

113TH CONGRESS
1ST SESSION

H. R. 1960

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

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2013

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Au-
5 thorization Act for Fiscal Year 2014”.

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

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

5 (1) Division A—Department of Defense Au-
 6 thorizations.

7 (2) Division B—Military Construction Author-
 8 izations.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

Sec. 104. Defense-wide activities.

Sec. 105. Defense Production Act purchases.

Subtitle B—Specific Programs

Sec. 111. Multiyear procurement authority for E-2D aircraft program.

Sec. 112. Modification to cost cap for CVN-78 aircraft carrier.

Sec. 113. Clarification of limitations on retirement of B-52 bomber aircraft.

Sec. 114. Repeal of limitation on retirement of KC-135E aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Program Matters

Sec. 311. Five-year reauthorization of vessel war risk insurance program.

Sec. 312. Revision to requirement for annual submission of information regard-
 ing information technology capital assets.

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

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
 Sec. 412. End strengths for reserves on active duty in support of the reserves.
 Sec. 413. End strengths for military technicians (dual status).
 Sec. 414. Fiscal year 2014 limitation on number of non-dual status technicians.
 Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Officer Personnel Policy

Sec. 501. Information to be provided to boards considering officers for selective early removal from the reserve active-status list.

Subtitle B—Reserve Component Management

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

Subtitle C—Education and Training

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

Subtitle D—Administrative Procedure

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

Subtitle E—Decorations and Awards

Sec. 541. Repeal of limitation on number of medals of honor that may be awarded to a member of the Armed Forces.
 Sec. 542. Standardization of time-limits for recommending and awarding a medal of honor, service cross, or distinguished-service medal across the Armed Forces.

Sec. 543. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.

Subtitle F—Other Matters

- Sec. 551. Authority to provide certain expenses for care and disposition of human remains that were retained by the Department of Defense for forensic pathology investigation.
- Sec. 552. Expansion of privileged information provision to debriefing reports of certain recovered persons who were never placed in a missing status.
- Sec. 553. Additional requirements for accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing.
- Sec. 554. Family support programs for immediate family members of special operations forces members.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Increase in military basic pay for fiscal year 2014.
- Sec. 602. Extension of temporary army authority to provide additional recruitment incentives.

Subtitle B—Disability, Retired Pay, and Survivor Benefits

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

TITLE VII—HEALTH CARE PROVISIONS

- Sec. 701. Revisions to TRICARE cost sharing requirements.
- Sec. 702. Requirement for medicare participating physician or supplier to accept TRICARE and veterans affairs participating rates.

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

- Sec. 801. Clarification of scope of supplies covered by statutory rapid acquisition authority.
- Sec. 802. Reduction in costs to report critical changes to major automated information system programs.
- Sec. 803. Modification of reporting requirement for Department of Defense business system acquisition programs when initial operating capability is not achieved within five years of Milestone A approval.
- Sec. 804. Enhanced transfer of technology developed at Department of Defense laboratories.
- Sec. 805. Extension of authority for program to award prizes for advanced technology achievements.
- Sec. 806. Revisions to eligibility for, and amount of, financial assistance under Department of Defense Science, Mathematics, and Research for Transformation program.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

- Sec. 901. Clarification of the order of precedence for the Principal Deputy Under Secretaries of Defense.
- Sec. 902. Update of statutory specification of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education.
- Sec. 903. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.
- Sec. 904. Change to reference to the major Department of Defense headquarters activities issuance.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Subtitle B—Naval Vessels

- Sec. 1011. Repeal of policy relating to propulsion systems of any new class of major combatant vessels of the strike forces of the United States Navy.
- Sec. 1012. Repeal of requirements relating to procurement of future surface combatants.

Subtitle C—Other Matters

- Sec. 1031. Management of Department of Defense installations.
- Sec. 1033. Repeal and modification of reporting requirements.

TITLE XI—CIVILIAN PERSONNEL MATTERS

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

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

- Sec. 1201. Five-year extension of authorization for non-conventional assisted recovery capabilities.
- Sec. 1202. Increase in annual limitation on transfer of excess defense articles.

TITLE XIII—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1301. Working capital funds.
- Sec. 1302. National Defense Sealift Fund.
- Sec. 1303. Joint Urgent Operational Needs Fund.
- Sec. 1304. Chemical agents and munitions destruction, defense.
- Sec. 1305. Drug interdiction and counter-drug activities, defense-wide.
- Sec. 1306. Defense Inspector General.
- Sec. 1307. Defense health program.

Subtitle B—National Defense Stockpile

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

Subtitle C—Other Matters

- Sec. 1321. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.
- Sec. 1322. Authorization of appropriations for Armed Forces Retirement Home.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 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. Modification of authority to carry out certain fiscal year 2004 project.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2011 project.
- Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.
- Sec. 2107. Extension of authorizations of certain fiscal year 2010 projects.
- Sec. 2108. Extension of authorizations of certain fiscal year 2011 projects.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2011 project.
- Sec. 2206. Modification of authority to carry out certain fiscal year 2012 project.
- Sec. 2207. Extension of authorizations of certain fiscal year 2011 projects.
- Sec. 2208. Extension of authorizations of certain fiscal year 2011 project.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Extension of authorizations of certain fiscal year 2011 project.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

- Sec. 2401. Authorized defense agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy conservation projects.
- 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 authorization of certain fiscal year 2011 project.

Sec. 2613. Extension of authorization of certain fiscal year 2011 project.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

Sec. 2801. Revisions to minor military construction authorities.

Sec. 2802. Change in authorities relating to unspecified minor construction.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements.

Sec. 2812. Application of cash payments received for utilities and services.

Sec. 2813. Acquisition of real property at Naval Base Ventura County, California.

Subtitle C—Land Withdrawals

Sec. 2821. Military land withdrawals and codification of statutory provisions relating to China Lake, Limestone Hills, Chocolate Mountain, and Twentynine Palms.

Sec. 2822. Fort Bliss military land withdrawal.

1 **DIVISION A—DEPARTMENT OF**
2 **DEFENSE AUTHORIZATIONS**
3 **TITLE I—PROCUREMENT**
4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 101. ARMY.**

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

9 (1) For aircraft, \$5,024,387,000.

10 (2) For missiles, \$1,334,083,000.

11 (3) For weapons and tracked combat vehicles,
12 \$1,597,267,000.

13 (4) For ammunition, \$1,540,437,000.

14 (5) For other procurement, \$6,465,218,000.

15 **SEC. 102. NAVY AND MARINE CORPS.**

16 (a) FISCAL YEAR 2014.—Funds are hereby author-
17 ized to be appropriated for fiscal year 2014 for procure-
18 ment for the Navy and Marine Corps as follows:

19 (1) For aircraft, \$17,927,651,000.

20 (2) For weapons, including missiles and tor-
21 pedoes, \$3,122,193,000.

22 (3) For shipbuilding and conversion,
23 \$14,077,804,000.

24 (4) For other procurement, \$6,310,257,000.

1 (5) For procurement, Marine Corps,
2 \$1,343,511,000.

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

5 (b) AUTHORIZATION OF ADVANCE APPROPRIA-
6 TIONS.—Funds are hereby authorized to be appropriated
7 for fiscal year 2015 in the amount of \$952,739,000 for
8 Shipbuilding and Conversion, Navy, for procurement of a
9 Virginia class submarine.

10 **SEC. 103. AIR FORCE.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2014 for procurement for the Air Force as fol-
13 lows:

14 (1) For aircraft, \$11,398,901,000.

15 (2) For ammunition, \$759,442,000.

16 (3) For missiles, \$5,343,286,000.

17 (4) For other procurement, \$16,760,581,000.

18 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

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

22 **SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2014 for purchases under the Defense Produc-

1 tion Act of 1950 (50 U.S.C. App. 2061 et seq.) in the
2 amount of \$25,135,000.

3 **Subtitle B—Specific Programs**

4 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR E-** 5 **2D AIRCRAFT PROGRAM.**

6 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—
7 Subject to section 2306b of title 10, United States Code,
8 the Secretary of the Navy may enter into a multiyear con-
9 tract or contracts, beginning with the fiscal year 2014 pro-
10 gram year, for the procurement of E–2D aircraft for the
11 Department of the Navy.

12 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-
13 MENTS.—A contract entered into under subsection (a)
14 shall provide that any obligation of the United States to
15 make a payment under the contract for a fiscal year after
16 fiscal year 2014 is subject to the availability of appropria-
17 tions for that purpose for such later fiscal year.

18 **SEC. 112. MODIFICATION TO COST CAP FOR CVN-78 AIR-** 19 **CRAFT CARRIER.**

20 (a) COST CAP BASELINE.—Subsection (a)(1) of sec-
21 tion 122 of the John Warner National Defense Authoriza-
22 tion Act for Fiscal Year 2007 (Public Law 109–364; 120
23 Stat. 2104) is amended by striking “\$10,500,000,000”
24 and inserting “\$12,887,000,000”.

1 (b) ADDITIONAL FACTOR FOR ADJUSTMENT OF LIM-
2 ITATION AMOUNT.—Subsection (b) of such section is
3 amended by adding at the end the following new para-
4 graph:

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

8 (c) HULL NUMBER.—Such section is further amend-
9 ed by striking “CVN-21” in subsections (a)(1), (a)(2),
10 and (b) and in the section heading and inserting “CVN-
11 78”.

12 **SEC. 113. CLARIFICATION OF LIMITATIONS ON RETIRE-**
13 **MENT OF B-52 BOMBER AIRCRAFT.**

14 Section 131(a)(1) of the John Warner National De-
15 fense Authorization Act for Fiscal Year 2007 (Public Law
16 109-364; 120 Stat. 2111), as amended by section
17 137(a)(1) of the National Defense Authorization Act for
18 Fiscal Year 2008 (Public Law 110-181; 122 Stat. 32),
19 is further amended in subparagraph (C) by striking “in
20 a common capability configuration”.

21 **SEC. 114. REPEAL OF LIMITATION ON RETIREMENT OF KC-**
22 **135E AIRCRAFT.**

23 Section 135(b) of the John Warner National Defense
24 Authorization Act for Fiscal Year 2007 (Public Law 109-
25 364; 120 Stat. 2114), as amended by section 131 of the

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

4 **TITLE II—RESEARCH, DEVELOP-**
5 **MENT, TEST, AND EVALUA-**
6 **TION**

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

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

11 (1) For the Army, \$7,989,102,000.

12 (2) For the Navy, \$15,974,780,000.

13 (3) For the Air Force, \$25,702,946,000.

14 (4) For Defense-wide activities,
15 \$17,667,108,000.

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

18 **TITLE III—OPERATION AND**
19 **MAINTENANCE**
20 **Subtitle A—Authorization of**
21 **Appropriations**

22 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2014 for the use of the Armed Forces and other
25 activities and agencies of the Department of Defense for

1 expenses, not otherwise provided for, for operation and
2 maintenance, in amounts as follows:

3 (1) For the Army, \$35,073,077,000.

4 (2) For the Navy, \$39,945,237,000.

5 (3) For the Marine Corps, \$6,254,650,000.

6 (4) For the Air Force, \$37,270,842,000.

7 (5) For Defense-wide activities,
8 \$32,997,693,000.

9 (6) For the Army Reserve, \$3,095,036,000.

10 (7) For the Navy Reserve, \$1,197,752,000.

11 (8) For the Marine Corps Reserve,
12 \$263,317,000.

13 (9) For the Air Force Reserve, \$3,164,607,000.

14 (10) For the Army National Guard,
15 \$7,054,196,000.

16 (11) For the Air National Guard,
17 \$6,566,004,000.

18 (12) For the United States Court of Appeals
19 for the Armed Forces, \$13,606,000.

20 (13) For the Department of Defense Acquisi-
21 tion Workforce Development Fund, \$256,031,000.

22 (14) For Environmental Restoration, Army,
23 \$298,815,000.

24 (15) For Environmental Restoration, Navy,
25 \$316,103,000.

1 (16) For Environmental Restoration, Air Force,
2 \$439,820,000.

3 (17) For Environmental Restoration, Defense-
4 wide, \$10,757,000.

5 (18) For Environmental Restoration, Formerly
6 Used Defense Sites, \$237,443,000.

7 (19) For Overseas Humanitarian, Disaster, and
8 Civic Aid programs, \$109,500,000.

9 (20) For Cooperative Threat Reduction pro-
10 grams, \$528,455,000.

11 (21) For Overseas Contingency Operations
12 Transfer Fund, \$5,000,000.

13 **Subtitle B—Program Matters**

14 **SEC. 311. FIVE-YEAR REAUTHORIZATION OF VESSEL WAR** 15 **RISK INSURANCE PROGRAM.**

16 Section 53912 of title 46, United States Code, is
17 amended by striking “December 31, 2015” and inserting
18 “December 31, 2020”.

19 **SEC. 312. REVISION TO REQUIREMENT FOR ANNUAL SUB-** 20 **MISSION OF INFORMATION REGARDING IN-** 21 **FORMATION TECHNOLOGY CAPITAL ASSETS.**

22 Section 351(a)(1) of the Bob Stump National De-
23 fense Authorization Act for Fiscal Year 2003 (Public Law
24 107–314; 10 U.S.C. 221 note) is amended by striking “in
25 excess of \$30,000,000” and all that follows and inserting

1 “(as computed in fiscal year 2000 constant dollars) in ex-
2 cess of \$32,000,000 or an estimated total cost for the fu-
3 ture-years defense program for which the budget is sub-
4 mitted (as computed in fiscal year 2000 constant dollars)
5 in excess of \$378,000,000, for all expenditures, for all in-
6 crements, regardless of the appropriation and fund source,
7 directly related to the assets definition, design, develop-
8 ment, deployment, sustainment, and disposal.”.

9 **SEC. 313. AUTHORIZED EXPENSES IN CONNECTION WITH**
10 **HUMANITARIAN AND CIVIC ASSISTANCE AC-**
11 **TIVITIES PROVIDED IN CONJUNCTION WITH**
12 **MILITARY OPERATIONS.**

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

17 “(2) Expenses covered by paragraph (1) include trav-
18 el, transportation, and subsistence expenses of Depart-
19 ment of Defense personnel for purposes of evaluating the
20 scope of a humanitarian or civic assistance activity under
21 this section or conducting assessments of such activities,
22 except that the total value of such expenses incurred with
23 respect to any activity may not exceed 10 percent of the
24 activity value.”.

1 (b) CLERICAL AMENDMENT.—Such section is further
2 amended by redesignating paragraph (4) as paragraph
3 (3).

4 **TITLE IV—MILITARY**
5 **PERSONNEL AUTHORIZATIONS**
6 **Subtitle A—Active Forces**

7 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

8 The Armed Forces are authorized strengths for active
9 duty personnel as of September 30, 2014, as follows:

- 10 (1) The Army, 520,000.
11 (2) The Navy, 323,600.
12 (3) The Marine Corps, 190,200.
13 (4) The Air Force, 327,600.

14 **Subtitle B—Reserve Forces**

15 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

16 (a) IN GENERAL.—The Armed Forces are authorized
17 strengths for Selected Reserve personnel of the reserve
18 components as of September 30, 2014, as follows:

- 19 (1) The Army National Guard of the United
20 States, 354,200.
21 (2) The Army Reserve, 205,000.
22 (3) The Navy Reserve, 59,100.
23 (4) The Marine Corps Reserve, 39,600.
24 (5) The Air National Guard of the United
25 States, 105,400.

1 (6) The Air Force Reserve, 70,400.

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

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

7 (1) the total authorized strength of units orga-
8 nized to serve as units of the Selected Reserve of
9 such component which are on active duty (other
10 than for training) at the end of the fiscal year; and

11 (2) the total number of individual members not
12 in units organized to serve as units of the Selected
13 Reserve of such component who are on active duty
14 (other than for training or for unsatisfactory partici-
15 pation in training) without their consent at the end
16 of the fiscal year.

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

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

3 Within the end strengths prescribed in section
4 411(a), the reserve components of the Armed Forces are
5 authorized, as of September 30, 2014, the following num-
6 ber of Reserves to be serving on full-time active duty or
7 full-time duty, in the case of members of the National
8 Guard, for the purpose of organizing, administering, re-
9 cruiting, instructing, or training the reserve components:

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

12 (2) The Army Reserve, 16,261.

13 (3) The Navy Reserve, 10,159.

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

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

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

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

20 The minimum number of military technicians (dual
21 status) as of the last day of fiscal year 2014 for the re-
22 serve components of the Army and the Air Force (notwith-
23 standing section 129 of title 10, United States Code) shall
24 be the following:

25 (1) For the Army National Guard of the United
26 States, 27,210.

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

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

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

5 **SEC. 414. FISCAL YEAR 2014 LIMITATION ON NUMBER OF**
6 **NON-DUAL STATUS TECHNICIANS.**

7 (a) LIMITATIONS.—

8 (1) NATIONAL GUARD.—Within the limitation
9 provided in section 10217(c)(2) of title 10, United
10 States Code, the number of non-dual status techni-
11 cians employed by the National Guard as of Sep-
12 tember 30, 2014, may not exceed the following:

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

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

17 (2) ARMY RESERVE.—The number of non-dual
18 status technicians employed by the Army Reserve as
19 of September 30, 2014, may not exceed 595.

20 (3) AIR FORCE RESERVE.—The number of non-
21 dual status technicians employed by the Air Force
22 Reserve as of September 30, 2014, may not exceed
23 90.

24 (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In
25 this section, the term “non-dual status technician” has the

1 meaning given that term in section 10217(a) of title 10,
2 United States Code.

3 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
4 **THORIZED TO BE ON ACTIVE DUTY FOR**
5 **OPERATIONAL SUPPORT.**

6 During fiscal year 2014, the maximum number of
7 members of the reserve components of the Armed Forces
8 who may be serving at any time on full-time operational
9 support duty under section 115(b) of title 10, United
10 States Code, is the following:

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

13 (2) The Army Reserve, 13,000.

14 (3) The Navy Reserve, 6,200.

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

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

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

19 **Subtitle C—Authorization of**
20 **Appropriations**

21 **SEC. 421. MILITARY PERSONNEL.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 hereby authorized to be appropriated for military per-
24 sonnel for fiscal year 2014 a total of \$130,399,881,000.

1 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
 2 thorization of appropriations in subsection (a) supersedes
 3 any other authorization of appropriations (definite or in-
 4 definite) for such purpose for fiscal year 2014.

5 **TITLE V—MILITARY PERSONNEL**
 6 **AUTHORIZATIONS**

7 **Subtitle A—Officer Personnel**
 8 **Policy**

9 **SEC. 501. INFORMATION TO BE PROVIDED TO BOARDS CON-**
 10 **SIDERING OFFICERS FOR SELECTIVE EARLY**
 11 **REMOVAL FROM THE RESERVE ACTIVE-STA-**
 12 **TUS LIST.**

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

15 (1) by inserting “(1)” after “ACTIVE-STATUS
 16 LIST.—”;

17 (2) by striking “all”;

18 (3) by striking “, in the number specified by
 19 the Secretary by each grade and competitive cat-
 20 egory”; and

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

23 “(2) The Secretary of the military department con-
 24 cerned shall specify the number of officers described in
 25 paragraph (1) that a selection board convened under sec-

1 tion 14101(b) of this title may recommend for removal
2 from the reserve active-status list.

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

16 “(4) A list under paragraph (3) may not include an
17 officer in that grade and competitive category who has
18 been approved for voluntary retirement or who is to be
19 involuntary retired under any provision of law during the
20 fiscal year in which the selection board is convened or dur-
21 ing the following fiscal year.”.

1 **Subtitle B—Reserve Component**
2 **Management**

3 **SEC. 511. REMOVAL OF RESTRICTIONS ON THE TRANSFER**
4 **OF OFFICERS TO THE INACTIVE NATIONAL**
5 **GUARD.**

6 (a) REMOVAL OF RESTRICTIONS.—Chapter 3 of title
7 32, United States Code, is amended by adding at the end
8 the following new section:

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

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

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

18 “(2) An officer of the Air National Guard who
19 fills a vacancy in a federally recognized unit of the
20 Air National Guard from being transferred from the
21 active Air National Guard to the inactive Air Na-
22 tional Guard.

23 “(3) An officer of the Army National Guard
24 transferred to the inactive Army National Guard
25 from being transferred from the inactive Army Na-

1 tional Guard to the active Army National Guard to
2 fill a vacancy in a federally recognized unit.

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

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

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

11 **SEC. 512. PILOT PROGRAM TO ALLOW ESTABLISHMENT OF**
12 **ACTIVE STATUS AND INACTIVE STATUS LISTS**
13 **OF MEMBERS IN THE INACTIVE NATIONAL**
14 **GUARD.**

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

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

24 “(2) The total number of Army National Guard and
25 Air National Guard members, combined, on the active sta-

1 tus lists and the inactive status lists assigned to the inac-
2 tive National Guard may not exceed 10,000 during any
3 period.

4 “(3) The total number of Army National Guard and
5 Air National Guard members, combined, on the active sta-
6 tus lists of the inactive National Guard may not exceed
7 4,000 during any period.

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

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

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

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

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

21 “(2) During the period beginning on the date of the
22 enactment of this paragraph and ending on December 31,
23 2016, an enlisted member of the active Army National
24 Guard may be transferred to the inactive Army National
25 Guard without regard to whether the member was for-

1 merly enlisted in the inactive Army National Guard and
2 an enlisted member of the active Air National Guard may
3 be transferred to the inactive Air National Guard without
4 regard to whether the member was formerly enlisted in
5 the inactive Air National Guard.”.

6 (c) DEFINITION OF “ACTIVE STATUS”.—Section
7 101(d)(4) of title 10, United States Code, is amended by
8 adding at the end the following new sentence: “However,
9 in the case of members of the Army National Guard of
10 the United States during any period during which there
11 is an inactive status list for the inactive Army National
12 Guard under section 303(d) of title 32, such term means
13 the status of such a member who is not assigned to the
14 inactive status list of the inactive Army National Guard,
15 on another inactive status list, or in the Retired Reserve,
16 and in the case of members of the Air National Guard
17 of the United States during any period during which there
18 is an inactive status list for the inactive Air National
19 Guard under section 303(d) of title 32, such term means
20 the status of such a member who is not assigned to the
21 inactive status list of the inactive Air National Guard, on
22 another inactive status list, or in the Retired Reserve.”.

23 (d) MEMBERS IN INACTIVE STATUS; TRAINING CAT-
24 EGORIES.—Section 10141 of such title is amended by add-
25 ing at the end the following new subsection:

1 “(d)(1) During any period during which there is an
2 inactive status list for the inactive Army National Guard
3 under section 303(d) of title 32—

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

8 “(B) the exclusion of the Army National Guard
9 of the United States under the first sentence of sub-
10 section (c) shall be inapplicable.

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

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

18 “(B) the exclusion of the Air National Guard of
19 the United States under the first sentence of sub-
20 section (c) shall be inapplicable.”

21 (e) COMPUTATION OF YEARS OF SERVICE FOR ENTI-
22 TLEMENT TO RETIRED PAY.—Paragraph (3) of section
23 12732(b) of such title is amended to read as follows:

24 “(3) Service in the inactive National Guard (for
25 any period other than a period during which there

1 is an inactive status list for the inactive National
2 Guard under section 303(d) of title 32) and service
3 while assigned to the inactive status list of the inac-
4 tive National Guard (for any period during which
5 there is an inactive status list for the inactive Na-
6 tional Guard under section 303(d) of title 32).”.

7 (f) ELIGIBILITY FOR INACTIVE-DUTY TRAINING
8 PAY.—Section 206(e) of title 37, United States Code, is
9 amended by adding at the end the following new sentence:
10 “However, with respect to any period during which there
11 is an inactive status list for the inactive National Guard
12 under section 303(d) of title 32, the limitation in the pre-
13 ceding sentence shall be applicable to persons assigned to
14 the inactive status list of the inactive National Guard,
15 rather than to persons enlisted in the inactive National
16 Guard.”.

17 (g) EVALUATION OF THE PILOT PROGRAM.—By the
18 end of the pilot period, the Department of Defense shall
19 commission an independent study evaluating the effective-
20 ness of using the active status Inactive National Guard
21 to improve the readiness of the Army National Guard. The
22 study should include, for each year of the pilot, informa-
23 tion on—

24 (1) how many personnel were transferred to the
25 active status Inactive National Guard;

- 1 (2) how many of these vacancies were filled
2 with personnel new to the Army National Guard;
3 (3) the additional cost of filling these positions;
4 and
5 (4) impact on drill and annual training partici-
6 pation rates.

7 The study also should assess the impact on medical readi-
8 ness category 3B personnel transferred to the active sta-
9 tus Inactive National Guard, including how long it took
10 them to complete the Integrated Disability Evaluation
11 System (IDES) process, and how satisfied they were with
12 their unit's management and collaboration during the
13 IDES process.

14 **SEC. 513. FORUM FOR PROCESSING OF COMPLAINTS OF**
15 **WRONGFUL DISCRIMINATION BY NATIONAL**
16 **GUARD MILITARY TECHNICIANS (DUAL STA-**
17 **TUS).**

18 (a) IN GENERAL.—Section 709 of title 32, United
19 States Code, is amended by adding at the end the fol-
20 lowing new subsection:

21 “(j) A complaint of wrongful discrimination by a per-
22 son employed under subsection (a) who is a military tech-
23 nician (dual status) and otherwise subject to the require-
24 ments of subsection (b) shall be considered a complaint

1 of wrongful discrimination by a member of the armed
2 forces.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall apply with respect to a complaint of
5 wrongful discrimination initiated on or after the date of
6 the enactment of this Act.

7 **Subtitle C—Education and** 8 **Training**

9 **SEC. 521. EXTENSION OF EDUCATIONAL ASSISTANCE FOR** 10 **MEMBERS OF THE SELECTIVE RESERVE WHO** 11 **ARE INVOLUNTARILY SEPARATED.**

12 (a) **PRESERVATION OF EDUCATIONAL ASSISTANCE**
13 **ENTITLEMENT FOR CERTAIN FORMER MEMBERS OF THE**
14 **SELECTED RESERVE.**—

15 (1) **EXTENSION.**—Paragraph (1)(B) of section
16 16133(b) of title 10, United States Code, is amend-
17 ed by striking “September 30, 2014” and inserting
18 “December 31, 2018”.

19 (2) **CROSS-REFERENCE AMENDMENTS TO RE-**
20 **FLECT PRIOR AMENDMENT.**—Such section is further
21 amended by striking “clause (2) of” in paragraphs
22 (1) and (4)(B).

23 (b) **BASIC EDUCATIONAL ASSISTANCE ENTITLEMENT**
24 **FOR SERVICE IN THE SELECTIVE RESERVE.**—Subpara-
25 graph (B)(iii) of section 3012(b)(1) of title 38, United

1 States Code, is amended by inserting “or the period begin-
2 ning on October 1, 2013, and ending on December 31,
3 2018,” after “September 30, 1999,”.

4 **SEC. 522. AUTHORITY FOR JOINT PROFESSIONAL MILITARY**
5 **EDUCATION PHASE II INSTRUCTION AND**
6 **CREDIT TO BE OFFERED AND AWARDED**
7 **THROUGH THE SENIOR LEVEL COURSE OF**
8 **THE SCHOOL OF ADVANCED MILITARY STUD-**
9 **IES OF THE UNITED STATES ARMY COMMAND**
10 **AND GENERAL STAFF COLLEGE.**

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

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

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

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

1 **Subtitle D—Administrative**
2 **Procedure**

3 **SEC. 531. PROCEDURES FOR JUDICIAL REVIEW OF MILI-**
4 **TARY PERSONNEL DECISIONS RELATING TO**
5 **CORRECTION OF MILITARY RECORDS.**

6 (a) JUDICIAL REVIEW.—

7 (1) IN GENERAL.—Chapter 79 of title 10,
8 United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 1560. Judicial review of decisions relating to cor-**
11 **rection of military records**

12 “(a) AVAILABILITY OF JUDICIAL REVIEW.—

13 “(1) IN GENERAL.—Any person adversely af-
14 fected by a records correction final decision may ob-
15 tain judicial review of the decision in a court with
16 jurisdiction to hear the matter.

17 “(2) RECORDS CORRECTION FINAL DECISION
18 DEFINED.—In this section, the term ‘records correc-
19 tion final decision’ means any of the following:

20 “(A) A final decision issued by the Sec-
21 retary concerned pursuant to section 1552 of
22 this title.

23 “(B) A final decision issued by the Sec-
24 retary of a military department or the Sec-

1 retary of Homeland Security pursuant to sec-
2 tion 1034(f) of this title.

3 “(C) A final decision issued by the Sec-
4 retary of Defense pursuant to section 1034(g)
5 of this title.

6 “(b) MATTERS MUST BE JUSTICIABLE.—Notwith-
7 standing subsection (a), a court in which judicial review
8 of a records correction final decision is sought does not
9 have jurisdiction to review any matter or issue raised in
10 a petition of review that is not justiciable.

11 “(c) EXHAUSTION OF ADMINISTRATIVE REM-
12 EDIES.—

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

20 “(A) the petitioner has requested a correc-
21 tion under section 1552 of this title (including
22 such a request in a matter arising under section
23 1034 of this title); and

1 “(B) the Secretary concerned has rendered
2 a final decision denying that correction in whole
3 or in part.

4 “(2) WHISTLEBLOWER CASES.—In a case arising
5 after the date of the enactment of this section
6 in which the final decision of the Secretary concerned
7 is subject to review by the Secretary of Defense
8 under section 1034(g) of this title, the petitioner
9 is not required to seek such review before obtaining
10 judicial review, but if the petitioner seeks
11 such review, judicial review may not be sought until
12 the Secretary of Defense has made a decision in the
13 matter or the end of the period specified in that section
14 for the Secretary to make such a decision,
15 whichever occurs first.

16 “(3) CLASS ACTIONS.—In the case of a matter
17 subject to correction under a provision of law specified
18 in subsection (a)(2) in a case arising after the
19 date of the enactment of this section in which judicial
20 review is not precluded by reason of paragraph
21 (1) or (2), if judicial review of a records correction
22 final decision of the matter is sought and if the petitioner
23 for judicial review also seeks to bring a class
24 action with respect to a matter for which the petitioner
25 requested a correction under section 1552 of

1 this title (including such a request in a matter arising
2 under section 1034 of this title) and if the court
3 issues an order certifying a class in the case, the
4 limitations of paragraphs (1) and (2) shall be inap-
5 plicable to any member of the class (other than the
6 petitioner) with respect to any matter covered by a
7 claim for which the class is certified.

8 “(d) STATUTES OF LIMITATION.—

9 “(1) TWO YEARS FROM FINAL DECISION.—In
10 the case of a records correction final decision that
11 is issued on or after the date of the enactment of
12 this section, such decision is not subject to judicial
13 review under this section or otherwise subject to re-
14 view in any court unless petition for such review is
15 filed in a court not later than two years after the
16 date of the final decision other than in a matter to
17 which paragraph (2) applies.

18 “(2) SIX YEARS FOR CERTAIN CLAIMS THAT
19 MAY RESULT IN PAYMENT OF MONEY.—(A) In the
20 case of a records correction final decision that is
21 issued on or after the date of the enactment of this
22 section and which is described in subparagraph (B),
23 such decision (or the portion of such decision de-
24 scribed in such subparagraph) is not subject to judi-
25 cial review under this section or otherwise subject to

1 review in any court unless petition for such review
2 is filed in a court not later than six years after the
3 date of discharge, retirement, release from active
4 duty, or death while on active duty of the person
5 whose military records are the subject of the correc-
6 tion request. There shall be excluded from the com-
7 putation of such six-year period the period (i) begin-
8 ning on the date of the filing with the Secretary of
9 a request for correction of military records leading
10 to the records correction final decision, and (ii) end-
11 ing on the date of such decision.

12 “(B) A records correction final decision is de-
13 scribed in this subparagraph to the extent that the
14 decision, or portion of the decision, is a denial of a
15 claim that, if relief were to be granted by the court,
16 would support, or result in, the payment of money,
17 other than payments made under chapter 73 of this
18 title, either under a court order or under a subse-
19 quent administrative determination.

20 “(e) SOLE BASIS FOR JUDICIAL REVIEW.—In the
21 case of a cause of action arising after the date of the en-
22 actment of this section, no court shall have jurisdiction
23 to review any matter subject to correction under a provi-
24 sion of law specified in subsection (a)(2) except as pro-
25 vided in this section.

1 “(f) HABEAS CORPUS.—This section does not affect
2 any cause of action arising under chapter 153 of title 28.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such chapter is amended
5 by adding at the end the following new item:

“1560. Judicial review of decisions.”.

6 (b) EFFECT OF DENIAL OF REQUEST FOR CORREC-
7 TION OF RECORDS WHEN PROHIBITED PERSONNEL AC-
8 TION ALLEGED.—

9 (1) NOTICE OF DENIAL; PROCEDURES FOR JU-
10 DICIAL REVIEW.—Subsection (f) of section 1034 of
11 such title is amended by adding at the end the fol-
12 lowing new paragraph:

13 “(7) In any case in which the final decision of the
14 Secretary concerned results in denial, in whole or in part,
15 of any requested correction of the record of the member
16 or former member, the Secretary concerned shall provide
17 the member or former member a concise written statement
18 of the basis for the decision and a notification of the avail-
19 ability of judicial review of the decision pursuant to section
20 1560 of this title and the time for obtaining such review.”.

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

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

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

3 “(2) The submittal of a matter to the Secretary of
4 Defense by the member or former member under para-
5 graph (1) must be made within 90 days of the receipt by
6 the member or former member of the final decision of the
7 Secretary of the military department concerned in the
8 matter. In any case in which the final decision of the Sec-
9 retary of Defense results in denial, in whole or in part,
10 of any requested correction of the record of the member
11 or former member, the Secretary of Defense shall provide
12 the member or former member a concise written statement
13 of the basis for the decision and a notification of the avail-
14 ability of judicial review of the decision pursuant to section
15 1560 of this title and the time for obtaining such review.”.

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

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

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

22 “(h) JUDICIAL REVIEW.—

23 “(1) A decision of the Secretary of Defense
24 under subsection (g) shall be subject to judicial re-
25 view only as provided in section 1560 of this title.

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

6 “(3) A decision by the Secretary of Homeland
7 Security under subsection (f) shall be subject to ju-
8 dicial review only as provided in section 1560 of this
9 title.”.

10 (c) EFFECT OF DENIAL OF OTHER REQUESTS FOR
11 CORRECTION OF MILITARY RECORDS.—Section 1552 of
12 such title is amended by adding at the end the following
13 new subsections:

14 “(h) In any case in which the final decision of the
15 Secretary concerned results in denial, in whole or in part,
16 of any requested correction, the Secretary concerned shall
17 provide the claimant a concise written statement of the
18 basis for the decision and a notification of the availability
19 of judicial review of the decision pursuant to section 1560
20 of this title and the time for obtaining such review.

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

24 (d) EFFECTIVE DATE AND RETROACTIVE APPLICA-
25 TION.—

1 (1) EFFECTIVE DATE.—The amendments made
2 by this section shall take effect one year after the
3 date of the enactment of this Act.

4 (2) RETROACTIVE APPLICATION.—The amend-
5 ments made by this section shall apply to all final
6 decisions of the Secretary of Defense under section
7 1034(g) of title 10, United States Code, and of the
8 Secretary of a military department and the Sec-
9 retary of Homeland Security under sections 1034(f)
10 or 1552 of such title, whether rendered before, on,
11 or after the date of the enactment of this Act.

12 (3) TRANSITION.—During the period between
13 the date of the enactment of this Act and the effec-
14 tive date specified in paragraph (1), in any case in
15 which the final decision of the Secretary of Defense
16 under section 1034(g) of title 10, United States
17 Code, or the Secretary concerned under sections
18 1034(f) or 1552 of title 10, United States Code, re-
19 sults in denial, in whole or in part, of any requested
20 correction of the record of a member or former
21 member of the Armed Forces or the record of a
22 claimant under such section 1552, the individual
23 shall be informed in writing of the time for obtaining
24 review of the decision pursuant to section 1560 of
25 such title, as added by subsection (a).

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

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

14 **Subtitle E—Decorations and** 15 **Awards**

16 **SEC. 541. REPEAL OF LIMITATION ON NUMBER OF MEDALS** 17 **OF HONOR THAT MAY BE AWARDED TO A** 18 **MEMBER OF THE ARMED FORCES.**

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

21 (b) NAVY AND MARINE CORPS.—Section 6247 of title
22 10, United States Code, is amended by striking “medal
23 of honor,”.

24 (c) AIR FORCE.—Section 8744(a) of title 10, United
25 States Code, is amended by striking “medal of honor,”.

1 (d) COAST GUARD.—Section 494 of title 14, United
2 States Code, is amended by striking “medal of honor,”
3 both places it appears.

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

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

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

13 (2) in paragraph (2), by striking “two years”
14 and inserting “three years”.

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

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

19 (2) in paragraph (2), by striking “two years”
20 and inserting “three years”.

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

24 (a) AUTOMATIC ENROLLMENT AND FURNISHING OF
25 CERTIFICATE.—

1 (1) IN GENERAL.—Chapter 57 of title 10,
2 United States Code, is amended by adding at the
3 end the following new section:

4 **“§ 1136. Army, Navy, Air Force, and Coast Guard**
5 **Medal of Honor Roll**

6 “(a) ESTABLISHMENT.—There shall be in the De-
7 partment of the Army, the Department of the Navy, the
8 Department of the Air Force, and the Department of
9 Homeland Security, respectively, a roll designated as the
10 ‘Army, Navy, Air Force, and Coast Guard Medal of Honor
11 Roll’.

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

18 “(c) CERTIFICATE.—

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

23 “(2) ENTITLEMENT TO SPECIAL PENSION.—
24 The Secretary concerned shall deliver to the Sec-
25 retary of Veterans Affairs a certified copy of each

1 certificate of enrollment issued under paragraph (1).
2 Such copy shall authorize the Secretary of Veterans
3 Affairs to pay the special pension provided by sec-
4 tion 1562 of title 38 to the person named in the cer-
5 tificate.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of such chapter of title 10 is
8 amended by adding at the end the following new
9 item:

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

10 (b) SPECIAL PENSION.—

11 (1) AUTOMATIC ENTITLEMENT.—Section
12 1562(a) of title 38, United States Code, is amend-
13 ed—

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

15 (B) by striking “subsection (c) of section
16 1561 of this title” and inserting “subsection
17 (c)(2) of section 1136 of title 10”; and

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

23 (2) ELECTION TO DECLINE SPECIAL PEN-
24 SION.—Section 1562 of such title is further amend-

1 ed by adding at the end the following new sub-
2 section:

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

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

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

13 (c) CONFORMING AMENDMENTS.—

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

17 (2) CLERICAL AMENDMENTS.—The table of sec-
18 tions at the beginning of chapter 15 of such title is
19 amended, by striking the items relating to sections
20 1560 and 1561.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall be effective with respect to medals of
23 honor awarded on or after the date of the enactment of
24 this Act.

1 **Subtitle F—Other Matters**

2 **SEC. 551. AUTHORITY TO PROVIDE CERTAIN EXPENSES**
3 **FOR CARE AND DISPOSITION OF HUMAN RE-**
4 **MAINS THAT WERE RETAINED BY THE DE-**
5 **PARTMENT OF DEFENSE FOR FORENSIC PA-**
6 **THOLOGY INVESTIGATION.**

7 (a) DISPOSITION OF REMAINS OF PERSONS WHOSE
8 DEATH IS INVESTIGATED BY THE ARMED FORCES MED-
9 ICAL EXAMINER.—

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

13 “(10) To the extent authorized under section
14 1482(g) of this title, any person not otherwise cov-
15 ered by the preceding paragraphs whose remains (or
16 partial remains) have been retained by the Secretary
17 concerned for purposes of a forensic pathology inves-
18 tigation by the Armed Forces Medical Examiner
19 under section 1471 of this title.”.

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

24 “(g)(1) The payment of expenses incident to the re-
25 covery, care, and disposition of the remains of a decedent

1 covered by section 1481(a)(10) of this title is limited to
2 those expenses that, as determined under regulations pre-
3 scribed by the Secretary of Defense, would not have been
4 incurred but for the retention of those remains for pur-
5 poses of a forensic pathology investigation by the Armed
6 Forces Medical Examiner under section 1471 of this title.
7 The Secretary concerned shall pay all other expenses au-
8 thorized to be paid under this section only on a reimburs-
9 able basis. Amounts reimbursed to the Secretary con-
10 cerned under this subsection shall be credited to appro-
11 priations available at the time of reimbursement for the
12 payment of such expenses.

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

22 “(3) In a case covered by paragraph (1), expenses
23 that may be paid do not include expenses with respect to
24 an escort under paragraph (8) of subsection (a), whether
25 or not on a reimbursable basis.”.

1 (b) CLARIFICATION OF COVERAGE OF INURNMENT.—
2 Section 1482(a)(9) of such title is amended by inserting
3 “or inurnment” after “interment”.

4 (c) TECHNICAL AMENDMENT.—Section 1482(f) of
5 such title is amended in the third sentence by striking
6 “subsection” and inserting “section”.

7 **SEC. 552. EXPANSION OF PRIVILEGED INFORMATION PRO-**
8 **VISION TO DEBRIEFING REPORTS OF CER-**
9 **TAIN RECOVERED PERSONS WHO WERE**
10 **NEVER PLACED IN A MISSING STATUS.**

11 (a) PERSONNEL FILES.—Section 1506 of title 10,
12 United States Code is amended—

13 (1) in subsection (d)—

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

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

18 “(2) The Secretary concerned shall withhold from
19 personnel files under this section, as privileged informa-
20 tion, any survival, evasion, resistance and escape debrief-
21 ing report provided by a person described in section
22 1501(c) of this title who is returned to United States con-
23 trol which is obtained under a promise of confidentiality
24 made for the purpose of ensuring the fullest possible dis-
25 closure of information.”.

1 (2) in subsection (f), by striking “paragraphs
2 (2) and (3)” and inserting “paragraphs (3) and
3 (4)”.

4 (b) DEFINITION.—Section 1513 of such title is
5 amended by adding at the end the following new para-
6 graph:

7 “(9) The term ‘survival, evasion, resistance,
8 and escape debrief’ means an interview conducted
9 with a person described in section 1501(c) of this
10 title who is returned to United States control in
11 order to record the person’s experiences while sur-
12 viving, evading, resisting interrogation or exploi-
13 tation, or escaping.”.

14 **SEC. 553. ADDITIONAL REQUIREMENTS FOR ACCOUNTING**
15 **FOR MEMBERS OF THE ARMED FORCES AND**
16 **DEPARTMENT OF DEFENSE CIVILIAN EM-**
17 **PLOYEES LISTED AS MISSING.**

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

20 (1) by striking “and” at the end of subpara-
21 graph (B);

22 (2) by striking the period at the end of sub-
23 paragraph (C) and inserting “; and”; and

24 (3) by adding at the end the following new sub-
25 paragraph:

1 “(D) coordination of periodic briefing of fami-
2 lies of missing persons about the efforts of the De-
3 partment of Defense to account for those persons.”.

4 **SEC. 554. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE**
5 **FAMILY MEMBERS OF SPECIAL OPERATIONS**
6 **FORCES MEMBERS.**

7 (a) CHAPLAIN-LED PROGRAMS.—The Commander of
8 the United States Special Operations Command may pro-
9 vide support services described in section 1789(b) of title
10 10, United States Code, to support the immediate family
11 members (as defined in section 1789(c) of such title) of
12 members of the Armed Forces assigned to special oper-
13 ations forces (as defined in section 167(i) of such title)
14 if the Commander determines—

15 (1) that there is a direct and concrete relation-
16 ship between—

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

19 (B) the readiness of special operations
20 forces; and

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

24 (b) ADDITIONAL AUTHORITY.—The Commander of
25 the United States Special Operations Command may ex-

1 pend up to \$10,000,000 during any fiscal year during
2 which this subsection is in effect to provide support serv-
3 ices described in section 1789(b) of title 10, United States
4 Code, to support family programs directed by medical per-
5 sonnel, behavior health professionals, and family readiness
6 professionals of the Department of Defense to build and
7 maintain the resiliency of members of the Armed Forces
8 assigned to special operations forces (as defined in section
9 167(i) of such title) and their immediate family members
10 (as defined in section 1789(c) of such title).

11 (c) PERIOD OF AUTHORITY.—The authority under
12 this section is in effect during each of fiscal years 2014
13 through 2016.

14 **TITLE VI—COMPENSATION AND**
15 **OTHER PERSONNEL BENEFITS**
16 **Subtitle A—Pay and Allowances**

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

19 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The
20 adjustment to become effective during fiscal year 2014 re-
21 quired by section 1009 of title 37, United States Code,
22 in the rates of monthly basic pay authorized members of
23 the uniformed services shall not be made.

1 (b) INCREASE IN BASIC PAY.—Effective on January
2 1, 2014, the rates of monthly basic pay for members of
3 the uniformed services are increased by 1.0 percent.

4 **SEC. 602. EXTENSION OF TEMPORARY ARMY AUTHORITY**
5 **TO PROVIDE ADDITIONAL RECRUITMENT IN-**
6 **CENTIVES.**

7 Subsection (i)(1) of section 681 of the National De-
8 fense Authorization Act for Fiscal Year 2006 (Public Law
9 109–163; 10 U.S.C. 503 note) is amended by striking
10 “December 31, 2012” and inserting “December 31,
11 2015”.

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

14 **SEC. 621. OVERPAYMENTS OF DIVISION OF PAY AS A RE-**
15 **SULT OF RETROACTIVE CHANGE IN DISPOS-**
16 **ABLE RETIRED PAY.**

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

20 “(3)(A) An election by a member to change
21 from receipt of retired pay in accordance with this
22 section to receipt of special compensation in accord-
23 ance with section 1413a of this title pursuant to
24 paragraph (2), shall not affect payments made be-
25 fore the date of such election to the member’s

1 spouse or former spouse pursuant to section 1408 of
2 this title, of disposable retired pay that a court
3 treated as property for the purpose of issuing a final
4 decree of divorce, dissolution, annulment, or legal
5 separation, including a court ordered, ratified, or ap-
6 proved property settlement incident to such decree.

7 “(B) In this paragraph:

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

11 “(ii) The term ‘disposable retired pay’ has
12 the meaning given such term in section
13 1408(a)(4) of this title.

14 “(iii) The term ‘final decree’ has the mean-
15 ing given such term in section 1408(a)(3) of
16 this title.

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

20 “(v) The term ‘spouse or former spouse’
21 has the meaning given such term in section
22 1408(a)(6) of this title.”.

23 (b) APPLICABILITY.—Paragraph (3) of section
24 1414(d) of title 10, United States Code, as added by sub-
25 section (a), shall apply with respect to payments made

1 under section 1408 of title 10, United States Code, on
2 or after the date of the enactment of this Act.

3 **TITLE VII—HEALTH CARE**
4 **PROVISIONS**

5 **SEC. 701. REVISIONS TO TRICARE COST SHARING REQUIRE-**
6 **MENTS.**

7 (a) TRICARE PRIME ENROLLMENT FEES.—Section
8 1097 of title 10, United States Code, is amended—

9 (1) in subsection (e)—

10 (A) by striking “(1)” before “The Sec-
11 retary”; and

12 (B) by striking paragraph (2); and

13 (2) by adding at the end the following new sub-
14 section:

15 “(f) ENROLLMENT FEES.—

16 “(1) AMOUNT.—Beginning January 1, 2014,
17 the enrollment fee described in subsection (e) for a
18 covered beneficiary shall be an amount (rounded to
19 the nearest dollar) equal to the applicable percentage
20 (specified in paragraph (2)) of the retired pay of the
21 member or former member upon whom the covered
22 beneficiary’s eligibility is based, except that the
23 amount of such enrollment fee shall not be in excess
24 of the applicable maximum enrollment fee nor less

1 than the applicable minimum enrollment fee speci-
 2 fied in paragraph (3).

3 “(2) PERCENTAGE OF RETIRED PAY.—The ap-
 4 plicable percentage of retired pay shall be deter-
 5 mined in accordance with the following table:

“For:	The applicable percent- age for a family group of two or more persons is:	The applicable percent- age for an individual is:
2014	2.95%	1.475%
2015	3.30%	1.650%
2016	3.65%	1.825%
2017 and after	4.00%	2.000%.

6 “(3) MAXIMUM AND MINIMUM ENROLLMENT
 7 FEES.—

8 “(A) BEFORE 2018.—

9 “(i) FAMILY GROUPS.—For the years
 10 2014 through 2017, the applicable max-
 11 imum and minimum enrollment fees for a
 12 family group of two or more persons shall
 13 be determined in accordance with the fol-
 14 lowing table:

“For:	The applicable minimum enrollment fee is:	The applicable maximum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-7 or above is:	The applicable maximum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-6 or below is:
2014	\$548	\$900	\$750
2015	\$558	\$1,200	\$900
2016	\$569	\$1,500	\$1,050
2017	\$581	\$1,800	\$1,200.

1 “(ii) INDIVIDUALS.—The applicable
2 maximum and minimum enrollment fees
3 for an individual shall be one-half the cor-
4 responding maximum and minimum enroll-
5 ment fees for a family group of two or
6 more persons (as specified in clause (i)).

7 “(B) AFTER 2017.—For any year after
8 2017, the applicable maximum and minimum
9 enrollment fees shall be equal to the maximum
10 and minimum enrollment fees for the previous
11 year increased by the percentage by which re-
12 tired pay is increased under section 1401a of
13 this title for such calendar year.

14 “(4) EXCLUSION.—Notwithstanding paragraph
15 (1), the enrollment fee described in subsection (e)

1 for a dependent of a member of the uniformed serv-
2 ices who dies while on active duty, a member retired
3 under chapter 61 of this title, or for a dependent of
4 such a member shall not exceed the amount of any
5 such enrollment fee for 2013.”.

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

9 “(b) For a person covered by this section, any plan
10 contracted for under section 1079(a) of this title shall con-
11 tain the following provisions for payment by the patient:

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

14 “(A) for 2014, \$70 for an individual or
15 \$140 for a family group of two or more per-
16 sons;

17 “(B) for 2015, \$85 for an individual or
18 \$170 for a family group of two or more per-
19 sons;

20 “(C) for 2016, \$100 for an individual or
21 \$200 for a family group of two or more per-
22 sons;

23 “(D) for 2017, \$115 for an individual or
24 \$230 for a family group of two or more per-
25 sons;

1 “(E) for 2018, \$125 for an individual or
2 \$250 for a family group of two or more per-
3 sons; and

4 “(F) for any year after 2018, the amount
5 of the applicable enrollment fee for the previous
6 year increased by the percentage by which re-
7 tired pay is increased under section 1401a of
8 this title for such year.

9 “(2) An annual deductible of the charges in a
10 year for all types of care authorized by this section
11 and received while in an outpatient status and 25
12 percent of all subsequent charges for such care dur-
13 ing a year. The amount of such annual deductible
14 for a year is—

15 “(A) for 2014, \$160 for an individual or
16 \$320 for a family group of two or more per-
17 sons;

18 “(B) for 2015, \$200 for an individual or
19 \$400 for a family group of two or more per-
20 sons;

21 “(C) for 2016, \$230 for an individual or
22 \$460 for a family group of two or more per-
23 sons;

1 “(D) for 2017, \$260 for an individual or
2 \$520 for a family group for a family group of
3 two or more persons;

4 “(E) for 2018, \$290 for an individual or
5 \$580 for a family group of two or more per-
6 sons; and

7 “(F) for any year after 2018, the amount
8 of the applicable deductible for the previous
9 year increased by the percentage by which re-
10 tired pay is increased under section 1401a of
11 this title for such year.

12 “(3) 25 percent of the charges for inpatient
13 care. The Secretary of Defense may exempt a pa-
14 tient from paying such charges if the hospital to
15 which the patient is admitted does not impose a
16 legal obligation on any of its patients to pay for in-
17 patient care.

18 “(4) A person covered by this section may not
19 be required to pay a total in excess of a catastrophic
20 cap, excluding the amount of any annual enrollment
21 fee under paragraph (1), for health care received
22 during any year under a plan contracted for under
23 section 1079(a) of this title. The amount of such
24 catastrophic cap for a year is—

25 “(A) for 2013, \$3,000; and

1 “(B) for any year after 2013, the amount
2 of the catastrophic cap for the previous year in-
3 creased by the percentage by which retired pay
4 is increased under section 1401a of this title for
5 such year.

6 “(5) Notwithstanding paragraphs (1), (2), and
7 (4), for a dependent of a member of the uniformed
8 services who dies while on active duty, a member re-
9 tired under chapter 61 of this title, or a dependent
10 of such a member—

11 “(A) there is no annual enrollment fee;

12 “(B) the annual deductible referred to in
13 paragraph (2) for a year is \$150 for an indi-
14 vidual or \$300 for a family group of two or
15 more persons; and

16 “(C) the catastrophic cap for a year is
17 \$3,000.”.

18 (c) TRICARE FOR LIFE ENROLLMENT FEES.—Sec-
19 tion 1086(d)(3) of such title is amended by adding at the
20 end the following new subparagraph:

21 “(D)(i) Beginning January 1, 2014, a person de-
22 scribed in paragraph (2) (except as provided in clauses
23 (vi) and (vii)), shall pay an annual enrollment fee as a
24 condition of eligibility for health care benefits under this
25 section. Such enrollment fee shall be an amount (rounded

1 to the nearest dollar) equal to the applicable percentage
 2 (specified in clause (ii)) of the retired pay of the member
 3 or former member upon whom the covered beneficiary’s
 4 eligibility is based, except that the amount of such enroll-
 5 ment fee shall not be in excess of the applicable maximum
 6 enrollment fee (specified in clause (iii)).

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

“For:	The applicable percent- age for a family group of two or more persons is:	The applicable percent- age for an individual is:
2014	0.50%	0.25%
2015	1.00%	0.50%
2016	1.50%	0.75%
2017 and after	2.00%	1.00%.

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

“For:	The applicable max- imum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-7 or above is:	The applicable max- imum enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-6 or below is:
2014	\$200	\$150
2015	\$400	\$300
2016	\$600	\$450
2017	\$800	\$600.

1 “(iv) For any year after 2017, the applicable maximum enrollment fee shall be equal to the maximum enrollment fee for the previous year increased by the percentage by which retired pay is increased under section 1401a of this title for such year.

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

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

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

18 (d) TRICARE PHARMACY PROGRAM REQUIREMENTS.—

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

24 (A) by striking “at least one of the means described in paragraph (2)(E)” and inserting

1 “the national mail-order pharmacy program”;
2 and

3 (B) by striking “may include” and all that
4 follows through the end of the paragraph and
5 inserting “shall include cost sharing by the eli-
6 gible covered beneficiary as specified in para-
7 graph (6).”.

8 (2) COST SHARING AMOUNTS.—Section
9 1074g(a)(6) of such title is amended to read as fol-
10 lows:

11 “(6)(A) In the case of any of the years 2014 through
12 2023, the cost sharing amounts referred to in paragraph
13 (5) shall be determined in accordance with the following
14 table:

“For:	The cost sharing amount for 30-day supply of a retail generic is:	The cost sharing amount for 30-day supply of a retail formulary is:	The cost sharing amount for a 90-day supply of a mail order generic is:	The cost sharing amount for a 90-day supply of a mail order formulary is:	The cost amount for a 90-day supply of a mail order non-formulary is:
2014	\$5	\$26	\$0	\$26	\$51
2015	\$6	\$28	\$0	\$28	\$54
2016	\$7	\$30	\$0	\$30	\$58
2017	\$8	\$32	\$0	\$32	\$62
2018	\$9	\$34	\$9	\$34	\$66
2019	\$10	\$36	\$10	\$36	\$70
2020	\$11	\$38	\$11	\$38	\$75
2021	\$12	\$40	\$12	\$40	\$80

“For:	The cost sharing amount for 30-day supply of a retail generic is:	The cost sharing amount for 30-day supply of a retail formulary is:	The cost sharing amount for a 90-day supply of a mail order generic is:	The cost sharing amount for a 90-day supply of a mail order formulary is:	The cost amount for a 90-day supply of a mail order non-formulary is:
2022	\$13	\$43	\$13	\$43	\$85
2023	\$14	\$45	\$14	\$45	\$90.

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

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

14 (3) REFILLS OF PRESCRIPTION MAINTENANCE
15 MEDICATIONS THROUGH THE NATIONAL MAIL
16 ORDER PHARMACY PROGRAM.—

17 (A) IN GENERAL.—Such section 1074g is
18 further amended by adding at the end the fol-
19 lowing new subsection:

1 “(i) REFILLS OF PRESCRIPTION MAINTENANCE
2 MEDICATIONS THROUGH THE NATIONAL MAIL ORDER
3 PHARMACY PROGRAM.—

4 “(1) IN GENERAL.—The pharmacy benefits pro-
5 gram shall require eligible covered beneficiaries to
6 refill non-generic prescription maintenance medica-
7 tions through military treatment facility pharmacies
8 or the national mail-order pharmacy program.

9 “(2) MEDICATIONS COVERED.—

10 “(A) DETERMINATION.—The Secretary
11 shall determine the maintenance medications
12 subject to the requirement under paragraph
13 (1).

14 “(B) SUPPLY.—In carrying out the re-
15 quirement under paragraph (1), the Secretary
16 shall ensure that the medications subject to the
17 requirement under paragraph (1) are—

18 “(i) generally available to eligible cov-
19 ered beneficiaries through retail phar-
20 macies only for an initial filing of a 30-day
21 or less supply; and

22 “(ii) any refills of such medications
23 are obtained through a military treatment
24 facility pharmacy or the national mail-
25 order pharmacy program.

1 “(C) EXEMPTION.—The Secretary may ex-
2 empt the following prescription maintenance
3 medications from the requirements in subpara-
4 graph (B):

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

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

9 (B) CONFORMING AMENDMENT.—Section
10 716 of the National Defense Authorization Act
11 for Fiscal Year 2013 (Public Law 112–239;
12 125 Stat. 1804) is repealed.

13 (e) ADDITIONAL REALIGNMENT OF TRICARE
14 HEALTH BENEFIT YEARS FROM FISCAL YEAR TO CAL-
15 ENDAR YEAR BASIS.—

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

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

24 (3) CONFORMING AND TECHNICAL AMEND-
25 MENTS.—Section 724 of the National Defense Au-

1 thorization Act for Fiscal Year 1997 (Public Law
2 104–201; 10 U.S.C. 1073 note) is amended—

3 (A) in subsection (b)—

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

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

9 (iii) by striking “fiscal year.” and in-
10 serting “year.”; and

11 (B) in subsection (d)(2)(B)—

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

15 (ii) by striking “during such fiscal
16 year” the first place it appears and insert-
17 ing “during any year”; and

18 (iii) by striking “fiscal year.” and in-
19 serting “year.”.

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

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

24 “(e)(1) During any fiscal year, if the Secretary of De-
25 fense determines that the amount certified under sub-

1 section (c) is no longer accurate because of a significant
2 change in circumstances or law, the Secretary of Defense
3 may, if appropriate, certify a revised amount determined
4 in accordance with subsection (b)(2) to the Secretary of
5 the Treasury.

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

11 “(3) If a certification and determination are made
12 under paragraphs (1) and (2), the Secretary of the Treas-
13 ury shall promptly pay into or recoup from the Fund the
14 difference between the amount paid into the Fund under
15 subsection (a) and the amount certified or determined by
16 the administering Secretary under paragraph (1) or (2).”.

17 **SEC. 702. REQUIREMENT FOR MEDICARE PARTICIPATING**
18 **PHYSICIAN OR SUPPLIER TO ACCEPT**
19 **TRICARE AND VETERANS AFFAIRS PARTICI-**
20 **PATING RATES.**

21 Section 1842(h)(1) of the Social Security Act (42
22 U.S.C. 1395u(h)(1)) is amended by adding at the end the
23 following new sentence: “Any physician or supplier who
24 voluntarily enters into an agreement with the Secretary
25 to become a participating physician or supplier shall be

1 deemed to have agreed to be a participating provider of
2 medical care or services under any health plan contracted
3 for under section 1079 or 1086 of title 10, United States
4 Code, or under section 1781 of title 38, United States
5 Code, in accordance with the payment methodology and
6 amounts prescribed under joint regulations prescribed by
7 the Secretary, the Secretary of Defense, and the Secretary
8 of Homeland Security pursuant to sections 1079 and 1086
9 of title 10, United States Code.”.

10 **TITLE VIII—ACQUISITION POL-**
11 **ICY, ACQUISITION MANAGE-**
12 **MENT, AND RELATED MAT-**
13 **TERS**

14 **SEC. 801. CLARIFICATION OF SCOPE OF SUPPLIES COV-**
15 **ERED BY STATUTORY RAPID ACQUISITION**
16 **AUTHORITY.**

17 Section 806(g) of the Bob Stump National Defense
18 Authorization Act for Fiscal Year 2003 (Public Law 107–
19 314; 10 U.S.C. 2302 note) is amended—

20 (1) by striking “ASSOCIATED SUPPORT SERV-
21 ICES DEFINED.—In the section, the term” and in-
22 serting “DEFINITIONS.—In this section:”;

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

1 “(2) SUPPLIES.—The term ‘supplies’ means all
2 property except land or interest in land.”.

3 **SEC. 802. REDUCTION IN COSTS TO REPORT CRITICAL**
4 **CHANGES TO MAJOR AUTOMATED INFORMA-**
5 **TION SYSTEM PROGRAMS.**

6 (a) EXTENSION OF A PROGRAM DEFINED.—Section
7 2445a of title 10, United States Code, is amended adding
8 at the end the following new subsection:

9 “(g) EXTENSION OF A PROGRAM.—In this chapter,
10 the term ‘extension of a program’ means, with respect to
11 a major automated information system program or other
12 major information technology investment program, the
13 further deployment or planned deployment to additional
14 users of the system which has already been found oper-
15 ationally effective and suitable by an independent test
16 agency or the Director of Operational Test and Evalua-
17 tion, beyond the scope planned in the original estimate or
18 information originally submitted on the program.”.

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

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

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

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

3 “(2) NOTIFICATION WHEN VARIANCE DUE TO
4 CONGRESSIONAL ACTION OR EXTENSION OF PRO-
5 GRAM.—If a senior Department of Defense official
6 who, following receipt of a quarterly report described
7 in paragraph (1) and making a determination de-
8 scribed in paragraph (3), also determines that the
9 circumstances resulting in the determination de-
10 scribed in paragraph (3) either (A) are primarily the
11 result of congressional action, or (B) are primarily
12 due to an extension of a program, the official may,
13 in lieu of carrying out an evaluation and submitting
14 a report in accordance with paragraph (1), submit
15 to the congressional defense committees, within 45
16 days after receiving the quarterly report, a notifica-
17 tion that the official has made those determinations.
18 If such a notification is submitted, the limitation in
19 subsection (g)(1) does not apply with respect to that
20 determination under paragraph (3).”.

21 (c) CONFORMING CROSS-REFERENCE AMEND-
22 MENT.—Subsection (g)(1) of such section is amended by
23 striking “subsection (d)(2)” and inserting “subsection
24 (d)(3)”.

25 (d) TOTAL ACQUISITION COST INFORMATION.—

1 (1) Section 2445b(b)(3) of title 10, United
2 States Code, is amended by striking “development
3 costs” and inserting “total acquisition costs”.

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

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

8 (B) in subparagraph (C) of subsection
9 (d)(3) (as redesignated by subsection (b)(2)),
10 by striking “program development cost” and in-
11 sserting “total acquisition cost”.

12 (e) CLARIFICATION OF CROSS-REFERENCE.—Section
13 2445c(g)(2) of such title is amended by striking “in com-
14 pliance with the requirements of subsection (d)(2)” and
15 inserting “under subsection (d)(1)(B)”.

16 **SEC. 803. MODIFICATION OF REPORTING REQUIREMENT**
17 **FOR DEPARTMENT OF DEFENSE BUSINESS**
18 **SYSTEM ACQUISITION PROGRAMS WHEN INI-**
19 **TIAL OPERATING CAPABILITY IS NOT**
20 **ACHIEVED WITHIN FIVE YEARS OF MILE-**
21 **STONE A APPROVAL.**

22 (a) SUBMISSION TO PRE-CERTIFICATION AUTHOR-
23 ITY.—Subsection (b) of section 811 of the John Warner
24 National Defense Authorization Act for Fiscal Year 2007
25 (Public Law 109–364; 120 Stat. 2316) is amended by

1 striking “the system shall be deemed to have undergone”
2 and all that follows through the period and inserting “the
3 appropriate official shall report such failure, along with
4 the facts and circumstances surrounding the failure, to the
5 appropriate pre-certification authority for that system
6 under section 2222 of title 10, United States Code, and
7 the information so reported shall be considered by the pre-
8 certification authority in the decision whether to rec-
9 ommend certification of obligations under that section.”.

10 (b) COVERED SYSTEMS.—Subsection (c) of such sec-
11 tion is amended—

12 (1) by striking “3542(b)(2) of title 44” and in-
13 serting “section 2222(j)(2) of title 10”; and

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

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

21 (1) in paragraph (1), by striking “Department
22 of Defense Instruction 5000.2” and inserting “De-
23 partment of Defense Directive 5000.01”; and

24 (2) in paragraph (2), by striking “Department
25 of Defense Instruction 5000.2, dated May 12, 2003”

1 and inserting “Department of Defense Instruction
2 5000.02, dated December 3, 2008”.

3 **SEC. 804. ENHANCED TRANSFER OF TECHNOLOGY DEVELOP-**
4 **ED AT DEPARTMENT OF DEFENSE LAB-**
5 **ORATORIES.**

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

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

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

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

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

18 (b) AUTHORITY.—

19 (1) IN GENERAL.—The Secretary of Defense
20 and the Secretaries of the military departments each
21 may authorize the heads of DoD laboratories to
22 grant nonexclusive, exclusive, or partially exclusive
23 licenses, royalty free or for royalties or for rights to
24 other intellectual property, for computer software

1 and its related documentation developed at a DoD
2 laboratory, but only if—

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

8 (B) the public is notified of the availability
9 of the software and related documentation for
10 licensing and interested parties have a fair op-
11 portunity to submit applications for licensing;

12 (C) such licensing activities and licenses
13 shall comply with the requirements under sec-
14 tion 209 of title 35, United States Code; and

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

18 (2) PROTECTIONS AGAINST UNAUTHORIZED
19 DISCLOSURE.—The Secretary of Defense and the
20 Secretaries of the military departments each shall
21 provide appropriate precautions against the unau-
22 thorized disclosure of any computer software or doc-
23 umentation covered by paragraph (1)(A), including
24 exemption from section 552 of title 5, United States
25 Code, for a period of up to 5 years after the develop-

1 ment of the computer software by the DoD labora-
2 tory.

3 (c) ROYALTIES.—

4 (1) USE OF ROYALTIES.—Except as provided in
5 paragraph (2), any royalties or other payments re-
6 ceived by the department from licensing computer
7 software or documentation under paragraph (b)(1)
8 shall be retained by the department and shall be dis-
9 posed of as follows:

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

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

21 (iii) The department shall retain the roy-
22 alties and other payments received until it makes
23 payments to employees of a DoD laboratory
24 under clause (i) or (ii).

1 (iv) The department may retain an amount
2 reasonably necessary to pay expenses incidental
3 to the administration and distribution of roy-
4 ties or other payments under this section by an
5 organizational unit of the department other
6 than its laboratories.

7 (B) The balance of the royalties or other pay-
8 ments shall be transferred by the department to its
9 laboratories, with the majority share of the royalties
10 or other payments going to the laboratory where the
11 development occurred. The royalties or other pay-
12 ments so transferred to any DoD laboratory may be
13 used or obligated by that laboratory during the fiscal
14 year in which they are received or during the 2 suc-
15 ceeding fiscal years—

16 (i) to reward scientific, engineering, and
17 technical employees of the DoD laboratory, in-
18 cluding developers of sensitive or classified tech-
19 nology, regardless of whether the technology
20 has commercial applications;

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

23 (iii) for education and training of employ-
24 ees consistent with the research and develop-
25 ment missions and objectives of the department

1 or DoD laboratory, and for other activities that
2 increase the potential for transfer of the tech-
3 nology of the laboratories;

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

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

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

21 (2) EXCEPTION.—If, after payments under
22 paragraph (1)(A), the balance of the royalties or
23 other payments received by the department in any
24 fiscal year exceed 5 percent of the funds received for
25 use by the DoD laboratory for research, develop-

1 ment, engineering, testing and evaluation or other
2 related administrative, processing or value-added ac-
3 tivities for that year, 75 percent of such excess shall
4 be paid to the Treasury of the United States and the
5 remaining 25 percent may be used or obligated
6 under paragraph (1)(B). Any funds not so used or
7 obligated shall be paid into the Treasury of the
8 United States.

9 (3) STATUS OF PAYMENTS TO EMPLOYEES.—

10 Any payment made to an employee under this sec-
11 tion shall be in addition to the regular pay of the
12 employee and to any other awards made to the em-
13 ployee, and shall not affect the entitlement of the
14 employee to any regular pay, annuity, or award to
15 which the employee is otherwise entitled or for which
16 the employee is otherwise eligible or limit the
17 amount thereof except that the monetary value of an
18 award for the same project or effort shall be de-
19 ducted from the amount otherwise available under
20 this paragraph. Payments, determined under the
21 terms of this paragraph and made to an employee
22 developer as such, may continue after the developer
23 leaves the DoD laboratory or department. Payments
24 made under this section shall not exceed \$75,000
25 per year to any one person, unless the President ap-

1 proves a larger award (with the excess over \$75,000
2 being treated as a Presidential award under section
3 4504 of title 5).

4 (d) INFORMATION IN REPORT.—The report required
5 by section 2515(d) of title 10, United States Code, shall
6 include information regarding the implementation and ef-
7 fectiveness of this section.

8 (e) EXPIRATION.—The authority provided in this sec-
9 tion shall expire on December 31, 2018.

10 **SEC. 805. EXTENSION OF AUTHORITY FOR PROGRAM TO**
11 **AWARD PRIZES FOR ADVANCED TECH-**
12 **NOLOGY ACHIEVEMENTS.**

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

16 **SEC. 806. REVISIONS TO ELIGIBILITY FOR, AND AMOUNT**
17 **OF, FINANCIAL ASSISTANCE UNDER DEPART-**
18 **MENT OF DEFENSE SCIENCE, MATHEMATICS,**
19 **AND RESEARCH FOR TRANSFORMATION PRO-**
20 **GRAM.**

21 (a) ELIGIBILITY FOR EDUCATIONAL ASSISTANCE.—
22 Paragraph (1) of section 2192a(b) of title 10, United
23 States Code, is amended—

24 (1) by striking subparagraph (A); and

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

3 (b) AMOUNT OF EDUCATIONAL ASSISTANCE.—Para-
4 graph (2) of such section is amended by striking “the
5 amount determined” and all that follows through “room
6 and board” and inserting “an amount determined by the
7 Secretary of Defense”.

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

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

16 **TITLE IX—DEPARTMENT OF DE-**
17 **FENSE ORGANIZATION AND**
18 **MANAGEMENT**

19 **SEC. 901. CLARIFICATION OF THE ORDER OF PRECEDENCE**
20 **FOR THE PRINCIPAL DEPUTY UNDER SECRE-**
21 **TARIES OF DEFENSE.**

22 Subsection (d) of section 137a of title 10, United
23 States Code, is amended by striking “and the Deputy
24 Chief Management Officer of the Department of De-
25 fense.” and inserting “the Deputy Chief Management Of-

1 fier of the Department of Defense, and the officials serv-
2 ing in positions specified in section 131(b)(4) of this
3 title.”.

4 **SEC. 902. UPDATE OF STATUTORY SPECIFICATION OF**
5 **FUNCTIONS OF THE CHAIRMAN OF THE**
6 **JOINT CHIEFS OF STAFF RELATING TO DOC-**
7 **TRINE, TRAINING, AND EDUCATION.**

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

10 (1) in the paragraph heading, by striking
11 “DOCTRINE, TRAINING, AND EDUCATION” and in-
12 serting “JOINT FORCE DEVELOPMENT ACTIVITIES”;

13 (2) in subparagraph (B), by inserting “and
14 technical standards, and executing actions” after
15 “policies”;

16 (3) in subparagraph (C), by striking “and
17 training”; and

18 (4) by adding at the end the following new sub-
19 paragraphs:

20 “(D) Formulating policies for concept develop-
21 ment and experimentation for the joint employment
22 of the armed forces.

23 “(E) Formulating policies for gathering, devel-
24 oping, and disseminating joint lessons learned for
25 the armed forces.”.

1 **SEC. 903. REVISION OF SECRETARY OF DEFENSE AUTHOR-**
2 **ITY TO ENGAGE IN COMMERCIAL ACTIVITIES**
3 **AS SECURITY FOR INTELLIGENCE COLLEC-**
4 **TION ACTIVITIES.**

5 (a) PERIOD FOR REQUIRED AUDITS.—Section
6 432(b)(2) of such title is amended by striking “annually”
7 in the first sentence and inserting “biennially”.

8 (b) REPEAL OF DESIGNATION OF DEFENSE INTEL-
9 LIGENCE AGENCY AS REQUIRED OVERSIGHT AUTHORITY
10 WITHIN DEPARTMENT OF DEFENSE.—Section 436(4) of
11 such title is amended—

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

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

17 (c) TECHNICAL AMENDMENTS.—

18 (1) DEFINITION OF CONGRESSIONAL INTEL-
19 LIGENCE COMMITTEES.—Section 437 of such title is
20 amended—

21 (A) in subsections (a) and (b), by inserting
22 “congressional” before “intelligence commit-
23 tees”; and

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

1 “(c) CONGRESSIONAL INTELLIGENCE COMMITTEES
2 DEFINED.—In this section, the term ‘congressional intel-
3 ligence committees’ has the meaning given that term in
4 section 3 of the National Security Act of 1947 (50 U.S.C.
5 401a).”.

6 (2) CONFORMING AMENDMENTS.—The second
7 sentence of section 432(b)(2) of such title is amend-
8 ed—

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

11 (B) by striking “section 437(d)” and in-
12 serting “section 437(c)”.

13 **SEC. 904. CHANGE TO REFERENCE TO THE MAJOR DEPART-**
14 **MENT OF DEFENSE HEADQUARTERS ACTIVI-**
15 **TIES ISSUANCE.**

16 Section 194(f) of title 10, United States Code, is
17 amended by striking “Directive 5100.73” and all that fol-
18 lows and inserting “Instruction 5100.73, entitled ‘Major
19 DoD Headquarters Activities’.”

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **Subtitle B—Naval Vessels**

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

8 Section 1012 of the National Defense Authorization
9 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
10 303), as most recently amended by section 1013 of the
11 National Defense Authorization Act for Fiscal Year 2013
12 (Public Law 112–239; 126 Stat. 1908), is repealed.

13 **SEC. 1012. REPEAL OF REQUIREMENTS RELATING TO PRO-**
14 **CUREMENT OF FUTURE SURFACE COMBAT-**
15 **ANTS.**

16 Section 125 of the National Defense Authorization
17 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat
18 2214) is repealed.

19 **Subtitle C—Other Matters**

20 **SEC. 1031. MANAGEMENT OF DEPARTMENT OF DEFENSE IN-**
21 **STALLATIONS.**

22 (a) SECRETARY OF DEFENSE AUTHORITY.—Chapter
23 159 of title 10, United States Code, is amended by insert-
24 ing after section 2671 the following new section:

1 **“§ 2672. Protection of property**

2 “(a) IN GENERAL.—The Secretary of Defense shall
3 protect the buildings, grounds, and property that are
4 under the jurisdiction, custody, or control of the Depart-
5 ment of Defense and the persons on that property.

6 “(b) OFFICERS AND AGENTS.—

7 “(1) DESIGNATION.—(A) The Secretary may
8 designate military or civilian personnel of the De-
9 partment of Defense as officers and agents to per-
10 form the functions of the Secretary under subsection
11 (a), including, with regard to civilian officers and
12 agents, duty in areas outside the property specified
13 in that subsection to the extent necessary to protect
14 that property and persons on that property.

15 “(B) A designation under subparagraph (A)
16 may be made by individual, by position, by installa-
17 tion, or by such other category of personnel as the
18 Secretary determines appropriate.

19 “(C) In making a designation under subpara-
20 graph (A) with respect to any category of personnel,
21 the Secretary shall specify each of the following:

22 “(i) The personnel or positions to be in-
23 cluded in the category.

24 “(ii) Which authorities provided for in
25 paragraph (2) may be exercised by personnel in
26 that category.

1 “(iii) In the case of civilian personnel in
2 that category—

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

7 “(II) with respect to the exercise of
8 any such authorities outside the property
9 specified in subsection (a), the cir-
10 cumstances under which coordination with
11 law enforcement officials outside of the De-
12 partment of Defense should be sought in
13 advance.

14 “(D) The Secretary may make a designation
15 under subparagraph (A) only if the Secretary deter-
16 mines, with respect to the category of personnel to
17 be covered by that designation, that—

18 “(i) the exercise of each specific authority
19 provided for in paragraph (2) to be delegated to
20 that category of personnel is necessary for the
21 performance of the duties of the personnel in
22 that category and such duties cannot be per-
23 formed as effectively without such authorities;
24 and

1 “(ii) the necessary and proper training for
2 the authorities to be exercised is available to
3 the personnel in that category.

4 “(2) POWERS.—Subject to subsection (h) and
5 to the extent specifically authorized by the Sec-
6 retary, while engaged in the performance of official
7 duties pursuant to this section, an officer or agent
8 designated under this subsection may—

9 “(A) enforce Federal laws and regulations
10 for the protection of persons and property;

11 “(B) carry firearms;

12 “(C) make arrests—

13 “(i) without a warrant for any offense
14 against the United States committed in the
15 presence of the officer or agent; or

16 “(ii) for any felony cognizable under
17 the laws of the United States if the officer
18 or agent has reasonable grounds to believe
19 that the person to be arrested has com-
20 mitted or is committing a felony;

21 “(D) serve warrants and subpoenas issued
22 under the authority of the United States; and

23 “(E) conduct investigations, on and off the
24 property in question, of offenses that may have
25 been committed against property under the ju-

1 jurisdiction, custody, or control of the Depart-
2 ment of Defense or persons on such property.

3 “(c) REGULATIONS.—

4 “(1) IN GENERAL.—The Secretary may pre-
5 scribe regulations, including traffic regulations, nec-
6 essary for the protection and administration of prop-
7 erty under the jurisdiction, custody, or control of the
8 Department of Defense and persons on that prop-
9 erty. The regulations may include reasonable pen-
10 alties, within the limits prescribed in paragraph (2),
11 for violations of the regulations. The regulations
12 shall be posted and remain posted in a conspicuous
13 place on the property to which they apply.

14 “(2) PENALTIES.—A person violating a regula-
15 tion prescribed under this subsection shall be fined
16 under title 18, imprisoned for not more than 30
17 days, or both.

18 “(d) LIMITATION ON DELEGATION OF AUTHORITY.—
19 The authority of the Secretary of Defense under sub-
20 sections (b) and (c) may be exercised only by the Secretary
21 or Deputy Secretary of Defense.

22 “(e) DISPOSITION OF PERSONS ARRESTED.—A per-
23 son who is arrested pursuant to authority exercised under
24 subsection (b) may not be held in a military confinement
25 facility, other than in the case of a person who is subject

1 to chapter 47 of this title (the Uniform Code of Military
2 Justice).

3 “(f) FACILITIES AND SERVICES OF OTHER AGEN-
4 CIES.—In implementing this section, when the Secretary
5 determines it to be economical and in the public interest,
6 the Secretary may utilize the facilities and services of Fed-
7 eral, State, tribal, and local law enforcement agencies,
8 with the consent of those agencies, and may reimburse
9 those agencies for the use of their facilities and services.

10 “(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—
11 For the protection of property under the jurisdiction, cus-
12 tody, or control of the Department of Defense and persons
13 on that property, the Secretary may enter into agreements
14 with Federal agencies and with State, tribal, and local
15 governments to obtain authority for civilian officers and
16 agents designated under this section to enforce Federal
17 laws and State, tribal, and local laws concurrently with
18 other Federal law enforcement officers and with State,
19 tribal, and local law enforcement officers.

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

1 “(i) LIMITATION ON STATUTORY CONSTRUCTION.—

2 Nothing in this section shall be construed—

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

5 “(2) to restrict the authority of the Secretary of
6 Homeland Security or of the Administrator of Gen-
7 eral Services to promulgate regulations affecting
8 property under the custody and control of that Sec-
9 retary or the Administrator, respectively;

10 “(3) to expand or limit section 21 of the Inter-
11 nal Security Act of 1950 (50 U.S.C. 797);

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

13 “(5) to restrict any other authority of the Sec-
14 retary of Defense or the Secretary of a military de-
15 partment.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by inserting
18 after the item relating to section 2671 the following new
19 item:

“2672. Protection of property.”.

20 **SEC. 1033. REPEAL AND MODIFICATION OF REPORTING RE-**
21 **QUIREMENTS.**

22 (a) TITLE 10, UNITED STATES CODE.—Title 10,
23 United States Code, is amended as follows:

24 (1) Section 113 is amended by striking sub-
25 section (m).

1 (2) Section 117 is amended by striking sub-
2 section (e).

3 (3) Section 127 is amended by striking sub-
4 section (d).

5 (4) Section 129 is amended by striking sub-
6 section (f).

7 (5) Section 153 is amended by striking sub-
8 section (c).

9 (6)(A) Section 229 is repealed.

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

13 (7)(A) Section 483 is repealed.

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

17 (8)(A) Section 489 is repealed.

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

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

22 (10) Section 1557 is amended by striking sub-
23 section (e).

24 (11)(A) Section 1563 is repealed.

1 (B) The table of sections at the beginning of
2 chapter 80 is amended by striking the item relating
3 to section 1563.

4 (12) Section 1781b is amended by striking sub-
5 section (d).

6 (13) Section 2216 is amended by striking sub-
7 section (i).

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

10 (15) Section 2350b is amended by striking sub-
11 section (d).

12 (16) Section 2350j is amended by striking sub-
13 section (e).

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

16 (18)(A) Section 2352 is repealed.

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

20 (19) Section 2410i(e) is amended by striking
21 the last sentence.

22 (20)(A) Section 2475 is repealed.

23 (B) The table of sections at the beginning of
24 chapter 146 is amended by striking the item relating
25 to section 2475.

1 (21)(A) Section 2504 is repealed.

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

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

7 (B) Such section is further amended—

8 (i) by striking “(1)” after “AUTHORITY.—
9 ”;

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

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

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

17 (24) Section 2827 is amended—

18 (A) by striking “(a) Subject to subsection
19 (b), the Secretary” and inserting “The Sec-
20 retary”; and

21 (B) by striking subsection (b).

22 (25) Section 2828 is amended by striking sub-
23 section (f).

24 (26) Section 2835 is amended—

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

4 (B) by striking subsection (b); and

5 (C) by striking subsection (g).

6 (27) Section 2837 is amended—

7 (A) in subsection (c)—

8 (i) by striking “(1)” after “OPPORTU-
9 NITIES.—”; and

10 (ii) by striking paragraph (2); and

11 (B) by striking subsection (f).

12 (28) Section 2854a is amended by striking sub-
13 section (c).

14 (29) Section 2861 is amended by striking sub-
15 sections (c) and (d).

16 (30) Section 2866(c) is amended—

17 (A) by striking “(1)” before “The Sec-
18 retary”; and

19 (B) by striking paragraph (2).

20 (31) Section 2875 is amended by striking sub-
21 section (e).

22 (32)(A) Section 2884 is amended—

23 (i) by striking subsection (b); and

24 (ii) in subsection (a)—

1 (I) by striking “PROJECT REPORTS.—
2 (1)” and inserting “REPORTS.—”;

3 (II) by redesignating subparagraphs
4 (A) and (B) as paragraphs (1) and (2), re-
5 spectively; and

6 (III) by striking “(2) For each” and
7 inserting “(b) CONTENT OF REPORTS.—
8 (1) For each”.

9 (B) Such section is further amended—

10 (i) by redesignating paragraphs (3) and
11 (4) of subsection (b) of such section (as des-
12 ignated by subparagraph (A)(ii)(III)) as para-
13 graphs (2) and (3), respectively; and

14 (ii) in paragraph (2) of subsection (b), as
15 so redesignated, by striking “contract described
16 in paragraph (1)” and inserting “contract de-
17 scribed in subsection (a)”.

18 (C)(i) The heading of such section is
19 amended to read as follows:

20 **“§ 2884. Project reports”.**

21 (ii) The item relating to that section in the
22 table of sections at the beginning of subchapter
23 IV of chapter 169 is amended to read as fol-
24 lows:

“2884. Project reports.”.

1 (33) Section 2885(a)(3) is amended by striking
2 “If a project” and inserting “In the case of a project
3 for new construction, if the project”.

4 (34) Section 2916 is amended by striking sub-
5 section (c).

6 (b) ANNUAL NATIONAL DEFENSE AUTHORIZATION
7 ACTS.—

8 (1) FISCAL YEAR 2011.—Section 892 of The Ike
9 Skelton National Defense Authorization Act for Fis-
10 cal Year 2011 (Public Law 111–383; 10 U.S.C.
11 2306a note) is amended by striking subsection (b).

12 (2) FISCAL YEAR 2009.—The Duncan Hunter
13 National Defense Authorization Act for Fiscal Year
14 2009 (Public Law 110–417) is amended as follows:

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

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

19 “(5) Not later than December 31 each year, the cor-
20 rosion control and prevention executive of a military de-
21 partment shall submit to the Secretary of Defense a report
22 containing recommendations pertaining to the corrosion
23 control and prevention program of the military depart-
24 ment. The report each year shall include recommendations

1 for the funding levels necessary for the executive to carry
2 out the duties of the executive under this section.”.

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

5 (i) by striking “REQUIREMENTS.—”
6 and all that follows through “The Sec-
7 retary” and inserting “REQUIREMENTS.—
8 The Secretary”;

9 (ii) by striking paragraph (2); and

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

13 (3) FISCAL YEAR 2008.—The National Defense
14 Authorization Act for Fiscal Year 2008 (Public Law
15 110–181) is amended as follows:

16 (A) Section 911 (10 U.S.C. 2271 note) is
17 amended by striking paragraph (2) of sub-
18 section (f).

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

21 (i) in subparagraph (A), by striking
22 “The Secretary” and inserting “Except as
23 provided in subparagraph (D), the Sec-
24 retary”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(D) EXCEPTIONS.—Subparagraph (A)
4 does not apply in the case of—

5 “(i) an individual described in para-
6 graph (2)(C) who is otherwise sponsored
7 by the Secretary of Defense, the Deputy
8 Secretary of Defense, the Chairman of the
9 Joint Chiefs of Staff, or the Vice Chair-
10 man of the Joint Chiefs of Staff; or

11 “(ii) an individual described in para-
12 graph (2)(E).”.

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

15 (4) FISCAL YEAR 2007.—The John Warner Na-
16 tional Defense Authorization Act for Fiscal Year
17 2007 (Public Law 109–364) is amended as follows:

18 (A) Section 226 (120 Stat. 2131) is re-
19 pealed.

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

22 (5) FISCAL YEAR 2003.—Section 817 of the Bob
23 Stump National Defense Authorization Act for Fis-
24 cal Year 2003 (Public Law 107–314; 10 U.S.C.

1 2306a note) is amended by striking subsections (d)
2 and (e)(2).

3 (6) FISCAL YEAR 2000.—Section 1409 of the
4 National Defense Authorization Act for Fiscal Year
5 2000 (Public Law 106–65; 22 U.S.C. 2778 note) is
6 amended by striking subsection (b).

7 (7) FISCAL YEAR 1999.—Section 1101 of the
8 Strom Thurmond National Defense Authorization
9 Act for Fiscal Year 1999 (Public Law 105–261; 5
10 U.S.C. 3104 note) is amended by striking subsection
11 (g).

12 (8) FISCAL YEAR 1991.—Section 4004(d) of the
13 National Defense Authorization Act for Fiscal Year
14 1991 (10 U.S.C. 2391) is amended—

15 (A) by inserting “and” at the end of para-
16 graph (1);

17 (B) by striking “; and” at the end of para-
18 graph (2) and inserting a period; and

19 (C) by striking paragraph (3).

20 (c) DEFENSE ACQUISITION IMPROVEMENT ACT OF
21 1986.—Section 908 of the Defense Acquisition Improve-
22 ment Act of 1986 (as contained in section 101(c) of Public
23 Law 99–500 and identically enacted in section 101(c) of
24 Public Law 99–591 and title IX of Public Law 99–661)

1 (10 U.S.C. 2326 note) is amended by striking subsection
2 (b).

3 (d) FOREIGN ASSISTANCE ACT OF 1961.—The For-
4 eign Assistance Act of 1961 is amended as follows:

5 (1) Section 516(f)(1) (22 U.S.C. 2321j(f)(1)) is
6 amended by striking “excess defense articles that
7 are significant military equipment (as defined in sec-
8 tion 47(9) of the Arms Export Control Act) or”.

9 (2) Section 656 (22 U.S.C. 2416) is repealed.

10 (e) ARMS EXPORT CONTROL ACT.—Section 36(a) of
11 the Arms Export Control Act (22 U.S.C. 2776(a)) is
12 amended—

13 (1) by striking “end of each quarter” in the
14 matter preceding paragraph (1) and inserting “end
15 of each fiscal year”;

16 (2) by striking “during the fiscal year in
17 which” in paragraphs (2) and (3) and inserting
18 “during the fiscal year for which”;

19 (3) by striking “in the quarter of the fiscal year
20 immediately following the quarter” in paragraph (5)
21 and inserting “in the fiscal year”;

22 (4) by striking paragraph (6); and

23 (5) by striking “quarter” each place it appears
24 in paragraphs (8), (9), and (10) and inserting “fis-
25 cal year”.

1 (f) SECURITY REPORTS.—

2 (1) Section 3151 of the Department of Energy
3 Facilities Safeguards, Security, and Counterintel-
4 ligence Enhancement Act of 1999 (subtitle D of title
5 XXXI of Public Law 106–65; 42 U.S.C. 7383e) is
6 repealed.

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

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

11 (g) INTELLIGENCE REFORM AND TERRORISM PRE-
12 VENTION ACT OF 2004.—Section 3002(c) of the Intel-
13 ligence Reform and Terrorism Prevention Act of 2004 (50
14 U.S.C. 435c(e)) is amended by striking paragraph (4).

15 (h) UNIFORMED AND OVERSEAS CITIZENS ABSEN-
16 TEE VOTING ACT.—Section 105A(b) of the Uniformed
17 and Overseas Citizens Absentee Voting Act (42 U.S.C.
18 1973ff–4a(b)) is amended—

19 (1) in the subsection heading, by striking “AN-
20 NUAL REPORT” and inserting “BIENNIAL REPORT”;

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

22 (A) by striking “March 31 of each year”
23 and inserting “September 30 of each odd-num-
24 bered year”; and

1 (B) by striking “the following information”
2 and inserting “the following information with
3 respect to the Federal election held during the
4 preceding calendar year”; and

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

8 (i) DEPARTMENT OF DEFENSE APPROPRIATIONS
9 ACT, 2002.—Section 8159(c) of the Department of De-
10 fense Appropriations Act, 2002 (division A of Public Law
11 107–117; 115 Stat. 2284), is amended by striking para-
12 graph (7).

13 **TITLE XI—CIVILIAN PERSONNEL**
14 **MATTERS**

15 **SEC. 1101. EXPANSION OF PROTECTION OF EMPLOYEES OF**
16 **NONAPPROPRIATED FUND INSTRUMENTAL-**
17 **ITIES FROM REPRISALS.**

18 Section 1587(b) of title 10, United States Code, is
19 amended by inserting “, threaten to take,” after “take”
20 the third place it appears.

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

3 **SEC. 1201. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR**
4 **NON-CONVENTIONAL ASSISTED RECOVERY**
5 **CAPABILITIES.**

6 Subsection (h) of section 943 of the Duncan Hunter
7 National Defense Authorization Act for Fiscal Year 2009
8 (Public Law 110–417; 122 Stat. 4579), as amended by
9 section 1205(g) of the National Defense Authorization Act
10 for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
11 1624), is further amended by striking “2013” and insert-
12 ing “2018”.

13 **SEC. 1202. INCREASE IN ANNUAL LIMITATION ON TRANS-**
14 **FER OF EXCESS DEFENSE ARTICLES.**

15 Section 516(g)(1) of the Foreign Assistance Act of
16 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking
17 “\$425,000,000” and inserting “\$500,000,000”.

18 **TITLE XIII—OTHER**
19 **AUTHORIZATIONS**

20 **Subtitle A—Military Programs**

21 **SEC. 1301. WORKING CAPITAL FUNDS.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2014 for the use of the Armed Forces and other
24 activities and agencies of the Department of Defense for

1 providing capital for Defense Working Capital Funds in
2 the amount of \$1,545,827,000.

3 **SEC. 1302. NATIONAL DEFENSE SEALIFT FUND.**

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

7 **SEC. 1303. JOINT URGENT OPERATIONAL NEEDS FUND.**

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

11 **SEC. 1304. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
12 **TION, DEFENSE.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
14 are hereby authorized to be appropriated for the Depart-
15 ment of Defense for fiscal year 2014 for expenses, not oth-
16 erwise provided for, for Chemical Agents and Munitions
17 Destruction, Defense, in the amount of \$1,057,123,000,
18 of which—

19 (1) \$451,572,000 is for Operation and Mainte-
20 nance;

21 (2) \$604,183,000 is for Research, Development,
22 Test, and Evaluation; and

23 (3) \$1,368,000 is for Procurement.

24 (b) USE.—Amounts authorized to be appropriated
25 under subsection (a) are authorized for—

1 (1) the destruction of lethal chemical agents
2 and munitions in accordance with section 1412 of
3 the Department of Defense Authorization Act, 1986
4 (50 U.S.C. 1521); and

5 (2) the destruction of chemical warfare materiel
6 of the United States that is not covered by section
7 1412 of such Act.

8 **SEC. 1305. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

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

15 **SEC. 1306. DEFENSE INSPECTOR GENERAL.**

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

21 (1) \$311,131,000 is for Operation and Mainte-
22 nance; and

23 (2) \$1,000,000 is for Procurement.

1 **SEC. 1307. DEFENSE HEALTH PROGRAM.**

2 Funds are hereby authorized to be appropriated for
3 the Department of Defense for fiscal year 2014 for ex-
4 penses, not otherwise provided for, for the Defense Health
5 Program, in the amount of \$33,351,528,000, of which—

6 (1) \$31,950,734,000 is for Operation and
7 Maintenance;

8 (2) \$729,613,000 is for Research, Development,
9 Test, and Evaluation; and

10 (3) \$671,181,000 is for Procurement.

11 **Subtitle B—National Defense**
12 **Stockpile**

13 **SEC. 1311. AUTHORITY TO ACQUIRE ADDITIONAL MATE-**
14 **RIALS FOR THE NATIONAL DEFENSE STOCK-**
15 **PILE.**

16 Section 1411 of the National Defense Authorization
17 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
18 1654), is amended—

19 (1) by redesignating subsection (c) as sub-
20 section (d); and

21 (2) by inserting after subsection (b) the fol-
22 lowing new subsection (c):

23 “(c) ACQUISITION AUTHORITY.—(1) Using funds
24 available in the National Defense Stockpile Transaction
25 Fund, the National Defense Stockpile Manager may ac-
26 quire the following materials determined to be strategic

1 and critical materials required to meet the defense, indus-
 2 trial, and essential civilian needs of the United States:

3 “(A) Ferroniobium.

4 “(B) Dysprosium Metal.

5 “(C) Yttrium Oxide.

6 “(2) The National Defense Stockpile Manager may
 7 use up to \$22,000,000 of the National Stockpile Trans-
 8 action Fund for acquisition of the materials specified in
 9 paragraph (1).

10 “(3) The authority under this subsection is available
 11 for purchases during fiscal year 2014 through fiscal year
 12 2019.”.

13 **Subtitle C—Other Matters**

14 **SEC. 1321. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
 15 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
 16 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
 17 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
 18 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

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

1 tion 1704 of the National Defense Authorization Act for
2 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).
3 For purposes of subsection (a)(2) of such section 1704,
4 any funds so transferred shall be treated as amounts au-
5 thorized and appropriated specifically for the purpose of
6 such a transfer.

7 (b) USE OF TRANSFERRED FUNDS.—For the pur-
8 poses of subsection (b) of such section 1704, facility oper-
9 ations for which funds transferred under subsection (a)
10 may be used are operations of the Captain James A.
11 Lovell Federal Health Care Center, consisting of the
12 North Chicago Veterans Affairs Medical Center, the Navy
13 Ambulatory Care Center, and supporting facilities des-
14 ignated as a combined Federal medical facility under an
15 operational agreement covered by section 706 of the Dun-
16 can Hunter National Defense Authorization Act for Fiscal
17 Year 2009 (Public Law 110–417; 122 Stat. 4500).

18 **SEC. 1322. AUTHORIZATION OF APPROPRIATIONS FOR**
19 **ARMED FORCES RETIREMENT HOME.**

20 There is hereby authorized to be appropriated for fis-
21 cal year 2014 from the Armed Forces Retirement Home
22 Trust Fund the sum of \$67,800,000 for the operation of
23 the Armed Forces Retirement Home.

1 **DIVISION B—MILITARY CON-**
2 **STRUCTION AUTHORIZA-**
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-
6 tion Authorization Act for Fiscal Year 2014”.

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
9 **LAW.**

10 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
11 YEARS.—Except as provided in subsection (b), all author-
12 izations contained in titles XXI through XXVII for mili-
13 tary construction projects, land acquisition, family housing
14 projects and facilities, and contributions to the North At-
15 lantic Treaty Organization Security Investment Program
16 (and authorizations of appropriations therefor) shall ex-
17 pire on the later of—

18 (1) October 1, 2016; or

19 (2) the date of the enactment of an Act author-
20 izing funds for military construction for fiscal year
21 2017.

22 (b) EXCEPTION.—Subsection (a) shall not apply to
23 authorizations for military construction projects, land ac-
24 quisition, family housing projects and facilities, and con-
25 tributions to the North Atlantic Treaty Organization Se-

1 curity Investment Program (and authorizations of appro-
 2 priations therefor), for which appropriated funds have
 3 been obligated before the later of—

- 4 (1) October 1, 2016; or
- 5 (2) the date of the enactment of an Act author-
 6 izing funds for fiscal year 2017 for military con-
 7 struction projects, land acquisition, family housing
 8 projects and facilities, or contributions to the North
 9 Atlantic Treaty Organization Security Investment
 10 Program.

11 **TITLE XXI—ARMY MILITARY**
 12 **CONSTRUCTION**

13 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 14 **ACQUISITION PROJECTS.**

15 (a) **INSIDE THE UNITED STATES.**—Using amounts
 16 appropriated pursuant to the authorization of appropria-
 17 tions in section 2103(1), the Secretary of the Army may
 18 acquire real property and carry out military construction
 19 projects for the installations or locations inside the United
 20 States, and in the amounts, set forth in the following
 21 table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	\$103,000,000
Colorado	Fort Carson	\$242,200,000
Florida	Eglin AFB	\$4,700,000
Georgia	Fort Gordon	\$61,000,000
Hawaii	Fort Shafter	\$75,000,000
Kansas	Fort Leavenworth	\$17,000,000
Kentucky	Fort Campbell	\$4,800,000
Maryland	Aberdeen Proving Ground	\$21,000,000

Army: Inside the United States—Continued

State	Installation	Amount
	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	\$9,100,000.

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2103(2), the Secretary of the Army may
4 acquire real property and carry out military construction
5 projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Army: Outside the United States

Country	Installation	Amount
Kwajalein	Kwajalein Atoll	\$63,000,000
Worldwide Classified	Classified Location	\$33,000,000.

8 SEC. 2102. FAMILY HOUSING.

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2103(5)(A), the Secretary of the
12 Army may construct or acquire family housing units (in-
13 cluding land acquisition and supporting facilities) at the
14 installations or locations, in the number of units, and in
15 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.

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2103(5)(A), the Secretary of the Army may carry
4 out architectural and engineering services and construc-
5 tion design activities with respect to the construction or
6 improvement of family housing units in an amount not
7 to exceed \$4,408,000.

8 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

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

14 (1) For military construction projects inside the
15 United States authorized by section 2101(a),
16 \$882,300,000.

17 (2) For military construction projects outside
18 the United States authorized by section 2101(b),
19 \$96,000,000.

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

23 (4) For architectural and engineering services
24 and construction design under section 2807 of title
25 10, United States Code, \$74,575,000.

1 (5) For military family housing functions:

2 (A) For construction and acquisition, plan-
3 ning and design, and improvement of military
4 family housing and facilities, \$44,008,000.

5 (B) For support of military family housing
6 (including the functions described in section
7 2833 of title 10, United States Code),
8 \$512,871,000.

9 (6) For the construction of increment 2 of the
10 Cadet Barracks at the United States Military Acad-
11 emy, New York, authorized by section 2101(a) of
12 the Military Construction Authorization Act for Fis-
13 cal Year 2013 (division B of Public Law 112–239;
14 126 Stat. 2119), \$42,000,000.

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

17 In the case of the authorization contained in the table
18 in section 2101(a) of the Military Construction Authoriza-
19 tion Act for Fiscal Year 2004 (division B of Public Law
20 108–136; 117 Stat. 1697) for Picatinny Arsenal, New
21 Jersey, for construction of an Explosives Research and
22 Development Loading Facility at the installation, the Sec-
23 retary of the Army may use available unobligated balances
24 of amounts appropriated for military construction for the
25 Army to complete work on the project within the scope

1 specified for the project in the justification data provided
2 to Congress as part of the request for authorization of
3 the project.

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

6 In the case of the authorization contained in the table
7 in section 2101(a) of the Military Construction Authoriza-
8 tion Act for Fiscal Year 2011 (division B of Public Law
9 111–383; 124 Stat. 4437) for Fort Lewis, Washington,
10 for construction of a Regional Logistic Support Complex
11 at the installation, the Secretary of the Army may con-
12 struct up to 98,381 square yards of Organizational Vehicle
13 Parking.

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

16 In the case of the authorization contained in the table
17 in section 2101(b) of the Military Construction Authoriza-
18 tion Act for Fiscal Year 2010 (division B of Public Law
19 111–84; 123 Stat. 2629) for Camp Arifjan, Kuwait, for
20 construction of APS Warehouses at the camp, the Sec-
21 retary of the Army may construct up to 74,976 square
22 meters of hardstand parking, 22,741 square meters of ac-
23 cess roads, a 6 megawatt power plant, and 50,724 square
24 meters of humidity-controlled warehouses.

1 **SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2010 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2010 (division B of Public Law 111–84; 123 Stat.
 6 2627), the authorizations set forth in the table in sub-
 7 section (b), as provided in section 2101 of that Act (123
 8 Stat. 2628), shall remain in effect until October 1, 2014,
 9 or the date of the enactment of an Act authorizing funds
 10 for military construction for fiscal year 2015, whichever
 11 is later.

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

Army: Extension of 2010 Project Authorizations

State/Country	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.

14 **SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 15 **FISCAL YEAR 2011 PROJECTS.**

16 (a) EXTENSIONS.—Notwithstanding section 2002 of
 17 the Military Construction Authorization Act for Fiscal
 18 Year 2011 (division B of Public Law 111–383; 124 Stat.
 19 4436), the authorizations set forth in the table in sub-
 20 section (b), as provided in section 2101 of that Act (124
 21 Stat. 4437), shall remain in effect until October 1, 2014,

1 or the date of the enactment of an Act authorizing funds
 2 for military construction for fiscal year 2015, whichever
 3 is later.

4 (b) TABLE.—The table referred to in subsection (a)
 5 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 AB	Access Control Point	\$5,100,000.

6 **TITLE XXII—NAVY MILITARY**
 7 **CONSTRUCTION**

8 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 9 **ACQUISITION PROJECTS.**

10 (a) INSIDE THE UNITED STATES.—Using amounts
 11 appropriated pursuant to the authorization of appropria-
 12 tions in section 2204(1), the Secretary of the Navy may
 13 acquire real property and carry out military construction
 14 projects for the installations or locations inside the United
 15 States, and in the amounts, set forth in the following
 16 table:

Navy: Inside the United States

State	Installation	Amount
California	Camp Pendleton	\$13,124,000
	Coronado	\$8,910,000
	San Diego	\$34,331,000
	Twentynine Palms	\$33,437,000
	Barstow	\$14,998,000
	Point Mugu	\$24,667,000
	Port Hueneme	\$33,600,000
Florida	Jacksonville	\$20,752,000

Navy: Inside the United States—Continued

State	Installation	Amount
Georgia	Key West	\$14,001,000
	Mayport	\$16,093,000
	Albany	\$16,610,000
	Savannah	\$61,717,000
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
Nevada	Fallon	\$11,334,000
North Carolina	Camp Lejeune	\$77,999,000
	New River	\$45,863,000
	Tinker AFB	\$14,144,000
Rhode Island	Newport	\$12,422,000
South Carolina	Charleston	\$73,932,000
Virginia	Norfolk	\$3,380,000
	Quantico	\$38,374,000
	Yorktown	\$18,700,000
	Dam Neck	\$10,587,000
	Whidbey Island	\$117,649,000
Washington	Bremerton	\$18,189,000.

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the installation or location outside the United
6 States, and in the amounts, set forth in the following
7 table:

Navy: Outside the United States

Country	Installation	Amount
Djibouti	Camp Lemonier	\$29,000,000
Guam	Joint Region Marianas	\$318,377,000
Japan	Yokosuka	\$7,568,000
	Camp Butler	\$5,820,000.

8 SEC. 2202. FAMILY HOUSING.

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2204(5)(A), the Sec-
11 retary of the Navy may carry out architectural and engi-

1 neering services and construction design activities with re-
2 spect to the construction or improvement of family hous-
3 ing units in an amount not to exceed \$4,438,000.

4 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 Subject to section 2825 of title 10, United States
7 Code, and using amounts appropriated pursuant to the
8 authorization of appropriations in section 2204(5)(A), the
9 Secretary of the Navy may improve existing military fam-
10 ily housing units in an amount not to exceed \$68,969,000.

11 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

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

17 (1) For military construction projects inside the
18 United States authorized by section 2201(a),
19 \$1,205,054,000.

20 (2) For military construction projects outside
21 the United States authorized by section 2201(b),
22 \$360,765,000.

23 (3) For unspecified minor military construction
24 projects authorized by section 2805 of title 10,
25 United States Code, \$19,740,000.

1 (4) For architectural and engineering services
2 and construction design under section 2807 of title
3 10, United States Code, \$89,830,000.

4 (5) For military family housing functions:

5 (A) For construction and acquisition, plan-
6 ning and design, and improvement of military
7 family housing and facilities, \$73,407,000.

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

11 (6) For the construction of increment 3 of the
12 Explosives Handling Wharf No. 2 at Kitsap, Wash-
13 ington, authorized by section 2201(a) of the Military
14 Construction Authorization Act for Fiscal Year 2012
15 (division B of Public Law 112–81; 125 Stat. 1666),
16 as amended by section 2205 of the Military Con-
17 struction Authorization Act for Fiscal Year 2013
18 (division B of Public Law 112–239; 126 Stat. 2124)
19 \$24,880,000.

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

22 In the case of the authorization contained in the table
23 in section 2201(b) of the Military Construction Authoriza-
24 tion Act for Fiscal Year 2011 (division B of Public Law
25 111–383; 124 Stat. 4441), for Southwest Asia Bahrain,

1 for construction of Navy Central Command Ammunition
2 Magazines at that location, the Secretary of the Navy may
3 construct additional Type C earth covered magazines (to
4 provide a project total of eighteen), ten new modular stor-
5 age magazines, an inert storage facility, a maintenance
6 and ground support equipment facility, concrete pads for
7 portable ready service lockers, and associated supporting
8 facilities using appropriations available for the project.

9 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2012 PROJECT.**

11 In the case of the authorization contained in the table
12 in section 2201(a) of the Military Construction Authoriza-
13 tion Act for Fiscal Year 2012 (division B of Public Law
14 112–81; 125 Stat. 1666), for Kitsap Washington, for con-
15 struction of Explosives Handling Wharf No. 2 at that lo-
16 cation, the Secretary of the Navy may construct new hard-
17 ened facilities in lieu of hardening existing structures and
18 may construct a new facility to replace the existing Coast
19 Guard Maritime Force Protection Unit and the Naval Un-
20 dersea Warfare Command unhardened facilities using ap-
21 propriations available for the project.

22 **SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
23 **FISCAL YEAR 2011 PROJECTS.**

24 (a) EXTENSION.—Notwithstanding section 2002 of
25 the Military Construction Authorization Act for Fiscal

1 Year 2011 (division B of Public Law 111–383; 124 Stat.
 2 4436), the authorization set forth in the table in sub-
 3 section (b), as provided in section 2201 of that Act (124
 4 Stat. 4441), shall remain in effect until October 1, 2014,
 5 or the date of the enactment of an Act authorizing funds
 6 for military construction for fiscal year 2015, whichever
 7 is later.

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

Navy: Extension of 2011 Project Authorizations

State/Country	Installation or Location	Project	Amount
Bahrain Island	SW Asia	Navy Central Command Ammunition Magazines.	\$89,280,000.

10 **SEC. 2208. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 11 **FISCAL YEAR 2011 PROJECT.**

12 (a) EXTENSION.—Notwithstanding section 2002 of
 13 the Military Construction Authorization Act for Fiscal
 14 Year 2011 (division B of Public Law 111–383; 124 Stat.
 15 4436), the authorization set forth in the table in sub-
 16 section (b), as provided in section 2201 of that Act (124
 17 Stat. 4441), shall remain in effect until October 1, 2015,
 18 or the date of the enactment of an Act authorizing funds
 19 for military construction for fiscal year 2016, whichever
 20 is later.

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

Navy: Extension of 2011 Project Authorizations

State/Country	Installation or Location	Project	Amount
Guam	Guam	Defense Access Roads Improvements.	\$66,730,000.

1 **TITLE XXIII—AIR FORCE**
 2 **MILITARY CONSTRUCTION**

3 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 4 **LAND ACQUISITION PROJECTS.**

5 (a) INSIDE THE UNITED STATES.—Using amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2304(1), the Secretary of the Air Force
 8 may acquire real property and carry out military construc-
 9 tion projects for the installations or locations inside the
 10 United States, and in the amounts, set forth in the fol-
 11 lowing table:

Air Force: Inside the United States

State	Installation	Amount
Arizona	Luke AFB	\$26,900,000
California	Beale AFB	\$62,000,000
Florida	Tyndall AFB	\$9,100,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$4,800,000
Kentucky	Fort Campbell	\$8,000,000
Maryland	Fort Meade	\$358,000,000
	Joint Base Andrews	\$30,000,000
Missouri	Whiteman AFB	\$5,900,000
Nevada	Nellis AFB	\$78,500,000
New Mexico	Cannon AFB	\$34,100,000
	Holloman AFB	\$2,250,000
	Kirtland AFB	\$30,500,000
North Dakota	Minot AFB	\$23,830,000
Oklahoma	Tinker AFB	\$8,600,000
Texas	Fort Bliss	\$3,350,000
Utah	Hill AFB	\$32,000,000
Virginia	Joint Base Langley-Eustis	\$4,800,000
Unspecified	Unspecified Locations	\$255,700,000.

12 (b) OUTSIDE THE UNITED STATES.—Using amounts
 13 appropriated pursuant to the authorization of appropria-

1 tions in section 2304(2), the Secretary of the Air Force
 2 may acquire real property and carry out military construc-
 3 tion projects for the installations or locations outside the
 4 United States, and in the amounts, set forth in the fol-
 5 lowing table:

Air Force: Outside the United States

Country	Installation	Amount
Greenland	Thule AB	\$43,904,000
Guam	Joint Region Marianas	\$176,230,000
Mariana Islands	Saipan	\$29,300,000
United Kingdom	RAF Lakenheath	\$22,047,000
	RAF Croughton	\$12,000,000.

6 **SEC. 2302. FAMILY HOUSING.**

7 Using amounts appropriated pursuant to the author-
 8 ization of appropriations in section 2304(5)(A), the Sec-
 9 retary of the Air Force may carry out architectural and
 10 engineering services and construction design activities
 11 with respect to the construction or improvement of family
 12 housing units in an amount not to exceed \$4,267,000.

13 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 14 **UNITS.**

15 Subject to section 2825 of title 10, United States
 16 Code, and using amounts appropriated pursuant to the
 17 authorization of appropriations in section 2304(5)(A), the
 18 Secretary of the Air Force may improve existing military
 19 family housing units in an amount not to exceed
 20 \$72,093,000.

1 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
2 **FORCE.**

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

8 (1) For military construction projects inside the
9 United States authorized by section 2301(a),
10 \$705,330,000.

11 (2) For military construction projects outside
12 the United States authorized by section 2301(b),
13 \$283,481,000.

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

17 (4) For architectural and engineering services
18 and construction design under section 2807 of title
19 10, United States Code, \$11,314,000.

20 (5) For military family housing functions:

21 (A) For construction and acquisition, plan-
22 ning and design, and improvement of military
23 family housing and facilities, \$76,360,000.

24 (B) For support of military family housing
25 (including functions described in section 2833
26 of title 10, United States Code), \$388,598,000.

1 **TITLE XXIV—DEFENSE AGEN-**
 2 **CIES MILITARY CONSTRUC-**
 3 **TION**

4 **Subtitle A—Defense Agency**
 5 **Authorizations**

6 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 7 **TION AND LAND ACQUISITION PROJECTS.**

8 (a) INSIDE THE UNITED STATES.—Using amounts
 9 appropriated pursuant to the authorization of appropria-
 10 tions in section 2403(1), the Secretary of Defense may
 11 acquire real property and carry out military construction
 12 projects for the installations or locations inside the United
 13 States, and in the amounts, set forth in the following
 14 table:

Defense Agencies: Inside the United States

State	Installation	Amount
Alaska	Clear AFS	\$17,204,000
	Fort Greely	\$82,000,000
California	Miramar	\$6,000,000
	Defense Distribution Depot-Tracy	\$37,554,000
	Brawley	\$23,095,000
Colorado	Fort Carson	\$22,282,000
Florida	Hurlburt Field	\$7,900,000
	Jacksonville	\$7,500,000
	Tyndall AFB	\$9,500,000
	Key West	\$3,600,000
Georgia	Panama City	\$2,600,000
	Fort Benning	\$43,335,000
	Fort Stewart	\$44,504,000
	Moody AFB	\$3,800,000
Hawaii	Hunter Army Airfield	\$13,500,000
	Joint Base Pearl Harbor-Hickam	\$2,800,000
	Ford Island	\$2,615,000
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 AFB	\$36,213,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$10,000,000
New Mexico	Holloman AFB	\$81,400,000
North Carolina	Camp Lejeune	\$43,377,000
	Fort Bragg	\$172,065,000

Defense Agencies: Inside the United States—Continued

State	Installation	Amount
North Dakota	Minot AFB	\$6,400,000
Oklahoma	Tinker AFB	\$36,000,000
	Altus AFB	\$2,100,000
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	Joint Expeditionary Base Little Creek-Story.	\$30,404,000
	Quantico	\$40,586,000
	Dam Neck	\$11,147,000
	DLA Aviation Richmond	\$87,000,000
	Pentagon	\$59,450,000
Washington	Whidbey Island	\$10,000,000.

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Defense Agencies: Outside the United States

Country	Installation	Amount
Bahrain Island	SW Asia	\$45,400,000
Belgium	Brussels	\$67,613,000
Germany	Wiesbaden	\$109,655,000
	Kaiserlautern AB	\$49,907,000
	Ramstein AB	\$98,762,000
Japan	Iwakuni	\$34,000,000
	Kadena AB	\$38,792,000
	Yokosuka	\$10,600,000
	Atsugi	\$4,100,000
	Torri Commo Station	\$71,451,000
Korea	Camp Walker	\$52,164,000
United Kingdom	RAF Mildenhall	\$84,629,000
	Royal Air Force Lakenheath	\$69,638,000
Worldwide Classified	Classified Location	\$15,000,000.

1 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**
2 **PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2403(6), the Secretary
5 of Defense may carry out energy conservation projects
6 under chapter 173 of title 10, United States Code, in the
7 amount of \$150,000,000.

8 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
9 **FENSE AGENCIES.**

10 Funds are hereby authorized to be appropriated for
11 fiscal years beginning after September 30, 2013, for mili-
12 tary construction, land acquisition, and military family
13 housing functions of the Department of Defense (other
14 than the military departments) in the total amount of
15 \$4,042,925,000, as follows:

16 (1) For military construction projects inside the
17 United States authorized by section 2401(a),
18 \$1,725,089,000.

19 (2) For military construction projects outside
20 the United States authorized by section 2401(b),
21 \$751,711,000.

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

1 (4) For contingency construction projects of the
2 Secretary of Defense under section 2804 of title 10,
3 United States Code, \$10,000,000.

4 (5) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$237,838,000.

7 (6) For energy conservation projects under
8 chapter 173 of title 10, United States Code,
9 \$150,000,000.

10 (7) For military family housing functions:

11 (A) For support of military family housing
12 (including functions described in section 2833
13 of title 10, United States Code), \$55,845,000.

14 (B) For credits to the Department of De-
15 fense Family Housing Improvement Fund
16 under section 2883 of title 10, United States
17 Code, and the Homeowners Assistance Fund es-
18 tablished under section 1013 of the Demonstra-
19 tion Cities and Metropolitan Development Act
20 of 1966 (42 U.S.C. 3374), \$1,780,000.

21 (8) For the construction of increment 8 of the
22 Army Medical Research Institute of Infectious Dis-
23 eases Stage I at Fort Detrick, Maryland, authorized
24 by section 2401(a) of the Military Construction Au-

1 thorization Act of Fiscal Year 2007 (division B of
2 Public Law 109–364; 120 Stat. 2457), \$13,000,000.

3 (9) For the construction of increment 5 of the
4 hospital at Fort Bliss, Texas, authorized by section
5 2401(a) of the Military Construction Authorization
6 Act for Fiscal Year 2010 (division B of Public Law
7 111–84; 123 Stat. 2642), \$252,100,000.

8 (10) For the construction of increment 3 of the
9 High Performance Computing Center at Fort
10 Meade, Maryland, authorized by section 2401(a) of
11 the Military Construction Authorization Act for Fis-
12 cal Year 2012 (division B of Public Law 112–81;
13 125 Stat. 1672), as amended by section 2404(a) of
14 the Military Construction Authorization Act for Fis-
15 cal Year 2013 (division B of Public Law 112–239;
16 126 Stat. 2131), \$431,000,000.

17 (11) For the construction of increment 3 of the
18 Medical Center Replacement at Rhine Ordnance
19 Barracks, Germany, authorized by section 2401(b)
20 of the Military Construction Authorization Act for
21 Fiscal Year 2012 (division B of Public Law 112–81;
22 125 Stat. 1673), as amended by section 2404(b) of
23 the Military Construction Authorization Act for Fis-
24 cal Year 2013 (division B of Public Law 112–239;
25 126 Stat. 2131), \$151,545,000.

1 (12) For the construction of increment 2 of the
2 Ambulatory Care Center at Joint Base Andrews,
3 Maryland, authorized by section 2401(a) of the Mili-
4 tary Construction Authorization Act for Fiscal Year
5 2012 (division B of Public Law 112–81; 125 Stat.
6 1673), \$76,200,000.

7 (13) For the construction of increment 2 of the
8 NSAW Recapitalize Building #1 at Fort Meade,
9 Maryland, authorized by section 2401(a) of the Mili-
10 tary Construction Authorization Act for Fiscal Year
11 2013 (division B of Public Law 112–239; 126 Stat.
12 2127), \$58,000,000.

13 (14) For the construction of increment 2 of the
14 Aegis Ashore Missile Defense System Complex at
15 Deveselu, Romania, authorized by section 2401(b) of
16 the Military Construction Authorization Act for Fis-
17 cal Year 2013 (division B of Public Law 112–239;
18 126 Stat. 2128), \$85,000,000.

19 **Subtitle B—Chemical**
20 **Demilitarization Authorizations**

21 **SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEM-**
22 **ICAL DEMILITARIZATION CONSTRUCTION,**
23 **DEFENSE-WIDE.**

24 Funds are hereby authorized to be appropriated for
25 fiscal years beginning after September 30, 2013, for the

1 construction of phase XIV of a munitions demilitarization
2 facility at Blue Grass Army Depot, Kentucky, authorized
3 by section 2401(a) of the Military Construction Authoriza-
4 tion Act for Fiscal Year 2000 (division B of Public Law
5 106–65; 113 Stat. 835), as amended by section 2405 of
6 the Military Construction Authorization Act for Fiscal
7 Year 2002 (division B of Public Law 107–107; 115 Stat.
8 1298), section 2405 of the Military Construction Author-
9 ization Act for Fiscal Year 2003 (division B of Public Law
10 107–314; 116 Stat. 2698), section 2414 of the Military
11 Construction Authorization Act for Fiscal Year 2009 (di-
12 vision B of Public Law 110–417; 122 Stat. 4697), and
13 section 2412 of the Military Construction Authorization
14 Act for Fiscal Year 2011 (division B of Public Law 111–
15 383; 124 Stat. 4450), \$122,536,000.

16 **TITLE XXV—NORTH ATLANTIC**
17 **TREATY ORGANIZATION SE-**
18 **CURITY INVESTMENT PRO-**
19 **GRAM**

20 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
21 **ACQUISITION PROJECTS.**

22 The Secretary of Defense may make contributions for
23 the North Atlantic Treaty Organization Security Invest-
24 ment Program as provided in section 2806 of title 10,
25 United States Code, in an amount not to exceed the sum

1 of the amount authorized to be appropriated for this pur-
2 pose in section 2502 and the amount collected from the
3 North Atlantic Treaty Organization as a result of con-
4 struction previously financed by the United States.

5 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

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

13 **TITLE XXVI—GUARD AND**
14 **RESERVE FORCES FACILITIES**
15 **Subtitle A—Project Authorizations**
16 **and Authorization of Appropria-**
17 **tions**

18 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
19 **STRUCTION AND LAND ACQUISITION**
20 **PROJECTS.**

21 (a) **INSIDE THE UNITED STATES.**—Using amounts
22 appropriated pursuant to the authorization of appropria-
23 tions in section 2606(1), the Secretary of the Army may
24 acquire real property and carry out military construction
25 projects for the Army National Guard locations inside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Army National Guard: Inside the United States

State	Installation	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	Whiteman AFB	\$5,000,000
	Macon	\$9,100,000
New York	New York	\$31,000,000
Ohio	Ravenna Army Ammunition Plant	\$5,200,000
Pennsylvania	Fort Indiantown Gap	\$40,000,000
South Carolina	Greenville	\$26,000,000
Texas	Fort Worth	\$14,270,000
Wyoming	Afton	\$10,200,000.

3 (b) OUTSIDE THE UNITED STATES.—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2606(1), the Secretary of the Army may
 6 acquire real property and carry out military construction
 7 projects for the Army National Guard locations outside
 8 the United States, and in the amounts, set forth in the
 9 following table:

Army National Guard: Outside the United States

Country	Installation	Amount
Puerto Rico	Camp Santiago	\$5,600,000.

10 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 11 **AND LAND ACQUISITION PROJECTS.**

12 Using amounts appropriated pursuant to the author-
 13 ization of appropriations in section 2606(2), the Secretary
 14 of the Army may acquire real property and carry out mili-

1 tary construction projects for the Army Reserve locations
 2 inside the United States, and in the amounts, set forth
 3 in the following table:

Army Reserve

State	Installation	Amount
California	Fort Hunter Liggett	\$16,500,000
	Camp Parks	\$17,500,000
Maryland	Bowie	\$25,500,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$36,200,000
New York	Bullville	\$14,500,000
North Carolina	Fort Bragg	\$24,500,000
Wisconsin	Fort McCoy	\$23,400,000.

4 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 5 **CORPS RESERVE CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

7 Using amounts appropriated pursuant to the author-
 8 ization of appropriations in section 2606(3), the Secretary
 9 of the Navy may acquire real property and carry out mili-
 10 tary construction projects for the Navy Reserve and Ma-
 11 rine Corps Reserve locations inside the United States, and
 12 in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation	Amount
California	March AFB	\$11,086,000
Missouri	Kansas City	\$15,020,000
Tennessee	Memphis	\$4,330,000.

13 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 14 **TION AND LAND ACQUISITION PROJECTS.**

15 Using amounts appropriated pursuant to the author-
 16 ization of appropriations in section 2606(4), the Secretary
 17 of the Air Force may acquire real property and carry out

1 military construction projects for the Air National Guard
 2 locations inside the United States, and in the amounts,
 3 set forth in the following table:

Air National Guard

State	Installation	Amount
Alabama	Birmingham IAP	\$8,500,000
Indiana	Hulman Regional Airport	\$7,300,000
Maryland	Fort Meade	\$4,000,000
	Martin State Airport	\$12,900,000
Montana	Great Falls IAP	\$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.

4 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 5 **TION AND LAND ACQUISITION PROJECTS.**

6 Using amounts appropriated pursuant to the author-
 7 ization of appropriations in section 2606(5), the Secretary
 8 of the Air Force may acquire real property and carry out
 9 military construction projects for the Air Force Reserve
 10 locations inside the United States, and in the amounts,
 11 set forth in the following table:

Air Force Reserve

State	Installation	Amount
California	March AFB	\$19,900,000
Florida	Homestead AFS	\$9,800,000
Oklahoma	Tinker AFB	\$12,200,000.

12 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 13 **TIONAL GUARD AND RESERVE.**

14 Funds are hereby authorized to be appropriated for
 15 fiscal years beginning after September 30, 2013, for the
 16 costs of acquisition, architectural and engineering services,

1 and construction of facilities for the Guard and Reserve
2 Forces, and for contributions therefor, under chapter
3 1803 of title 10, United States Code (including the cost
4 of acquisition of land for those facilities), in the following
5 amounts:

6 (1) For the Department of the Army, for the
7 Army National Guard of the United States,
8 \$320,815,000.

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

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

13 (4) For the Department of the Air Force, for
14 the Air National Guard of the United States,
15 \$119,800,000.

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

18 **Subtitle B—Other Matters**

19 **SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT** 20 **CERTAIN FISCAL YEAR 2013 PROJECT.**

21 In the case of the authorization contained in the table
22 in section 2603 of the Military Construction Authorization
23 Act for Fiscal Year 2013 (division B of Public Law 112–
24 239; 126 Stat. 2135), for Fort Des Moines, Iowa, for con-
25 struction of a Joint Reserve Center at that location, the

1 Secretary of the Navy may, instead of constructing a new
 2 facility at Camp Dodge, acquire up to approximately 20
 3 acres to construct a Joint Reserve Center and associated
 4 supporting facilities in the greater Des Moines, Iowa area
 5 using appropriations available for the project.

6 **SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN**
 7 **FISCAL YEAR 2011 PROJECT.**

8 (a) **EXTENSION.**—Notwithstanding section 2002 of
 9 the Military Construction Authorization Act for Fiscal
 10 Year 2011 (division B of Public Law 111–383; 124 Stat.
 11 4436), the authorization set forth in the table in section
 12 2604 of the Military Construction Authorization Act for
 13 Fiscal Year 2011 (division B of Public Law 111–383; 124
 14 Stat. 4454) for Nashville International Airport, Ten-
 15 nessee, shall remain in effect until October 1, 2014, or
 16 the date of the enactment of an Act authorizing funds for
 17 military construction for fiscal year 2015, whichever is
 18 later.

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

State	Installation or Location	Project	Amount
Tennessee	Nashville International Airport.	Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group.	\$5,500,000.

1 **SEC. 2613. EXTENSION OF AUTHORIZATION OF CERTAIN**
 2 **FISCAL YEAR 2011 PROJECT.**

3 (a) **EXTENSION.**—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2011 (division B of Public Law 111–383; 124 Stat.
 6 4436), the authorization set forth in the table in sub-
 7 section (b), as provided in section 2601 of that Act (124
 8 Stat. 4452), for Camp Santiago, Puerto Rico, shall remain
 9 in effect until October 1, 2014, or the date of the enact-
 10 ment of an Act authorizing funds for military construction
 11 for fiscal year 2015, whichever is later.

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

State	Installation or Lo- cation	Project	Amount
Puerto Rico	Camp Santiago	Multi Purpose Ma- chine Gun Range.	\$9,200,000.

14 **TITLE XXVII—BASE REALIGN-**
 15 **MENT AND CLOSURE ACTIVI-**
 16 **TIES**

17 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
 18 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
 19 **TIES FUNDED THROUGH DEPARTMENT OF**
 20 **DEFENSE BASE CLOSURE ACCOUNT.**

21 Funds are hereby authorized to be appropriated for
 22 fiscal years beginning after September 30, 2013, for base

1 realignment and closure activities, including real property
2 acquisition and military construction projects, as author-
3 ized by the Defense Base Closure and Realignment Act
4 of 1990 (part A of title XXIX of Public Law 101–510;
5 10 U.S.C. 2687 note) and funded through the Department
6 of Defense Base Closure Account 1990 established by sec-
7 tion 2906 of such Act, in the total amount of
8 \$451,357,000, as follows:

9 (1) For the Department of the Army,
10 \$180,401,000.

11 (2) For the Department of the Navy,
12 \$144,580,000.

13 (3) For the Department of the Air Force,
14 \$126,376,000.

15 **TITLE XXVIII—MILITARY CON-**
16 **STRUCTION GENERAL PROVI-**
17 **SIONS**

18 **Subtitle A—Military Construction**
19 **Program Changes**

20 **SEC. 2801. REVISIONS TO MINOR MILITARY CONSTRUCTION**
21 **AUTHORITIES.**

22 (a) ESTABLISHMENT OF MINOR MILITARY CON-
23 STRUCTION EXCEPTION THRESHOLD.—Subsection (a) of
24 section 2805 of title 10, United States Code, is amended
25 by adding at the end the following new paragraph:

1 “(3) For purposes of this section, the minor military
2 construction exception threshold is \$4,000,000.”.

3 (b) INCREASE IN DOLLAR THRESHOLDS FOR CER-
4 TAIN AUTHORITIES RELATING TO UNSPECIFIED MINOR
5 MILITARY CONSTRUCTION.—

6 (1) MAXIMUM AMOUNT FOR PROJECTS TO COR-
7 RECT DEFICIENCIES THAT ARE LIFE-, HEALTH-, OR
8 SAFETY-THREATENING.—Subsection (a)(2) of such
9 section is amended by striking “\$3,000,000” in the
10 second sentence and inserting “the minor military
11 construction exception threshold”.

12 (2) MAXIMUM AMOUNT FOR GENERAL RULE
13 FOR PROJECTS FOR WHICH O&M FUNDS MAY BE
14 USED.—Subsection (c) of such section is amended
15 by striking “\$750,000” and inserting “\$1,000,000”.

16 (c) MINIMUM AMOUNT FOR PROJECTS SUBJECT TO
17 SECRETARIAL APPROVAL AND CONGRESSIONAL NOTICE-
18 AND-WAIT.—Subsection (b)(1) of such section is amended
19 by striking “\$750,000” and inserting “the amount speci-
20 fied in subsection (c)”.

21 (d) MODIFICATION AND EXTENSION OF AUTHORITY
22 FOR LABORATORY REVITALIZATION PROJECTS.—

23 (1) MODIFICATION.—Subsection (d) of such
24 section is amended—

1 (A) in paragraph (1)(A), by striking “not
2 more than \$2,000,000” and inserting “not
3 more than \$4,000,000, notwithstanding sub-
4 section (c)”;

5 (B) in paragraph (2), by striking “(2)”
6 and inserting “(2) For purposes of this sub-
7 section, an unspecified minor military construc-
8 tion project is a military construction project
9 that (notwithstanding subsection (a)) has an
10 approved cost equal to or less than
11 \$4,000,000.”.

12 (2) EFFECTIVE DATE.—The amendments made
13 by paragraph (1) do not apply to any laboratory re-
14 vitalization project for which the design phase has
15 been completed as of the date of the enactment of
16 this Act.

17 **SEC. 2802. CHANGE IN AUTHORITIES RELATING TO UN-**
18 **SPECIFIED MINOR CONSTRUCTION.**

19 Section 2805 of title 10, United States Code, is
20 amended by adding at the end the following new sub-
21 section:

22 “(f) ADJUSTMENTS FOR LOCATION.—The dollar limi-
23 tations specified in subsections (a) through (d) shall be
24 adjusted to reflect the appropriate area construction cost
25 index for military construction projects published by the

1 Department of Defense. The appropriate cost index shall
2 be the factor published during the prior fiscal year that
3 applies to the location of the project.”.

4 **Subtitle B—Real Property and** 5 **Facilities Administration**

6 **SEC. 2811. AUTHORITY FOR ACCEPTANCE OF FUNDS TO** 7 **COVER ADMINISTRATIVE EXPENSES ASSOCI-** 8 **ATED WITH REAL PROPERTY LEASES AND** 9 **EASEMENTS.**

10 (a) **AUTHORITY.**—Subsection (e)(1)(C) of section
11 2667 of title 10, United States Code, is amended by add-
12 ing at the end the following new clause:

13 “(vi) Amounts as the Secretary considers nec-
14 essary to cover program expenses incurred by the
15 Secretary under this section and for easements
16 under section 2668 of this title.”.

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

19 (1) by redesignating paragraph (4) as para-
20 graph (5); and

21 (2) by inserting after paragraph (3) the fol-
22 lowing new paragraph (4):

23 “(4) The term ‘program expenses’ includes ex-
24 penses related to developing, assessing, negotiating,
25 executing, and managing lease and easement trans-

1 actions, but does not include Government personnel
2 costs.”.

3 **SEC. 2812. APPLICATION OF CASH PAYMENTS RECEIVED**
4 **FOR UTILITIES AND SERVICES.**

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

10 **SEC. 2813. ACQUISITION OF REAL PROPERTY AT NAVAL**
11 **BASE VENTURA COUNTY, CALIFORNIA.**

12 (a) **AUTHORITY.**—The Secretary of the Navy may ac-
13 quire all right, title, and interest to property and improve-
14 ments at Naval Base Ventura County, California, con-
15 structed pursuant to section 801 of Public Law 98–115.

16 (b) **USE.**—Upon acquiring the real property under
17 subsection (a), the Secretary may use the improvements
18 as provided in sections 2835 and 2835a of title 10, United
19 States Code.

1 **Subtitle C—Land Withdrawals**

2 **SEC. 2821. MILITARY LAND WITHDRAWALS AND CODIFICA-**
 3 **TION OF STATUTORY PROVISIONS RELATING**
 4 **TO CHINA LAKE, LIMESTONE HILLS, CHOCO-**
 5 **LATE MOUNTAIN, AND TWENTYNINE PALMS.**

6 (a) MILITARY LAND WITHDRAWALS AND CREATION
 7 OF NEW CHAPTER.—Subtitle A of title 10, United States
 8 Code, is amended by inserting after chapter 173 the fol-
 9 lowing new chapter:

10 **“CHAPTER 174—LAND WITHDRAWALS**

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

11 **“SUBCHAPTER I—GENERAL PROVISIONS**

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

1 **“§ 2931. General applicability; definition**

2 “(a) APPLICABILITY OF SUBCHAPTER.—The provi-
3 sions of this subchapter apply to any withdrawal made by
4 this chapter.

5 “(b) RULES OF CONSTRUCTION.—(1) Except as may
6 be provided pursuant to section 2944 of this title, nothing
7 in this chapter shall be construed as assigning manage-
8 ment of real property under the administrative jurisdiction
9 of the Secretary concerned to the Secretary of the Interior.

10 “(2) The terms ‘manage’ and ‘management’, when
11 used in reference to lands withdrawn and reserved by this
12 chapter, include the authority to exercise jurisdiction, cus-
13 tody, and control over those lands in accordance with this
14 title, except that those terms do not include authority for
15 land disposal.

16 “(c) DEFINITION.—In this chapter, the term ‘Indian
17 tribe’ has the meaning given such term in section 102 of
18 the Federally Recognized Indian Tribe List Act of 1994
19 (25 U.S.C. 479a).

20 **“§ 2932. Maps and legal descriptions**

21 “(a) PREPARATION OF MAPS AND LEGAL DESCRIP-
22 TIONS.—As soon as practicable after the date of the enact-
23 ment of a subchapter of this chapter, the Secretary of the
24 Interior shall—

1 “(1) publish in the Federal Register a notice
2 containing the legal description of the lands with-
3 drawn and reserved by such subchapter; and

4 “(2) file a map or maps and legal description
5 of the lands withdrawn and reserved by such sub-
6 chapter with the Committee on Armed Services and
7 the Committee on Energy and Natural Resources of
8 the Senate and the Committee on Armed Services
9 and the Committee on Natural Resources of the
10 House of Representatives.

11 “(b) LEGAL EFFECT.—Such maps and legal descrip-
12 tions shall have the same force and effect as if they were
13 included in this chapter, except that the Secretary of the
14 Interior may correct clerical and typographical errors in
15 such maps and legal descriptions.

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

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

20 “(2) in the office of the commanding officer of
21 the military installation at which the lands are with-
22 drawn; and

23 “(3) if the military installation is under the
24 management of the National Guard, in the office of

1 the Adjutant General of the State in which the in-
2 stallation is located.

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

7 **“§ 2933. Access restrictions**

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

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

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

22 “(2) In a case in which such a closure may affect
23 access to or use of sacred sites or resources considered
24 important by an Indian tribe, the Secretary concerned

1 shall consult, at the earliest practicable time, with that
2 tribe.

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

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

9 “(B) in the case of an emergency, as deter-
10 mined by the Secretary concerned.

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

15 **“§ 2934. Changes in use**

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

21 “(b) NOTICE TO SECRETARY OF THE INTERIOR.—
22 The Secretary concerned shall promptly notify the Sec-
23 retary of the Interior in the event that the lands with-
24 drawn and reserved by a subchapter of this chapter will

1 be used for additional defense-related purposes. Such noti-
2 fication shall indicate—

3 “(1) the additional use or uses involved;

4 “(2) the planned duration of such additional
5 uses; and

6 “(3) the extent to which such additional uses
7 will require that additional or more stringent condi-
8 tions or restrictions be imposed on otherwise-per-
9 mitted non-defense-related uses of the withdrawn
10 and reserved lands or portions thereof.

11 **“§ 2935. Authorizations for nondefense-related uses**

12 “(a) AUTHORIZATIONS BY THE SECRETARY OF THE
13 INTERIOR.—Subject to the applicable withdrawals con-
14 tained in each subchapter of this chapter, with the consent
15 of the Secretary concerned, the Secretary of the Interior
16 may authorize the use, occupancy, or development of the
17 lands withdrawn and reserved by this chapter.

18 “(b) AUTHORIZATIONS BY THE SECRETARY CON-
19 CERNED.—The Secretary concerned may authorize the
20 use, occupancy, or development of the lands withdrawn
21 and reserved by this chapter—

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

23 “(2) subject to the consent of the Secretary of
24 the Interior, for a non-defense-related purpose.

1 “(c) FORM OF AUTHORIZATION.—An authorization
2 under this section may be provided by lease, easement,
3 right-of-way, permit, license, or other instrument author-
4 ized by law.

5 “(d) PREVENTION OF DRAINAGE OF OIL OR GAS RE-
6 SOURCES.—For the purpose of preventing drainage of oil
7 or gas resources, the Secretary of the Interior may lease
8 lands otherwise withdrawn from operation of the mineral
9 leasing laws and reserved for defense-related purposes
10 under this chapter, under such terms and conditions as
11 the Secretary considers appropriate. No surface occupancy
12 may be approved by the Secretary of the Interior without
13 the consent of the Secretary concerned. The Secretary of
14 the Interior may unitize or consent to communitization of
15 such lands. The Secretary of the Interior may promulgate
16 regulations to implement this subsection.

17 **“§ 2936. Brush and range fire prevention and sup-**
18 **pression**

19 “(a) REQUIRED ACTIVITIES.—The Secretary con-
20 cerned shall, consistent with any applicable land manage-
21 ment plan, take necessary precautions to prevent, and ac-
22 tions to suppress, brush and range fires occurring as a
23 result of military activities on the lands withdrawn and
24 reserved by this chapter, including fires outside those

1 lands that spread from the withdrawn and reserved lands
2 and which occurred as a result of such activities.

3 “(b) COOPERATION OF SECRETARY OF THE INTE-
4 RIOR.—At the request of the Secretary concerned, the Sec-
5 retary of the Interior shall provide assistance in the sup-
6 pression of such fires and shall be reimbursed for such
7 assistance by the Secretary concerned. Notwithstanding
8 section 2215 of this title, the Secretary concerned may
9 transfer to the Secretary of the Interior, in advance, funds
10 to reimburse the costs of the Department of the Interior
11 in providing such assistance.

12 **“§ 2937. On-going decontamination**

13 “Throughout the duration of a withdrawal and res-
14 ervation of lands under this chapter, the Secretary con-
15 cerned shall maintain, to the extent funds are available
16 for such purpose, a program of decontamination of con-
17 tamination caused by defense-related uses on such lands
18 consistent with applicable Federal and State law. The Sec-
19 retary of Defense shall include a description of such de-
20 contamination activities in the annual report required by
21 section 2711 of this title.

22 **“§ 2938. Water rights**

23 “(a) NO RESERVATION CREATED.—Nothing in this
24 chapter shall be construed—

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

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

8 “(b) EFFECT ON PREVIOUSLY ACQUIRED OR RE-
9 SERVED WATER RIGHTS.—This section shall not be con-
10 strued to affect any water rights acquired or reserved by
11 the United States before the date of the enactment of the
12 applicable subchapter of this chapter, and the Secretary
13 concerned may exercise any such previously acquired or
14 reserved water rights.

15 **“§ 2939. Hunting, fishing, and trapping**

16 “Section 2671 of this title shall apply to all hunting,
17 fishing, and trapping on the lands withdrawn and reserved
18 by this chapter and for which management has been as-
19 signed to the Secretary concerned.

20 **“§ 2940. Limitation on extensions and renewals**

21 “The withdrawals and reservations established by
22 this chapter may not be extended or renewed except by
23 a law enacted by Congress.

1 **“§ 2941. Application for renewal of a withdrawal and**
2 **reservation**

3 “(a) NOTICE.—To the extent practicable, no later
4 than five years before the termination of a withdrawal and
5 reservation established by a subchapter of this chapter,
6 the Secretary concerned shall notify the Secretary of the
7 Interior as to whether or not the Secretary concerned will
8 have a continuing defense-related need for any of the lands
9 withdrawn and reserved by such subchapter after the ter-
10 mination date of such withdrawal and reservation. The
11 Secretary concerned shall provide a copy of the notice to
12 the Committee on Armed Services and the Committee on
13 Energy and Natural Resources of the Senate and the
14 Committee on Armed Services and the Committee on Nat-
15 ural Resources of the House of Representatives.

16 “(b) FILING FOR EXTENSION.—If the Secretary con-
17 cerned concludes that there will be a continuing defense-
18 related need for any of such lands after the termination
19 date, the Secretary shall file an application for extension
20 of the withdrawal and reservation of such needed lands
21 in accordance with the regulations and procedures of the
22 Department of the Interior applicable to the extension of
23 withdrawals.

1 **“§ 2942. Limitation on subsequent availability of**
2 **lands for appropriation**

3 “At the time of termination of a withdrawal and res-
4 ervation made by a subchapter of this chapter, the pre-
5 viously withdrawn lands shall not be open to any form of
6 appropriation under the public land laws, including the
7 mining laws and the mineral leasing and geothermal leas-
8 ing laws, until the Secretary of the Interior publishes in
9 the Federal Register an appropriate order specifying the
10 date upon which such lands shall be restored to the public
11 domain and opened for such purposes.

12 **“§ 2943. Relinquishment**

13 “(a) NOTICE OF INTENTION TO RELINQUISH.—If,
14 during the period of withdrawal and reservation, the Sec-
15 retary concerned decides to relinquish any or all of the
16 lands withdrawn and reserved by a subchapter of this
17 chapter, the Secretary concerned shall file a notice of in-
18 tention to relinquish with the Secretary of the Interior.

19 “(b) DETERMINATION OF CONTAMINATION.—As a
20 part of the notice under subsection (a), the Secretary con-
21 cerned shall include a written determination concerning
22 whether and to what extent the lands that are to be relin-
23 quished are contaminated with explosive materials or toxic
24 or hazardous substances.

25 “(c) PUBLIC NOTICE.—The Secretary of the Interior
26 shall publish in the Federal Register the notice of inten-

1 tion to relinquish, including the determination concerning
2 the contaminated state of the lands.

3 “(d) DECONTAMINATION OF LANDS TO BE RELIN-
4 QUISHED.—

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

19 “(2) ALTERNATIVES.—If the Secretary of the
20 Interior, after consultation with the Secretary con-
21 cerned, concludes that decontamination of land sub-
22 ject of a notice of intention to relinquish pursuant
23 to subsection (a) is not practicable or economically
24 feasible, or that the land cannot be decontaminated
25 sufficiently to be opened to operation of some or all

1 of the public land laws, or if Congress does not ap-
2 propriate sufficient funds for the decontamination of
3 such land, the Secretary of the Interior shall not be
4 required to accept the land proposed for relinquish-
5 ment.

6 “(3) STATUS OF CONTAMINATED LANDS UPON
7 TERMINATION.—If, because of their contaminated
8 state, the Secretary of the Interior declines to accept
9 the lands withdrawn and reserved by a subchapter
10 of this chapter which have been proposed for relin-
11 quishment, or if at the expiration of the withdrawal
12 and reservation made by such subchapter the Sec-
13 retary of the Interior determines that some of the
14 lands withdrawn and reserved by such subchapter
15 are contaminated to an extent which prevents open-
16 ing such contaminated lands to operation of the pub-
17 lic land laws—

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

22 “(B) after the expiration of the withdrawal
23 and reservation, the Secretary concerned shall
24 undertake no activities on such lands except in

1 connection with decontamination of such lands;
2 and

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

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

16 “(1) terminate the withdrawal and reservation;

17 “(2) constitute official acceptance of the lands
18 by the Secretary of the Interior; and

19 “(3) state the date upon which the lands will be
20 opened to the operation of some or all of the public
21 land laws, including the mining laws.

22 “(f) ACCEPTANCE BY SECRETARY OF THE INTE-
23 RIOR.—Nothing in this section shall be construed to re-
24 quire the Secretary of the Interior to accept the lands pro-
25 posed for relinquishment if the Secretary determines that

1 such lands are not suitable for return to the public do-
2 main. If the Secretary makes such a determination, the
3 Secretary shall provide notice of the determination to Con-
4 gress.

5 **“§ 2944. Interchanges and transfers of Federal lands**

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

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

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

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

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

23 “(4) The parcel to be transferred must be lo-
24 cated on the military installation to which it is
25 transferred.

1 “(5) The parcel interchanged or transferred by
2 the Secretary of the Interior must be part of the
3 lands withdrawn and reserved by this chapter.

4 “(6) The parcel interchanged or transferred by
5 the Secretary concerned must be under the adminis-
6 trative jurisdiction of the Secretary concerned and
7 excess to the needs of the Department of Defense.

8 “(7) During the term of a withdrawal, no more
9 than 5,000 acres may be transferred under this sec-
10 tion by one Secretary to the other on any one mili-
11 tary installation.

12 “(c) STATUS OF FEDERAL LAND AFTER INTER-
13 CHANGE.—Upon completion of an interchange or transfer
14 under this section—

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

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

20 “(B) be managed as public lands under the
21 provisions of the Federal Land Policy and Man-
22 agement Act (43 U.S.C. 1701 et seq.) and
23 other applicable law; and

24 “(2) a parcel received by the Secretary con-
25 cerned shall—

1 “(A) cease to be part of the public lands
2 and lands withdrawn and reserved by this chap-
3 ter; and

4 “(B) be treated as property under section
5 102(9) of title 40 under the administrative ju-
6 risdiction of the Secretary concerned.

7 “(d) EQUALIZATION PAYMENTS.—Neither the Sec-
8 retary of the Interior nor the Secretary concerned may
9 make an equalization payment to further a land inter-
10 change or transfer under this section.

11 **“§ 2945. Delegability by the Secretary of the Interior**

12 “The Secretary of the Interior may delegate the Sec-
13 retary’s functions under this chapter, except that an order
14 pursuant to section 2942 of this title and a revocation
15 order pursuant to section 2943(e) of this title may be ap-
16 proved and signed only by individuals in the Office of the
17 Secretary who have been appointed by the President, by
18 and with the advice and consent of the Senate.

19 **“§ 2946. Land withdrawals; immunity of the United**
20 **States**

21 “The United States and all departments and agencies
22 thereof, and their officers and employees, shall be held
23 harmless and shall not be liable for any injuries or dam-
24 ages to persons or property suffered in the course of any
25 mining or mineral or geothermal leasing activity or other

1 authorized non-defense-related activity conducted on lands
2 withdrawn and reserved by this chapter.

3 “SUBCHAPTER II—CHINA LAKE, CALIFORNIA

“Sec.

“2955a. Withdrawal and reservation.

“2955b. Management of withdrawn and reserved lands.

“2955c. Duration of withdrawal and reservation.

4 “§ 2955a. **Withdrawal and reservation**

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

14 “(b) RESERVATION.—The lands withdrawn by sub-
15 section (a) are reserved for use by the Secretary of the
16 Navy for the following purposes:

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

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

21 “(3) Use as a high hazard testing and training
22 area for aerial gunnery, rocketry, electronic warfare
23 and countermeasures, tactical maneuvering and air

1 support, and directed energy and unmanned aerial
2 systems.

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

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

9 “(c) LAND DESCRIPTION.—The public lands and in-
10 terests in lands referred to in subsection (a) are the Fed-
11 eral lands located within the boundaries of the Naval Air
12 Weapons Station China Lake, comprising approximately
13 1,030,000 acres in Inyo, Kern, and San Bernardino Coun-
14 ties, California, as generally depicted on a map entitled
15 ‘Naval Air Weapons Station China Lake Withdrawal—Re-
16 newal’, dated XX, xx, 2012, and filed in accordance with
17 section 2932 of this title.

18 **“§ 2955b. Management of withdrawn and reserved**
19 **lands**

20 “(a) MANAGEMENT BY THE SECRETARY OF THE IN-
21 TERIOR.—(1) Except as provided in subsection (b), during
22 the period of the withdrawal and reservation of lands by
23 this subchapter, the Secretary of the Interior shall manage
24 the lands withdrawn and reserved by section 2955a of this
25 title in accordance with this chapter, the Federal Land

1 Policy and Management Act of 1976 (43 U.S.C. 1701 et
2 seq.), and other applicable law.

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

7 “(A) Grazing.

8 “(B) Protection of wildlife and wildlife habitat.

9 “(C) Preservation of cultural properties.

10 “(D) Control of predatory and other animals.

11 “(E) Recreation and education.

12 “(F) Prevention and appropriate suppression of
13 brush and range fires resulting from non-military
14 activities.

15 “(G) Geothermal leasing and development and
16 related power production activities.

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

23 “(b) ASSIGNMENT OF MANAGEMENT.—(1) The Sec-
24 retary of the Interior may assign the management respon-
25 sibility, in whole or in part, for the lands withdrawn and

1 reserved by section 2955a of this title to the Secretary
2 of the Navy who, if so assigned, shall manage such lands
3 in accordance with this title, title I of the Sikes Act (16
4 U.S.C. 670a et seq.), the Federal Land Policy and Man-
5 agement Act of 1976, and cooperative management ar-
6 rangements between the Secretary of the Interior and the
7 Secretary of the Navy. Nothing in this subsection or sec-
8 tion 2935 of this title shall affect geothermal leases issued
9 by the Secretary of the Interior before the date of the en-
10 actment of this subchapter, or the responsibility of the
11 Secretary of the Interior to administer and manage such
12 leases, consistent with the provisions of this section.

13 “(2) The Secretary of the Interior shall be respon-
14 sible for the issuance of any lease, easement, right-of-way,
15 permit, license, or other instrument authorized by law with
16 respect to any activity which involves both the lands with-
17 drawn and reserved by section 2955a of this title and any
18 other lands not under the administrative jurisdiction of
19 the Secretary of the Navy. Any such authorization shall
20 be issued only with the consent of the Secretary of the
21 Navy and shall be subject to such conditions as the Sec-
22 retary of the Navy may prescribe with regard to those
23 lands withdrawn and reserved by section 2955a of this
24 title.

1 “(3) Neither this chapter nor any other provision of
2 law shall be construed to prohibit the Secretary of the In-
3 terior from issuing and administering any lease pursuant
4 to the Geothermal Steam Act of 1970 (30 U.S.C. 1001
5 et seq.) and other applicable law for the development and
6 utilization of geothermal steam and associated geothermal
7 resources on the lands withdrawn and reserved by section
8 2955a of this title, but such a lease may not be issued
9 without the concurrence of the Secretary of the Navy.

10 “(4) This chapter shall not affect the geothermal ex-
11 ploration and development authority of the Secretary of
12 the Navy under section 2917 of this title with respect to
13 the lands withdrawn and reserved by section 2955a, except
14 that the Secretary of the Navy shall obtain the concur-
15 rence of the Secretary of the Interior before taking action
16 under section 2917.

17 “(5) Upon the expiration of the withdrawal and res-
18 ervation or upon the relinquishment of the lands with-
19 drawn and reserved by section 2955a of this title, Navy
20 contracts for the development of geothermal resources at
21 Naval Air Weapons Station China Lake then in effect (as
22 amended or renewed by the Navy after the date of the
23 enactment of this subchapter) shall remain in effect, ex-
24 cept that the Secretary of the Interior, with the consent

1 of the Secretary of the Navy, may offer to substitute a
2 standard geothermal lease for any such contract.

3 “(6) Any lease made pursuant to section 2935(d) of
4 this title of lands withdrawn and reserved by section
5 2955a of this title shall require the concurrence of the Sec-
6 retary of the Navy if the Secretary determines that the
7 proposed lease may interfere with geothermal resources on
8 those lands.

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

18 “(c) CONTINUATION OF EXISTING AGREEMENT.—
19 The agreement between the Secretary of the Interior and
20 the Secretary of the Navy entered into before the date of
21 the enactment of this subchapter pursuant to section 805
22 of the California Military Lands Withdrawal and Over-
23 flights Act of 1994 shall continue in effect until the earlier
24 of—

1 “(1) the date on which the Secretaries enter
2 into a new agreement; or

3 “(2) the date that is one year after the date of
4 the enactment of this subchapter.

5 “(d) COOPERATION IN DEVELOPMENT OF MANAGE-
6 MENT PLAN.—(1) The Secretary of the Navy and the Sec-
7 retary of the Interior shall update and maintain coopera-
8 tive arrangements concerning land resources and land
9 uses on the lands withdrawn and reserved by section
10 2955a of this title.

11 “(2) Cooperative arrangements under paragraph (1)
12 shall focus on and apply to sustainable management and
13 protection of the natural and cultural resources and envi-
14 ronmental values found on such withdrawn and reserved
15 lands, consistent with the defense-related purposes for
16 which those lands are withdrawn and reserved.

17 “(3) Each cooperative arrangement under paragraph
18 (1) shall include a comprehensive land use management
19 plan which shall integrate and be consistent with all appli-
20 cable law, including the requirements of title I of the Sikes
21 Act and the Federal Land Policy and Management Act
22 of 1976. Each such management plan shall be reviewed
23 annually and shall be updated, as needed, in response to
24 evolving management requirements and to complement the

1 updates of other applicable land use and resource manage-
2 ment and planning.

3 “(e) IMPLEMENTING AGREEMENT.—(1) The Sec-
4 retary of the Interior and the Secretary of the Navy may
5 enter into a written agreement to implement the com-
6 prehensive land use management plan developed under
7 subsection (d).

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

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

15 **“§ 2955c. Duration of withdrawal and reservation**

16 “The withdrawal and reservation made by this sub-
17 chapter shall terminate on March 31, 2039.

18 “SUBCHAPTER III—LIMESTONE HILLS,

19 MONTANA

“Sec.

“2957a. Withdrawal and reservation.

“2957b. Management of withdrawn and reserved lands.

“2957c. Duration of withdrawal and reservation.

“2957d. Special rules governing minerals management.

“2957e. Grazing.

20 **“§ 2957a. Withdrawal and reservation**

21 “(a) WITHDRAWAL.—Subject to valid existing rights
22 and except as otherwise provided in this subchapter, the

1 public lands and interests in lands described in subsection
2 (c), and all other areas within the boundary of such lands
3 as depicted on the map provided for by section 2932 of
4 this title which may become subject to the operation of
5 the public land laws, are hereby withdrawn from all forms
6 of appropriation under the public land laws, including the
7 mining laws and the mineral leasing and geothermal leas-
8 ing laws.

9 “(b) RESERVATION.—The lands withdrawn by sub-
10 section (a) are reserved for use by the Secretary of the
11 Army for the following purposes:

12 “(1) The conduct of training for active and re-
13 serve components of the armed forces.

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

18 “(3) The construction, operation, and mainte-
19 nance of organizational support and maintenance fa-
20 cilities for component units conducting training.

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

1 “(5) The conduct of training by State and local
2 law enforcement agencies, civil defense organiza-
3 tions, and public education institutions; any such use
4 may not interfere with military training activities.

5 “(c) LAND DESCRIPTION.—The public lands and in-
6 terests in lands referred to in subsection (a) are the Fed-
7 eral lands comprising approximately 18,644 acres in
8 Broadwater County, Montana, as generally depicted as
9 ‘Proposed Land Withdrawal’ on the map entitled ‘Lime-
10 stone Hills Training Area Land Withdrawal’ dated
11 _____, and filed in accordance with section 2932 of
12 this title.

13 “(d) INDIAN TRIBES.—Nothing in this subchapter
14 shall be construed as altering any rights reserved for an
15 Indian tribe for tribal use by treaty or Federal law. Sub-
16 ject to section 2933 of this title, the Secretary of the Army
17 shall consult with any Indian tribe in the vicinity of the
18 lands withdrawn and reserved by this section before taking
19 action affecting tribal rights or cultural resources pro-
20 tected by treaty or Federal law.

21 **“§ 2957b. Management of withdrawn and reserved**
22 **lands**

23 “During the period of the withdrawal and reservation
24 made by this subchapter, the Secretary of the Army shall
25 manage the lands withdrawn and reserved by this sub-

1 chapter for the purposes specified in section 2957a of this
2 title.

3 **“§ 2957c. Duration of withdrawal and reservation**

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

6 “(b) EXTENSION OF TERM.—Notwithstanding sec-
7 tion 2940 of this title, in accordance with section 2 of the
8 Act of February 28, 1958, Public Law 85–337 (72 Stat.
9 27), commonly known as the ‘Engle Act’ (43 U.S.C. 156),
10 if an application is filed by the Secretary of the Army in
11 accordance with section 2941 of this title, the Secretary
12 of the Interior may use the authority and procedures
13 under section 204 of the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1714) to extend the with-
15 drawal and reservation made by this subchapter for an
16 additional term not to exceed 20 years in accordance with
17 that section and other applicable law.

18 **“§ 2957d. Special rules governing minerals manage-**
19 **ment**

20 “(a) INDIAN CREEK MINE.—Locatable mineral ac-
21 tivities in the approved Indian Creek Mine, plan of oper-
22 ations MTM–78300, shall be regulated pursuant to sub-
23 parts 3715 and 3809 of title 43, Code of Federal Regula-
24 tions. Notwithstanding section 2935 of this title, the Sec-
25 retary of the Army shall make no determination that the

1 disposition of or exploration for minerals as provided for
2 in the approved plan of operations is inconsistent with the
3 military uses of such lands. The coordination of such dis-
4 position of and exploration for minerals with military uses
5 of such lands shall be determined pursuant to procedures
6 in an agreement provided for under subsection (d).

7 “(b) REMOVAL OF UNEXPLODED ORDNANCE ON
8 LANDS TO BE MINED.—The Secretary of the Army shall
9 request funding for and, subject to the availability of such
10 funds, shall remove unexploded ordnance on lands with-
11 drawn and reserved by this subchapter which are subject
12 to mining under subsection (a), consistent with applicable
13 Federal and State law. The Secretary of the Army may
14 engage in such removal of unexploded ordnance in phases
15 to accommodate the development of the Indian Creek Mine
16 pursuant to subsection (a).

17 “(c) REPORT ON REMOVAL ACTIVITIES.—The Sec-
18 retary of the Army shall annually submit to the Secretary
19 of the Interior a report regarding the unexploded ordnance
20 removal activities for the previous fiscal year performed
21 pursuant to subsection (b). The report shall include the
22 amounts of funding expended for unexploded ordnance re-
23 moval on such lands.

24 “(d) IMPLEMENTATION AGREEMENT FOR MINING
25 ACTIVITIES.—(1) The Secretary of the Interior and the

1 Secretary of the Army shall enter into an agreement to
2 implement this section with regard to coordination of de-
3 fense-related uses and mining and the ongoing removal of
4 unexploded ordnance. The agreement shall provide the fol-
5 lowing:

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

9 “(B) Procedures for access through mining op-
10 erations covered by this section to training areas
11 within the boundaries of the Limestone Hills Train-
12 ing Area.

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

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

20 **“§ 2957e. Grazing**

21 “(a) ISSUANCE AND ADMINISTRATION OF PERMITS
22 AND LEASES.—The issuance and administration of graz-
23 ing permits and leases, including their renewal, on the
24 lands withdrawn and reserved by this subchapter shall be
25 managed by the Secretary of the Interior consistent with

1 all applicable laws, regulations, and policies of the Sec-
 2 retary of the Interior relating to such permits and leases.

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

11 “(c) ASSIGNMENT.—The Secretary of the Interior
 12 may, with the agreement of the Secretary of the Army,
 13 assign the authority to issue and to administer grazing
 14 permits and leases to the Secretary of the Army, except
 15 that such an assignment may not include the authority
 16 to discontinue grazing on the lands withdrawn and re-
 17 served by this subchapter.

18 “SUBCHAPTER IV—CHOCOLATE MOUNTAIN,
 19 CALIFORNIA

“Sec.

“2959a. Withdrawal and reservation.

“2959b. Management of withdrawn and reserved lands.

“2959c. Duration of withdrawal and reservation.

“2959d. Access.

20 “§ 2959a. **Withdrawal and reservation**

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

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

8 “(b) RESERVATION.—The lands withdrawn by sub-
9 section (a) are reserved for use by the Secretary of the
10 Navy for the following purposes:

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

13 “(2) Small unit ground forces training, includ-
14 ing artillery firing, demolition activities, and small
15 arms field training.

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

20 “(c) LAND DESCRIPTION.—The public lands and in-
21 terests in lands referred to in subsection (a) are the Fed-
22 eral lands comprising approximately 228,325 acres in Im-
23 perial and Riverside Counties, California, as generally de-
24 picted on a map entitled ‘Chocolate Mountain Aerial Gun-
25 nery Range Proposed—Withdrawal’, said map originally

1 dated 1987, with revised dating to July 1993, prepared
2 by Department of the Navy, Naval Facilities Engineering
3 Command, identified as WESTDIV Drawing No. C-
4 102370, on file with the Department of the Interior, Bu-
5 reau of Land Management, California State Office, and
6 filed in accordance with section 2932 of this title.

7 **“§ 2959b. Management of withdrawn and reserved**
8 **lands**

9 “(a) MANAGEMENT BY THE SECRETARY OF THE IN-
10 TERIOR.—Except as provided in subsection (b), during the
11 period of the withdrawal and reservation of lands by this
12 subchapter, the Secretary of the Interior shall manage the
13 lands withdrawn and reserved by section 2959a of this
14 title in accordance with this chapter, the Federal Land
15 Policy and Management Act of 1976 (43 U.S.C. 1701 et
16 seq.), and other applicable law.

17 “(b) ASSIGNMENT OF MANAGEMENT TO THE SEC-
18 RETARY OF THE NAVY.—The Secretary of the Interior
19 may assign the management responsibility, in whole or in
20 part, for the lands withdrawn and reserved by section
21 2959a of this title to the Secretary of the Navy. If the
22 Secretary of the Navy accepts such assignment, that Sec-
23 retary shall manage such lands in accordance with this
24 title, title I of the Sikes Act (16 U.S.C. 670a et seq.),
25 and other applicable law.

1 “(c) IMPLEMENTING AGREEMENT.—(1) The Sec-
2 retary of the Interior and the Secretary of the Navy may
3 enter into a written agreement to implement the assign-
4 ment of management responsibility pursuant to subsection
5 (b).

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

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

13 “(d) ACCESS AGREEMENT.—The Secretary of the In-
14 terior and the Secretary of the Navy may enter into a writ-
15 ten agreement to address access to and maintenance of
16 Bureau of Reclamation facilities located within the bound-
17 ary of the Chocolate Mountains Aerial Gunnery Range.

18 **“§ 2959c. Duration of withdrawal and reservation**

19 “The withdrawal and reservation made by this sub-
20 chapter shall terminate on March 31, 2039.

21 **“§ 2959d. Access**

22 “Notwithstanding section 2933 of this title, the lands
23 withdrawn and reserved by section 2959a of this title,
24 other than those constituting the Bradshaw Trail, are
25 closed to the public and all uses, other than those author-

1 “(1) Sustained, combined arms, live-fire, and
2 maneuver field training for large-scale Marine air
3 ground task forces.

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

6 “(3) Equipment and tactics development.

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

11 “(c) RESERVATION FOR SECRETARY OF THE INTE-
12 RIOR.—The lands withdrawn by subsection (a) consti-
13 tuting the Shared Use Area are reserved for use by the
14 Secretary of the Navy for the purposes specified in sub-
15 section (b) and for the Secretary of the Interior for the
16 following purposes:

17 “(1) Public recreation when not used for mili-
18 tary training and having been determined as suitable
19 for public use.

20 “(2) Natural resources conservation.

21 “(d) LAND DESCRIPTION.—The public lands and in-
22 terests in lands referred to in subsection (a) are the Fed-
23 eral lands comprising approximately 154,663 acres in San
24 Bernardino County, California, as generally depicted on
25 a map entitled _____, dated _____, and filed in accord-

1 ance with section 2932 of this title. Such lands are divided
2 into two areas, as follows:

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

11 “(2) The Shared Use Area, consisting of ap-
12 proximately 36,755 acres.

13 **“§ 2961b. Management of withdrawn and reserved**
14 **lands**

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

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

24 “(2) this title; and

1 “(3) a programmatic agreement between the
2 United States Marine Corps and the California
3 State Historic Preservation Officer regarding oper-
4 ation, maintenance, training, and construction at the
5 United States Marine Air Ground Task Force
6 Training Command, Marine Corps Air Ground Com-
7 bat Center, Twentynine Palms, California.

8 “(b) MANAGEMENT BY THE SECRETARY OF THE IN-
9 TERIOR.—(1) During the period of withdrawal and res-
10 ervation of lands by this subchapter, the Secretary of the
11 Interior shall manage the Shared Use Area except for two
12 30-day periods each year when such lands are exclusively
13 used by the Secretary of the Navy for military training
14 purposes, during which time the Secretary of the Navy
15 shall manage such lands.

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

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

22 “(B) any other applicable law and regulations.

23 “(3) The Secretary of the Navy, during the period
24 of the Secretary’s management pursuant to paragraph (1),

1 shall manage the Shared Use Area for the purposes speci-
2 fied in section 2961a(b) of this title in accordance with—

3 “(A) an integrated natural resources manage-
4 ment plan prepared and implemented in accordance
5 with title I of the Sikes Act (16 U.S.C. 670a et
6 seq.);

7 “(B) this title; and

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

10 “(c) PUBLIC ACCESS.—(1) Notwithstanding section
11 2933 of this title, the Exclusive Military Use Area shall
12 be closed to all public access unless otherwise authorized
13 by the Secretary of the Navy.

14 “(2) The Shared Use Area shall be open to public
15 recreational use during the period it is under the manage-
16 ment of the Secretary of the Interior, but only after being
17 determined as suitable for public use by the Secretary of
18 the Navy. Any such determination shall not be unreason-
19 ably withheld.

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

24 “(B) The Group shall—

1 “(i) develop and implement a public outreach
2 plan to inform the public of the land uses changes
3 and safety restrictions affecting the withdrawn
4 lands; and

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

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

14 “(4) Military training within the Shared Use Area
15 shall not be conditioned on, nor shall such training be pre-
16 cluded by—

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

21 “(B) any legal or administrative challenge to
22 any such recreation management plan or land use
23 plan document.

1 “(5) The Shared Use Area shall be managed so as
2 not to compromise the ability of the Department of the
3 Navy to conduct military training in the Area.

4 “(d) IMPLEMENTATION AGREEMENT.—The Sec-
5 retary of the Interior and the Secretary of the Navy shall
6 enter into a written agreement to implement the manage-
7 ment responsibility relating to the Shared Use Area. The
8 agreement—

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

12 “(2) shall have a duration which shall be the
13 same as the period of the withdrawal and reserva-
14 tion of lands under this subchapter, but may be
15 amended from time to time;

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

19 “(4) may provide for delegation to civilian law
20 enforcement personnel of the Department of the
21 Navy of the authority of the Secretary of the Inte-
22 rior to enforce the laws relating to protection of nat-
23 ural and cultural resources and of fish and wildlife;
24 and

1 “(5) may provide for the Secretaries of the In-
2 terior and Navy to share resources in order to most
3 efficiently and effectively manage the Shared Use
4 Area.

5 “(e) JOHNSON VALLEY OFF-HIGHWAY VEHICLE
6 RECREATION AREA.—

7 “(1) DESIGNATION.—Approximately 45,000
8 acres (as depicted on the map referred to in section
9 2961a of this title) of the existing Bureau of Land
10 Management-designated Johnson Valley Off-High-
11 way Vehicle Area that are not withdrawn and re-
12 served for defense-related uses by this subchapter,
13 together with the Shared Use Area, are hereby des-
14 ignated as the ‘Johnson Valley Off-Highway Vehicle
15 Recreation Area’.

16 “(2) AUTHORIZED ACTIVITIES.—To the extent
17 consistent with applicable Federal law and regula-
18 tions and this chapter, any authorized recreation ac-
19 tivities and use designation in effect on the date of
20 the enactment of this subchapter and applicable to
21 the Johnson Valley Off-Highway Vehicle Recreation
22 Area may continue, including casual off-highway ve-
23 hicular use, racing, competitive events, rock crawl-
24 ing, training, and other forms of off-highway recre-
25 ation.

1 “(3) ADMINISTRATION.—The Secretary of the
2 Interior shall administer the Johnson Valley Off-
3 Highway Vehicle Recreation Area (other than that
4 portion consisting of the Shared Use Area the man-
5 agement of which is addressed elsewhere in this sec-
6 tion) in accordance with the Federal Land Policy
7 and Management Act of 1976 (43 U.S.C. 1701 et
8 seq.) and other applicable laws and regulations.

9 “(4) TRANSIT.—In coordination with the Sec-
10 retary of the Interior, the Secretary of the Navy
11 may authorize transit through the Johnson Valley
12 Off-Highway Vehicle Recreation Area for defense-re-
13 lated purposes supporting military training (includ-
14 ing military range management and management of
15 exercise activities) conducted on the lands withdrawn
16 and reserved by this subchapter.

17 **“§ 2961c. Duration of withdrawal and reservation**

18 “The withdrawal and reservation made by this sub-
19 chapter shall terminate on March 31, 2039.”.

20 (b) COMPENSATION TO BROADWATER COUNTY, MON-
21 TANA.—The Secretary of the Army may pay Broadwater
22 County, Montana, a one-time lump sum payment of
23 \$1,000,000 to offset the 25-year loss of payments in lieu
24 of taxes provided to the County by the Federal Govern-
25 ment for lands withdrawn and reserved by subchapter III

1 of chapter 174 of title 10, United States Code, as added
2 by subsection (a).

3 (c) TERMINATION OF PRIOR WITHDRAWALS.—The
4 withdrawal and reservation contained in section 803(a) of
5 the California Military Lands Withdrawal and Overflights
6 Act of 1994 is hereby terminated. Notwithstanding such
7 termination, all rules, regulations, orders, permits, and
8 other privileges issued or granted by the Secretary of the
9 Interior or a Secretary concerned with respect to the lands
10 withdrawn and reserved under such section, unless incon-
11 sistent with the provisions of chapter 174 of title 10,
12 United States Code, as added by subsection (a), shall re-
13 main in force until modified, suspended, overruled, or oth-
14 erwise changed by that Secretary, by a court of competent
15 jurisdiction, or by operation of law.

16 (d) CLERICAL AMENDMENT.—The table of chapters
17 at the beginning of subtitle A of such title and at the be-
18 ginning of part IV of such subtitle are each amended by
19 inserting after the item relating to chapter 173 the fol-
20 lowing new item:

“174. **Land Withdrawals** **2931**”.

21 **SEC. 2822. FORT BLISS MILITARY LAND WITHDRAWAL.**

22 (a) REVOCATION OF WITHDRAWAL; RETURN OF AD-
23 MINISTRATION.—Effective on the date of the enactment
24 of this Act—

1 (1) Public Land Order 833, dated May 21,
2 1952 (17 Fed. Reg. 4822), is revoked as to the ap-
3 proximately 2,050 acres of lands generally depicted
4 as “Parcel 1” on the map titled “Doña Ana County
5 Land Transfer and Withdrawal”, dated April 20,
6 2011 (referred to in this section as the “map”);

7 (2) administration of the lands is returned from
8 the Secretary of the Army to the Secretary of the
9 Interior, acting through the Director of the Bureau
10 of Land Management; and

11 (3) the lands shall be managed as public lands
12 in accordance with the Federal Land Policy and
13 Management Act of 1976 (43 U.S.C. 1701 et seq.)
14 and any other applicable laws.

15 (b) WITHDRAWAL.—

16 (1) IN GENERAL.—Subject to valid existing
17 rights and the limitations in paragraph (2), the par-
18 cels of Federal land generally depicted on the map
19 as “Parcel 2” and “Parcel 3”, consisting of approxi-
20 mately 35,550 acres, and any land or interest in
21 land that is acquired by the United States within the
22 boundaries of those parcels, are withdrawn from all
23 forms of location, entry, appropriation, and disposal
24 under the public land laws, including the mineral

1 leasing laws, the mining laws, the mineral materials
2 laws, and the geothermal leasing laws.

3 (2) LIMITATION.—Notwithstanding paragraph
4 (1), Parcel 3 is not withdrawn for purposes of the
5 issuance of oil and gas pipeline rights-of-way.

6 (c) MAPS AND LEGAL DESCRIPTION.—

7 (1) PUBLICATION AND FILING.—As soon as
8 practicable after the date of the enactment of this
9 Act, the Secretary of the Interior shall—

10 (A) publish in the Federal Register a legal
11 description of the parcels of Federal land re-
12 turned by subsection (a) and withdrawn by sub-
13 section (b); and

14 (B) file copies of the map described in sub-
15 section (a) and the legal description of the par-
16 cels with the Committee on Armed Services and
17 the Committee on Energy and Natural Re-
18 sources of the Senate and the Committee on
19 Armed Services and the Committee on Natural
20 Resources of the House of Representatives.

21 (2) FORCE OF LAW.—The map and legal de-
22 scriptions filed under paragraph (1)—

23 (A) shall have the same force and effect as
24 if included in this Act, except that the Sec-

1 retary of the Interior may correct errors in the
2 map and legal descriptions; and

3 (B) shall be on file and available for public
4 inspection in the appropriate offices of the Bu-
5 reau of Land Management.

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