision for a more perfect Union.

Our Constitution was signed on September 17, 1787, and after an extended period of national conversation and with the promise of a bill of rights, it became the supreme law of the land. Since that time, America's Constitution has inspired nations to demand control of their own destinies. It has called multitudes to seek freedom and prosperity on our shores. We are a proud Nation of immigrants, home to a long line of aspiring citizens who contributed to their communities, founded businesses, or sacrificed their livelihoods so they could pass a brighter future on to their children. Each year on Citizenship Day, we welcome the newest members of the American family as they pledge allegiance to our Constitution and join us in writing the next chapter of our national story.

Throughout our history, immigrants have embraced the spirit of liberty, equality, and justice for all—the same ideals that stirred the patriots of 1776 to rise against an empire, guided the Framers as they built a stronger republic, and moved generations to bridge our founding promise with the realities of our time.

The pursuit of this promise defines our history; with amendments that trace our national journey, the Constitution bears witness to how far we have come. As we celebrate the world's longest surviving written charter of government, let us remember that upholding our founding principles requires us to challenge modern injustices. Let us accept our responsibilities as citizens, our obligations to one another and to future generations. Let us move forward with the knowledge that in the face of impossible odds, those who love their country can change it.

In remembrance of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as ''Constitution Day and Citizenship Day,'' and by joint resolution of August 2, 1956 (36 U.S.C. 108), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as ''Constitution Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 17, 2013, as Constitution Day and Citizenship Day, and September 17 through September 23, 2013, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational orga-

nizations, to conduct ceremonies and programs that bring together community members to reflect on the importance of active citizenship, recognize the enduring strength of our Constitution, and reaffirm our commitment to the rights and obligations of citizenship in this great Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9020 of September 16, 2013

Honoring the Victims of the Tragedy at the Washington Navy Yard

By the President of the United States of America

A Proclamation

As a mark of respect for the victims of the senseless acts of violence perpetrated on September 16, 2013, at the Washington Navy Yard, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, September 20, 2013. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9021 of September 19, 2013

National POW/MIA Recognition Day, 2013

By the President of the United States of America

A Proclamation

Our country endures because in every generation, courageous Americans answer the call to serve in our Armed Forces. They represent the very best of the human spirit, stand tall for the values and freedoms we cherish, and uphold peace and security at home and around the globe. Today, we pay tribute to the service members who have not re-

turned from the battlefield, we stand beside their families, and we honor those who are held captive as prisoners of war. We will never forget their sacrifice, nor will we ever abandon our responsibility to do everything in our power to bring them home.

America remains steadfast in our determination to recover our missing patriots. Our work is not finished until our heroes are returned safely to our shores or a full accounting is provided to their loved ones. We must care for the men and women who have served so selflessly in our name, and we must carry forward the legacy of those whose fates are still unknown. Today, and every day, we express our profound appreciation to our service members, our veterans, our military families, and all those who placed themselves in harm's way to sustain the virtues that are the hallmarks of our Union.

On September 20, 2013, the stark black and white banner symbolizing America's Missing in Action and Prisoners of War will be flown over the White House; the United States Capitol; the Departments of State, Defense, and Veterans Affairs; the Selective Service System Headquarters; the World War II Memorial; the Korean War Veterans Memorial; the Vietnam Veterans Memorial; United States post offices; national cemeteries; and other locations across our country. We raise this flag as a solemn reminder of our obligation to always remember the sacrifices made to defend our Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 20, 2013, as National POW/MIA Recognition Day. I urge all Americans to observe this day of honor and remembrance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9022 of September 20, 2013

National Employer Support of the Guard and Reserve Week, 2013

By the President of the United States of America

A Proclamation

Across generations, members of the United States Armed Forces have made America the greatest force for freedom and security the world has ever known. This week, we honor members of the National Guard and Reserve who carry that legacy forward. We thank the employers who support them; and we reaffirm our promise to provide our troops, our veterans, and our military families with the opportunities they have earned.

The men and women of the National Guard and Reserve come from every background, race, and creed, and demonstrate an unfaltering

commitment to our Nation. On the field of battle and here at home, they place themselves in harm's way to protect our freedoms, our lives, and our communities. We are grateful to the employers that provide our Reservists and National Guard members extraordinary support and flexibility. We commend the businesses that help service members advance their civilian careers and ease transitions between military and civilian life.

America must pledge our full support to those who serve in our Armed Forces and their families. That is why First Lady Michelle Obama and Dr. Jill Biden launched the Joining Forces initiative—a program that expands employment opportunities for veterans and military spouses. My Administration has also worked to connect veterans to the workforce through an online Veterans Job Bank and through the Veteran Gold Card program, which provide enhanced services to post-9/11 veterans. I also signed into law tax credits that provide incentives for businesses to hire returning heroes and wounded warriors.

The patriots who serve under our proud flag never lose that sense of service to one another or to country. This week, we pay tribute to these selfless men and women who wear the uniform, to their families, and to their dedicated employers, whose enduring commitment keeps our military strong and our Nation secure.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 22 through September 28, 2013, as National Employer Support of the Guard and Reserve Week. I call upon all Americans to join me in expressing our heartfelt thanks to the members of the National Guard and Reserve and their civilian employers. I also call on State and local officials, private organizations, and all military commanders, to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9023 of September 20, 2013

National Historically Black Colleges and Universities Week, 2013

By the President of the United States of America
A Proclamation

Before the Civil War, an education—much less a college education—was out of reach for most African Americans. There were few institutions focused on meeting the intellectual curiosity and spurring the academic growth of African American students. But as our Union began to heal from the wounds of war, and the 13th, 14th, and 15th Amendments were signed, a freed people demanded a freed mind, and

courageous leaders began expanding what we now know as our Nation's Historically Black Colleges and Universities (HBCUs).

More than a century and a half later, we cannot overstate the role HBCUs have played in the narrative of our country. These are the institutions that helped build a middle class and produced some of our Nation's preeminent thinkers and entrepreneurs, doctors and scientists, judges and lawyers, service members and educators. These are the schools where students banded together in open fields and assembly halls as part of a movement that pushed us closer to true freedom and equality for all. And these are the campuses where generations of students not only gained the education and skills necessary for the workforce, but also cultivated an understanding of history and knowledge of self that are necessary in life.

As we move toward our goal of having the highest proportion of college graduates in the world by 2020, HBCUs continue to provide pathways of opportunity for students across our country. Ensuring these schools have the resources they need to help students reach their fullest potential remains a top priority for my Administration, and we have taken steps to keep these institutions strong—from providing funding for infrastructure and technology to increasing our investments in Pell Grants.

During National Historically Black Colleges and Universities Week, we pay tribute to the legacies of these proud halls of higher learning. And as we reflect on the past, let us also draw strength from the founders of these institutions and move forward with the work of making sure the doors to a quality education are open to all.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 22 through September 28, 2013, as National Historically Black Colleges and Universities Week. I call upon educators, public officials, professional organizations, corporations, and all Americans to observe this week with appropriate programs, ceremonies, and activities that acknowledge the countless contributions these institutions and their alumni have made to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9024 of September 26, 2013

National Public Lands Day, 2013

By the President of the United States of America

A Proclamation

Atop soaring mountain peaks, alongside bubbling streams, in woodlands and grasslands that stretch over rolling hills, Americans find inspiration in our great outdoors. Just as our diverse and rugged land-

scapes reflect our national character, the way we care for these open spaces mirrors our commitment to future generations. On National Public Lands Day, we celebrate the lands we share and gather to conserve our natural heritage.

For two decades, Americans have observed this day by lending their time to the restoration of our country's historic places and natural treasures. Across our country, volunteers beautify parks, waterways, and wilderness areas. Through these small acts—from planting trees to carving out trails, removing litter, and curbing the growth of invasive species—volunteers carry forward a long tradition of conservation and public service. Their spirit is at the heart of the America's Great Outdoors Initiative, which is making the outdoors more accessible to all Americans. Since I established this initiative, we have expanded access to recreation, restored critical landscapes, and created urban parks and water trails. We are also working with partners to let young people serve as volunteers in our parks and help returning veterans find meaningful jobs protecting and enhancing America's great outdoors.

As we come together to honor and restore America's public lands, we recognize their role in shaping our history, enriching our lives, and bolstering our economy. Today, as we mark the 20th anniversary of National Public Lands Day, let us pledge to maintain these open spaces. And let us pass forward the opportunity to experience their majesty, connect with our natural heritage, and refresh our bodies and minds.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 28, 2013, as National Public Lands Day. I encourage all Americans to participate in a day of public service for our lands.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9025 of September 26, 2013

Gold Star Mother's and Family's Day, 2013

By the President of the United States of America
A Proclamation

In our city centers and our bustling parks, monuments stand dedicated to visionary leaders and singular moments in the life of our Republic. But in empty seats at family dinners and folded flags above the mantle, we find the constant thread of our Nation's character—the truth that America endures because it is home to an unbroken line of patriots willing to lay down their lives for the land they love. As we honor the men and women who gave their last full measure of devotion, we hold close the families left behind.

Most of us can only imagine the pain of a mother who loses a daughter, the husband who loses his partner, or the son who loses a father.

Prepared to serve others at any cost, their loved ones exemplified the values of courage and selflessness that define our Armed Forces and fortify our Union. The families of the fallen embody that same character. Amid their sorrow, these homefront heroes support one another and lift up their communities. As our country seeks to understand the depth of their sacrifice, we draw strength and inspiration from their example.

On this day, we remember our commitment to the Gold Star mothers and families who carry on with pride and resolve despite unthinkable loss. We recall our sacred obligation to those who gave their lives so we could live ours. As a grateful Nation, we declare that we will never forget their sacrifice, and we renew our promise to build a future worthy of their devotion. We also recognize our countrymen and women who continue the fight, putting their lives on the line each day. Long after the battle is over, we will continue to give our military and Gold Star families the care and support they deserve—in a listening ear, a comforting shoulder, a helping hand, and a moment given to keep alive the memories of their Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1985 as amended), has designated the last Sunday in September as ''Gold Star Mother's Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 29, 2013, as Gold Star Mother's and Family's Day. I call upon all Government officials to display the flag of the United States over Government buildings on this special day. I also encourage the American people to display the flag and hold appropriate ceremonies as a public expression of our Nation's sympathy and respect for our Gold Star Mothers and Families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9026 of September 27, 2013

National Hunting and Fishing Day, 2013

By the President of the United States of America
A Proclamation

Through hunting and fishing, in traditions handed down from generation to generation, families strengthen their bonds and individuals forge connections with the great outdoors. They rise before dawn to cast a line on a misty stream or wait patiently in a stand as a forest awakes. Parents help toddlers reel in their first catch, and young hunters master the call of a wild turkey. On National Hunting and Fishing Day, we celebrate these longstanding traditions and recommit to preserving the places in which they flourish.

Working across all levels of government and alongside nonprofits, private organizations, and conservation advocates, my Administration launched the America's Great Outdoors Initiative. This program engages Americans at the grassroots level to protect and restore our cherished lands and waters and to help reconnect all Americans, regardless of their age or background, to the outdoors. Anglers and hunters have played an integral role, living up to their legacy as some of our Nation's strongest defenders of wild places.

In addition to its significance as a time-honored tradition, outdoor recreation supports millions of jobs. Hunting and fishing form a large part of this essential industry, bolstering tourism, strengthening America's economy, and funding conservation through fishing licenses or duck stamps.

Today, as we reflect on the value hunting and fishing bring to our lives—from fortified family bonds to a renewed appreciation for nature—let us ensure future generations will have the same opportunity to take part in this experience.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 28, 2013, as National Hunting and Fishing Day. I call upon all Americans to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9027 of September 30, 2013

National Arts and Humanities Month, 2013

By the President of the United States of America
A Proclamation

Throughout our history, America has advanced not only because of our people's will or our leaders' vision, but also because of paintings and poems, stories and songs, dramas and dances. These works open our minds and nourish our souls, helping us understand what it means to be human and what it means to be American. During National Arts and Humanities Month, we celebrate the rich heritage of arts and humanities that has long been at the core of our country's story.

Our history is a testament to the boundless capacity of the arts and humanities to shape our views of democracy, freedom, and tolerance. Each of us knows what it is like to have our beliefs changed by a writer's perspective, our understanding deepened by a historian's insight, or our waning spirit lifted by a singer's voice. These are some of the most striking and memorable moments in our lives, and they reflect lasting truths—that the arts and humanities speak to everyone and that

in the great arsenal of progress, the human imagination is our most powerful tool.

Ensuring our children and our grandchildren can share these same experiences and hone their own talents is essential to our Nation's future. Somewhere in America, the next great author is wrestling with a sentence in her first short story, and the next great artist is doodling in the pages of his notebook. We need these young people to succeed as much as we need our next generation of engineers and scientists to succeed. And that is why my Administration remains dedicated to strengthening initiatives that not only provide young people with the nurturing that will help their talents grow, but also the skills to think critically and creatively throughout their lives.

This month, we pay tribute to the indelible ways the arts and humanities have shaped our Union. Let us encourage future generations to carry this tradition forward. And as we do so, let us celebrate the power of artistic expression to bridge our differences and reveal our common heritage.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Arts and Humanities Month. I call upon the people of the United States to join together in observing this month with appropriate ceremonies, activities, and programs to celebrate the arts and the humanities in America.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9028 of September 30, 2013

National Breast Cancer Awareness Month, 2013

By the President of the United States of America

A Proclamation

Every October, America stands in solidarity with those battling breast cancer and those at risk for breast cancer. This disease touches every corner of the United States—in 2013 alone, more than 230,000 women and over 2,000 men will be diagnosed with breast cancer, and tens of thousands will die from it. As we observe National Breast Cancer Awareness Month, we salute the women and men who dedicate themselves to prevention, detection, and treatment; we show our support for every individual and every family struggling with breast cancer; and we pause to remember those we have lost.

Over the past two decades, our Nation has made strides in the fight against breast cancer. While we still do not know the exact causes, we do know that some women are at an increased risk of developing this disease, including those who have a personal or family history, who are older, or who are overweight or obese after menopause. Because

early detection can decrease the risk of death from breast cancer, I encourage women to speak with their doctors about recommended mammograms and clinical breast exams. Whether you are looking for information about breast cancer prevention, treatment of metastatic breast cancer, or information about the latest research, all Americans can learn more by visiting www.Cancer.gov.

Last year, my Administration invested over half a billion dollars in breast cancer research. We proudly support studies aimed at discovering better screening methods, developing more effective treatments, and improving our understanding of this disease.

And because everyone should have access to preventive services, the Affordable Care Act requires most health insurance plans to fully cover recommended breast cancer screenings. This law also prohibits insurers from setting lifetime dollar limits on coverage, or from dropping coverage because of errors on paperwork. Beginning in 2014, companies will no longer be able to put dollar limits on annual benefits or deny insurance because of pre-existing conditions, including breast cancer. And starting October 1, Americans can visit www.HealthCare.gov to shop for affordable coverage in the new Health Insurance Marketplace.

This month, we reaffirm our commitment to reduce the burden of breast cancer. We join hands with our mothers, daughters, sisters, and friends. We renew our support for increased access to screenings and care, and we advance the innovative research that will usher in a new era in the fight against breast cancer.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Breast Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in activities that will increase awareness of what Americans can do to prevent breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9029 of September 30, 2013

National Cybersecurity Awareness Month, 2013

By the President of the United States of America
A Proclamation

In an increasingly interconnected world, many Americans rely on the Internet and digital tools every day—from communicating with colleagues, friends, and family across the globe to banking and shopping without leaving our homes. Technology is reshaping every aspect of our lives, and protecting our digital infrastructure from cyber threats is one of our highest security priorities. This month, we expand public

awareness about cybersecurity, and we recommit to enhancing the security and resilience of our Nation's infrastructure while maintaining an environment that encourages efficiency and innovation.

Incredible advances in technology also bring increased risk of disruptive cyber incidents. My Administration is dedicated to building a system of protections in both the private and public sectors to keep out malicious forces while preserving the openness and extraordinary power of the Internet. Our national and economic security depend on a reliable digital infrastructure in the face of threats, which is why earlier this year, I signed an Executive Order and issued a Presidential Policy Directive to strengthen this critical infrastructure. In tandem, these actions will enable us to develop and implement a framework of best practices for cybersecurity, increase information sharing between the Federal Government and industry partners, and build collaborative partnerships.

All of us have a role to play in safeguarding the networks we use in our daily lives. Understanding the risks associated with being online can help secure personal information and prevent identity theft and fraud. The Department of Homeland Security's ''Stop.Think.Connect.'' campaign empowers digital citizens with the tools to make smart decisions as they navigate cyberspace. For more information on computing practices, visit www.DHS.gov/StopThinkConnect.

Our digital infrastructure is a strategic national asset, and my Administration is committed to strengthening this vital resource. As we mark the 10th anniversary of Cybersecurity Awareness Month, let us welcome the great possibilities cyberspace provides and continue to invest in the security measures and innovation that will enable us to safely and fully realize those possibilities.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Cybersecurity Awareness Month. I call upon the people of the United States to recognize the importance of cybersecurity and to observe this month with activities, events, and training that will enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9030 of September 30, 2013

National Disability Employment Awareness Month, 2013

By the President of the United States of America

A Proclamation

Our Nation has always drawn its strength from the differences of our people, from a vast range of thought, experience, and ability. Every day, Americans with disabilities enrich our communities and busi-

nesses. They are leaders, entrepreneurs, and innovators, each with unique talents to contribute and points of view to express. During National Disability Employment Awareness Month, we nurture our culture of diversity and renew our commitment to building an American workforce that offers inclusion and opportunity for all.

Since the passage of the Americans with Disabilities Act, we have made great progress in removing barriers for hardworking Americans. Yet today, only 20 percent of Americans with disabilities, including veterans who became disabled while serving our country, participate in our labor force. We need their talent, dedication, and creativity, which is why my Administration proudly supports increased employment opportunities for people with disabilities. To that end, I remain dedicated to implementing Executive Order 13548, which called on Federal agencies to increase recruitment, hiring, and retention of people with disabilities. As a result of our efforts, the Federal Government is hiring people with disabilities at a higher rate than at any point in over three decades. Most recently, we updated the rules to make sure Federal contractors and subcontractors are doing more to recruit, hire, and promote qualified individuals with disabilities, including disabled veterans. And thanks to the Affordable Care Act, States are taking advantage of new options to support and expand home and community-based services.

In the years to come, I will remain committed to ensuring the Federal Government leads by example. This year, as we mark the 40th anniversary of the Rehabilitation Act, I will continue to marshal the full resources of my Administration toward effective and comprehensive implementation.

If we swing wide the doors of opportunity for our family, friends, and neighbors with disabilities, all of us will enjoy the benefits of their professional contributions. This month, let us uphold the ideals of equal access, equal opportunity, and a level playing field for all Americans.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Disability Employment Awareness Month. I urge all Americans to embrace the talents and skills that individuals with disabilities bring to our workplaces and communities and to promote the right to equal employment opportunity for all people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9031 of September 30, 2013

National Domestic Violence Awareness Month, 2013

By the President of the United States of America
A Proclamation

Since the passage of the Violence Against Women Act (VAWA) nearly 20 years ago, our Nation's response to domestic violence has greatly improved. What was too often seen as a private matter best hidden behind closed doors is now an established issue of national concern. We have changed our laws, transformed our culture, and improved support services for survivors. We have seen a significant drop in domestic violence homicides and improved training for police, prosecutors, and advocates. Yet we must do more to provide protection and justice for survivors and to prevent violence from occurring. During National Domestic Violence Awareness Month, we stand with domestic abuse survivors, celebrate our Nation's progress in combatting these despicable crimes, and resolve to carry on until domestic violence is no more.

Although we have made substantial progress in reducing domestic violence, one in four women and one in seven men in the United States still suffer serious physical violence at the hands of an intimate partner at least once during their lifetimes. Every day, three women lose their lives in this country as a result of domestic violence. Millions of Americans live in daily, silent fear within their own homes.

My Administration remains devoted to halting this devastating violence. To lead by example, last year I directed Federal agencies to develop policies to assist victims of domestic violence in the Federal workforce. Earlier this year, Vice President Biden announced new grants for initiatives that aim to reduce domestic violence homicides across our country.

This past spring, I signed the Violence Against Women Reauthorization Act. The Act provides law enforcement with better resources to investigate cases of rape, gives colleges more tools to educate students about dating violence and sexual assault, and empowers tribal courts to prosecute those who commit domestic violence on tribal lands, regardless of whether the aggressor is a member of the tribe. In addition, VAWA will continue to allow relief for immigrant victims of domestic violence, and LGBT victims will receive care and assistance.

Thanks to the landmark Affordable Care Act, insurance companies will be prohibited from denying coverage because of pre-existing conditions, and new health plans must cover domestic violence screening and counseling with no copayments or cost sharing. Millions will have the chance to sign up for affordable care through the new Health Insurance Marketplace by visiting www.HealthCare.gov beginning October 1.

Ending violence in the home is a national imperative that requires vigilance and dedication from every sector of our society. We must continue to stand alongside advocates, victim service providers, law enforcement, and our criminal justice system as they hold offenders accountable and provide care and support to survivors. But our efforts must extend beyond the criminal justice system to include housing and economic advocacy for survivors. We must work with young people to

stop violence before it starts. We must also reach out to friends and loved ones who have suffered from domestic violence, and we must tell them they are not alone. I encourage victims, their loved ones, and concerned citizens to learn more by calling the National Domestic Violence Hotline at 1–800–799–SAFE, or by visiting www.TheHotline.org.

This October, let us honor National Domestic Violence Awareness Month by promoting peace in our own families, homes, and communities. Let us renew our commitment to end domestic violence—in every city, every town, and every corner of America.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Domestic Violence Awareness Month. I call on all Americans to speak out against domestic violence and support local efforts to assist victims of these crimes in finding the help and healing they need.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9032 of September 30, 2013

National Energy Action Month, 2013

By the President of the United States of America

A Proclamation

To meet the challenges of the 21st century, we must work to ensure a clean, safe, and sustainable energy future. This National Energy Action Month, we can build on the progress we have made by recommitting to increasing our energy security, strengthening our economy, combatting climate change, and improving the environment.

As a Nation, we are taking control of our energy future, and my Administration remains committed to our long-term energy security. Today, we produce more oil than we have in 15 years and import less oil than we have in 20 years. Since I took office, we have more than doubled the amount of renewable electricity we generate from wind and quintupled the amount we generate from solar energy. We are building our first new nuclear power plants in decades, and we produce more natural gas than any other country. And we have done this while creating hundreds of thousands of good jobs and sending less carbon pollution into the environment than we have in nearly two decades.

While we have made significant progress, more work remains. The continuing cycle of spiking gasoline prices hurts American families and our businesses' bottom lines, and it reflects our economy's outsized demand for oil. To transition to a secure energy future, we must increase our production of clean energy, minimize waste and maximize efficiency, further reduce our oil imports, eliminate inefficient fossil

fuel subsidies, and continue to develop more energy sources here at home. Because meeting global energy challenges requires international action, we must also engage with partners around the world to reduce carbon pollution, and we must build global markets for new advanced technologies. If we take these actions, we can curb climate change, save money for consumers, and use our resources to create good American jobs.

A clean energy economy has the potential to fuel economic growth for decades to come. But we must invest in the technologies of the future and fund breakthrough research to make these technologies better and cheaper. With the American spirit of innovation powering our progress, our Nation can lead the world in creating green jobs and technologies that are vital to both a clean energy future and the fight against climate change.

Years from now, our children may wonder if we did all we could to leave a safe, clean, and stable world for them to inherit. If we keep our eyes on the long arc of our future and commit to doing what this moment demands, the answer will be yes.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Energy Action Month. I call upon the citizens of the United States to recognize this month by working together to achieve greater energy security, a more robust economy, and a healthier environment for our children.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9033 of September 30, 2013

National Substance Abuse Prevention Month, 2013

By the President of the United States of America

A Proclamation

Today, too many Americans face futures limited by substance use, which threatens health, safety, and academic performance. Substance use disorders are linked to crime, motor vehicle crashes, and fatalities. This month, we recognize substance abuse prevention programs across our country, and we do our part to build healthier neighborhoods and brighter futures.

This year's theme, ''Learn it! Live it!'' encourages Americans to come together, learn how substance use affects our communities, and live to set a positive example for our families, friends, and neighbors. My Administration's *National Drug Control Strategy* begins with a commitment to stop drug use before it begins. We have expanded evidence-based national and community-focused programs that work to prevent substance use where young people learn, grow, and play. We support

substance-free workplaces, and we provide information on effective strategies to parents and communities nationwide. Through the Affordable Care Act, we expanded substance use disorder and mental health benefits for more than 60 million Americans. And beginning this month, those who have been locked out of health insurance can sign up for affordable coverage by visiting www.HealthCare.gov.

Because adult role models play an integral role in preventing youth substance abuse, we must lead by example, adopt positive behaviors, and talk to our kids about living substance-free. This month, we stand with local coalitions and community organizations as they advance their drive to keep young people, families, and neighborhoods free from drug and alcohol abuse. I encourage parents, schools, health officials, law enforcement professionals, faith-based organizations, workplaces, the recovery community, and all Americans to join in this effort. If we take up the mantle of healthy lifestyles together, we can help our children avoid the devastating consequences of substance abuse and give them the chance to explore their limitless potential.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2013 as National Substance Abuse Prevention Month. I call upon all Americans to engage in appropriate programs and activities to promote comprehensive substance abuse prevention efforts within their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9034 of October 4, 2013

Fire Prevention Week, 2013

By the President of the United States of America

A Proclamation

Fires take more American lives than all other natural disasters combined. They inflict devastating tolls on families and communities, and they cost our Nation billions of dollars each year. During Fire Prevention Week, we pay tribute to the brave men and women who put their lives on the line to pull their neighbors out of harm's way, and pledge to do our part to prevent fires in our homes, our cities, and the great outdoors.

We all have a responsibility to protect our families against fire. We should be cautious while cooking, using electrical appliances, and heating our homes. Those who live in areas prone to wildfires can help safeguard their homes by clearing flammable vegetation, and they should plan for emergencies by building a supply kit and talking with their families about a communications plan and evacuation routes. Every American should install working smoke detectors on each level of their home and remember to test them monthly. It is also essential

to develop and practice evacuation plans twice a year. Because fire spreads rapidly and poisonous, disorienting smoke moves even quicker, families should design plans that allow for the quickest possible exit. To learn more about taking precautions against fires, visit www.Ready.gov.

By preventing fires, we can both protect our loved ones and keep America's firefighters out of unnecessary danger. To save people they have never met, these skilled professionals battle walls of flame, put themselves in the paths of unpredictable wildfires, and rush into houses on the verge of collapse. This week, as we renew our commitment to fire safety, we thank these courageous first responders for their service and honor those who have made the ultimate sacrifice in the line of duty.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States do hereby proclaim October 6 through October 12, 2013, as Fire Prevention Week. On Sunday, October 6, 2013, in accordance with Public Law 107–51, the flag of the United States will be flown at half-staff at all Federal office buildings in honor of the National Fallen Firefighters Memorial Service. I call on all Americans to participate in this observance with appropriate programs and activities and by renewing their efforts to prevent fires and their tragic consequences.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9035 of October 4, 2013

German-American Day, 2013

By the President of the United States of America
A Proclamation

Since the first German settlers joined the Jamestown colony in 1608, German Americans have helped shape our identity—the small band of families who left the banks of the Rhine to found Germantown, Pennsylvania; the men, women, and children who fled the tyranny of fascism; the multitudes who sailed across the Atlantic to seek liberty and opportunity on our shores. On German-American Day, we celebrate the vibrant threads of German heritage woven into our national fabric.

Over the centuries, German Americans have participated in every sector of our society. They have helped steer our Nation's journey—as artists and scientists, as journalists who tested the limits of a free press, as titans of industry, and as workers who turned the gears of industrial revolution. Today, nearly one in four Americans can trace their ancestry to Germany, and all of us are inheritors to the values and traditions handed down through generations of German Americans.

As close partners in the global community, the United States and Germany work side-by-side to advance our common interests and common ideals: freer societies, cleaner skies, peoples empowered to choose their own destinies, greater prosperity for our two nations and for the world. Today, as we celebrate the contributions of German Americans across a wide breadth of history, let us renew the bonds of friendship between our two peoples.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 6, 2013, as German-American Day. I encourage all Americans to learn more about the history of German Americans and reflect on the many contributions they have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9036 of October 4, 2013

Child Health Day, 2013

By the President of the United States of America
A Proclamation

All children deserve to grow up healthy and safe. And we all share an obligation to ensure our youth have the necessary resources to thrive. This Child Health Day, let us recommit to providing our children with one of life's most basic building blocks—a healthy start.

My Administration remains committed to seeing our next generation achieve their full potential. Partnering with parents and students, teachers and community members, we have taken steps to help prevent bullying and create a climate in our schools in which all of our children feel safe and feel like they belong. Through First Lady Michelle Obama's *Let's Move!* initiative, we are working to end the epidemic of childhood obesity within a generation. And thanks to the Affordable Care Act, millions of families and children have greater access to affordable, quality health care coverage, young Americans can stay on their parents' health insurance until age 26, and no child can be denied coverage based on a pre-existing condition.

Because clean air and clean water are cornerstones of a healthy lifestyle, I am taking action to reduce pollution, safeguard our environment, and limit our children's exposure to harmful toxins. My Administration established the first-ever national limits for mercury and other toxic emissions from power plants that contribute to higher rates of asthma attacks. I am also putting in place tough new rules to cut carbon pollution, so we can protect our kids' health, begin to slow the effects of climate change, and leave a cleaner, more stable environment for future generations.

Preparing our youth for happy, productive lives is a responsibility we can only achieve together. Whether by providing a balanced meal, encouraging physical activity, or empowering our children to make healthy decisions, each of us can teach our kids about nutrition, exercise, and healthy lifestyles. Leading by example, adults across our country can demonstrate the habits and values of mental and physical well-being that will nurture our next generation throughout their lives.

On Child Health Day, we are reminded of our first, most urgent task—to protect and develop the health of our children. Today, let us reaffirm our commitment to our Nation's youth and remember our future depends on their success.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), has called for the designation of the first Monday in October as Child Health Day and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Monday, October 7, 2013, as Child Health Day. I call upon families, child health professionals, faith-based and community organizations, and all levels of government to help ensure America's children stay healthy.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9037 of October 8, 2013

Leif Erikson Day, 2013

By the President of the United States of America

A Proclamation

More than a millennium ago, Leif Erikson, a son of Iceland and grandson of Norway, cast off from Norway's familiar shores and set sail for Greenland. Erikson and his crew were not aiming to make history. But their ship drifted off course in the North Atlantic, and they landed in present-day Canada, making them the first Europeans known to visit North America. Their settlement, Vinland, sustained them in the following months. And when the seafarers returned to Greenland, they brought stories of discovery with them and forged the first link in a chain that has connected our continents ever since.

Today, we commemorate Leif Erikson's journey. We also honor a group of Norwegian immigrants who summoned that same striving spirit centuries later. Together, in 1825, they braved uncertain waters with hope in their hearts, confident that greater opportunity and brighter horizons awaited them on American shores. The travelers were among the first to complete the voyage from Norway to New York City. And just as Leif Erikson had, they lit the way for generations to follow.

These stories reaffirm that America has always been a place of unbounded promise. We are home to explorers and entrepreneurs, im-

migrants and innovators. We endeavor to be a country where anyone who is willing to work hard and take risks can turn even the most improbable idea into something great. On Leif Erikson Day, we celebrate that legacy and the countless Norwegian Americans who have lived it, and we carry it forward in the years ahead.

To honor Leif Erikson and celebrate our Nordic-American heritage, the Congress, by joint resolution (Public Law 88–566) approved on September 2, 1964, has authorized the President of the United States to proclaim October 9 of each year as ''Leif Erikson Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 9, 2013, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9038 of October 10, 2013

General Pulaski Memorial Day, 2013

By the President of the United States of America
A Proclamation

Today, we honor the memory of Brigadier General Casimir Pulaski, the Polish-born hero of the American Revolutionary War. General Pulaski's devotion to liberty knew no boundaries, and his bravery on the battlefield helped secure our independence. He sacrificed his life in defense of our freedom, and each year on October 11—the anniversary of his death—we honor his sacrifice and service and reflect on the contributions made by so many Polish-Americans throughout our Nation's history.

A skilled cavalryman even as a youth, Casimir Pulaski spent years defending his native Poland from foreign domination. Unable to win Polish sovereignty, Pulaski found a kindred cause in the fledgling American Nation. Encouraged by Benjamin Franklin, he set sail across the Atlantic in 1777 to join the Revolutionary forces. ''I could not submit to stoop before the sovereigns of Europe,'' he later wrote to Congress, ''So I came to hazard all for the freedom of America.''

Casimir Pulaski quickly distinguished himself at the Battle of Brandywine, where his courageous charge covered General George Washington's retreat, saving Washington's life. The Continental Congress promoted him to Brigadier General, and for his command on horseback, he became known as the ''Father of the American Cavalry.'' Pulaski went on to form an independent cavalry legion, comprised of men from across Europe and America. While leading this unit, General Pulaski was mortally wounded. He did not live to see the Revolution's end, but he died with hope that our Nation would be free.

On General Pulaski Memorial Day, we celebrate the rights and freedoms Pulaski fought for, and we honor the generations of Polish-Americans who have contributed to our society and defended our Nation since its founding. We also reflect on the steadfast, enduring friendship between the United States and Poland, which have long shared the ideals of freedom and democracy. Through this alliance, and our proud Polish heritage, Casimir Pulaski's legacy lives on.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 11, 2013, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate programs and activities paying tribute to Casimir Pulaski and honoring all those who defend the freedom of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9039 of October 10, 2013

International Day of the Girl, 2013

By the President of the United States of America
A Proclamation

From Asia to Europe, from Africa to the Americas, nations that have embraced the ideals of equality and inclusion have emerged more stable, peaceful, and prosperous. When countries empower girls to pursue their dreams, they not only fulfill a basic moral obligation, they also realize more fully their social and economic potential. Over the past few decades, the global community has made great progress in increasing opportunity and equality for women and girls, but far too many girls face futures limited by violence, social norms, educational barriers, and even national law. On International Day of the Girl, we stand firm in the belief that all men and women are created equal, and we advance the vision of a world where girls and boys look to the future with the same sense of promise and possibility.

My Administration is committed to expanding opportunity for girls on the world stage. We are promoting gender equality in education, cracking down on human trafficking, and working to empower women and girls to contribute in the workplace and in public life. Building on my challenge to the United Nations in September 2011, a broad coalition of countries and organizations has joined the United States in forming the Equal Futures Partnership, an international effort to break down barriers to the economic and political empowerment of women and girls. We are working to break the cycle of poverty by educating and empowering girls, including through a new global outreach and engagement campaign. We are funding programs to encourage girls around the world to pursue careers in science and technology. And because child marriage is a threat to fundamental human rights, my Ad-

ministration has strengthened reporting and launched several initiatives to prevent child marriage.

At home, we are leading by example. We are encouraging girls to pursue degrees and careers in science, technology, engineering, and mathematics—fields that will allow them to drive innovation while working in the high-paying jobs of the future. We are funding evidence-based strategies to reduce teen pregnancy in the United States, and we are also motivating girls to become leaders—from hosting the first-ever White House conference on girls' leadership and civic engagement to sponsoring an app challenge to spur new ways to inspire girls to become leaders in government.

As we observe this day, there is a girl in an unknown country who will grow to spark the next great scientific revolution, but only if she gets a shot at a higher education. Across the globe there are girls who will one day lead nations, if only we afford them the chance to choose their own destinies. And on every continent, there are girls who will go on to change the world in ways we can only imagine, if only we allow them the freedom to dream.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 11, 2013, as International Day of the Girl. I call upon all Americans to observe this day with programs, ceremonies, and activities that advance equality and opportunity for girls everywhere.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9040 of October 11, 2013

National School Lunch Week, 2013

By the President of the United States of America
A Proclamation

In 1946, when American communities bore the weight of endemic malnutrition, and parents struggled to provide their children with decent meals for the long school day, President Harry Truman signed the National School Lunch Act. The law is based on a simple conviction—that in the most powerful Nation on earth, no child should go hungry. And today, with more than 32 million children participating in the National School Lunch Program, strong nutrition at school remains as important as ever. During National School Lunch Week, we recommit to the basic promise that every American child should have a chance to succeed, and we recognize the role nutrition plays in giving our children the opportunity to reach for their dreams.

My Administration is working to fulfill our essential commitment to America's sons and daughters. For too many of our children, food served at school may be their only regular meals, providing the suste-

nance they need to focus and excel. With the Healthy, Hunger-Free Kids Act, we expanded access to school meals while taking action to combat childhood obesity. Obesity now affects 17 percent of all children and adolescents in the United States—triple the rate from just one generation ago—and that means more of our children are at risk for preventable health problems including diabetes and heart disease. We updated nutritional standards for school meals, balancing calories and limiting fat and sodium while increasing servings of fruits, vegetables, and whole grains. First Lady Michelle Obama's *Let's Move!* initiative works with elected officials, parents, schools, and communities to help young people and their parents access healthy foods and make healthy choices, empowering students to be engaged in the classroom and active throughout their lives.

As he signed the National School Lunch Act into law, President Truman reminded us that ''In the long view, no nation is any healthier than its children.'' This week, as we look to a healthy future, we give our thanks to the food program administrators, educators, parents, and communities who are doing their part to get us there.

The Congress, by joint resolution of October 9, 1962 (Public Law 87–780), as amended, has designated the week beginning on the second Sunday in October each year as ''National School Lunch Week'' and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim the week of October 13 through October 19, 2013, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who administer the National School Lunch Program in appropriate activities that support the health and well-being of our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9041 of October 11, 2013

Columbus Day, 2013

By the President of the United States of America

A Proclamation

Late in the summer of 1492, Christopher Columbus, a renowned navigator and fearless adventurer, set out with three ships into uncharted waters. He hoped to discover a new route to the east—opening trade routes for precious spices and paving the way for his patrons, Ferdinand II and Isabella I, to expand their empire. Instead, more than two months later, his crew spotted the Bahamas, and our world was changed forever.

A son of Genoa, Italy, Columbus blazed a trail for generations of Italians who followed his path across the Atlantic. As we mark the an-

niversary of his voyage, our Nation embraces the many ways Italian Americans have enriched our culture and our communities—as soldiers who defend our Nation in times of war, as leaders and laborers, as educators and entrepreneurs. This deep-rooted heritage has come to define who we are as a Nation, and it has helped us forge an extraordinary transatlantic partnership with the people of Italy.

As Christopher Columbus and his crew made landfall, they could not have foreseen the ways in which their journey would shake contemporary understanding of the world, or the lasting mark their arrival would leave on the Native American societies they encountered. So as we celebrate the bold legacy of Christopher Columbus, we also pay tribute to the honorable yet arduous history of Native Americans, with whom the United States will always maintain strong nation-to-nation relationships.

As today's dreamers, explorers, scientists, and engineers set their sights on the next great discovery, may they be inspired by Christopher Columbus's tale of unbounded courage and unwavering spirit. And as we pursue knowledge and progress, may we never lose sight of our shared humanity.

In commemoration of Christopher Columbus's historic voyage 521 years ago, the Congress, by joint resolution of April 30, 1934, and modified in 1968 (36 U.S.C. 107), as amended, has requested the President proclaim the second Monday of October of each year as ''Columbus Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 14, 2013, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of our diverse history and all who have contributed to shaping this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9042 of October 11, 2013

Blind Americans Equality Day, 2013

By the President of the United States of America
A Proclamation

Blind and visually impaired persons have always played an important role in American life and culture, and today we recommit to our goals of full access and opportunity. Whether sprinting across finish lines, leading innovation in business and government, or creating powerful music and art, blind and visually impaired Americans imagine and pursue ideas and goals that move our country forward. As a Nation,

it is our task to ensure they can always access the tools and support they need to turn those ideas and goals into realities.

My Administration is committed to advancing opportunity for people with disabilities through the Americans with Disabilities Act and other important avenues. In June of this year, the United States joined with over 150 countries in approving a landmark treaty that aims to expand access for visually impaired persons and other persons with print disabilities to information, culture, and education. By facilitating access to books and other printed material, the treaty holds the potential to open up worlds of knowledge. If the United States becomes a party to this treaty, we can reduce the book famine that confronts the blind community while maintaining the integrity of the international copyright framework.

The United States was also proud to join 141 other countries in signing the Convention on the Rights of Persons with Disabilities in 2009, and we are working toward its ratification. Americans with Disabilities, including those who are blind or visually impaired, should have the same opportunities to work, study, and travel in other countries as any other American, and the Convention can help us realize that goal.

To create a more level playing field and ensure students with disabilities have access to the general education curriculum, the Department of Education issued new guidance in June for the use of Braille as a literacy tool under the Individuals with Disabilities Education Act. This guidance reaffirms my Administration's commitment to using Braille to open doors for students who are blind or visually impaired, so every student has a chance to succeed in the classroom and graduate from high school prepared for college and careers.

We have come a long way in our journey toward a more perfect Union, but we still have work ahead. We must fulfill the promise of life, liberty, and the pursuit of happiness and expand the freedom to make of our lives what we will. On this day, we celebrate the accomplishments of our blind and visually impaired citizens, and we recommit to building a Nation where all Americans, including those who are blind or visually impaired, live with the assurance of equal opportunity and equal respect.

By joint resolution approved on October 6, 1964 (Public Law 88–628, as amended), the Congress designated October 15 of each year as ''White Cane Safety Day'' to recognize the contributions of Americans who are blind or have low vision. Today, let us recommit to ensuring we remain a Nation where all our people, including those with disabilities, have every opportunity to achieve their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 15, 2013, as Blind Americans Equality Day. I call upon public officials, business and community leaders, educators, librarians, and Americans across the country to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord two thousand thirteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9043 of October 18, 2013

National Character Counts Week, 2013

By the President of the United States of America
A Proclamation

As Americans, we are bound together by a set of ideals put forth by our Founders—that we are all created equal, that we possess certain unalienable rights, including the rights to life, liberty, and the pursuit of happiness, and that, above all, we are one people. During National Character Counts Week, we reflect on the ways we support one another, the ways we come together and seek common ground, and the lessons we teach our children about what citizenship means in the United States of America.

Nowhere is our Nation's strength more evident than in the men and women in uniform who embody the American spirit of selflessness, courage, and sacrifice. Across the globe and here at home, they and their families face challenges most of us will never fully understand so all of us can live in freedom. Our public servants too, and our teachers, nurses, and workers, toil without fanfare so the people of this country can count on a secure homeland and a growing economy, a healthy future, and a chance at success for their children.

The children we raise today are surrounded by proud examples of integrity, and moral courage, but it is our task as parents, community members, and leaders to teach them not only the skills they need to succeed, but also the values that keep our country strong. This week, we reaffirm our commitment to helping our children turn away from bullying, harassment, and discrimination, and to giving them the confidence and integrity to stand up for each other, imagine a brighter future, and realize their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 20 through October 26, 2013, as National Character Counts Week. I call upon public officials, educators, parents, students, and all Americans to observe this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9044 of October 18, 2013

National Forest Products Week, 2013

By the President of the United States of America
A Proclamation

Our Nation's forests are essential to our lasting prosperity and to who we are as a people. These natural wonders provide clean air and water for our communities and abundant habitats for wildlife, as well as building materials for our homes, and jobs and recreation for workers and families across our country. During National Forest Products Week, we celebrate the sustainable uses of America's forests and the important contributions they make to our economy and our national life.

In addition to providing renewable supplies of wood and energy and showing visitors of all ages the value of preserving our natural spaces, forests play a critical role in combatting climate change and protecting the air we breathe through absorption of carbon dioxide emissions. My Administration is committed to cutting carbon pollution in the United States, and safeguarding and restoring our forests will help us fulfill that mission. We also continue to advance community-driven conservation, preservation, and outdoor recreation initiatives that are strengthening local economies and contributing to the well-being of lands, waters, and wildlife. Through the America's Great Outdoors Initiative, we have put the communities that will thrive when lands are healthy and abundant, and when they draw visitors from around the world, at the forefront of shaping conservation agendas across our country.

The strength, diversity, and productivity of our Nation's forests will be vital to our progress in the years ahead. This week, we recommit to collaborating across land ownership and landscapes, and we look to a future where America's forests will enrich our country for generations to come.

To recognize the importance of products from our forests, the Congress, by Public Law 86–753 (36 U.S.C. 123), as amended, has designated the week beginning on the third Sunday in October of each year as ''National Forest Products Week'' and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 20 through October 26, 2013, as National Forest Products Week. I call on the people of the United States to join me in recognizing the dedicated individuals who are responsible for the stewardship of our forests and for the preservation, management, and use of these precious natural resources for the benefit of the American people.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9045 of October 23, 2013

United Nations Day, 2013

By the President of the United States of America
A Proclamation

In 1945, after two world wars that showed the horrific lethality of modern conflict, 51 member states came together to create the United Nations, a bold new organization that sought to build a lasting peace for the generations to follow. Today, 68 years after the adoption of the United Nations Charter, we mark United Nations Day by reaffirming our commitment to its purposes and principles. We celebrate the organization's challenging and often unheralded work of forging a world in which every man, woman, and child can live in freedom, dignity, and peace.

With the aim of sparing their children and grandchildren from the ravages of war, the members of the United Nations committed ''to unite our strength to maintain international peace and security.'' In the nearly seven decades since they adopted these words in the United Nations Charter, the global threats to international peace and security have changed, but the need for international cooperation has only increased. While the United Nations was founded after a period of cataclysmic war among states, today many of the principal challenges to international peace and security are rooted in the need to prevent or address unconscionable slaughter and violence within states. As the United States works to address challenges old and new, we will continue our close cooperation with partners across the globe, including at the United Nations. And recognizing that the path to conflict often begins with the denial of basic human dignity, we remain committed to realizing another fundamental principle set forth in the Charter—that no one should be denied the fundamental freedoms that are their birthright.

As we mark the founding of a body built to pursue peace in an imperfect world, let us reaffirm that the values set forth in its Charter guide us still. They remind us that leaders and citizens alike, in the United States and around the world, will be judged by whether we contributed to a world that is more peaceful, just, and free. Let us honor the men and women of the United Nations itself, who work in countries across the globe, often unseen and uncelebrated, to improve the lives of the world's most vulnerable people. May we stand firm in our resolve to give voice to the voiceless and to turn swords into plowshares. And may we never lose sight of the essential truth that we live in a world where our fates are bound together as a community of nations, strengthened by our differences and united by our shared hopes for the future.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 24, 2013, as United Nations Day. I urge the Governors of the 50 States, and the officials of all other areas under the flag of the United States, to observe United Nations Day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9046 of October 28, 2013

Death of Thomas S. Foley Former Speaker of the House of Representatives

By the President of the United States of America
A Proclamation

As a mark of respect for the memory of Thomas S. Foley, former Speaker of the House of Representatives, by the authority vested in me as President of the United States by the Constitution and laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions on Tuesday, October 29, 2013. I also direct that the flag shall be flown at half-staff on that day at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9047 of October 31, 2013

Critical Infrastructure Security and Resilience Month, 2013

By the President of the United States of America
A Proclamation

Over the last few decades, our Nation has grown increasingly dependent on critical infrastructure, the backbone of our national and economic security. America's critical infrastructure is complex and diverse, combining systems in both cyberspace and the physical world—from power plants, bridges, and interstates to Federal buildings and the massive electrical grids that power our Nation. During Critical Infrastructure Security and Resilience Month, we resolve to remain vigilant against foreign and domestic threats, and work together to further secure our vital assets, systems, and networks.

As President, I have made protecting critical infrastructure a top priority. Earlier this year, I signed a Presidential Policy Directive to shore up our defenses against physical and cyber incidents. In tandem with my Executive Order on cybersecurity, this directive strengthens information sharing within my Administration and between the Federal Government and its many critical infrastructure partners, while also ensuring strong privacy protections. Because of the interconnected nature of our critical infrastructure, my Administration will continue to work with businesses and industry leaders and build on all the great work done to date. With these partners, and in cooperation with all levels of government, we will further enhance the security and resilience of our critical infrastructure.

We must continue to strengthen our resilience to threats from all hazards including terrorism and natural disasters, as well as cyber attacks. We must ensure that the Federal Government works with all critical infrastructure partners, including owners and operators, to share information effectively while jointly collaborating before, during, and after an incident. This includes working with infrastructure sectors to harden their assets against extreme weather and other impacts of climate change.

Emerging and evolving threats require the engagement of our entire Nation—from all levels of government to the private sector and the American people. This month, as we recognize that safeguarding our critical infrastructure is an economic and security imperative, let each of us do our part to build a more resilient Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as Critical Infrastructure Security and Resilience Month. I call upon the people of the United States to recognize the importance of protecting our Nation's resources and to observe this month with appropriate events and training to enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9048 of October 31, 2013

Military Family Month, 2013

By the President of the United States of America

A Proclamation

Throughout our Nation's history, an unbroken chain of patriots has strengthened us in times of peace and defended us in times of war. Yet the courageous men and women of the United States military do not serve alone. Standing alongside them are husbands and wives, parents and children, sisters and brothers. During Military Family Month, we celebrate the families who make daily sacrifices to keep our Nation

whole, and we remember a most sacred obligation—to serve them as well as they serve us.

Military families exemplify the courage and resolve that define our national character. For their country and their loved ones, they rise to the challenges of multiple deployments and frequent moves—spouses who care and provide for children in their partners' absence, kids who make new friends and leave known comforts behind. They are the force behind the force, patriots who support their family members in uniform while enriching the communities they call home.

While our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen are defending the country they love, their country must provide for the families they love. Through First Lady Michelle Obama and Dr. Jill Biden's Joining Forces initiative, my Administration has worked tirelessly to engage American citizens and businesses in this cause. Joining Forces encourages the private sector to hire veterans and military spouses, helps schools become more responsive to military children's needs, and expands access to wellness and education programs for military families. Since the initiative began in 2011, businesses have hired and trained more than 290,000 veterans and military spouses. My Administration is also taking action to improve mental health care and education for veterans, service members, and their families. Last year, I signed an Executive Order directing the Federal Government to increase access to these vital services. And this year, as a result of the Supreme Court decision striking down Section 3 of the Defense of Marriage Act, the Department of Defense moved swiftly to extend benefits to legally married same-sex couples.

Time and again, our service members and their families have sacrificed to protect the promise that defines our Nation—life, liberty, and the pursuit of happiness. As we work to repay this enormous debt of gratitude, I encourage every American to do their part. Together, let us support our military children as they learn, grow, and live their dreams. And let us keep our military families strong and secure.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as Military Family Month. I call on all Americans to honor military families through private actions and public service for the tremendous contributions they make in the support of our service members and our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9049 of October 31, 2013

National Adoption Month, 2013

By the President of the United States of America
A Proclamation

Every young person deserves the chance to learn and grow under the care of a loving family. Across our Nation, adoptive families give that chance to over a million children and teenagers. During National Adoption Month, we celebrate these families and stand alongside every child still looking for the warmth and stability of a permanent home.

Today, nearly 400,000 American children are in foster care, and each year, thousands age out of care without the security that comes from a permanent family or a place to call home. On November 23, National Adoption Day will offer a sense of hope to children waiting for adoptive parents. As we observe this day, courts across our country will open their doors to finalize adoptions that move young people out of foster care.

My Administration has worked to simplify adoption laws; reduce the amount of time young children go without parents; and ensure adoption rights for all qualified couples and individuals. We are calling for an end to discriminatory barriers that keep children from loving and stable homes. And we are working across all levels of government to eliminate roadblocks to adoption and encourage cooperation between adoption advocates, private organizations, and community and faith-based groups. This January, I was proud to sign legislation to permanently extend the Adoption Tax Credit. And to protect the young people of every nation, I signed the Intercountry Adoption Universal Accreditation Act. This law will promote safe and lawful adoptions by setting Federal standards for all adoption service providers, and it will provide greater safeguards to both parents and children.

This month, we celebrate adopted children, teenagers, and their diverse families. We work to give more young people permanent families and promising futures. And we encourage our friends and neighbors to open their hearts and their homes to children in need.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as National Adoption Month. I encourage all Americans to observe this month by answering the call to find a permanent and caring family for every child in need, and by supporting the families who care for them.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9050 of October 31, 2013

National Alzheimer's Disease Awareness Month, 2013

By the President of the United States of America
A Proclamation

Alzheimer's disease is an irreversible and progressive brain disease that slowly erodes precious memories, thinking skills, and the ability to perform simple tasks. It affects millions of Americans, including senior citizens as well as younger Americans with early-onset Alzheimer's disease. This month, we stand with everyone confronting the painful reality of an Alzheimer's diagnosis; lend our support to the families who care for them; and renew our commitment to delaying, preventing, and ultimately curing this disease.

In research labs across our country and around the world, scientists are working to unlock the answers to Alzheimer's disease. My Administration proudly supports this promising research. Earlier this year, I proposed the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative, which aims to revolutionize our understanding of the human brain. By mapping the brain, we hope to better comprehend the causes of disorders like Alzheimer's disease and enhance our work on improving treatment. In September, the National Institutes of Health announced support for innovative new studies to help find effective interventions for this devastating degenerative brain disease. And my Administration also remains committed to implementing the first-ever National Plan to Address Alzheimer's Disease, which lays out a roadmap to preventing and effectively treating Alzheimer's disease by 2025.

Working together with scientists, patient advocates, and those living with this disease, we can give a sense of hope to millions of families, patients, and caregivers. For resources and information on living with or caring for someone with Alzheimer's disease, please visit www.Alzheimers.gov.

As we offer our support to Americans with Alzheimer's disease, we also recognize those who care and provide for them, sharing their loved ones' emotional, physical, and financial strains. This month, we honor their compassion, remember those we have lost, and press toward the next great scientific breakthrough.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as National Alzheimer's Disease Awareness Month. I call upon the people of the United States to learn more about Alzheimer's disease and support the individuals living with this disease and their caregivers.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9051 of October 31, 2013

National Diabetes Month, 2013

By the President of the United States of America
A Proclamation

With more than 25 million Americans living with a diabetes diagnosis, and many more going undiagnosed, diabetes affects people across our country and remains a pressing national health concern. During National Diabetes Month, we renew our dedication to combating this chronic, life-threatening illness by standing with those living with diabetes, honoring the professionals and advocates engaged in fighting diabetes, and working to raise awareness about prevention and treatment.

Diabetes can lead to serious complications, including heart disease, stroke, kidney failure, and blindness. Type 1 diabetes, often diagnosed in children, limits insulin production and its causes are not well defined. Type 2 diabetes, which accounts for more than 90 percent of diabetes cases, has been linked to older age and family history, although it is increasingly being diagnosed in younger Americans and is associated with obesity and inactivity. The risk is particularly high among African Americans, Hispanic Americans, American Indians, and some Asian Americans and Pacific Islanders. I encourage all Americans to talk to their health care provider about steps they can take to prevent or manage this disease.

With diabetes ranking among the leading causes of death in the United States, my Administration is committed to supporting Americans living with diabetes, investing in promising scientific research, advancing work toward improved treatment and care, and bolstering prevention efforts. Thanks to the Affordable Care Act, beginning in 2014, no American with diabetes can be denied health insurance based on their diagnosis, and in most plans, Americans at increased risk can access diabetes screenings at no cost to them. The National Diabetes Prevention Program engages private and public partners to help people with prediabetes adopt lifestyles that can prevent or delay Type 2 diabetes, and the National Diabetes Education Program focuses on delaying and preventing disease onset while also working to improve outcomes for those living with the disease.

With our next generation in mind, First Lady Michelle Obama's *Let's Move!* initiative has taken on the staggering rise in childhood obesity our Nation has seen over the past three decades, and *Let's Move!* is empowering families and communities to put children on a path to healthier futures. Obese children face an increased risk of adult obesity and all the health risks that come with it, including Type 2 diabetes. By connecting children with healthy, affordable food options and the opportunity to be active in their communities, *Let's Move!* is helping our sons and daughters reach a healthier, more promising tomorrow.

This month, as we remember those we have lost to diabetes and support those living with the illness, let us look to a day with fewer cases of diabetes, a firmer understanding of the disease, and better outcomes for all those affected. By continuing the important research, outreach, and care delivery we have already begun, we know we can get there.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as National Diabetes Month. I call upon all Americans, school systems, government agencies, nonprofit organizations, health care providers, research institutions, and other interested groups to join in activities that raise diabetes awareness and help prevent, treat, and manage the disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9052 of October 31, 2013

National Entrepreneurship Month, 2013

By the President of the United States of America

A Proclamation

The entrepreneurial spirit has always been at the heart of our Nation's story. With inventions that changed American life and startups that lifted our economy as they grew, entrepreneurs helped make our country what it is today. During National Entrepreneurship Month, we celebrate America's innovators, support small businesses, and empower entrepreneurs to turn their visions into reality.

America is home to a long and storied line of immigrants who sought opportunity on our shores—from entrepreneurs of the industrial revolution to startup founders of the digital age. This June, the Senate passed a commonsense immigration reform bill that would provide startup visas for immigrant entrepreneurs; eliminate backlogs for employment-based visas; and remove visa caps for those with advanced degrees in science, technology, engineering, and mathematics. These principles are consistent with ensuring our country remains a land of opportunity while fostering economic growth and innovation.

For the benefit of our Nation, we must remove undue barriers that would prevent entrepreneurs from venturing out on their own. The Affordable Care Act provides opportunities for those who lack employer-based insurance to obtain quality affordable care. This gives aspiring small business owners and self-employed entrepreneurs the freedom to pursue their ideas and keep their families covered. This year, I signed an Executive Order making Government-held data more accessible to the public and to entrepreneurs as fuel for innovation and economic growth. Hundreds of companies and nonprofits are using this data to develop new products and services. They are creating jobs of the future in national priority industries such as health, energy, and education. We have also worked to support social entrepreneurship at home and around the world, and in January, my Administration organized the first-ever White House Tech Inclusion Summit—where experts launched initiatives to give more Americans the opportunity to learn vital technology skills.

We continue to build on programs that help entrepreneurs get ahead. Since taking office, I have signed 18 small business tax cuts into law, and, as part of the American Taxpayer Relief Act, I extended several tax incentives to help small businesses prosper. Under last year's Jumpstart Our Business Startups (JOBS) Act, the American people will soon be able to use regulated crowdfunding Web sites to invest in promising startups, social enterprises, and small businesses. The White House Startup America initiative remains dedicated to cutting red tape and accelerating innovation from the lab to the marketplace. Entrepreneurs across the country are receiving vital information about Federal Government services at www.Business.USA.gov and are competing to solve important national problems at www.Challenge.gov.

To promote entrepreneurship throughout the world, I have called on the international community to increase transparency and accountability while rooting out corruption, and in 2010, my Administration organized the first annual Global Entrepreneurship Summit. During this year's summit, the State Department announced its partnership to help double the impact of UP Global—an organization dedicated to providing entrepreneurs at home and abroad with the resources, skills, and connections to thrive. Finally, we will soon announce the inaugural members of the President's Committee on Global Entrepreneurship, a group of some of America's most successful entrepreneurs who will commit to mentoring the next generation.

Our Nation is strongest when we broaden entrepreneurial opportunity, when more of us can test our ideas in the global marketplace, and when the best innovations can rise to the top. We all have a role to play—from colleges and universities that cultivate hubs of innovation, to large companies that collaborate with small businesses, to foundations that support both social enterprises and high-impact startups seeking to solve the grand challenges of our time. As we observe this month and celebrate Global Entrepreneurship Week, let us come together and help aspiring entrepreneurs take a chance on themselves and their visions for a brighter future.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as National Entrepreneurship Month. I call upon all Americans to commemorate this month with appropriate programs and activities, and to celebrate November 22, 2013, as National Entrepreneurs' Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9053 of October 31, 2013

National Family Caregivers Month, 2013

By the President of the United States of America
A Proclamation

Across our country, more than 60 million Americans take up the selfless and unheralded work of delivering care to seniors or people with disabilities or illnesses. The role they play in our healthcare system is one we must recognize and support. During National Family Caregivers Month, we thank these tireless heroes for the long, challenging work they perform behind closed doors and without fanfare every day, and we recommit to ensuring the well-being of their loved ones and of the caregivers themselves.

Under the Affordable Care Act, patients and caregivers can benefit from a new Medicare pilot program that helps beneficiaries negotiate the transition from hospital to home. And through new Medicaid options, States can expand access to home and community-based services. With caregivers already balancing their own needs with those of their loved ones, and in many cases caring for both young children and aging parents, our Nation's caregivers need and deserve our support. With this in mind, local agencies work to connect individuals with options including adult day care, respite care, training programs, and caregiver support groups—all shaped with the understanding that the generous women and men who take the health of their loved ones into their hands should not suffer from the toll caregiving can take.

There is no one to whom America owes more than our ill and injured service members and veterans, and while many offer kindness and assistance, it is the caregivers who truly sustain our wounded warriors as they work toward rehabilitation or recovery. In 2010, I was proud to sign the Caregivers and Veterans Omnibus Health Services Act, which provides the caregivers of our seriously injured post-9/11 veterans with training, counseling, supportive services, and living stipends. Under this law, injured veterans' family caregivers also receive access to health care.

Just as our loved ones celebrate with us in our moments of triumph, American families strengthen the fabric of our Nation by lifting each other up in the face of life's greatest challenges. And as Americans put their loved ones before themselves, we must offer our appreciation and flexibility, in our healthcare system, our workplaces, and our communities. This month, as we reflect on the generosity, grace, and strength of family caregivers, we renew our commitment to matching their dedication to the health and wellness of families across our country.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2013 as National Family Caregivers Month. I encourage all Americans to pay tribute to those who provide for the health and well-being of their family members, friends, and neighbors.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9054 of October 31, 2013

National Native American Heritage Month, 2013

By the President of the United States of America
A Proclamation

From Alaskan mountain peaks to the Argentinian pampas to the rocky shores of Newfoundland, Native Americans were the first to carve out cities, domesticate crops, and establish great civilizations. When the Framers gathered to write the United States Constitution, they drew inspiration from the Iroquois Confederacy, and in the centuries since, American Indians and Alaska Natives from hundreds of tribes have shaped our national life. During Native American Heritage Month, we honor their vibrant cultures and strengthen the government-to-government relationship between the United States and each tribal nation.

As we observe this month, we must not ignore the painful history Native Americans have endured—a history of violence, marginalization, broken promises, and upended justice. There was a time when native languages and religions were banned as part of a forced assimilation policy that attacked the political, social, and cultural identities of Native Americans in the United States. Through generations of struggle, American Indians and Alaska Natives held fast to their traditions, and eventually the United States Government repudiated its destructive policies and began to turn the page on a troubled past.

My Administration remains committed to self-determination, the right of tribal governments to build and strengthen their own communities. Each year I host the White House Tribal Nations Conference, and our work together has translated into action. We have resolved long-standing legal disputes, prioritized placing land into trust on behalf of tribes, stepped up support for Tribal Colleges and Universities, made tribal health care more accessible, and streamlined leasing regulations to put more power in tribal hands. Earlier this year, an amendment to the Stafford Act gave tribes the option to directly request Federal emergency assistance when natural disasters strike their homelands. In March, I signed the Violence Against Women Reauthorization Act, which recognizes tribal courts' power to convict and sentence certain perpetrators of domestic violence, regardless of whether they are Indian or non-Indian. And this June, I moved to strengthen our nation-to-nation relationships by establishing the White House Tribal Council on Native American Affairs. The Council is responsible for promoting and sustaining prosperous and resilient Native American communities.

As we observe Native American Heritage Month, we must build on this work. Let us shape a future worthy of a bright new generation, and together, let us ensure this country's promise is fully realized for every Native American.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim November 2013 as National Native American Heritage Month. I call upon all Americans to commemorate this month with appropriate programs and activities, and to celebrate November 29, 2013, as Native American Heritage Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9055 of November 5, 2013

Veterans Day, 2013

By the President of the United States of America
A Proclamation

On Veterans Day, America pauses to honor every service member who has ever worn one of our Nation's uniforms. Each time our country has come under attack, they have risen in her defense. Each time our freedoms have come under assault, they have responded with resolve. Through the generations, their courage and sacrifice have allowed our Republic to flourish. And today, a Nation acknowledges its profound debt of gratitude to the patriots who have kept it whole.

As we pay tribute to our veterans, we are mindful that no ceremony or parade can fully repay that debt. We remember that our obligations endure long after the battle ends, and we make it our mission to give them the respect and care they have earned. When America's veterans return home, they continue to serve our country in new ways, bringing tremendous skills to their communities and to the workforce—leadership honed while guiding platoons through unbelievable danger, the talent to master cutting-edge technologies, the ability to adapt to unpredictable situations. These men and women should have the chance to power our economic engine, both because their talents demand it and because no one who fights for our country should ever have to fight for a job.

This year, in marking the 60th anniversary of the Korean War Armistice, we resolved that in the United States of America, no war should be forgotten, and no veteran should be overlooked. Let us always remember our wounded, our missing, our fallen, and their families. And as we continue our responsible drawdown from the war in Afghanistan, let us welcome our returning heroes with the support and opportunities they deserve.

Under the most demanding of circumstances and in the most dangerous corners of the earth, America's veterans have served with distinction. With courage, self-sacrifice, and devotion to our Nation and to one another, they represent the American character at its best. On Veterans Day and every day, we celebrate their immeasurable contributions, draw inspiration from their example, and renew our commitment to showing them the fullest support of a grateful Nation.

With respect for and in recognition of the contributions our service members have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim November 11, 2013, as Veterans Day. I encourage all Americans to recognize the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers. I call upon Federal, State, and local officials to display the flag of the United States and to participate in patriotic activities in their communities. I call on all Americans, including civic and fraternal organizations, places of worship, schools, and communities to support this day with commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9056 of November 8, 2013

World Freedom Day, 2013

By the President of the United States of America

A Proclamation

On November 9, 1989, Germans from East and West united to bring down the Berlin Wall, marking the arrival of a new age. A symbol of oppression crumbled under the force of popular will. A people transitioned from the pain of division to the joy of reunification. And all over Europe, corrupt dictatorships gave way to new democracies. On World Freedom Day, we remember that for all the raw power of authoritarian regimes, it is ultimately citizens who decide whether to be defined by a wall or whether to tear it down.

Twenty-four years ago, the United States stood alongside people who demanded their basic liberties and nations that reclaimed the right to set their own course. The democracies that emerged are now some of America's strongest allies, united around the ideals of freedom and equality. These alliances are the foundation of our global security and the engine of our global economy.

As we commemorate the fall of the Berlin Wall, we recognize that the fight for human dignity goes on. Decades after the fall of the Iron Curtain, the United States continues to march with those who are reaching for freedom around the world. Today, let us remember that our fates and fortunes are linked as never before; when one nation takes a step toward liberty, all of us are a little more free. Let us offer our support to all those still struggling to throw off the weight of oppression and embrace a brighter day.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim November 9, 2013, as World Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities, reaffirming our dedication to freedom and democracy.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9057 of November 14, 2013

America Recycles Day, 2013

By the President of the United States of America
A Proclamation

During the First and Second World Wars, Americans showed their patriotism by participating in scrap drives and salvage collections. A committed citizenry gave up their personal typewriters, joined in volunteer efforts to harvest oil-producing peanuts, and donated old tires in a nationwide push to conserve and repurpose resources vital to our common welfare. Today, we face new threats—to our environment, our health, and our climate—that require all of us to do our part. On America Recycles Day, we carry forward a great national tradition and enlist a new generation of environmental stewards.

A typical American produces more than four pounds of waste each day, and some of this waste, including old computers and cell phones, could damage our health and harm our environment if not recycled properly. Recycling not only reduces pollution, but also saves energy, preserves valuable raw materials, and reduces emissions of greenhouse gases that contribute to climate change. In addition, it spurs economic growth, generating billions of dollars each year and supporting local manufacturers who depend on recycled materials to make their products.

America Recycles Day offers an opportunity for each of us to reflect on the ways our habits shape the world around us. In our homes, offices, and schools, let us strive to make recycling a part of our daily lives. We should reuse or donate when possible, and recycle or compost as much as we are able. Students can get involved by championing waste-free lunches, recycling programs, and collection drives to repurpose resources like used shoes, water bottles, and digital cameras.

Our environmental legacy will not reflect any single policy or initiative; it will be the sum of millions of small actions, the decisions we make each day. Today, let us join with family, friends, and neighbors to make that legacy a strong one.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 15, 2013, as America Recycles Day. I call upon the people of the

United States to observe this day with appropriate programs and activities, and I encourage all Americans to continue their reducing, reusing, and recycling efforts throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9058 of November 15, 2013

American Education Week, 2013

By the President of the United States of America

A Proclamation

Education is both a pillar of democracy and a cornerstone of American opportunity. In an increasingly competitive world, it gives our children the tools to thrive and our Nation the talent to lead. During American Education Week, we reaffirm our commitment to the next generation, and we celebrate everyone who is striving to help America's young people realize their full potential.

Every day throughout America, our children mark the many milestones of learning—from scribbling their first attempts at the alphabet to conducting their first science experiment to crossing the stage at commencement. The educators who guide them deserve our highest admiration, respect, and support for investing in young people's futures. We all have a stake in public education, and we all have a role to play—from parents and mentors to community leaders and business owners. Through programs focused on tutoring, sports, the arts, and vocational training, we can inspire children to learn both inside and outside the classroom.

A great education is a ticket into the middle class, and it should be available to everyone willing to work for it. My Administration is committed to reining in college costs and reducing the burden student loans place on young people. We are also moving forward on a plan to connect 99 percent of America's students to high-speed internet within 5 years; pushing to make high-quality early education accessible to every child in America; and working to strengthen programs in science, technology, engineering, and mathematics. Because none of these plans will succeed without outstanding teachers, we must support these professionals as they perform their vital work.

As we move toward Thanksgiving, American Education Week offers a chance to express our gratitude to educators across our Nation. Let us do so with a renewed commitment to giving every young American the opportunities a world-class education affords.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 17 to November 23, 2013, as American Education Week. I call upon all Americans to observe this week by supporting their local schools

through appropriate activities, events, and programs designed to help create opportunities for every school and student in America.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9059 of November 19, 2013

National Child's Day, 2013

By the President of the United States of America
A Proclamation

Each year on National Child's Day, America takes time to celebrate our most precious resource. We reaffirm our commitment to giving our next generation the tools to lead, innovate, and pursue their own measure of happiness.

In the United States of America, no matter where you come from, who you are, or how you look, you should have a chance to succeed. That is why we must build ladders of opportunity for all children—including high-quality preschool, strong education in key fields like math and science, and nutritious meals that give young people the energy to focus. Through First Lady Michelle Obama's *Let's Move!* initiative, my Administration is helping children develop habits that will let them lead healthier lives, and we are partnering with businesses, local governments, and non-profit organizations to ensure families have the information they need to give our children the happy, healthy futures they deserve.

Yet equal opportunity cannot exist while some parents are forced to choose between buying groceries, paying the rent, or taking their children to the doctor. Under the Affordable Care Act, new health insurance options are now available to millions of Americans. Millions of families will gain access to affordable coverage options through the new Health Insurance Marketplace, including through Medicaid in those States that have chosen to expand coverage. Thanks to this law, children can no longer be denied coverage because they have a pre-existing condition. And most health plans are covering recommended preventive services for children, including developmental screenings and immunizations, without cost-sharing.

With the support of a Nation and the guidance of parents and mentors, our children can lead America into a bright new age. Today, let us strengthen our resolve to provide the opportunities their energy and creativity demand.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 20, 2013, as National Child's Day. I call upon all citizens to observe this day with appropriate activities, programs, and ceremonies, and to

rededicate ourselves to creating the bright future we want for our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9060 of November 21, 2013

Day of Remembrance for President John F. Kennedy

By the President of the United States of America
A Proclamation

A half century ago, America mourned the loss of an extraordinary public servant. With broad vision and soaring but sober idealism, President John F. Kennedy had called a generation to service and summoned a Nation to greatness. Today, we honor his memory and celebrate his enduring imprint on American history.

In his 3 years as President of the United States, John F. Kennedy weathered some of the most perilous tests of the Cold War and led America to the cusp of a bright new age. His leadership through the Cuban Missile Crisis remains the standard for American diplomacy at its finest. In a divided Berlin, he delivered a stirring defense of freedom that would echo through the ages, yet he also knew that we must advance human rights here at home. During his final year in office, he proposed a civil rights bill that called for an end to segregation in America. And recognizing women's basic right to earn a living equal to their efforts, he signed the Equal Pay Act into law.

While President Kennedy's life was tragically cut short, his vision lives on in the generations he inspired—volunteers who serve as ambassadors for peace in distant corners of the globe, scientists and engineers who reach for new heights in the face of impossible odds, innovators who set their sights on the new frontiers of our time. Today and in the decades to come, let us carry his legacy forward. Let us face today's tests by beckoning the spirit he embodied—that fearless, resilient, uniquely American character that has always driven our Nation to defy the odds, write our own destiny, and make the world anew.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 22, 2013, as a Day of Remembrance for President John F. Kennedy. I call upon all Americans to honor his life and legacy with appropriate programs, ceremonies, and activities. I also call upon Governors of the United States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and appropriate officials of all units of government, to direct that the flag be flown at half-staff on the Day of Remembrance for President John F. Kennedy. I further encourage all Americans to display the flag at half-staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9061 of November 22, 2013

National Family Week, 2013

By the President of the United States of America
A Proclamation

Whether united by blood or bonds of kinship—whether led by a mother and father, same-sex couple, single parent, or guardian—families are the building blocks of American society. During National Family Week, we celebrate the spirit that moves family members to care for one another, to grow and dream together, and to instill in their children the character that keeps our Nation strong.

As we honor America's families, we must also lift them up. We must restore the basic bargain that built our country—the idea that if you work hard and meet your responsibilities, you can get ahead. That is why my Administration has prioritized high-quality job creation, affordable health insurance for America's families, and a world-class education for every child. Earlier this year, I signed the American Taxpayer Relief Act, which permanently extended middle class tax cuts while expanding the Child Tax Credit and marriage penalty relief. I am calling on the Congress to increase the minimum wage, a step that would raise incomes for millions of working families. And because we must serve our military families as well as they serve us, First Lady Michelle Obama and Dr. Jill Biden's Joining Forces initiative is connecting service members, veterans, and military spouses with companies looking to hire.

This week, let us renew our family bonds. Whether by sharing a family meal, reading a bedtime story, or creating a holiday tradition, let us carve out a place in the lives of our loved ones. And as we do so, let us resolve that every family should have the opportunity to raise America's next generation of innovators, scholars, and leaders.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 24 through November 30, 2013, as National Family Week. I invite all States, communities, and individuals to join in observing this week with appropriate ceremonies and activities to honor our Nation's families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9062 of November 26, 2013

Minority Enterprise Development Week, 2013

By the President of the United States of America
A Proclamation

This August, as we marked the 50th anniversary of the March on Washington, we were reminded that the measure of America's progress is not whether the doors of opportunity are cracked a little wider for a few, but whether our economic system provides a fair shot for the many. Minority-owned businesses play a crucial part in driving this progress—not only when their founders pursue their fullest measure of success, but also when they offer employees of all backgrounds a chance to enter the ranks of the American middle class. During Minority Enterprise Development Week, we recognize the strength of our diverse workforce and the many ways minority entrepreneurs contribute to our economy, our society, and our Nation's fundamental promise.

America's minority enterprises include everything from Main Street cornerstones that sustain communities to global firms that drive innovation in the industries of tomorrow. Together, these businesses employ almost 6 million Americans and contribute 1 trillion dollars to our economy every year. Minority entrepreneurs bring unique perspectives to every corner of our country, and their understanding of diverse cultures often gives them an advantage in the international marketplace.

As our economy continues to recover, our investments in minority owned and operated firms will help create jobs, strengthen families, and build ladders of opportunity in underserved communities. Over the past 5 years, my Administration has worked to empower minority entrepreneurs by connecting them with billions of dollars in contracts and access to capital. And to better serve America's business community, we launched www.Business.USA.gov, where any firm can seek out financing opportunities, navigate Federal bureaucracy, and cut through red tape.

This week, we celebrate America's minority enterprises, renew our commitment to helping them grow, and look with pride toward the promise of the future.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 1 through December 7, 2013, as Minority Enterprise Development Week. I call upon all Americans to celebrate this week with appropriate programs, ceremonies, and activities to recognize the many contributions of our Nation's minority enterprises.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9063 of November 26, 2013

Thanksgiving Day, 2013

By the President of the United States of America
A Proclamation

Thanksgiving offers each of us the chance to count our many blessings—the freedoms we enjoy, the time we spend with loved ones, the brave men and women who defend our Nation at home and abroad. This tradition reminds us that no matter what our background or beliefs, no matter who we are or who we love, at our core we are first and foremost Americans.

Our annual celebration has roots in centuries-old colonial customs. When we gather around the table, we follow the example of the Pilgrims and Wampanoags, who shared the fruits of a successful harvest nearly 400 years ago. When we offer our thanks, we mirror those who set aside a day of prayer. And when we join with friends and neighbors to alleviate suffering and make our communities whole, we honor the spirit of President Abraham Lincoln, who called on his fellow citizens to ''fervently implore the interposition of the Almighty hand to heal the wounds of the nation, and to restore it, as soon as may be consistent with the Divine purposes, to the full enjoyment of peace, harmony, tranquility, and union.''

Our country has always been home to Americans who recognize the importance of giving back. Today, we honor all those serving our Nation far from home. We also thank the first responders and medical professionals who work through the holiday to keep us safe, and we acknowledge the volunteers who dedicate this day to those less fortunate.

This Thanksgiving Day, let us forge deeper connections with our loved ones. Let us extend our gratitude and our compassion. And let us lift each other up and recognize, in the oldest spirit of this tradition, that we rise or fall as one Nation, under God.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Thursday, November 28, 2013, as a National Day of Thanksgiving. I encourage the people of the United States to join together—whether in our homes, places of worship, community centers, or any place of fellowship for friends and neighbors—and give thanks for all we have received in the past year, express appreciation to those whose lives enrich our own, and share our bounty with others.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9064 of November 27, 2013

World AIDS Day, 2013

By the President of the United States of America
A Proclamation

Each year on World AIDS Day, we come together as a global community to fight a devastating pandemic. We remember the friends and loved ones we have lost, stand with the estimated 35 million people living with HIV/AIDS, and renew our commitment to preventing the spread of this virus at home and abroad. If we channel our energy and compassion into science-based results, an AIDS-free generation is within our reach.

My Administration released the first comprehensive National HIV/AIDS Strategy in 2010. Since then, we have made significant progress in strengthening scientific investments, expanding effective HIV/AIDS education and prevention, and connecting stakeholders in both the public and private sectors. At the same time, advances in our scientific understanding have allowed us to better fight this disease. We know now that by focusing on early detection and treatment, we can both prevent long-term complications and reduce transmission rates. To build on this progress, I issued an Executive Order in July establishing the HIV Care Continuum Initiative, which addresses the gaps in care and prevention, especially among communities with the greatest HIV burden. And this November, I signed the HIV Organ Policy Equity Act, lifting the ban on research into the possibility of organ transplants between people with HIV.

My Administration remains committed to reducing the stigma and disparities that fuel this epidemic. Beginning in 2014, the Affordable Care Act will require health insurance plans to cover HIV testing without any additional out-of-pocket costs. It will also prohibit discrimination based on HIV status and eliminate annual benefit caps. Under this law, we have already expanded Medicaid for working class Americans and banned lifetime limits on insurance coverage.

Our work to end HIV extends far beyond our borders. This is a global fight, and America continues to lead. The United States has provided HIV prevention, treatment, and care to millions around the world, helping to dramatically reduce new infections and AIDS-related deaths. This year we celebrate the 10th anniversary of the President's Emergency Plan for AIDS Relief (PEPFAR), a powerful bipartisan effort to turn the tide on this epidemic. Through PEPFAR, we are making strong global progress and are on track to achieve the ambitious HIV treatment and prevention targets I set on World AIDS Day in 2011. Because country ownership and shared responsibility are vital to a strong and sustained global response, we launched PEPFAR Country Health Partnerships, an initiative that will empower our partner countries as they progress toward an AIDS-free generation. In the next few days, my Administration will host the Global Fund to Fight AIDS, Tuberculosis and Malaria's Replenishment Conference to enlist new partners, leverage American funding, and increase our collective impact against these diseases. With continued United States leadership, strong partners, and shared responsibility, we can realize this historic opportunity.

We will win this battle, but it is not over yet. In memory of the loved ones we have lost and on behalf of our family members, friends, and fellow citizens of the world battling HIV/AIDS, we resolve to carry on the fight and end stigma and discrimination toward people living with this disease. At this pivotal moment, let us work together to bring this pandemic to an end.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States do hereby proclaim December 1, 2013, as World AIDS Day. I urge the Governors of the States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and the American people to join me in appropriate activities to remember those who have lost their lives to AIDS and to provide support and comfort to those living with this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9065 of November 29, 2013

National Impaired Driving Prevention Month, 2013

By the President of the United States of America
A Proclamation

During the holiday season, Americans join with family, friends, and neighbors to take part in longstanding traditions. For some, those celebrations are tempered by the absence of loved ones taken too soon in traffic crashes involving drugs or alcohol, or caused by distracted driving. During National Impaired Driving Prevention Month, we dedicate ourselves to saving lives and eliminating drunk, drugged, and distracted driving.

Impaired drivers are involved in nearly one-third of all deaths from motor vehicle crashes in the United States, taking almost 30 lives each day. This is unacceptable. My Administration is committed to raising awareness about the dangers of impaired driving, improving screening methods, and ensuring law enforcement has the tools and training to decrease drunk and drugged driving. We are designing effective, targeted prevention programs, and are working to curtail all forms of distracted driving, including texting and cell phone use. To keep the American people safe this holiday season, law enforcement across our Nation will participate in the national *Drive Sober or Get Pulled Over* campaign from December 13 to January 1. This initiative increases enforcement and reminds us all to consider the consequences of impaired driving.

Everyone has a role to play in keeping our roads safe—from parents, schools, and businesses to faith-based and community organizations. Together, we can teach young people, friends, and fellow citizens how to avoid a crash brought on by impaired driving. I encourage all Ameri-

cans to designate a non-drinking driver, plan ahead for alternative transportation, or make arrangements to stay with family and friends before consuming alcohol. Americans should also know what precautions to take if using over-the-counter or prescription medication. For more information, please visit www.WhiteHouse.gov/ONDCP and www.NHTSA.gov/Impaired.

This month and always, let every American drive sober, buckle-up, and avoid distractions while driving. If we take these actions and encourage those around us to do the same, we will save thousands of lives and keep thousands of families whole.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 2013 as National Impaired Driving Prevention Month. I urge all Americans to make responsible decisions and take appropriate measures to prevent impaired driving.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of November, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9066 of December 2, 2013

International Day of Persons With Disabilities, 2013

By the President of the United States of America
A Proclamation

Nearly a quarter century has gone by since our Nation passed the Americans with Disabilities Act (ADA), a landmark civil rights bill that enshrined the principles of inclusion, access, and equal opportunity into law. The ADA was born out of a movement sparked by those who understood their disabilities should not be an obstacle to success and took up the mission of tearing down physical and social barriers that stood in their way. On this International Day of Persons with Disabilities, we celebrate the enormous progress made at home and abroad and we strengthen our resolve to realize a world free of prejudice.

Every child deserves a decent education, every adult deserves equal access to the workplace, and every nation that allows injustice to stand denies itself the full talents and contributions of individuals with disabilities. I was proud that under my Administration the United States signed the Convention on the Rights of Persons with Disabilities, an international convention based on the principles of the ADA, and I urge the Senate to provide its advice and consent to ratification. By joining the 138 parties to this convention, the United States would carry forward its legacy of global leadership on disability rights, enhance our ability to bring other countries up to our own high standards of access and inclusion, and expand opportunities for Americans with disabilities—including our 5.5 million disabled veterans—to work, study, and travel abroad.

My Administration remains committed to leading by example. This year, as we celebrated the 40th anniversary of the Rehabilitation Act, we updated rules to improve hiring of veterans and people with disabilities, especially among Federal contractors and subcontractors. Thanks to the Affordable Care Act, insurers can no longer put lifetime dollar limits on essential health benefits for Americans with disabilities. And in January, it will be illegal to deny coverage because of preexisting conditions.

The changes achieved in the last two decades speak to what people can accomplish when they refuse to accept the world as it is. Today let us once again reach for the world that should be—one where all people, regardless of country or disability, enjoy equal access, equal opportunity, and the freedom to realize their limitless potential.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 3, 2013, as International Day of Persons with Disabilities. I call on all Americans to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9067 of December 5, 2013

Death of Nelson Mandela

By the President of the United States of America

A Proclamation

Today, the United States has lost a close friend, South Africa has lost an incomparable liberator, and the world has lost an inspiration for freedom, justice, and human dignity—Nelson Mandela is no longer with us, he belongs to the ages.

Nelson Mandela achieved more than could be expected of any man. His own struggle inspired others to believe in the promise of a better world, and the rightness of reconciliation. Through his fierce dignity and unbending will to sacrifice his own freedom for the freedom of others, he transformed South Africa—and moved the entire world. His journey from a prisoner to a President embodied the promise that human beings—and countries—can change for the better. His commitment to transfer power and reconcile with those who jailed him set an example that all humanity should aspire to, whether in the life of nations or our own personal lives.

While we mourn his loss, we will forever honor Nelson Mandela's memory. He left behind a South Africa that is free and at peace with itself—a close friend and partner of the United States. And his memory will be kept in the hearts of billions who have been lifted up by the power of his example.

We will not see the likes of Nelson Mandela again. It falls to us to carry forward the example that he set—to make decisions guided not by hate, but by love; to never discount the difference that one person can make; and to strive for a future that is worthy of his sacrifice. For now, let us pause and give thanks for the fact that Nelson Mandela lived—a man who took history in his hands, and bent the arc of the moral universe toward justice.

As a mark of respect for the memory of Nelson Mandela, by the authority vested in me as President of the United States by the Constitution and laws of the United States of America, I hereby order that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, December 9, 2013. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9068 of December 5, 2013

National Pearl Harbor Remembrance Day, 2013

By the President of the United States of America
A Proclamation

More than seven decades ago, on a calm Sunday morning, our Nation was attacked without warning or provocation. The bombs that fell on the island of Oahu took almost 2,400 American lives, damaged our Pacific Fleet, challenged our resilience, and tested our resolve. On National Pearl Harbor Remembrance Day, we honor the men and women who selflessly sacrificed for our country, and we show our enduring gratitude to all who fought to defend freedom against the forces of tyranny and oppression in the Second World War.

In remembrance of Pearl Harbor and to defend our Nation against future attacks, scores of young Americans enlisted in the United States military. In battle after battle, our troops fought with courage and honor. They took the Pacific theater island by island, and eventually swept through Europe, liberating nations as they progressed. Because of their extraordinary valor, America emerged from this test as we always do—stronger than ever before.

We also celebrate those who served and sacrificed on the home front—from families who grew Victory Gardens or donated to the war effort to women who joined the assembly line alongside workers of every background and realized their own power to build a brighter world. Together, our Greatest Generation overcame the Great Depression, and built the largest middle class and strongest economy in history.

Today, with solemn pride and reverence, let us remember those who fought and died at Pearl Harbor, acknowledge everyone who carried their legacy forward, and reaffirm our commitment to upholding the ideals for which they served.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as ''National Pearl Harbor Remembrance Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim December 7, 2013, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn day of remembrance and to honor our military, past and present, with appropriate ceremonies and activities. I urge all Federal agencies and interested organizations, groups, and individuals to fly the flag of the United States at half-staff this December 7 in honor of those American patriots who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9069 of December 9, 2013

Human Rights Day and Human Rights Week, 2013

By the President of the United States of America

A Proclamation

Six and a half decades ago, delegates from around the world convened to adopt the Universal Declaration of Human Rights, rejecting the notion that individual aspirations should be subject to the whims of tyrants and empires, and affirming every person's right to liberty, equality, and justice under the law. On Human Rights Day and during Human Rights Week, we resolve not only to celebrate these ideals but also to advance them in our time.

Humanity thrives because of our differences; the exchange of ideas among vibrant cultures is a source of innovation, beauty, and vitality. Yet across the globe, our common and inalienable rights bind us as one. All women and men—across borders and regardless of race, creed, sexual orientation, gender identity, or income level—share the freedoms of expression, religion, assembly, and association. We all have the right to take part in government, directly or through freely elected representatives. And as societies, we have the right to choose our own destiny.

But in many parts of the world, people are still persecuted for their beliefs, imprisoned for their ideals, and punished for their convictions. A growing number of countries are passing laws designed to stifle civil society—including organizations that promote universal human rights, support good governance, and bolster economic development. Securing freedoms that are threatened or denied will require an unceasing commitment. Today and always, let us break down prejudice, amplify the

courageous voices that sound the call for change, and reaffirm our unwavering support for the principles enshrined in the Universal Declaration of Human Rights.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 10, 2013, as Human Rights Day and the week beginning December 10, 2013, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9070 of December 13, 2013

Bill of Rights Day, 2013

By the President of the United States of America
A Proclamation

When America's Founders declared our independence, they set forth an idea that became our Nation's defining creed: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.'' They understood that while these truths have always been self-evident, they have never been self-executing. After 15 years of democratic experimentation and national debate, the Bill of Rights came into force, touching off a long journey to carve America's highest ideals into enduring, enforceable law.

The Bill of Rights is the foundation of American liberty, securing our most fundamental rights—from the freedom to speak, assemble, and practice our faith as we please to the protections that ensure justice under the law. For almost two and a quarter centuries, these 10 Constitutional Amendments have served as a basis from which civil society could grow and flourish. They have encouraged innovation and defended Americans who questioned, challenged, and dared our Nation to be greater.

Thomas Jefferson once wrote, ''I am not an advocate for frequent changes in laws and constitutions, but laws and constitutions must go hand in hand with the progress of the human mind.'' Our liberties opened heated debate over the questions of citizenship and human rights, driving progress in the American mind. We learned that our Nation, built on the principles of freedom and equality, could not survive half-slave and half-free. We resolved that our daughters must have the same rights, the same chances, and the same freedom to pursue their dreams as our sons, and that if we are truly created equal, then the love we commit to one another must be equal as well. Americans with disabilities tore down legal and social barriers; disenfranchised farm-

workers united to claim their rights to dignity, fairness, and a living wage; civil rights activists marched, bled, and gave their lives to bring the era of segregation to an end. As we celebrate the anniversary of the Bill of Rights, let us reach for a day when we all may enjoy the basic truths of liberty and equality.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 15, 2013, as Bill of Rights Day. I call upon the people of the United States to mark this observance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9071 of December 16, 2013

Wright Brothers Day, 2013

By the President of the United States of America
A Proclamation

On December 17, 1903, decades of dreaming, experimenting, and careful engineering culminated in 12 seconds of flight. Wilbur and Orville Wright's airplane soared above the wind-blown banks of Kitty Hawk, North Carolina, pushing the boundaries of human imagination and paving the way for over a century of innovation. On Wright Brothers Day, our Nation commemorates this once unthinkable achievement. We celebrate our scientists, engineers, inventors, and all Americans who set their sights on the impossible.

America has always been a Nation of strivers and creators. As our next generation carries forward this proud tradition, we must give them the tools to translate energy and creativity into concrete results. That is why my Administration is dedicated to improving education in the vital fields of science, technology, engineering, and mathematics (STEM). We are working to broaden participation among underrepresented groups, and through Race to the Top, we are raising standards and making STEM education a priority. Last year, we announced plans to create a national STEM Master Teacher Corps—a group of the best STEM teachers in the country, who will receive resources to mentor fellow educators, inspire students, and champion STEM education in their communities.

As we remember the Wright brothers, let us not forget another Wright who took up the mission of powered flight. Orville and Wilbur's sister, Katharine, used her teacher's salary to support the family and ran the Wrights' bicycle shop in Dayton, Ohio, while her brothers worked in Kitty Hawk. She went on to manage press, conduct business with foreign dignitaries and heads of state, and wrangle support for the burgeoning aviation enterprise. Today, let all of us draw inspiration from

a family who taught us that when bold ideas meet scientific thinking and tireless experimentation, the sky is no limit.

The Congress, by a joint resolution approved December 17, 1963, as amended (77 Stat. 402; 36 U.S.C. 143), has designated December 17 of each year as ''Wright Brothers Day'' and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim December 17, 2013, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9072 of December 23, 2013

To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes

By the President of the United States of America

A Proclamation

1. In Proclamation 8921 of December 20, 2012, I determined that the Republic of Mali (Mali) was not making continual progress in meeting the requirements described in section 506A(a)(1) of the Trade Act of 1974, as amended (the ''1974 Act''), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA). Thus, pursuant to section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)), I terminated the designation of Mali as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act.

2. Section 506A(a)(1) of the 1974 Act authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a ''beneficiary sub-Saharan African country'' if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

3. Based on actions that the Government of Mali has taken over the past year, pursuant to section 506A(a)(1) of the 1974 Act, I have determined that Mali meets the eligibility requirements set forth in section 104 of the AGOA and section 502 of the 1974 Act, and I have decided to designate Mali as a beneficiary sub-Saharan African country.

4. On April 22, 1985, the United States and Israel entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (USIFTA), which the Congress approved in the United States-Israel Free Trade Area Implementation Act of 1985 (the ''USIFTA Act'') (19 U.S.C. 2112 note).

5. Section 4(b) of the USIFTA Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties, as the President determines to be required or appropriate to carry out the USIFTA.

6. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the United States entered into an agreement with Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31, 2008 (the ''2004 Agreement'').

7. In Proclamation 7826 of October 4, 2004, consistent with the 2004 Agreement, the President determined, pursuant to section 4(b) of the USIFTA Act, that it was necessary in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, to provide duty-free access into the United States through December 31, 2008, for specified quantities of certain agricultural products of Israel.

8. Each year from 2008 through 2012, the United States and Israel entered into agreements to extend the period that the 2004 Agreement was in force for 1-year periods to allow additional time for the two governments to conclude an agreement to replace the 2004 Agreement.

9. To carry out the extension agreements, the President in Proclamation 8334 of December 31, 2008; Proclamation 8467 of December 23, 2009; Proclamation 8618 of December 21, 2010; Proclamation 8770 of December 29, 2011; and Proclamation 8921 of December 20, 2012, modified the Harmonized Tariff Schedule of the United States (HTS) to provide duty-free access into the United States for specified quantities of certain agricultural products of Israel, each time for an additional 1-year period.

10. On November 26, 2013, the United States entered into an agreement with Israel to extend the period that the 2004 Agreement is in force through December 31, 2014, to allow for further negotiations on an agreement to replace the 2004 Agreement.

11. Pursuant to section 4(b) of the USIFTA Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, to provide duty-free access into the United States through the close of December 31, 2014, for specified quantities of certain agricultural products of Israel.

12. Presidential Proclamation 8783 of March 6, 2012, implemented the United States-Korea Free Trade Agreement (USKFTA) with respect to the United States and, pursuant to the United States-Korea Free Trade Agreement Implementation Act (the ''Implementation Act'') (Public Law 112–41, 125 Stat. 428), incorporated into the HTS the schedule of duty reductions and rules of origin necessary or appropriate to carry out the USKFTA.

13. In Presidential Proclamation 8771 of December 29, 2011, pursuant to the authority provided in section 1206(a) of the Omnibus Trade and

Competitiveness Act of 1988 (19 U.S.C. 3006(a)), I modified the HTS to reflect amendments to the International Convention on the Harmonized Commodity Description and Coding System (the ''Convention'').

14. Section 202 of the Implementation Act provides rules for determining whether goods imported into the United States originate in the territory of a Party to the USKFTA and thus are eligible for the tariff and other treatment contemplated under the Agreement. Section 202(o) of the Implementation Act authorizes the President to proclaim, as part of the HTS, the rules of origin set out in the USKFTA and to proclaim any modifications to such previously proclaimed rules of origin, subject to the exceptions stated in section 202(o)(2)(A) of the Implementation Act.

15. Because the USKFTA was negotiated under the 2002 HTS nomenclature, the United States and Korea agreed to modify certain specific rules of origin in the USKFTA to ensure that the tariff and certain other treatment accorded under the Agreement to originating goods will continue to be provided under the tariff categories that were modified in Proclamation 8783.

16. In order to implement the agreed modifications to the rules of origin in the USKFTA and ensure the continuation of such staged reductions in rates of duty for originating goods under tariff categories that have been modified to reflect the amendments to the Convention, I have determined that additional modifications to the HTS are necessary or appropriate to ensure that the duty reductions previously proclaimed are applied.

17. Section 212 of the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2702), as amended by the Caribbean Basin Trade Partnership Act (CBTPA) (Public Law 106–200), authorizes the President to designate certain countries, territories, or successor political entities as beneficiary countries for the purposes of the CBERA and CBTPA.

18. Section 211 of the CBTPA provides that certain preferential tariff treatment may be provided to eligible articles that are the product of any country that the President designates as a ''CBTPA beneficiary country'' pursuant to section 213(b)(5)(B) of the CBERA (19 U.S.C. 2703(b)(5)(B)), provided that the President determines that the country has satisfied the requirements of section 213(b)(4)(A)(ii) (19 U.S.C. 2703(b)(4)(A)(ii)) relating to the implementation of procedures and requirements similar to those in chapter 5 of the North American Free Trade Agreement (NAFTA).

19. In Proclamation 7351 of October 2, 2000, the President authorized the United States Trade Representative (USTR) to perform the functions specified in section 213(b)(4)(A)(ii) of the CBERA and certain functions under section 604 of the 1974 Act (19 U.S.C. 2483) for each beneficiary country designated in that proclamation pursuant to section 213(b)(5)(B) of the CBERA.

20. Curaçao is a successor political entity to The Netherlands Antilles and has expressed its desire to be designated as a beneficiary country under the CBERA and CBTPA. As a successor political entity, Curaçao was not included in Proclamation 7351.

21. Pursuant to section 212(b) and (c) and 213(b)(5)(B) of the CBERA (19 U.S.C. 2702(b) and (c) and 19 U.S.C. 2703(b)(5)(B)), I have determined that Curaçao meets the eligibility requirements set forth in those sections. Accordingly, pursuant to section 212(b) and 213(b) of the CBERA, and after taking into account the factors enumerated in section 212(b) and (c) of the CBERA (19 U.S.C. 2702(b) and (c)), I have decided to designate Curaçao as a beneficiary country for purposes of the CBERA and CBTPA. In addition, pursuant to section 212(a)(1)(A) of the CBERA, I am notifying the Congress of my intention to designate Curaçao as a beneficiary country under the CBERA and CBTPA, and communicating the considerations entering into my decision.

22. The preferential treatment extended pursuant to the Andean Trade Preference Act (ATPA) (19 U.S.C. 3201–3206, as amended) expired on July 31, 2013. As a result, I have determined that certain modifications to the HTS are required to reflect this status.

23. Presidential Proclamation 7746 of December 30, 2003, implemented the United States-Chile Free Trade Agreement (USCFTA) with respect to the United States and, pursuant to the United States-Chile Free Trade Agreement Implementation Act (19 U.S.C. 3805 note), incorporated in the HTS the schedule of duty reductions and rules of origin necessary or appropriate to carry out the USCFTA. Those modifications to the HTS were set out in Publication 3652 of the U.S. International Trade Commission, which was incorporated by reference into Proclamation 7746.

24. Annex II of Publication 3652 contained a typographical error that needs to be corrected. I have determined that a modification to the HTS is necessary to correct this typographical error and to provide the intended tariff treatment.

25. Section 604 of the 1974 Act (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions taken thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 301 of title 3, United States Code, title V and section 604 of the 1974 Act, section 104 of the AGOA, section 4 of the USIFTA Act, section 202 of the Implementation Act, and sections 212 and 213 of the CBERA, do proclaim that:

(1) Mali is designated as a beneficiary sub-Saharan African country.

(2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries ''Republic of Mali (Mali).''

(3) In order to implement U.S. tariff commitments under the 2004 Agreement through December 31, 2014, the HTS is modified as provided in Annex I to this proclamation.

(4)(a) The modifications to the HTS set forth in Annex I to this proclamation shall be effective with respect to eligible agricultural products of Israel that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2014.

(b) The provisions of subchapter VIII of chapter 99 of the HTS, as modified by Annex I to this proclamation, shall continue in effect through December 31, 2014.

(5) In order to reflect in the HTS the modifications to the rules of origin under the USKFTA, general note 33 to the HTS is modified as set forth in Annex II to this proclamation.

(6) The modifications to the HTS set forth in Annex II to this proclamation shall be effective with respect to goods that are entered or withdrawn from warehouse for consumption, on or after January 1, 2014.

(7) Curaçao is designated as an eligible beneficiary country for the purposes of the CBERA and CBTPA.

(8) In order to reflect Curaçao's designation as a beneficiary country for the purposes of the CBERA, general note 7(a) to the HTS is modified by inserting in alphabetical sequence ''Curaçao.''

(9) In order to implement Curaçao's designation as a CBTPA beneficiary country, the USTR is authorized to determine whether Curaçao has satisfied the requirements of section 213(b)(4)(A)(ii) of the CBERA relating to the implementation of procedures and requirements similar in all material respects to those in chapter 5 of the NAFTA. To implement such determination, the USTR is authorized to exercise the authority provided to the President under section 604 of the 1974 Act to embody modifications and technical and conforming changes in the HTS. The determination of the USTR under this paragraph shall be set forth in a notice that the USTR shall cause to be published in the *Federal Register.* Such notice shall modify general note 17 of the HTS by including Curaçao in the list of CBTPA beneficiary countries.

(10) In order to reflect the expiration of the ATPA, the HTS is modified as set forth in Annex III to this proclamation.

(11) The modifications to the HTS set forth in Annex III to this proclamation shall be effective with respect to goods that are entered, or withdrawn from warehouse for consumption, on or after July 31, 2013.

(12) In order to provide the intended tariff treatment to goods of Chile under the terms of general note 26, the HTS is modified as set forth in Annex IV to this proclamation.

(13) The modifications to the HTS set forth in Annex IV to this proclamation shall be effective with respect to goods that are entered or withdrawn from warehouse for consumption, on or after January 1, 2004.

(14) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

ANNEX I

TO EXTEND TEMPORARILY CERTAIN PROVISIONS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to eligible agricultural products of Israel which are entered, or withdrawn from warehouse for consumption, on or after January 1, 2014 and before the close of December 31, 2014, subchapter VIII of chapter 99 of the Harmonized Tariff Schedule of the United States is hereby modified as follows:

1. U.S. note 1 to such subchapter is modified by deleting "December 31, 2013" and by inserting in lieu thereof "December 31, 2014".

2. U.S. note 3 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2014 466,000".

3. U.S. note 4 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2014 1,304,000".

4. U.S. note 5 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2014 1,534,000".

5. U.S. note 6 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2014 131,000".

6. U.S. note 7 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2014 707,000".

ANNEX II

MODIFICATIONS TO THE RULES OF ORIGIN FOR THE U.S.-KOREA FREE TRADE AGREEMENT, AS REFLECTED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods of Korea, under the terms of general note 33 of the Harmonized Tariff Schedule of the United States (HTS), that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2014, general note 33 to the HTS is modified as follows:

1. Tariff classification rule (TCR) 1 to chapter 3 is deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to headings 0301 through 0305 from any other chapter.

2. (A) A change to smoked goods of headings 0306 through 0308 from goods that are not smoked of headings 0306 through 0308 or from any other chapter; or

(B) A change to any other good of headings 0306 through 0308 from any other chapter."

2. TCRs 8 through 10, inclusive, to chapter 9 are deleted and the following new TCRs are inserted in lieu thereof:

"8. A change to subheadings 0904.21 through 0904.22 from any other chapter.

9. A change to subheadings 0905.10 through 0909.62 from any other subheading.

10. A change to subheadings 0910.11 through 0910.12 from any other chapter."

3. TCR 2 to chapter 13 is deleted and the following new TCR is inserted in lieu thereof:

"2. A change to subheadings 1302.11 through 1302.13 from any other chapter."

4. TCR 4 to chapter 16 is deleted and the following new TCR is inserted in lieu thereof:

"4. A change to subheadings 1604.14 through 1604.32 from any other chapter."

5. TCRs 1 through 3, inclusive, to chapter 19 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheading 1901.10 from any other chapter, except from heading 1006, and rice products of subheadings 1102.90, 1103.19, 1103.20, 1104.19, 1104.29 and 1104.30, and provided that goods of subheading 1901.10 containing over 10 percent by weight of milk solids do not contain nonoriginating dairy goods of chapter 4.

2. A change to subheading 1901.20 from any other chapter, except from heading 1006, and rice products of subheadings 1102.90, 1103.19, 1103.20, 1104.19, 1104.29 and 1104.30, and provided

that goods of subheading 1901.20 containing over 25 percent by weight of butterfat, not put up for retail sale, do not contain nonoriginating dairy goods of chapter 4.

3. A change to subheading 1901.90 from any other chapter, except from heading 1006, and rice products of subheadings 1102.90, 1103.19, 1103.20, 1104.19, 1104.29 and 1104.30, and provided that goods of subheading 1901.90 containing over 10 percent by weight of milk solids do not contain nonoriginating dairy goods of chapter 4."

6. TCR 5 to chapter 19 is deleted and the following new TCR is inserted in lieu thereof:

"5. A change to subheading 1904.90 from any other chapter, except from heading 1006."

7. TCR 5 to chapter 20 is deleted and the following new TCR is inserted in lieu thereof:

"5. A change to subheadings 2009.41 through 2009.89 from any other chapter."

8. TCR 6 to chapter 20 is deleted and the following new TCR is inserted in lieu thereof:

"6. (A) A change to subheading 2009.90 from any other chapter; or

(B) A change to cranberry juice mixtures of subheading 2009.90 from any other subheading within chapter 20, except from subheadings 2009.11 through 2009.39 or from subheading 2009.81, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method; or

(C) A change to any other good of subheading 2009.90 from any other subheading within chapter 20, whether or not there is also a change from any other chapter, provided that a single juice ingredient, or juice ingredients from Korea or the United States, constitute in single strength form not more than 60 percent by volume of the good."

9. TCR 3 to chapter 22 is deleted and the following new TCR is inserted in lieu thereof:

"3. (A) A change to juice of any single fruit or vegetable fortified with vitamins or minerals of subheading 2202.90 from any other chapter, except from headings 0805 or 2009, or from juice concentrates of subheading 2106.90;

(B) A change to mixtures of juices fortified with vitamins or minerals of subheading 2202.90:

(i) from any other chapter, except from headings 0805 or 2009 or from mixtures of juices of subheading 2106.90; or

(ii) from any other subheading within chapter 22, heading 2009 or from mixtures of juices of subheading 2106.90, whether or not there is also a change from any other chapter, provided that the juice of a single fruit or vegetable, or juice

ingredients from Korea or the United States, constitute in single strength form not more than 60 percent by volume of the good;

(C) A change to beverages containing milk of subheading 2202.90 from any other chapter, except from chapter 4 or from dairy preparations containing over 10 percent by weight of milk solids of subheading 1901.90; or

(D) A change to ginseng preparations of subheading 2202.90 from any other heading, except from subheadings 1211.20 and 1302.19."

10. TCR 3 to chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

"3. A change to headings 2810 through 2853 from any other heading."

11. TCRs 3 and 4 to chapter 29 are deleted and the following new TCRs are inserted in lieu thereof:

"3. A change to subheadings 2936.21 through 2936.29 from any other subheading.

4. (A) A change to unmixed provitamins of subheading 2936.90 from any other good of subheading 2936.90 or from any other subheading; or

(B) A change to any other good of subheading 2936.90 from any other subheading.

5. A change to subheadings 2937.11 through 2941.90 from any other subheading.

6. A change to heading 2942 from any other heading."

12. TCR 1 to chapter 30 is deleted and the following new TCR is inserted in lieu thereof:

"1. A change to subheadings 3001.20 through 3002.90 from any other subheading."

13. TCR 4 to chapter 30 is deleted and the following new TCR is inserted in lieu thereof:

"4. A change to subheadings 3005.10 through 3006.92 from any other subheading."

14. TCR 5 to chapter 32 is deleted and the following new TCRs are inserted in lieu thereof:

"5. A change to subheadings 3206.11 through 3206.42 from any other subheading.

5A. (A) A change to pigments and preparations based on cadmium compounds of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading; or

(B) A change to pigments and preparations based on hexacyanoferrates (ferrocyanides and ferricyanides) of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading; or

(C) A change to any other good of subheading 3206.49 from any other subheading.

5B. A change to subheading 3206.50 from any other subheading."

15. TCRs 1 through 3, inclusive, to chapter 33 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 3301.12 through 3301.13 from any other subheading.

2. (A) A change to essential oils of bergamot or lime of subheading 3301.19 from any other good of subheading 3301.19 or from any other subheading; or

(B) A change to any other good of subheading 3301.19 from essential oils of bergamot or lime of subheading 3301.19 or from any other subheading.

3. A change to subheadings 3301.24 through 3301.30 from any other subheading.

4. A change to subheading 3301.90 from any other heading, except from subheading 1211.20 and 1302.19.

5. A change to headings 3302 through 3307 from any other heading."

16. TCR 2 to chapter 38 is deleted and the following new TCR is inserted in lieu thereof:

"2. A change to subheadings 3808.50 through 3808.99 from any other subheading, provided that not less than 50 percent by weight of the total active ingredient or ingredients is originating."

17. The following new TCR to chapter 38 is inserted in numerical sequence:

"5. A change to heading 3826 from any other heading."

18. TCR 1 for chapter 41 is modified by deleting "4103.10" and by inserting in lieu thereof "4102.29".

19. TCR 3 for chapter 51 is modified by deleting "5403.20,".

20. TCR 1 for chapter 52 is modified by deleting "5403.20,".

21. TCR 2 for chapter 52 is modified by deleting "5403.20,".

22. TCRs 2 and 3 to chapter 54 are deleted and the following new TCRs are inserted in lieu thereof:

"2. A change to tariff items 5407.61.11, 5407.61.21 or 5407.61.91 from tariff items 5402.44.40, 5402.47.10 or 5402.52.10, or from any other chapter, except from headings 5106 through 5110, 5205 through 5206 or 5509 through 5510.; or

3. A change to heading 5407 from any other chapter, except from headings 5106 through 5110, 5205 through 5206, or 5509 through 5510."

23. TCR 1 for chapter 55 is modified by deleting "5403.20,".

24. TCR 2 for chapter 55 is deleted and the following new TCR is inserted in lieu thereof:

"2. A change to headings 5508 through 5511 from any other heading outside that group, except from headings 5201 through 5203 or 5401 through 5402, subheadings 5403.33 through 5403.39, 5403.42 through heading 5405, 5501 through subheading 5503.20 or 5503.40 through 5503.90 or headings 5505 through 5516."

25. TCR 3 for chapter 55 is modified by deleting "5403.20,".

26. TCR 1 for chapter 60 is modified by deleting "5403.20,".

27. TCRs 1 through 8, inclusive, for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 6101.20 through 6101.30 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

2. (A) A change to goods of wool or fine animal hair of subheading 6101.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(ii) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61; or

(B) A change to any other good of subheading 6101.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both.

3. (A) A change to subheadings 6102.10 through 6102.30 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311

or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(ii) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

4. A change to subheading 6102.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both.

5. (A) A change to tariff items 6103.10.70 or 6103.10.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both; or

(B) A change to any other good of subheading 6103.10 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(ii) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

6. A change to subheadings 6103.22 through 6103.29 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) with respect to a garment described in heading 6101 or a jacket or a blazer described in heading 6103, of wool, fine animal hair, cotton, or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61."

28. TCR 9 to chapter 61 is modified by deleting "5403.20,".

29. TCR 10 for chapter 61 is deleted and the following new TCR is inserted in lieu thereof:

"10. (A) A change to tariff items 6103.39.40 or 6103.39.80 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both; or

(B) A change to any other good of subheading 6103.39 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(ii) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61."

30. TCR 12 to chapter 61 is modified by deleting "5403.20,".

31. TCR 13 through 18, inclusive, to chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

"13. A change to subheading 6104.13 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

14. (A) A change to tariff items 6104.19.40 or 6104.19.80 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both; or

(B) A change to any other good of subheading 6104.19 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311, or5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(ii) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

15. A change to subheadings 6104.22 through 6104.29 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

    (A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

    (B) with respect to a garment described in heading 6102, a jacket or a blazer described in heading 6104 or a skirt described in heading 6104, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61.

16. A change to subheadings 6104.31 through 6104.32 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

    (A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

    (B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61."

32. TCR 19 to chapter 61 is modified by deleting "5403.20,".

33. TCR 20 to chapter 61 is modified by deleting "5403.20,".

34. TCR 21 to chapter 61 is modified by deleting "5403.20,".

35. TCR 22 to chapter 61 is deleted and the following new TCR is inserted in lieu thereof:

"22. A change to any other good of subheading 6104.59 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001 through 6006, provided that:

    (A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

    (B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 61."

36. TCR 23 to chapter 61 is modified by deleting "5403.20,".

37. TCR 24 to chapter 61 is modified by deleting "5403.20,".

38. TCR 25 to chapter 61 is modified by deleting "5403.20,".

39. TCR 26 to chapter 61 is modified by deleting "5403.20,".

40. TCR 27 to chapter 61 is modified by deleting "5403.20,".

41. TCR 28 to chapter 61 is modified by deleting "5403.20,".

42. TCR 29 to chapter 61 is modified by deleting "5403.20,".

43. TCR 30 to chapter 61 is modified by deleting "5403.20,".

44. TCR 31 to chapter 61 is modified by deleting "5403.20,".

45. TCR 32 to chapter 61 is modified by deleting "5403.20,".

46. TCR 33 to chapter 61 is modified by deleting "5403.20,".

47. TCR 34 to chapter 61 is modified by deleting "5403.20,".

48. TCR 35 to chapter 61 is modified by deleting "5403.20,".

49. TCR 36 to chapter 61 is modified by deleting "5403.20,".

50. TCR 37 to chapter 61 is modified by deleting "5403.20,".

51. TCR 1 to chapter 62 is modified by deleting "5403.20,".

52. TCR 2 to chapter 62 is modified by deleting "5403.20,".

53. TCR 3 to chapter 62 is modified by deleting "5403.20,".

54. TCR 4 to chapter 62 is modified by deleting "5403.20,".

55. TCR 5 to chapter 62 is modified by deleting "5403.20,".

56. TCR 6 to chapter 62 is modified by deleting "5403.20,".

57. TCR 7 to chapter 62 is modified by deleting "5403.20,".

58. TCR 8 to chapter 62 is modified by deleting "5403.20,".

59. TCR 9 to chapter 62 is modified by deleting "5403.20,".

60. TCR 10 to chapter 62 is modified by deleting "5403.20,".

61. TCR 11 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"11. A change to any other good of subheading 6203.19 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

62. TCR 12 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"12. A change to subheadings 6203.22 through 6203.29 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) with respect to a garment described in heading 6201 or a jacket or a blazer described in heading 6203, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

63. TCR 13 to chapter 62 is modified by deleting "5403.20,".

64. TCR 14 to chapter 62 is modified by deleting "5403.20,".

65. TCR 15 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"15. A change to any other good of subheading 6203.39 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

66. TCR 16 to chapter 62 is modified by deleting "5403.20,".

67. TCR 17 to chapter 62 is modified by deleting "5403.20,".

68. TCR 18 to chapter 62 is modified by deleting "5403.20,".

69. TCR 19 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"15. A change to any other good of subheading 6204.19 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

70. TCR 20 to chapter 62 is modified by deleting "5403.20,".

71. TCR 21 to chapter 62 is modified by deleting "5403.20,".

72. TCR 22 to chapter 62 is modified by deleting "5403.20,".

73. TCR 23 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"23. A change to any other good of subheading 6204.39 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

74. TCR 24 to chapter 62 is modified by deleting "5403.20,".

75. TCR 25 to chapter 62 is modified by deleting "5403.20,".

76. TCR 26 to chapter 62 is modified by deleting "5403.20,".

77. TCR 27 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"27. A change to any other good of subheading 6204.59 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through

5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both, and

(B) any visible lining material used in the apparel article satisfies the requirements of chapter rule 1 for chapter 62."

78. TCR 28 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"28. A change to subheading 6204.61 through 6204.69 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both."

79. TCR 29 to chapter 62 is deleted.

80. TCR 30 to chapter 62 is modified by deleting "5403.20,".

81. TCRs 31 through 33, inclusive, to chapter 62 are deleted and the following new TCRs are inserted in lieu thereof:

"31. A change to subheading 6205.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both.

32. A change to headings 6206 through 6210 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both.

33. A change to subheadings 6211.11 through 6211.12 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both."

82. TCR 34 to chapter 62 is modified by deleting "5403.20,".

83. TCR 35 to chapter 62 is deleted and the following new TCR is inserted in lieu thereof:

"35. A change to subheadings 6211.32 through 6211.49 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Korea or of the United States, or both."

84. TCR 36 to chapter 62 is modified by deleting "5403.20,".

85. TCR 37 to chapter 62 is modified by deleting "5403.20,".

86. TCR 1 to chapter 63 is modified by deleting "5403.20,".

87. TCRs 2 and 3 to chapter 63 are deleted and the following new TCRs are inserted in lieu thereof:

"2. A change to tariff item 6303.92.10 from tariff items 5402.44.40, 5402.47.10 or 5402.52.10 or any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Korea or of the United States, or both.

3. A change to any other good of heading 6303 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Korea or of the United States, or both."

88. TCR 4 to chapter 63 is modified by deleting "5403.20,".

89. TCR 6 to chapter 63 is modified by deleting "5403.20,".

90. TCR 1 to chapter 64 is deleted and the following new TCR is inserted in lieu thereof:

"1. A change to subheading 6401.10 or tariff items 6401.92.90, 6401.99.10, 6401.99.30, 6401.99.60, 6401.99.90, 6402.91.10, 6402.91.20, 6402.91.26, 6402.91.50, 6402.91.80, 6402.91.90, 6402.99.08, 6402.99.16, 6402.99.19, 6402.99.33, 6402.99.80, 6402.99.90, 6404.11.90 or 6404.19.20 from any other heading outside headings 6401 through 6405, except from subheading 6406.10, provided that there is a regional value content of not less than 55 percent under the build-up method; or"

91. TCR 2 to chapter 65 is deleted and the following new TCR is inserted in lieu thereof:

"2. A change to headings 6504 through 6506 from any other heading, except from headings 6504 through 6507."

92. TCRs 2 through 4, inclusive, to chapter 68 are deleted and the following new TCRs are inserted in lieu thereof:

"2. A change to subheading 6812.80 from any other heading.

3. A change to subheading 6812.91 from any other subheading.

4. A change to subheadings 6812.92 through 6812.99 from any other heading.

5. A change to headings 6813 through 6815 from any other heading."

93. TCR 4 to chapter 70 is deleted and the following new TCR is inserted in lieu thereof:

"4. A change to headings 7009 through 7018 from any other heading outside that group, except from glass inners for vacuum flasks or other vacuum vessels of heading 7020 or headings 7007 through 7008."

94. TCR 14 for chapter 73 is modified by deleting at each instance "7321.83" and by inserting in lieu thereof "7321.89".

95. TCR 1 to chapter 78 is deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to heading 7801 through 7804 from any other heading.

2. (A) A change to lead bars, rods, profiles and wire of heading 7806 from any other good of heading 7806 or from any other heading; or

(B) A change to lead tubes, pipes and tube or pipe fittings of heading 7806 from any other good of heading 7806 or from any other heading; or

(C) A change to any other good of heading 7806 from lead bars, rods, profiles or wire of heading 7806, or from lead tubes, pipes or tube or pipe fittings of heading 7806 or from any other heading."

96. TCR 4 to chapter 79 is deleted and the following new TCRs are inserted in lieu thereof:

"4. A change to headings 7904 through 7905 from any other heading.

5. (A) A change to zinc tubes, pipes or tube or pipe fittings of heading 7907 from any other good of heading 7907 or any other heading; or

(B) A change to any other good of heading 7907 from zinc tubes, pipes or tube or pipe fittings of heading 7907 or any other heading."

97. TCRs 1 through 3, inclusive, to chapter 80 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to headings 8001 through 8003 from any other heading.

2. (A) A change to tin plates, sheets or strip, of a thickness exceeding 0.2 mm, of heading 8007 from any other good of heading 8007 or from any other heading; or

(B) A change to tin foil, of a thickness not exceeding 0.2 mm, tin powders or flakes of heading 8007 from any other good of heading 8007 or from any other heading, except from plates, sheets or strip, of a thickness exceeding 0.2 mm, of heading 8007; or

(C) A change to tin tubes, pipes and tube or pipe fittings of heading 8007 from any other good of heading 8007 or from any other heading; or

(D) A change to any other good of heading 8007 from tin plates, sheets or strip, of a thickness exceeding 0.2 mm, tin foil of thickness not exceeding 0.2 mm, tin powders or flakes, tin tubes, pipes or tube or pipe fittings of heading 8007, or from any other heading."

98. TCRs 1 through 3, inclusive, to chapter 81 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 8101.10 through 8101.94 from any other subheading.

2. A change to subheading 8101.96 from any other subheading, except from bars, rods (other than those obtained simply by sintering), profiles, plates, sheets, strip or foil of subheading 8101.99.

3. A change to subheading 8101.97 from any other subheading.

3A. (A) A change to bars, rods (other than those obtained simply by sintering), profiles, plates, sheets, strip or foil of subheading 8101.99 from any other good of subheading 8101.99 or from any other subheading; or

(B) A change to any other good of subheading 8109.99 from bars, rods (other than those obtained simply by sintering), profiles, plates, sheets, strip or foil of subheading 8101.99 or from any other subheading."

99. TCR 15 for chapter 81 is modified by deleting "8113.19" and by inserting in lieu thereof "8112.19".

100. TCRs 17 and 18 to chapter 81 are deleted and the following new TCRs are inserted in lieu thereof:

"17. (A) A change to unwrought germanium or vanadium, germanium or vanadium waste, scrap or powders of subheading 8112.92 from any other chapter; or

(B) No change in tariff classification is required for articles of unwrought germanium or vanadium or germanium or vanadium waste, scrap or powders of subheading 8112.92, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method; or

(C) A change to other goods of subheading 8112.92 from any other chapter.

18. (A) A change to articles of vanadium or germanium of subheading 8112.99 from any other chapter; or

(B) No change in tariff classification is required for articles of germanium or vanadium, provided that there is a regional value content of not less than

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method; or

(C) A change to other goods of subheading 8112.99 from articles of germanium or vanadium of subheading 8112.99 or from any other subheading."

101. TCR 18 for chapter 84 is modified by deleting "though" and by inserting in lieu thereof "through".

102. TCR 44 for chapter 84 is modified by inserting "from" immediately after "8419.90".

103. TCR 62 for chapter 84 is deleted and the following new TCR is inserted in lieu thereof:

"62. A change to subheading 8442.30 from any other subheading."

104. TCRs 64 through 66, inclusive, to chapter 84 are deleted and the following new TCRs are inserted in lieu thereof:

"64. (A) A change to subheadings 8443.11 through 8443.39 from any other subheading outside that group, except from subheadings 8443.91 through 8443.99; or

(B) A change to subheadings 8443.11 through 8443.39 from subheadings 8443.91 through 8443.99, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method.

65. (A) A change to machines for uses ancillary to printing of subheading 8443.91 from any other good of subheading 8443.91 or from any other subheading except from subheadings 8443.11 through 8443.39; or

(B) A change to any other good of subheading 8443.91 from any other heading.

66. (A) A change to subheading 8443.99 from any other subheading; or

(B) No change in tariff classification is required, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method."

105. TCR 72 for chapter 84 is deleted and the following new TCR is inserted in lieu thereof:

"72. A change to subheading 8450.30 from any other subheading."

106. TCRs 95 and 96 for chapter 84 are deleted and the following new TCR is inserted in lieu thereof:

"95. A change to heading 8469 from any other heading."

107. TCR 122 for chapter 84 is deleted and the following new TCRs are inserted in lieu thereof:

"122. (A) A change to subheadings 8486.10 through 8486.40 from any other subheading; or

(B) No change in tariff classification to such subheadings is required, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method.

123. (A) A change to subheading 8486.90 from any other heading; or

(B) No change in tariff classification to such subheading is required, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method.

124. A change to heading 8487 from any other heading."

108. TCRs 8 and 9 for chapter 85 are deleted and the following new TCRs are inserted in lieu thereof:

"8. A change to subheadings 8505.11 through 8505.20 from any other subheading.

9. (A) A change to electro-magnetic lifting heads of subheading 8505.90 from any other good of subheading 8505.90 or from any other subheading; or

(B) A change to any other good of subheading 8505.90 from any other heading."

109. TCR 16 for chapter 85 is deleted and the following new TCRs are inserted in lieu thereof:

"16. (A) A change to subheadings 8508.11 through 8508.60 from any other heading; or

(B) A change to subheadings 8508.11 through 8508.60 from any other subheading, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method.

16A. A change to subheading 8508.70 from any other heading.

16B. (A) A change to subheadings 8509.40 through 8509.80 from any other heading; or

(B) A change to subheadings 8509.40 through 8509.80 from any other subheading, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method."

110. TCR 23 for chapter 85 is modified by deleting "form" and by inserting in lieu thereof "from".

111. TCR 39 for chapter 85 is deleted and the following new TCRs are inserted in lieu thereof:

"39. A change to subheadings 8517.11 through 8517.69 from any other subheading.

39A. (A) A change to subheading 8517.70 from any other heading; or

(B) No change in tariff classification to such subheading is required, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method."

112. TCRs 44 through 61, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in lieu thereof:

"44. A change to subheadings 8519.20 through 8519.89 from any other subheading.

45. A change to subheadings 8521.10 through 8522.90 from any other subheading.

46. (A) A change to subheadings 8523.21 through 8523.80 from any other subheading; or

(B) A change to recorded media of subheadings 8523.21 through 8523.80 from unrecorded media of subheadings 8523.21 through 8523.80.

47. A change to subheading 8525.50 from any other subheading, except from subheading 8525.60.

48. A change to subheadings 8525.60 through 8525.80 from any other subheading.

49. A change to subheadings 8526.10 through 8527.99 from any other subheading.

50. A change to subheading 8528.41 from any other heading, except from heading 8471.

51. (A) A change to subheading 8528.49 from any other heading, except from heading 8529; or

(B) A change to subheading 8528.49 from subheading 8529.90, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than:

(i) 40 percent under the build-up method, or

(ii) 50 percent under the build-down method.

52. A change to subheading 8528.51 from any other heading, except from heading 8471.

53. (A) A change to subheading 8528.59 from flat panel screen assemblies of subheading 8529.90 containing a digital micromirror device, or from any other heading, except from subheading 9013.80 or any other good of heading 8529; or

(B) A change to subheading 8528.59 from subheading 8529.90, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than:

(i) 40 percent under the build-up method, or

(ii) 50 percent under the build-down method.

54. A change to subheading 8528.61 from any other heading, except from heading 8471.

55. (A) A change to subheading 8528.69 from flat panel screen assemblies of subheading 8529.90 containing a digital micromirror device, or from any other heading, except from subheading 9013.80 or any other good of heading 8529; or

(B) A change to subheading 8528.69 from subheadings 8529.90 or 9013.80, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than:

(i) 40 percent under the build-up method, or

(ii) 50 percent under the build-down method.

56. A change to subheading 8528.71 from any other heading.

57. (A) A change to subheading 8528.72 from flat panel screen assemblies of subheading 8529.90 containing a digital micromirror device, or from any other heading, except from subheading 9013.80 or any other good of heading 8529; or

(B) A change to subheading 8528.72 from subheadings 8529.90 or 9013.80, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than:

(i) 40 percent under the build-up method, or

(ii) 50 percent under the build-down method.

58. A change to subheading 8528.73 from any other heading."

113. TCR 84 for chapter 85 is deleted and the following new TCR is inserted in lieu thereof:

"84. A change to subheading 8543.10 from any other subheading except from ion implanters for doping semiconductor materials of subheading 8486.20."

114. TCR 87 for chapter 85 is deleted and the following new TCR is inserted in lieu thereof:

"87. A change to subheading 8543.70 from any other subheading."

115. TCR 93 for chapter 85 is deleted.

116. TCR 7 to chapter 87 is modified by inserting "that" after "provided".

117. TCR 8 for chapter 87 is modified by deleting "8714.11" at each instance and by inserting in lieu thereof "8714.10".

118. TCRs 1 and 2 for chapter 88 are deleted and the following new TCRs are inserted in lieu thereof:

"1. (A) A change to subheading 8543.70 from any other subheading.

(B) A change to gliders and hang gliders of heading 8801 from any other good of heading 8801 or from any other heading; or

(C) A change to any other good of heading 8801 from gliders and hang gliders of heading 8801 or from any other heading.

2. A change to subheadings 8802.11 through 8803.90 from any other subheading."

119. TCR 13 for chapter 90 is modified by deleting "9007.11" at each instance and by inserting in lieu thereof "9007.10".

120. TCR 15 for chapter 90 is deleted and the following new TCR is inserted in lieu thereof:

"15. (A) A change to subheading 9008.50 from any other heading, or

(B) A change to subheading 9008.50 from any other subheading, provided that there is a regional value content of not less than:

(i) 35 percent under the build-up method, or

(ii) 45 percent under the build-down method."

121. TCRs 17 through 19, inclusive, for chapter 90 are deleted.

122. TCR 51 for chapter 90 is deleted and the following new TCRs are inserted in lieu thereof:

"51. A change to subheadings 9030.10 through 9030.20 from any other subheading.

51A. A change to subheading 9030.31 from any other subheading.

51B. A change to subheading 9030.32 from any other subheading, except from subheadings 9030.20, 9030.39 or 9030.84.

51C. A change to subheadings 9030.33 through 9030.82 from any other subheading.

51D. A change to subheading 9030.84 from any other subheading, except from subheadings 9030.20, 9030.32 or 9030.39.

51E. A change to subheading 9030.89 from any other subheading."

123. TCR 2 for chapter 91 is deleted.

124. TCR 1 for chapter 95 is modified by deleting "9501.00" and by inserting in lieu thereof "9503.00".

125. TCR 8 for chapter 96 is modified by deleting "9608.31" at each instance and by inserting in lieu thereof "9608.30".

126. TCRs 16 and 17 for chapter 96 are deleted and the following new TCR is inserted in lieu thereof:

"16. A change to heading 9614 from any other heading."

127. The following new heading rule is inserted for chapter 96 immediately below TCR 22 to such chapter:

"**Heading Rule**: For the purposes of determining the origin of a good of textile materials of this heading, the rule applicable to that good shall only apply to the component that determines the tariff classification of the good and such component must satisfy the change of tariff classification requirements set out in the rule for that good."

128. The following new TCR to chapter 96 is inserted in numerical sequence:

"23. (A) A change to goods of textile wadding of heading 9619 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311 or chapters 54 through 56; or

(B) A change to a good of textile materials other than wadding of heading 9619 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311 or 5401 through 5402, subheadings 5403.33 through 5403.39 or 5403.42 through heading 5408 or headings 5508 through 5516 or 6001

through 6006, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Korea or of the United States, or both; or

(C) A change to any other good of heading 9619 from any other heading."

ANNEX III

Modifications to the Harmonized Tariff Schedule of the United States

Effective with respect to goods which are entered, or withdrawn from warehouse for consumption, on or after July 31, 2013, the Harmonized Tariff Schedule of the United States is hereby modified as provided below:

1. General note 3(a)(iv)(E) is deleted.

2. General note 3(c) modified by deleting the following language:

"Andean Trade Preference Act or
Andean Trade Promotion and Drug Eradication Act. . . . . J, J* or J+"

3. General note 11 is deleted in its entirety.

4. Chapter 98, subchapter II, U.S. note 7(c) is deleted.

5. Chapter 98, subchapter XXI is deleted in its entirety.

6. (a) In chapters 1 through 99 of the HTS, all instances of the symbol "J,", "J+," and "J*,"are deleted from the "Rates of Duty 1-Special subcolumn" for all headings and subheadings.

(b) In headings 9901.00.50 and 9901.00.52, the symbol ", J" is deleted from the "Rates of Duty 1-Special" subcolumn.

ANNEX IV

To Modify the Harmonized Tariff Schedule of the United States Concerning Certain Goods of Chile

Effective with respect to goods of Chile, under the terms of general note 26 to the Harmonized Tariff Schedule of the United States (HTS), entered, or withdrawn from warehouse for consumption, on or after the date of signature of this proclamation, the HTS is hereby modified as follows:

1. Subheadings 4011.10.10 and 4011.20.10 are each modified by deleting, from the Rates of Duty 1-Special subcolumn, the rates of duty followed by the symbol "CL" in parentheses and by inserting in alphabetical sequence in the parenthetical reference after the Special duty rate of "Free" the symbol "CL,".

2. Subchapter XI of chapter 99 of the HTS is modified by deleting U.S. notes 15 and 16.

3. Such subchapter XI of chapter 99 is further modified by deleting subheadings 9911.40.05 through 9911.40.25, inclusive, and the superior text thereto.

Proclamation 9073 of December 31, 2013

National Mentoring Month, 2014

By the President of the United States of America
A Proclamation

In every corner of our Nation, mentors push our next generation to shape their ambitions, set a positive course, and achieve their boundless potential. During National Mentoring Month, we celebrate everyone who teaches, inspires, and guides young Americans as they reach for their dreams.

Mentors help children build confidence, gain knowledge, and develop the strength of character to succeed inside and outside of the classroom. They are relatives, teachers, coaches, ministers, and neighbors.

Anyone can be a mentor, and every child should have the chance to be a mentee. Young people with mentors have better attendance in school, higher self-esteem, a greater chance of pursuing higher education, and a reduced risk of substance abuse. That is why my Administration is creating new opportunities to give back—from expanding national service, promoting responsible fatherhood, and challenging businesses to grow their mentoring activities, to First Lady Michelle Obama's mentoring initiative, which pairs local high school girls with powerful role models. For more information on how to get involved in a mentoring program, visit www.Serve.gov/Mentor.

America is at its best when we lift each other up, when we pursue our individual goals while never forgetting that we are bound as one Nation and as one people. If we carry this spirit forward, if we take responsibility for our future leaders and give them the tools to succeed, America's best days will always lie ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2014 as National Mentoring Month. I call upon public officials, business and community leaders, educators, and Americans across the country to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9074 of December 31, 2013

National Slavery and Human Trafficking Prevention Month, 2014

By the President of the United States of America

A Proclamation

Over a century and a half after President Abraham Lincoln issued the Emancipation Proclamation, millions remain in bondage—children forced to take part in armed conflict or sold to brothels by their destitute families, men and women who toil for little or no pay, who are threatened and beaten if they try to escape. Slavery tears at our social fabric, fuels violence and organized crime, and debases our common humanity. During National Slavery and Human Trafficking Prevention Month, we renew our commitment to ending this scourge in all its forms.

Because modern-day slavery is a global tragedy, combating it requires international action. The United States is shining a spotlight on the dark corners where it persists, placing sanctions on some of the worst abusers, giving countries incentives to meet their responsibilities, and partnering with groups that help trafficking victims escape from their abusers' grip. We are working with other nations as they step up their

own efforts, and we are seeing more countries pass anti-human trafficking laws and improve enforcement.

At home, we are leading by example. My Administration is cracking down on traffickers, charging a record number of perpetrators. We are deploying new technology in the fight against human trafficking, developing the Federal Government's first-ever strategic action plan to strengthen victim services, and strengthening protections against human trafficking in Federal contracts. During the past year, the White House has hosted events on combating human trafficking, bringing together leaders from every sector of society. Together, we came up with new ideas to fight trafficking at the national and grassroots levels.

As we work to dismantle trafficking networks and help survivors rebuild their lives, we must also address the underlying forces that push so many into bondage. We must develop economies that create legitimate jobs, build a global sense of justice that says no child should ever be exploited, and empower our daughters and sons with the same chances to pursue their dreams. This month, I call on every nation, every community, and every individual to fight human trafficking wherever it exists. Let us declare as one that slavery has no place in our world, and let us finally restore to all people the most basic rights of freedom, dignity, and justice.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2014 as National Slavery and Human Trafficking Prevention Month, culminating in the annual celebration of National Freedom Day on February 1. I call upon businesses, national and community organizations, faith-based groups, families, and all Americans to recognize the vital role we can play in ending all forms of slavery and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9075 of December 31, 2013

National Stalking Awareness Month, 2014

By the President of the United States of America
A Proclamation

Each January, we draw attention to a crime that will affect 1 in 6 American women at some point in their lives. Although young women are disproportionately at risk, anyone can be a victim of stalking—regardless of age, sex, background, or gender identity. While many victims are stalked by ex-partners, sometimes the perpetrators are acquaintances or even strangers. During National Stalking Awareness Month, we extend our support to victims and renew our commitment to holding their stalkers accountable.

Stalkers seek to intimidate their victims through repeated unwanted contact, including harassing phone calls, text messages, or emails. Cyberstalking is increasingly prevalent, with more than one quarter of stalking victims reporting being harassed through the Internet or electronically monitored. Many victims suffer from anxiety, depression, and insomnia, and some are forced to move or change jobs. Stalking all too often goes unreported, yet it also tends to escalate over time, putting victims at risk of sexual assault, physical abuse, or homicide.

My Administration remains dedicated to pursuing justice for victims of stalking and ensuring survivors receive the support they need. Last March, I was proud to sign the Violence Against Women Reauthorization Act. Every time we renew this landmark legislation, we improve it, and this time was no exception. This renewal expanded protections for Native American and lesbian, gay, bisexual, and transgender victims of stalking, domestic violence, and sexual assault. It amended the Clery Act to require colleges to report crime statistics on stalking, continued to allow relief for immigrant victims, and strengthened support and training programs that have proven effective in helping law enforcement bring offenders to justice.

We also stand behind the tireless advocates who provide essential services to victims. Along with law enforcement, prosecutors, court personnel, and survivors, these devoted women and men are links in a chain that has made a difference—one person, one family, one case at a time. This month, let us resolve to strengthen this chain, bring stalkers to justice, and give hope to everyone who has suffered from this crime.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2014 as National Stalking Awareness Month. I call upon all Americans to recognize the signs of stalking, acknowledge stalking as a serious crime, and urge those affected not to be afraid to speak out or ask for help. Let us also resolve to support victims and survivors, and to create communities that are secure and supportive for all Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Page

A

Accuracy for Adoptees Act 1212
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 199
Alaska Native Tribal Health Consortium Land Transfer Act 1205
Alicia Dawn Koehl Respect for National Cemeteries Act 669
Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 451
Animal Drug User Fee Amendments of 2013 451
Animal Generic Drug User Fee Amendments of 2013 464

B

Bipartisan Budget Act of 2013 1165
Bipartisan Student Loan Certainty Act of 2013 506
Bonneville Unit Clean Hydropower Facilitation Act 488
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act 498

C

CHIMP Act Amendments of 2013 646
Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 233
Community Fire Safety Act of 2013 668
Compounding Quality Act 587
Congressional Award Program Reauthorization Act of 2013 554
Consolidated and Further Continuing Appropriations Act, 2013 198
Continuing Appropriations Act, 2014 558

D

Default Prevention Act of 2013 566
Denali National Park Improvement Act 514
Department of Commerce Appropriations Act, 2013 234
Department of Defense Appropriations Act, 2013 279
Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014 555

Page

Department of Homeland Security Appropriations Act, 2013 342
Department of Justice Appropriations Act, 2013 243
Department of Veterans Affairs Expiring Authorities Act of 2013 523
Disaster Relief Appropriations Act, 2013 4
District of Columbia Chief Financial Officer Vacancy Act 441
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599

E

E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013 527

F

Fallen Firefighters Assistance Tax Clarification Act of 2013 667
FOR VETS Act of 2013 502
Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013 502
Freedom to Fish Act 449
Full-Year Continuing Appropriations Act, 2013 412

H

Helium Stewardship Act of 2013 534
Helping Heroes Fly Act 503
HIV Organ Policy Equity Act 579
Hydropower Regulatory Efficiency Act of 2013 493

M

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 384
Military Construction Authorization Act for Fiscal Year 2014 985
Military Land Withdrawals Act of 2013 1025
Minuteman Missile National Historic Site Boundary Modification Act 521

N

Natchez Trace Parkway Land Conveyance Act of 2013 519
National Defense Authorization Act for Fiscal Year 2014 672

Page

National Pediatric Research Network Act of 2013 644
Native American Veterans' Memorial Amendments Act of 2013 1208
No Budget, No Pay Act of 2013 51

O

Organization of American States Revitalization and Reform Act of 2013 548

P

Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
Pathway for SGR Reform Act of 2013 1195
Pay Our Military Act 532
PEPFAR Stewardship and Oversight Act of 2013 648
Powell Shooting Range Land Conveyance Act 512
PREEMIE Reauthorization Act 641
Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act 641

R

Reducing Flight Delays Act of 2013 443
Reverse Mortgage Stabilization Act of 2013 509

Page

S

SAFER Act of 2013 127
Sandy Recovery Improvement Act of 2013 39
School Access to Emergency Epinephrine Act 575
Science Appropriations Act, 2013 261
Sexual Assault Forensic Evidence Reporting Act of 2013 127
Small Airplane Revitalization Act of 2013 584
South Utah Valley Electric Conveyance Act 485
Stolen Valor Act of 2013 448
Streamlining Claims Processing for Federal Contractor Employees Act 578

U

United States Parole Commission Extension Act of 2013 572

V

VA Expiring Authorities Extension Act of 2013 658
Veterans' Compensation Cost-of-Living Adjustment Act of 2013 582
Vietnam Veterans Donor Acknowledgment Act of 2013 490
Violence Against Women Reauthorization Act of 2013 54

Page

A

Adkins, Bennie G. 769
Adoption
See also Children, Youth, and Families
Accuracy for Adoptees Act 1212
Afghanistan
Task Force for Business and Stability Operations in Afghanistan, extension 940
Agriculture
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 199
Aircraft and Aviation
See Transportation
Alaska
Alaska Native Tribal Health Consortium Land Transfer Act 1205
Denali National Park Improvement Act 514
Kantishna Hills MicroHydro projects, permits 514
Walter Harper Talkeetna Ranger Station, designation 516
Aliens and Nationality
See also Immigration
Accuracy for Adoptees Act 1212
Special immigrant status extension and nonimmigrant visas fee increase 552
Anderson, Michael Lashawn 671
Animals
Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 451
Animal Drug User Fee Amendments of 2013 451
Animal Generic Drug User Fee Amendments of 2013 464
CHIMP Act Amendments of 2013 646
Appropriations
Agriculture, Rural Development, Food and Drug Administration, and related agencies, 2013 199
Authorizations
CHIMP Act Amendments of 2013 646
Defense Nuclear Facilities Safety Board, 2013 1084
E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013 527
Human trafficking victims protection, adjustment 155
Maritime Administration, 2014 1084
Military Construction Authorization Act for Fiscal Year 2014 985
National Defense Authorization Act for Fiscal Year 2014 672
Naval petroleum reserves, 2014 1084
Commerce Department, 2013 234
Commerce, Justice, Science, and related agencies, 2013 233
Consolidated, 2013 198
Continuing 198, 412, 532, 555, 558
Defense Department, 2013 279
Disaster Relief Appropriations Act, 2013 4
Homeland Security Department, 2013 342
Justice Department, 2013 243
Military Construction, Veterans Affairs, and related agencies, 2013 384
Science, 2013 261
Supplemental, 2013 4
Armed Forces
Council on Oversight of the National Leadership Command, Control, and Communications System, establishment 859
Department of Defense Appropriations Act, 2013 279
Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014 555
Helping Heroes Fly Act 503
Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 384
Military Construction Authorization Act for Fiscal Year 2014 985
National Defense Authorization Act for Fiscal Year 2014 672
Pay Our Military Act 532
Stolen Valor Act of 2013 448
Arms and Munitions
See also Weapons
Undetectable firearms amendment, extension 656
Awards, Decorations, Medals, Etc.
Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, establishment 767
Congressional Award Program Reauthorization Act of 2013 554
Medals
Congressional Gold Medals 446, 477
Distinguished Service Cross 770, 771
Medals of Honor 769, 771
Stolen Valor Act of 2013 448

B

Banks and Banking
Reverse Mortgage Stabilization Act of 2013 509
Boards, Commissions, Committees, Etc.
Advisory committee on compounding, establishment 592

Page

Boards, Commissions, Committees, Etc.—Continued
Advisory Committee on Homeless Veterans, extension 663
Advisory Committee on Infant Mortality, establishment..... 643
Communications Security Review and Advisory Board, establishment 724
Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise, deadlines modifications..... 1069
Council on Oversight of the National Leadership Command, Control, and Communications System, establishment 859
Defense Nuclear Facilities Safety Board, appropriations authorization 1084
Economic Adjustment Committee, Guam infrastructure funding, convening 1016
Executive Committee to support the development and validation of adopted electronic health record standards, establishment..... 797
Federal Election Commission, administrative authority, extension and expansion 1210
Joint task forces to provide support to law enforcement agencies conducting counterterrorism activities, extension 844
Nuclear Weapons Council, responsibilities and reporting requirements, modification 861
Resource Management Group, establishment 1038
Task Force for Business and Stability Operations in Afghanistan, extension 940
Task force on human trafficking, establishment 244
Task force on records access for security clearance background investigations, establishment 821
United States Parole Commission Extension Act of 2013 572
Budget
Bipartisan Budget Act of 2013..... 1165
No Budget, No Pay Act of 2013 51
Business and Industry
Compounding Quality Act 587
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599
Task Force for Business and Stability Operations in Afghanistan, extension 940

Page

C

California
Chocolate Mountain Aerial Gunnery Range, land transfer 1040
Former Oxnard Air Force Base, land conveyance 1017
Marine Corps Air Ground Combat Center Twentynine Palms, withdrawal and reservation 1034
Naval Air Weapons Station China Lake, withdrawal and reservation 1044
Naval Base Ventura County, real property acquisition..... 1017
Cemeteries
Alicia Dawn Koehl Respect for National Cemeteries Act 669
Charitable Organizations
Fallen Firefighters Assistance Tax Clarification Act of 2013 667
Children, Youth, and Families
Accuracy for Adoptees Act 1212
E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013 527
National Pediatric Research Network Act of 2013..... 644
Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act 641
Violence Against Women Reauthorization Act of 2013 54
Young victims of violence, services and protection 84
Coins
See Money and Finance
Collins, Addie Mae 446
Colorado
Federal Permit Streamlining Pilot Project Offices, modification..... 1207
Commerce and Trade
Department of Commerce Appropriations Act, 2013..... 234
Helium Stewardship Act of 2013 534
Small Airplane Revitalization Act of 2013 584
Commissions and Committees
See Boards, Commissions, Committees, Etc.
Concurrent Resolutions
Adjournments 1216, 1219, 1221, 1222, 1226, 1227, 1228, 1229
Armed Forces religious services and clergy, support 1226
Capitol buildings and grounds
Emancipation Hall
Frederick Douglass statue, authorization.....1221
King Kamehameha, birthday celebration, authorization 1221

Page

Nelson Mandela's birth, 95th anniversary, authorization 1223
Frank R. Lautenberg, funeral services, catafalque authorization 1222
Joint Congressional Committee on Inaugural Ceremonies, authorization 1215
National Honor Guard and Pipe Band Exhibition, authorization 1220
National Peace Officers' Memorial Service, authorization 1218
Rotunda
Congressional Gold Medal award ceremonies, authorization 1217, 1228
Holocaust days of remembrance ceremony, authorization 1217
Soap box derby races, authorization 1218
2013 Special Olympics law enforcement torch run, authorization 1223
Commemorations
Korean War Armistice Agreement, 60th anniversary 1224
Enrolled bills, corrections, etc.
National Defense Authorization Act for Fiscal Year 2014 (H.R. 3304) 1229
Joint Congressional Committee on Inaugural Ceremonies, reauthorization 1215
Joint sessions 1215, 1216

Congress
Bipartisan Budget Act of 2013 1165
Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise, deadlines modifications 1069
Congressional Award Program Reauthorization Act of 2013 554
No Budget, No Pay Act of 2013 51

Connecticut
LT John S. Turner Army Reserve Center, land conveyance 1022
Paul J. Sutcovoy Army Reserve Center, land conveyance 1022

Conservation
See Historic Preservation

Consumer Protection
Compounding Quality Act 587
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599

Courts
Mississippi southern judicial district, realignment 665
Supreme Court police protection authority, extension 666

Cushing, Alonzo H. 771

Page

D

Dams
See Water

Defense and National Security
See also Homeland Security
Center for Security Technology, Analysis, Response, and Testing, establishment 1058
Communications Security Review and Advisory Board, establishment 724
Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise, deadlines modifications 1069
Council on Oversight of the National Leadership Command, Control, and Communications System, establishment 859
Defense Nuclear Facilities Safety Board, appropriations authorization 1084
Department of Defense Appropriations Act, 2013 279
Department of Defense Survivor Benefits Continuing Appropriations Resolution, 2014 555
Executive Committee to support the development and validation of adopted electronic health record standards, establishment 797
Helium Stewardship Act of 2013 534
Joint task forces to provide support to law enforcement agencies conducting counterterrorism activities, extension 844
Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 384
Military Construction Authorization Act for Fiscal Year 2014 985
Military Land Withdrawals Act of 2013 1025
National Defense Authorization Act for Fiscal year 2014 672
Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
Pay Our Military Act 532

Disaster Assistance
Disaster Relief Appropriations Act, 2013 4
National flood insurance program borrowing authority, temporary increase 3
Sandy Recovery Improvement Act of 2013 39

Diseases
HIV Organ Policy Equity Act 579
PEPFAR Stewardship and Oversight Act of 2013 648

Page

District of Columbia
Chief Financial Officer
Compensation clarification 1209
Vacancy rules 441
Douglas A. Munro Coast Guard Headquarters Building, designation..... 511
Vietnam Veterans Donor Acknowledgment Act of 2013 490
Drugs and Drug Abuse
See also Law Enforcement and Crime
Compounding Quality Act 587
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599

E

Education
Bipartisan Student Loan Certainty Act of 2013..... 506
School Access to Emergency Epinephrine Act..... 575
Elections
Federal Election Commission, administrative authority, extension and expansion 1210
Employment and Labor
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act..... 498
Unemployment insurance overpayments, improvements..... 1176
Wages
Northern Mariana Islands, scheduled wage increases, adjustment 518
Streamlining Claims Processing for Federal Contractor Employees Act..... 578
Energy
Bonneville Unit Clean Hydropower Facilitation Act 488
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act..... 498
Denali National Park Improvement Act 514
Federal Permit Streamlining Pilot Project Offices, modification..... 1207
Helium Stewardship Act of 2013 534
Hydropower Regulatory Efficiency Act of 2013 493
Nuclear Energy
Defense Nuclear Facilities Safety Board, appropriations authorization..... 1084
South Utah Valley Electric Conveyance Act..... 485
Environmental Protection
Community Fire Safety Act of 2013..... 668

Page

F

Families
See Children, Youth, and Families
Federal Buildings and Facilities
C.W. Bill Young Department of Veterans Affairs Medical Center, FL, designation 577
Douglas A. Munro Coast Guard Headquarters Building, DC, designation..... 511
Edward J. Devitt United States Courthouse and Federal Building, MN, designation 664
Patricia Clark Boston Air Route Traffic Control Center, NH, designation..... 501
Paul Brown United States Courthouse, TX, designation..... 657
Walter Harper Talkeetna Ranger Station, AK, designation 516
Fires and Firefighting
Community Fire Safety Act of 2013..... 668
Fallen Firefighters Assistance Tax Clarification Act of 2013 667
First Special Service Force..... 477
Fish and Fishing
Freedom to Fish Act..... 449
Floods
See Disaster Assistance; Water
Florida
C.W. Bill Young Department of Veterans Affairs Medical Center, designation..... 577
Foley, Thomas S...... 1385
Foreign Relations
International Civil Aviation Organization Assembly, Taiwan observer status..... 480
Organization of American States Revitalization and Reform Act of 2013..... 548
PEPFAR Stewardship and Oversight Act of 2013..... 648
Transboundary Hydrocarbon Agreement, approval 1181

G

Government Employees
Bipartisan Budget Act of 2013..... 1165
District of Columbia Chief Financial Officer compensation 1209
District of Columbia Chief Financial Officer Vacancy Act 441
Financial disclosure statements and forms, online access, modifications..... 438
No Budget, No Pay Act of 2013 51
Government Organization
Economic Adjustment Committee, Guam infrastructure funding, convening 1016

Page

Streamlining Claims Processing for Federal Contractor Employees Act 578

H

Hawaii
Joint Base Pearl Harbor-Hickam, land conveyance 1018
Health and Health Care
See also Diseases
Affordable care premium and cost-sharing subsidies, income verification 566
Compounding Quality Act 587
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599
Health care system, strengthening response to domestic violence, dating violence, sexual assault, and stalking 96
HIV Organ Policy Equity Act 579
Medicare and Medicaid Pathway for SGR Reform Act of 2013 1195
National Pediatric Research Network Act of 2013 644
Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
Pathway for SGR Reform Act of 2013 1195
PEPFAR Stewardship and Oversight Act of 2013 648
Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act 641
School Access to Emergency Epinephrine Act 575
Taxable seasonal influenza vaccines 476
Violence Against Women Reauthorization Act of 2013 54
Highways
See Transportation
Historic Preservation
See also Conservation
Minuteman Missile National Historic Site Boundary Modification Act 521
Homeland Security
See also Defense and National Security
Department of Homeland Security Appropriations Act, 2013 342
Housing
Reverse Mortgage Stabilization Act of 2013 509
Safe homes, domestic violence, dating violence, sexual assault, and stalking protections 101

Page

Human Trafficking
Appropriation authorization levels, adjustment 155
Task force on human trafficking, establishment 244
Victims protection 136
Violence Against Women Reauthorization Act of 2013 54

I

Illinois
Stan Musial Veterans Memorial Bridge, designation 484
Immigration
Accuracy for Adoptees Act 1212
Battered immigrants, protection 110
Special immigrant status extension and nonimmigrant visas fee increase 552
Violence Against Women Reauthorization Act of 2013 54
Indians
See Native Americans
Insurance
National flood insurance program borrowing authority, temporary increase 3
Reverse Mortgage Stabilization Act of 2013 509
Intergovernmental Relations
Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
School Access to Emergency Epinephrine Act 575
International Agreements
See Foreign Relations
Iraq
Special immigrant status extension and nonimmigrant visas fee increase 552

K

Keiser, Robert F. 770

L

Labeling
Compounding Quality Act 587
Drug Quality and Security Act 587
Drug Supply Chain Security Act 599
Land Conveyances
Air National Guard Radar Site, Francis Peak, UT, land conveyance 1021
Alaska Native Tribal Health Consortium Land Transfer Act 1205
Bannister Federal Complex, MO, land conveyance 1069
Camp Williams, UT, land conveyance 1021

Page

Land Conveyances—Continued
Former Oxnard Air Force Base, CA, land conveyance ... 1017
Joint Base Pearl Harbor-Hickam, HI, land conveyance ... 1018
LT John S. Turner Army Reserve Center, CT, land conveyance ... 1022
Mifflin County Army Reserve Center, PA, land conveyance ... 1023
Natchez Trace Parkway Land Conveyance Act of 2013 ... 519
Naval Base Ventura County, CA, real property acquisition ... 1017
Paul A. Doble Army Reserve Center, NH, land conveyance ... 1023
Paul J. Sutcovoy Army Reserve Center, CT, land conveyance ... 1022
Philadelphia Naval Shipyard, PA, land conveyance ... 1020
Powell Shooting Range Land Conveyance Act ... 512
South Utah Valley Electric Conveyance Act ... 485
Lautenberg, Frank R. ... 1222
Law Enforcement and Crime
Department of Justice Appropriations Act, 2013 ... 243
E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013 ... 527
Joint task forces to provide support to law enforcement agencies conducting counterterrorism activities, extension ... 844
Prevention of waste, fraud, and abuse ... 1176
Sexual Assault Forensic Evidence Reporting Act of 2013 ... 127
Stolen Valor Act of 2013 ... 448
Supreme Court police protection authority, extension ... 666
Undetectable firearms amendment, extension ... 656
United States Parole Commission Extension Act of 2013 ... 572
Violence Against Women Reauthorization Act of 2013 ... 54
Loans
Bipartisan Student Loan Certainty Act of 2013 ... 506

M

Mandela, Nelson ... 1407
Maritime Affairs
Maritime Administration, appropriations authorization ... 1084
McNair, Denise ... 446
Medals
See Awards, Decorations, Medals, Etc.
Memorials
See National Parks, Memorials, Monuments, Etc.

Page

Mexico
Transboundary Hydrocarbon Agreement, approval ... 1181
Military
See Armed Forces; Defense and National Security
Minnesota
Edward J. Devitt United States Courthouse and Federal Building, designation ... 664
Mississippi
Natchez Trace Parkway Land Conveyance Act of 2013 ... 519
Southern judicial district, realignment ... 665
Missouri
Bannister Federal Complex, land conveyance ... 1069
Stan Musial Veterans Memorial Bridge, designation ... 484
Mohammed, Khalid Sheikh ... 851
Money and Finance
Bipartisan Student Loan Certainty Act of 2013 ... 506
Coins
Baseball Hall of Fame commemorative coins, production size ... 445
Public Debt
Default Prevention Act of 2013 ... 566
Montana
Federal Permit Streamlining Pilot Project Offices, modification ... 1207
Limestone Hills Training Area, withdrawal and reservation ... 1031
Mortgages
See Housing
Motor Vehicles
See also Transportation
Commercial motor vehicle operator, sleep disorder, requirements ... 557

N

National Parks, Memorials, Monuments, Etc.
Denali National Park Improvement Act ... 514
Military Divers Memorial, establishment ... 1024
Minuteman Missile National Historic Site Boundary Modification Act ... 521
Native American Veterans' Memorial Amendments Act of 2013 ... 1208
Vietnam Veterans Donor Acknowledgment Act of 2013 ... 490
Native Americans
Alaska Native Tribal Health Consortium Land Transfer Act ... 1205
Indian women, safety ... 118

Page
Native American Veterans' Memorial Amendments Act of 2013 1208
Natural Resources
Bipartisan Budget Act of 2013 1165
New Hampshire
Patricia Clark Boston Air Route Traffic Control Center, designation 501
Paul A. Doble Army Reserve Center, land conveyance 1023
New Mexico
Federal Permit Streamlining Pilot Project Offices, modification 1207
White Sands Missile Range, withdrawal and reservation 1039
New York
Fallen Firefighters Assistance Tax Clarification Act of 2013 667
Northern Mariana Islands
Scheduled wage increase adjustment and submerged land conveyance 518

P

Pennsylvania
Mifflin County Army Reserve Center, land conveyance 1023
Philadelphia Naval Shipyard, land conveyance 1020
Proclamations
Deaths
Nelson Mandela 1407
Thomas S. Foley 1385
National Monuments
Charles Young Buffalo Soldiers National Monument, establishment 1262
First State National Monument, establishment 1254
Harriet Tubman—Underground Railroad National Monument, establishment 1249
Rio Grande del Norte National Monument, establishment 1268
San Juan Islands National Monument, establishment 1273
Special Observances
Adoption Month 1388
African American History Month 1237
African-American Music Appreciation Month 1322
Alcohol and Drug Addiction Recovery Month 1342
Alzheimer's Disease Awareness Month 1389
America Recycles Day 1397
American Education Week 1398
American Heart Month 1236
American Red Cross Month 1240
Americans With Disabilities Act, Anniversary 1336

Page
Armed Forces Day 1314
Arts and Humanities Month 1364
Asian American and Pacific Islander Heritage Month 1295
Bill of Rights Day 1410
Blind Americans Equality Day 1380
Breast Cancer Awareness Month 1365
Building Safety Month 1297
Cancer Control Month 1277
Captive Nations Week 1334
Caribbean-American Heritage Month 1321
Cesar Chavez Day 1283
Character Counts Week 1382
Charter Schools Week 1305
Child Abuse Prevention Month 1279
Child Health Day 1374
Childhood Cancer Awareness Month 1343
Childhood Obesity Awareness Month 1344
Child's Day 1399
Columbus Day 1379
Constitution Day and Citizenship Day, Constitution Week 1357
Consumer Protection Week 1244
Crime Victims' Rights Week 1289
Critical Infrastructure Security and Resilience Month 1385
Cybersecurity Awareness Month 1366
Day of Hope and Resolve 1235
Day of Prayer 1304
Days of Prayer and Remembrance 1351
Days of Remembrance for President John F. Kennedy 1400
Defense Transportation Day and Transportation Week 1307
Diabetes Month 1390
Disability Employment Awareness Month 1367
Domestic Violence Awareness Month 1369
Donate Life Month 1280
Earth Day 1292
Education and Sharing Day, U.S.A. 1248
Emergency Medical Services Week 1312
Employer Support of the Guard and Reserve Week 1359
Energy Action Month 1370
Entrepreneurship Month 1391
Equal Pay Day 1285
Family Caregivers Month 1393
Family Week 1401
Farm Safety and Health Week 1355
Father's Day 1326
Financial Capability Month 1280
Fire Prevention Week 1372

Page

Proclamations—Continued
Flag Day and National Flag Week ... 1323
Forest Products Week ... 1383
Former Prisoner of War Recognition Day ... 1286
Foster Care Month ... 1298
General Pulaski Memorial Day ... 1376
German-American Day ... 1373
Gold Star Mother's and Family's Day ... 1362
Grandparents Day ... 1350
Great Outdoors Month ... 1318
Greek Independence Day: A National Day of Celebration of Greek and American Democracy ... 1249
Health Center Week ... 1339
Hispanic Heritage Month ... 1354
Hispanic-Serving Institutions Week ... 1356
Historically Black Colleges and Universities Week ... 1360
Human Rights Day and Human Rights Week ... 1409
Hunting and Fishing Day ... 1363
Hurricane Preparedness Week ... 1316
Impaired Driving Prevention Month ... 1405
International Day of Persons With Disabilities ... 1406
International Day of the Girl ... 1377
Irish-American Heritage Month ... 1241
Jewish American Heritage Month ... 1296
Korean War Veterans Armistice Day ... 1337
Labor Day ... 1349
Law Day, U.S.A. ... 1302
Leif Erikson Day ... 1375
Lesbian, Gay, Bisexual, and Transgender Pride Month ... 1319
Loyalty Day ... 1303
March on Washington for Jobs and Freedom, 50th Anniversary ... 1341
Maritime Day ... 1315
Martin Luther King, Jr., Federal Holiday ... 1234
Mental Health Awareness Month ... 1299
Mentoring Month ... 1441
Military Family Month ... 1386
Military Spouse Appreciation Day ... 1306
Minority Enterprise Development Week ... 1402
Mother's Day ... 1310
Native American Heritage Month ... 1394
Oceans Month ... 1322
Older Americans Month ... 1301
Ovarian Cancer Awareness Month ... 1345

Page

Pan American Day and Pan American Week ... 1287
Park Week ... 1291
Patriot Day and National Day of Service and Remembrance ... 1352
Peace Officers Memorial Day and Police Week ... 1309
Pearl Harbor Remembrance Day ... 1408
Physical Fitness and Sports Month ... 1300
Poison Prevention Week ... 1247
POW/MIA Recognition Day ... 1358
Prayer for Peace, Memorial Day ... 1317
Preparedness Month ... 1346
Prostate Cancer Awareness Month ... 1347
Public Lands Day ... 1361
Read Across America Day ... 1243
Religious Freedom Day ... 1233
Rosa Parks, 100th Anniversary of Birth ... 1239
Safe Boating Week ... 1311
School Lunch Week ... 1378
Sexual Assault Awareness and Prevention Month ... 1281
Slavery and Human Trafficking Prevention Month ... 1442
Small Business Week ... 1324
Stalking Awareness Month ... 1443
Substance Abuse Prevention Month ... 1371
Teen Dating Violence Awareness and Prevention Month ... 1238
Thanksgiving Day ... 1403
United Nations Day ... 1384
United States Department of Homeland Security, 10th Anniversary ... 1245
United States Department of Labor, 100th Anniversary ... 1246
Veterans Day ... 1395
Volunteer Week ... 1290
Wilderness Month ... 1348
Women's Equality Day ... 1340
Women's Health Week ... 1308
Women's History Month ... 1242
Worker's Memorial Day ... 1294
World AIDS Day ... 1404
World Autism Awareness Day ... 1284
World Elder Abuse Awareness Day ... 1325
World Freedom Day ... 1396
World Hepatitis Day ... 1338
World Trade Week ... 1313
Wright Brothers Day ... 1411

Tariffs
African Growth and Opportunity Act, sub-Saharan African country designations and modifications ... 1412

Page

Generalized System of Preferences, modifications 1327
Tragedies
Boston victims 1288
Washington Navy Yard victims 1358
West Texas victims 1293
Public Debt
See Money and Finance
Public Information
Financial disclosure statements and forms, online access, modifications 438
Public Lands
See also Land Conveyances
Air National Guard Radar Site, Francis Peak, UT, land conveyance 1021
Bannister Federal Complex, MO, land conveyance 1069
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act 498
Camp Williams, UT, land conveyance 1021
Chocolate Mountain Aerial Gunnery Range, CA, land transfer 1040
Former Oxnard Air Force Base, CA, land conveyance 1017
Fort Bliss, TX, withdrawal and reservation 1039
Joint Base Pearl Harbor-Hickam, HI, land conveyance 1018
Limestone Hills Training Area, MT, withdrawal and reservation 1031
LT John S. Turner Army Reserve Center, CT, land conveyance 1022
Marine Corps Air Ground Combat Center Twentynine Palms, CA, withdrawal and reservation 1034
Mifflin County Army Reserve Center, PA, land conveyance 1023
Military Land Withdrawals Act of 2013 1025
Natchez Trace Parkway Land Conveyance Act of 2013 519
Naval Air Weapons Station China Lake, CA, withdrawal and reservation 1044
Naval Base Ventura County, CA, real property acquisition 1017
Paul A. Doble Army Reserve Center, NH, land conveyance 1023
Paul J. Sutcovoy Army Reserve Center, CT, land conveyance 1022
Philadelphia Naval Shipyard, PA, land conveyance 1020
Powell Shooting Range Land Conveyance Act 512
South Utah Valley Electric Conveyance Act 485
White Sands Missile Range, NM, withdrawal and reservation 1039

Page

R

Research and Development
HIV Organ Policy Equity Act 579
National Pediatric Research Network Act of 2013 644
Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
Prematurity Research Expansion and Education for Mothers who deliver Infants Early Reauthorization Act 641
Retirement
Bipartisan Budget Act of 2013 1165
Robertson, Carole 446

S

Safety
Commercial motor vehicle operator, sleep disorder, requirements 557
Community Fire Safety Act of 2013 668
Defense Nuclear Facilities Safety Board, appropriations authorization 1084
Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 161
Pipeline safety regulatory documents requirements, modifications 510
Small Airplane Revitalization Act of 2013 584
Science and Technology
Center for Security Technology, Analysis, Response, and Testing, establishment 1058
South Dakota
Minuteman Missile National Historic Site Boundary Modification Act 521
Sports
Baseball Hall of Fame commemorative coins, production size 445
State and Local Governments
See Intergovernmental Relations
Students
See Education

T

Taiwan
International Civil Aviation Organization Assembly, observer status 480
Taxes
Fallen Firefighters Assistance Tax Clarification Act of 2013 667
Kay Bailey Hutchison Spousal IRA, designation 492
Taxable seasonal influenza vaccines 476

Page

Terrorism
Joint task forces to provide support to law enforcement agencies conducting counterterrorism activities, extension 844
Texas
Fort Bliss, withdrawal and reservation 1039
Paul Brown United States Courthouse, designation 657
Towles, Robert L. 771
Transportation
Aircraft and Aviation
Helping Heroes Fly Act 503
International Civil Aviation Organization Assembly, Taiwan observer status 480
Reducing Flight Delays Act of 2013 443
Small Airplane Revitalization Act of 2013 584
Bipartisan Budget Act of 2013 1165
Commercial motor vehicle operator, sleep disorder, requirements 557
Highways
Stan Musial Veterans Memorial Bridge, MO and IL, designation 484
Pipeline transportation safety, amendments 510

U

Urban and Rural Areas
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 199
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act 498
Utah
Air National Guard Radar Site, Francis Peak, land conveyance 1021
Bonneville Unit Clean Hydropower Facilitation Act 488
Camp Williams, land conveyance 1021
Federal Permit Streamlining Pilot Project Offices, modification 1207
South Utah Valley Electric Conveyance Act 485

V

Veterans
Alicia Dawn Koehl Respect for National Cemeteries Act 669
Department of Veterans Affairs Expiring Authorities Act of 2013 523
Executive Committee to support the development and validation of adopted electronic health record standards, establishment 797

Page

Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013 502
Helping Heroes Fly Act 503
Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 384
Native American Veterans' Memorial Amendments Act of 2013 1208
VA Expiring Authorities Extension Act of 2013 658
Veterans' Compensation Cost-of-Living Adjustment Act of 2013 582
Vietnam Veterans Donor Acknowledgment Act of 2013 490

W

Wages
See Labor and Employment
Water
Bonneville Unit Clean Hydropower Facilitation Act 488
Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act 498
Community Fire Safety Act of 2013 668
Freedom to Fish Act 449
Hydropower Regulatory Efficiency Act of 2013 493
Kantishna Hills MicroHydro projects, AK, permits 514
National flood insurance program borrowing authority, temporary increase 3
Watkins, Patrick N., Jr. 770
Weapons
See also Arms and Munitions
Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise, deadlines modifications 1069
Nuclear Weapons Council, responsibilities and reporting requirements, modification 861
Weather
Sandy Recovery Improvement Act of 2013 39
Wesley, Cynthia 446
Women
Sexual Assault Forensic Evidence Reporting Act of 2013 127
Violence Against Women Reauthorization Act of 2013 54
Wyoming
Federal Permit Streamlining Pilot Project Offices, modification 1207
Powell Shooting Range Land Conveyance Act 512

Y

Youth
See Children, Youth, and Families