

**H.R. 4310—FY13 NATIONAL DEFENSE  
AUTHORIZATION BILL**

**SUBCOMMITTEE ON READINESS**

TITLE III	OPERATION AND MAINTENANCE
TITLE IX	DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT
TITLE X	GENERAL PROVISIONS
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**Titles 3, 9, 10, 11, Division B, & 34**

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**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE III—OPERATION AND MAINTENANCE**

**LEGISLATIVE PROVISIONS**

**SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS**

Section 302—Authorization of Appropriations of Funds for Inactivation Execution of U.S.S. Enterprise

This section would authorize appropriations for fiscal year 2013 for inactivation execution of the USS Enterprise (CVN 65) at the levels identified in section 4301 of division D of this Act. The committee notes that inactivation execution is planned for work in 3 fiscal years, and this section would provide the contract authority to the Secretary of the Navy to perform that work. The committee also notes that there is an additional \$203.0 million available in fiscal year 2013 to support the inactivation of the USS Enterprise, to include equipment and material, advance planning, disposal and recycling, and the terminal offload program.

#### SUBTITLE B—ENERGY AND ENVIRONMENTAL PROVISIONS

##### Section 311—Training Range Sustainment Plan and Training Range Inventory

This section would extend the annual reporting requirement regarding training range sustainment plans and training range inventory from fiscal year 2013 to fiscal year 2018.

#### SUBTITLE C—LOGISTICS AND SUSTAINMENT

##### Section 321—Expansion and Reauthorization of Multi-Trades Demonstration Project

This section would reauthorize the Multi-Trades Demonstration Project, a project that increases the pay grade of an employee who achieves certain skill proficiencies in more than one field by one grade, and expands its participation to civilian workers in all military departments.

##### Section 322—Defense-Wide Expansion of Pilot Program for Availability of Working-Capital Funds for Product and Process Improvements

This section would expand the authorization to use working-capital funds for expenses directly related to conducting a pilot program for a product or process improvement to the Secretaries of the military departments.

##### Section 323—Depot-Level Maintenance and Repair

This section would amend section 2460 of title 10, United States Code, to exclude nuclear aircraft carrier refueling and defueling and the procurement major modifications designed to improve the performance or safety of a weapons system from the definition of depot-level maintenance and repair. Further, this section would amend section 2464 of title 10, United States Code, by inserting “in direct support of depot-level maintenance and repair” to describe the type of “associated logistics capabilities” covered under section 2464 and would prohibit the Secretary of Defense from delegating the waiver authority granted under section 2464.

## SUBTITLE D—READINESS

### Section 331—Intergovernmental Support Agreements with State and Local Governments

This section would authorize the Secretary concerned to enter into intergovernmental support agreements with State or local governments for the procurement of installation support services. Procurement of police and fire protection services are specifically exempt from this authority.

## SUBTITLE E—REPORTS

### Section 341—Report on Joint Strategy for Readiness and Training in a C4ISR-Denied Environment

This section would direct the Secretary of Defense to submit a report on the readiness of the joint force to conduct operations in environments where there is no access to Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) systems. This section also would require the development of a C4ISR-denied environment roadmap and exercise plan.

### Section 342—Comptroller General Review of Annual Department of Defense Report on Prepositioned Materiel and Equipment

This section would modify the frequency in which the Comptroller General of the United States submits its report on the Department of Defense's prepositioned stocks from 120 days after the Department submits its annual report on prepositioned stocks to a rate that the Comptroller General determines appropriate.

### Section 343—Modification of Report on Maintenance and Repair of Vessels in Foreign Shipyards

This section would modify section 7310(c) of title 10, United States Code, to include vessels that are operated pursuant to a contract entered into by the Military Sealift Command, the Maritime Administration, or the U.S. Transportation Command.

### Section 344—Extension of Deadline for Comptroller General Report on Department of Defense Service Contract Inventory

This section would amend section 803 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) to extend from 180 to 270 days the requirement for the Comptroller General of the United States to submit a report regarding the Department of Defense contract inventory.

SUBTITLE F—LIMITATIONS AND EXTENSIONS OF AUTHORITY

Section 353—Limitation on Authorization of Appropriations for the National Museum of the United States Army

This section would limit the obligation or expenditure of funds for the National Museum of the United States Army until the Secretary of the Army submits to the congressional defense committees written certification that sufficient private funding has been raised to fund construction of the “baseline museum” and that at least 50 percent of the baseline museum has been completed.

Section 354—Limitation on Availability of Funds for Retirement or Inactivation of Ticonderoga Class Cruisers or Dock Landing Ships

This section would limit the obligation and expenditure of funds authorized to be appropriated or otherwise made available for fiscal year 2013 for the retirement, inactivation, or storage of a cruiser or dock landing ship. This section would provide an exception for the retirement of the USS Port Royal (CG 73). Finally, this section would require the Secretary of the Navy to maintain the operational capability and perform the necessary maintenance of the cruisers and dock landing ships in support of operational requirements of the combatant commands.

SUBTITLE G—OTHER MATTERS

Section 361—Retirement, Adoption, Care, and Recognition of Military Working Dogs

This section would amend section 2583 of title 10, United States Code, to change the classification of military working dogs from equipment to canine members of the Armed Forces. This section would also require non-profit provided veterinary care for retired working dogs and establish policies to ease the cost of transporting retired working dogs for the purposes of adoption.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS

SUBTITLE F—OTHER MATTERS

Section 952—Expansion of Persons Eligible for Expedited Federal Hiring Following Completion of National Security Education Program Scholarship

This section would amend section 1902(k) of title 50, United States Code, to allow the Secretary of Defense and other agencies and organizations with national security responsibilities to appoint to the excepted service position those individuals who have successfully completed the requirements of the National Security Education Program (NSEP) and meet eligibility for appointment. Award recipients are required by NSEP to enter into a service commitment before receipt of an award.

## TITLE X—GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE H—MISCELLANEOUS AUTHORITIES AND LIMITATIONS

##### Section 1072—Expansion of Authority of the Secretary of The Army To Loan or Donate Excess Small Arms for Funeral and Other Ceremonial Purposes

This section would amend section 4683(a) of title 10, United States Code, to change the statutory limitation on the number of excess small arms that the Secretary of the Army can donate to certain eligible organizations for funeral and other ceremonial purposes. This section would also establish a rotational small arms loan program should the demand for ceremonial small arms exceed currently available excess supply.

##### Section 1073—Prohibition on the Use of Funds for Manufacturing Beyond Low-Rate Initial Production at Certain Prototype Integration Facilities

This section would change current restrictions on prototype manufacturing activities from "low-rate initial production" to "low-rate initial production or 1,000 units, whichever is greater," at prototype integration facilities within certain components of the Army's Research, Development, and Engineering Command.

## TITLE XI—CIVILIAN PERSONNEL MATTERS

### LEGISLATIVE PROVISIONS

##### Section 1101—Expansion of Personnel Management Authority Under Experimental Program With Respect to Certain Scientific and Technical Positions

This section would amend subsection (b)(1) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) in subparagraph (A), by striking `40' and inserting `60'.

The committee is aware of the specialized personnel hiring needs of organizations requiring a competent, highly technical workforce, such as the

Defense Advanced Research Projects Agency (DARPA). In the conference report accompanying the National Defense Authorization Act for Fiscal Year 2012 (House Report 112-329), the conferees expressed concern that DARPA did not have a solid analytical basis for its request. In numerous discussions with DARPA, the committee has received more rigorous justification supporting the need for the increase in hiring billets for this experimental personnel program, and therefore supports the rationale for an increase. The committee cautions DARPA to make judicious use of this authority, along with more effective use of other hiring authorities, in order to prevent additional requests for incremental increases in billets for this authority.

#### Section 1102—Authority to Pay for the Transport of Family Household Pets for Federal Employees During Certain Evacuation Operations

This section would amend section 5725 of title 5, United States Code, to add an eligibility for Government-provided or reimbursed shipment of household pets of civilian employees during evacuations from permanent stations in foreign locations. The shipment of pets of Department of Defense (DOD) civilian personnel would be subject to the same DOD rules as those applied to the shipment of pets of members of the military.

#### Section 1103—Extension of Authority To Fill Shortage Category Positions for Certain Federal Acquisition Positions for Civilian Agencies

This section would extend until September 30, 2017, direct-hire authority to appoint candidates to certain Federal acquisition positions where there is either a severe shortage of candidates or a critical hiring need. The committee recognizes that acquisition is a critical area that suffered from years of downsizing leading to a lack of capacity and oversight of requirements.

#### Section 1104—One-Year Extension of Authority To Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas

This section would extend, for 1 additional year, the authority of the head of a Federal agency to waive the limitations on the amount of premium pay that may be paid to a Federal civilian employee who performs certain work in an overseas location that falls under the responsibility of U.S. Central Command, an overseas location that falls under the responsibility of U.S. Africa Command, in support of a military operation, or responding to an emergency declared by the President. The payment may not exceed the annual rate of salary payable to the Vice President under section 104 of title 3, United States Code.

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

### Section 2001—Short Title

This section would cite division B of this Act as the “Military Construction Authorization Act for Fiscal Year 2013.”

### Section 2002—Expiration of Authorizations and Amounts Required To Be Specified by Law

This section would ensure that the authorizations provided in titles XXI through XXVII and XXIX shall expire on October 1, 2015, or the date of enactment of an act authorizing funds for military construction for fiscal year 2016, whichever is later.

### Section 2003—Effective Date

This section would provide that titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII and XXIX of this Act take effect on October 1, 2012, or the date of enactment of this Act, whichever is later.

## TITLE XXI—ARMY MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 2101—Authorized Army Construction and Land Acquisition Projects

This section would contain the list of authorized Army construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

#### Section 2102—Family Housing

This section would authorize new construction and planning and design of family housing units for the Army for fiscal year 2013.

#### Section 2103—Authorization of Appropriations, Army

This section would authorize appropriations for Army military construction at the levels identified in section 4601 of division D of this Act.

#### Section 2104—Modification of Authority to Carry Out Certain Fiscal Year 2010 Project

This section would modify the authority provided in section 2101 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public

Law 111-84) and authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project. This provision was included in the President's request.

#### Section 2105—Extension of Authorizations of Certain Fiscal Year 2009 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later.

#### Section 2106—Extension of Authorizations of Certain Fiscal Year 2010 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later.

#### Section 2107—Extension of Limitation on Obligation or Expenditure of Funds for Tour Normalization

This section would continue a tour normalization prohibition of funds included in section 2111 of the Military Construction Act for Fiscal Year 2012 (division B of Public Law 112-81). This section would specifically limit additional tour normalization in the United States Forces Korea area of responsibility until certain conditions are met. These conditions include an analysis of alternatives and a tour normalization master plan. Finally, a specific authorization is required for an expenditure of funds to support tour normalization.

## TITLE XXII—NAVY MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 2201—Authorized Navy Construction and Land Acquisition Projects

This section would contain the list of authorized Navy construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

#### Section 2202—Family Housing

This section would authorize new construction and planning and design of family housing units for the Navy for fiscal year 2013.

#### Section 2203—Improvements to Military Family Housing Units

This section would authorize improvements to existing units of family housing for fiscal year 2013.

#### Section 2204—Authorization of Appropriations, Navy

This section would authorize appropriations for Navy military construction at the levels identified in section 4601 of division D of this Act.

#### Section 2205—Modification of Authority to Carry Out Certain Fiscal Year 2012 Project

This section would modify the authority provided in section 2201 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) and authorize the Secretary of the Navy to make certain modifications to the scope of a previously authorized construction project. This provision was included in the President's request.

#### Section 2206—Extension of Authorizations of Certain Fiscal Year 2009 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

#### Section 2207—Extension of Authorizations of Certain Fiscal Year 2010 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

## TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 2301—Authorized Air Force Construction and Land Acquisition Projects

This section would contain the list of authorized Air Force construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

#### Section 2302—Family Housing

This section would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2013.

#### Section 2303—Improvements to Military Family Housing Units

This section would authorize improvements to existing units of family housing for fiscal year 2013.

#### Section 2304—Authorization of Appropriations, Air Force

This section would authorize appropriations for Air Force military construction at the levels identified in section 4601 of division D of this Act.

#### Section 2305—Extension of Authorizations of Certain Fiscal Year 2010 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

## TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—DEFENSE AGENCY AUTHORIZATIONS

#### Section 2401—Authorized Defense Agencies Construction and Land Acquisition Projects

This section would contain the list of authorized defense agencies construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

#### Section 2402—Authorized Energy Conservation Projects

This section would authorize the Secretary of Defense to carry out energy conservation projects and require that the Secretary of Defense reserve a portion of the amount for energy conservation projects for Reserve Components.

#### Section 2403—Authorization of Appropriations, Defense Agencies

This section would authorize appropriations for defense agencies military construction at the levels identified in section 4601 of division D of this Act.

## Section 2404—Modification of Authority to Carry Out Certain Fiscal Year 2012 Projects

This section would modify the authority provided in section 2401 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) and authorize the Secretary of Defense to make certain modifications to the scope of previously authorized construction projects. This provision was included in the President's request.

The committee remains committed to completing the construction associated with the Landstuhl Army Medical Center, Germany, but remains concerned that the proposed facility scope of the medical center may not be aligned with the future force structure in Europe and U.S. Central Command. The committee supports an increase in the overall scope of the medical center but has not received adequate justification to approve the full authorization of the medical center as proposed in the President's budget request.

## Section 2405—Extension of Authorization of Certain Fiscal Year 2010 Project

This section would extend the authorization listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

### SUBTITLE B—CHEMICAL DEMILITARIZATION AUTHORIZATIONS

## Section 2411—Authorization of Appropriations, Chemical Demilitarization Construction, Defense-Wide

This section would authorize appropriations for Chemical Demilitarization construction at the levels identified in section 4601 of division D of this Act.

## Section 2412—Modification of Authority to Carry Out Certain Fiscal Year 1997 Project

This section would modify the authority provided in section 2401 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201) and authorize the Secretary of Defense to make certain modifications to the scope of a previously authorized construction project. This provision was included in the President's request.

## TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

### LEGISLATIVE PROVISIONS

## Section 2501—Authorized NATO Construction and Land Acquisition Projects

This section would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of this Act and the amount of recoupment due to the United States for construction previously financed by the United States.

## Section 2502—Authorization of Appropriations, NATO

This section would authorize appropriations for the North Atlantic Treaty Organization Security Investment Program at the levels identified in section 4601 of division D of this Act.

# TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

## LEGISLATIVE PROVISIONS

### SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATION OF APPROPRIATIONS

## Section 2601—Authorized Army National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Army National Guard construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

## Section 2602—Authorized Army Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Army Reserve construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

## Section 2603—Authorized Navy Reserve and Marine Corps Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Navy Reserve and Marine Corps Reserve construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

## Section 2604—Authorized Air National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Air National Guard construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

## Section 2605—Authorized Air Force Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Air Force Reserve construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

## Section 2606—Authorization of Appropriations, National Guard and Reserve

This section would authorize appropriations for the National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

### SUBTITLE B—OTHER MATTERS

## Section 2611—Modification of Authority to Carry Out Certain Fiscal Year 2010 Projects

This section would modify the authority provided in section 2601 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84) and authorize the Secretary of the Army to make certain modifications to the scope of previously authorized construction projects. This provision was included in the President's request.

## Section 2612—Modification of Authority to Carry Out Certain Fiscal Year 2011 Project

This section would modify the authority provided in section 2601 of Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383) and authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project. This provision was included in the President's request.

## Section 2613—Extension of Authorization of Certain Fiscal Year 2009 Project

This section would extend the authorization listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

#### Section 2614—Extension of Authorization of Certain Fiscal Year 2010 Projects

This section would extend the authorizations listed until October 1, 2013, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2014, whichever is later. This provision was included in the President's request.

## TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

### LEGISLATIVE PROVISIONS

#### Section 2701—Authorization of Appropriations for Base Realignment and Closure Activities Funded Through Department of Defense Base Closure Account 1990

This section would authorize appropriations for ongoing activities that are required to implement the decision of prior Base Realignment and Closure activities at the levels identified in section 4601 of division D of this Act.

#### Section 2702—Authorization of Appropriations for Base Realignment and Closure Activities Funded Through Department of Defense Base Closure Account 2005

This section would authorize appropriations for military construction projects for fiscal year 2013 that are required to implement the decisions of the Base Closure and Realignment 2005 activities at the levels identified in section 4601 of division D of this Act.

#### Section 2711—Consolidation of Department of Defense Base Closure Accounts and Authorized Uses of Base Closure Account Funds

This section would strike sections 2906 and 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510) that establish Treasury accounts for the Base Closure and Realignment rounds of 1991, 1993, 1995, and 2005, and would unify these Treasury accounts into a single Treasury account known as the "Department of Defense Base Closure Account".

#### Section 2712—Air Armament Center, Eglin Air Force Base

This section would require the Secretary of the Air Force to retain an Air Armament Center at Eglin Air Force Base, Florida. While the Base Closure and Realignment 2005 process validated the necessity to support an Air Armament

Center, the Air Force proposed to reorganize the command within the Air Force Material Command. As validated by the Secretary of the Air Force in testimony before the committee this year, this section would maintain an Air Armament Center in Eglin Air Force Base, Florida, until it is modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for additional base closures.

## TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

##### Section 2801—Preparation of Military Installation Master Plans

This section would require installation master plans at a period not to exceed 10 years. Such plans shall address environmental planning, sustainable design and development, sustainable range planning, real property master planning, and transportation planning.

##### Section 2802—Sustainment Oversight and Accountability for Military Housing Privatization Projects and Related Annual Reporting Requirements

This section would provide additional oversight and accountability in the pursuit of military housing privatization projects to include an assessment of the financial viability of the long-term project, a resident satisfaction assessment and an assessment of the backlog of maintenance and repair. Furthermore, this section would delete several reporting requirements that were duplicative or obsolete and replace them with reporting requirements associated with the long-term viability of the family housing projects.

##### Section 2803—One-Year Extension of Authority to Use Operation and Maintenance Funds for Construction Projects Outside the United States

This section would amend section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136) and extend the Department's ability to use operations and maintenance appropriations for military construction purposes for the U.S. Central Command and Horn of Africa area until September 30, 2013.

#### SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Section 2811—Authority of Military Museums to Accept Gifts and Services and To Enter Into Leases and Cooperative Agreements

This section would consolidate and extend available authorities for the use by military museums. In addition to providing the ability of military museums to accept services and enter into cooperative agreements, this section would maintain the military museums' ability to retain funds locally that were developed as a result of out-leasing elements of the military museum.

Section 2812—Clarification of Parties With Whom the Department of Defense May Conduct Exchanges of Real Property at Certain Military Installations

This section would amend section 2869(a)(1) of title 10, United States Code, as amended by section 2815 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), to change the party with whom a real estate exchange can be conducted.

Section 2813—Indemnification of Transferees of Property at Any Closed Military Installation

This section would provide an indemnification for properties transferred at all closed military installations after October 24, 1988. This section would unify the protections previously provided to properties closed pursuant to a base closure process with those properties that were closed pursuant to section 2687 of title 10, United States Code.

Section 2814—Plan To Protect Critical Department of Defense Critical Assets from Electromagnetic Pulse Weapons

This section would require the Secretary of Defense to submit to the congressional defense committees the Department's plan to protect defense-related critical assets from the adverse effects of electromagnetic pulse and high-powered microwave weapons.

SUBTITLE C—ENERGY SECURITY

Section 2821—Congressional Notification for Contracts for the Provision and Operation of Energy Production Facilities Authorized To Be Located on Real Property Under the Jurisdiction of a Military Department

This section would require the Department of Defense to notify Congress when entering into contracts for the provision and operation of energy production facilities on real property owned by the United States if the contract is longer than 20 years.

Section 2822—Continuation of Limitation on Use of Funds for Leadership in Energy and Environmental Design (LEED) Gold or Platinum Certification and Expansion To Include Implementation of ASHRAE Building Standard 189.1

This section would continue the prohibition on the use of funds for Leadership in Energy and Environmental Design gold or platinum certifications for fiscal year 2013 set forth in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81). This section would also limit the use of funds for implementation of ASHRAE building standard 189.1. The committee remains concerned that the Department of Defense is investing significant funding for more aggressive certifications without demonstrating the appropriate return on investment. The committee looks forward to receiving the Department's report required in section 2830 of Public Law 112-81 by June 30, 2012.

SUBTITLE D—PROVISIONS RELATED TO GUAM REALIGNMENT

Section 2831—Use of Operation and Maintenance Funding To Support Community Adjustments Related To Realignment of Military Installations and Relocation of Military Personnel on Guam

This section would authorize the Secretary of Defense to assist the Government of Guam in meeting the costs of providing increased municipal services and facilities associated with the realignment of military forces to the territory of Guam. This authorization would be provided if the Secretary determines that an unfair and excessive financial burden will be incurred by the Government of Guam to provide the services and facilities in the absence of the Secretary's assistance. This authority would expire on September 30, 2020.

Section 2832—Certification of Military Readiness Need for Firing Range on Guam as Condition on Establishment of Range

This section would prohibit the establishment of a firing range on the territory of Guam until the Secretary of Defense certifies that the firing range is required to meet a national security need.

Section 2833—Repeal of Condition on Use of Funds for Guam Realignment

This section would strike a requirement of section 2207 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) to obtain a coordinated federal agency plan that supports the civilian infrastructure on Guam as a condition for moving forward with the Marine Corps realignment of forces to Guam.

The committee has been informed by the Department of the Navy that the Supplemental Environmental Impact Statement Record of Decision is required for the beddown of Marines on Guam. The Department of the Navy has also indicated

that the Federal agency efforts to mitigate the overall impact of the proposed redevelopment will be completed in the Record of Decision. The committee believes that the Record of Decision is the correct forum to fully consider the impacts of the overall realignment from a federal agency perspective. Considering the timing of the Record of Decision, the committee believes that there are discrete elements of the overall realignment that have independent utility and should move forward.

#### SUBTITLE E—LAND CONVEYANCES

##### Section 2841—Modification to Authorized Land Conveyance and Exchange, Joint Base Elmendorf Richardson, Alaska

This section would modify section 2851 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) and would change the lead agency responsible for completing the land conveyance and exchange at Joint Base Elmendorf Richardson, Alaska, from the Secretary of the Air Force to the Secretary of the Interior.

##### Section 2842—Modification of Financing Authority, Broadway Complex of the Department of the Navy, San Diego, California

This section would modify section 2732 of the Military Construction Authorization Act for Fiscal Year 1987 (division B of Public Law 99-661) to expand the Secretary of the Navy's ability to use the proceeds from the Broadway Complex lease to construct real property in San Diego, California.

##### Section 2844—Land Conveyance, Castner Range, Fort Bliss, Texas

This section would authorize the Secretary of the Army to convey the Castner Range at Fort Bliss, Texas, to the Parks and Wildlife Department of the State of Texas for the purpose of establishing an additional element of the Franklin Mountains State Park.

##### Section 2845—Modification of Land Conveyance, Fort Hood, Texas

This section would modify a land conveyance at Fort Hood, Texas, that was provided in the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375). Specifically, the Secretary of the Army would be authorized to expand the development of Texas A&M University, Central Texas, to include elements that the University System of the State of Texas considers appropriate.

#### SUBTITLE F—OTHER MATTERS

##### Section 2861—Inclusion of Religious Symbols as Part of Military Memorials

This section would add a new section to chapter 21 of title 36, United States Code, and would authorize the inclusion of religious symbols as part of a military memorial that is established or acquired by the U.S. Government. This section would also authorize the inclusion of religious symbols on certain military memorials that are not established by the U.S. Government.

**Section 2862—Redesignation of the Center for Hemispheric Defense Studies as the William J. Perry Center for Hemispheric Defense Studies**

This section would authorize the Secretary of Defense to rename the Center for Hemispheric Defense Studies as the "William J. Perry Center for Hemispheric Defense Studies" and other conforming changes.

**Section 2863—Sense of Congress Regarding Establishment of Military Divers Memorial at Washington Navy Yard**

This section would provide a sense of Congress that the Navy should provide an appropriate site at the former Navy Dive School at the Washington Navy Yard, District of Columbia, for a Military Divers Memorial.

**TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS  
MILITARY CONSTRUCTION**

**LEGISLATIVE PROVISIONS**

**Section 2901—Authorized Navy Construction and Land Acquisition Projects**

This section would contain the list of authorized Navy construction projects for fiscal year 2013. The authorized amounts are listed on an installation-by-installation basis. The list contained in this report is intended to be the binding list of the specific projects authorized at each location.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL  
SECURITY AUTHORIZATIONS AND OTHER  
AUTHORIZATIONS**

**TITLE XXXIV—NAVAL PETROLEUM RESERVES**

**LEGISLATIVE PROVISIONS**

**Section 3401—Authorization of Appropriations**

This section would authorize \$14.9 million for fiscal year 2013 for operation and maintenance of the Naval Petroleum and Oil Reserves.

# **BILL LANGUAGE**

**Titles 3, 9, 10, 11, Division B & 34**

1 **SEC. 302. [LOG ID 31226]AUTHORIZATION OF APPROPRIA-**  
2 **TIONS OF FUNDS FOR INACTIVATION EXECU-**  
3 **TION OF U.S.S. ENTERPRISE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
5 are hereby authorized to be appropriated to the Secretary  
6 of the Navy for fiscal year 2013 for inactivation execution  
7 of the U.S.S. Enterprise (CVN 65) as specified in the  
8 funding table in section 4301.

9 (b) LIMITATION.—The total amount obligated and  
10 expended by the Secretary of the Navy for the inactivation  
11 execution of the U.S.S. Enterprise may not exceed  
12 \$708,000,000.

13 (c) CONTRACT AUTHORITY.—

14 (1) IN GENERAL.—Subject to the availability of  
15 funds under subsection (a) and the condition in  
16 paragraph (2), the Secretary of the Navy may enter  
17 into a contract during fiscal year 2013 for the inac-  
18 tivation execution of the U.S.S. Enterprise.

19 (2) CONDITION FOR OUT-YEAR CONTRACT PAY-  
20 MENTS.—A contract entered into under paragraph  
21 (1) shall provide that any obligation of the United  
22 States to make a payment under the contract for a  
23 fiscal year after fiscal year 2013 is subject to the  
24 availability of appropriations for that purpose for  
25 that fiscal year.

1                   **Subtitle B—Energy and**  
2                   **Environmental Provisions**

3 **SEC. 311. [LOG ID 15708]TRAINING RANGE SUSTAINMENT**  
4                   **PLAN AND TRAINING RANGE INVENTORY.**

5           Section 366 of the Bob Stump National Defense Au-  
6 thORIZATION Act for Fiscal Year 2003 (Public Law 107–  
7 314; 116 Stat. 2522; 10 U.S.C. 113 note), as most re-  
8 cently amended by section 348 of the John Warner Na-  
9 tional Defense Authorization Act for Fiscal Year 2007  
10 (Public Law 109–364; 120 Stat. 2159) is amended in sub-  
11 sections (a)(5) and (c)(2), by striking “fiscal years 2005  
12 through 2013” and inserting “fiscal years 2005 through  
13 2018”.

1                   **Subtitle C—Logistics and**  
2                   **Sustainment**

3 **SEC. 321. [LOG ID 29244]EXPANSION AND REAUTHORIZA-**  
4                   **TION OF MULTI-TRADES DEMONSTRATION**  
5                   **PROJECT.**

6           (a) **EXPANSION.**—Section 338 of the National De-  
7 fense Authorization Act for Fiscal Year 2004 (Public Law  
8 108–136; 10 U.S.C. 5013 note), as most recently amended  
9 by section 329 of the National Defense Authorization Act  
10 for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 67),  
11 is amended—

12                   (1) by striking subsection (a) and inserting the  
13 following new subsection:

14           “(a) **DEMONSTRATION PROJECT AUTHORIZED.**—In  
15 accordance with subsection 4703 of title 5, United States  
16 Code, the Secretary of a military department may carry  
17 out a demonstration project at facilities described in sub-  
18 section (b) under which workers who are certified at the  
19 journey level as able to perform multiple trades shall be  
20 promoted by one grade level.”; and

21                   (2) in subsection (b), by striking “Logistics  
22 Center, Navy Fleet Readiness Center,” and inserting  
23 “Logistics Complex, Navy Fleet Readiness Center,  
24 Navy shipyard, Marine Corps Logistics Base,”.

1           (b) REAUTHORIZATION.—Such section is further  
2 amended—

3                   (1) in subsection (d), by striking “2013” and  
4 inserting “2018”; and

5                   (2) in subsection (e), by striking “2014” and  
6 inserting “2019”.

1 **SEC. 322. [LOG ID 16279]DEFENSE-WIDE EXPANSION OF**  
2 **PILOT PROGRAM FOR AVAILABILITY OF**  
3 **WORKING-CAPITAL FUNDS FOR PRODUCT**  
4 **AND PROCESS IMPROVEMENTS.**

5 (a) **AUTHORITY TO CARRY OUT PILOT PROGRAM.—**

6 Notwithstanding section 2208 of title 10, United States  
7 Code, the Secretary of a military department may use a  
8 working-capital fund established pursuant to that section  
9 and otherwise available to that Secretary to cover expenses  
10 directly related to conducting a pilot program for a prod-  
11 uct or process improvement described in subsection (b).

12 (b) **COVERED PRODUCT OR PROCESS IMPROVE-**  
13 **MENTS.—**

14 (1) **NEW MAINTENANCE CAPABILITIES.—A**  
15 product or process improvement covered by a pilot  
16 program conducted pursuant to subsection (a) is the  
17 procurement and installation of a new maintenance  
18 capability—

19 (A) that, at a minimum, is a full-scale sys-  
20 tem prototype that has been demonstrated to be  
21 functional in an actual system application or  
22 operational environment; and

23 (B) whose purpose is directly related to en-  
24 hancing productivity or reducing the long term  
25 life-cycle costs of multiple weapon system plat-

1 forms or major end items or components there-  
2 of.

3 (2) FUNCTIONAL DEFINED.—In this subsection,  
4 the term “functional”, with respect to a new mainte-  
5 nance capability, means that the capability has been  
6 shown to achieve the stated purpose of the capa-  
7 bility.

8 (c) COST LIMITATION ON PROJECTS.—Funds may  
9 not be used under subsection (a) for any product or proc-  
10 ess improvement with an estimated total cost in excess of  
11 \$1,000,000.

12 (d) ANNUAL REPORTS.—

13 (1) REPORTS REQUIRED.—Not later than 60  
14 days after the date on which President submits to  
15 Congress the budget for a fiscal year pursuant to  
16 section 1105 of title 31, United States Code, the  
17 Secretary of each military department shall submit  
18 to the congressional defense committees a report de-  
19 scribing the use by that Secretary of the authority  
20 provided by subsection (a) during the preceding fis-  
21 cal year.

22 (2) RECOMMENDATION.—The reports required  
23 to be submitted under paragraph (1) during fiscal  
24 year 2016 and describing the use of the authority  
25 provided by subsection (a) during fiscal year 2015

1 shall include the recommendations of the Secretaries  
2 of the military departments regarding whether the  
3 authority under subsection (a) should be made per-  
4 manent.

5 (e) LIMITATION ON USE PENDING TIMELY SUBMIS-  
6 SION OF REPORT.—If the Secretary of a military depart-  
7 ment fails to submit the report required by subsection (d)  
8 for a fiscal year by the date specified in paragraph (1)  
9 of such subsection, that Secretary may not use the author-  
10 ity provided by subsection (a) after that date until the re-  
11 port is finally submitted. This subsection does not apply  
12 to the Secretary of the Navy or the Secretary of the Air  
13 Force until the report describing the use by those Secre-  
14 taries of the authority provided by subsection (a) during  
15 fiscal year 2013 is required to be submitted under sub-  
16 section (d).

17 (f) REPEAL OF SEPARATE ARMY PROGRAM.—Section  
18 330 of the National Defense Authorization Act for Fiscal  
19 Year 2008 (Public Law 110–181; 122 Stat. 68) is re-  
20 pealed.

21 (g) TERMINATION OF AUTHORITY.—The authority  
22 under subsection (a) shall expire on October 1, 2018.

1 **SEC. 323. [LOG ID 13725]DEPOT-LEVEL MAINTENANCE AND**  
2 **REPAIR.**

3 (a) AMENDMENTS TO DEFINITION OF DEPOT-LEVEL  
4 MAINTENANCE AND REPAIR.—Section 2460 of title 10,  
5 United States Code, is amended—

6 (1) in paragraph (1), by striking “or the modi-  
7 fication or rebuild of end-items,” and inserting “ret-  
8 rofit, modification, upgrade, or rebuild of end items,  
9 components,”;

10 (2) in paragraph (1)(B), by striking “and” at  
11 the end;

12 (3) in paragraph (2)(B), by striking “change  
13 events made to operational software, integration and  
14 testing” and inserting “and change events (including  
15 integration and testing) made to operational soft-  
16 ware”;

17 (4) in paragraph (2)(C), by striking the period  
18 and inserting “; and”; and

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

21 “(3) excludes—

22 “(A) the nuclear refueling or defueling of  
23 an aircraft carrier; and

24 “(B) the procurement of major modifica-  
25 tions or upgrades designed to significantly im-

1           prove the performance or safety of a weapon  
2           system or major end item.”.

3           (b) AMENDMENTS RELATING TO CORE DEPOT-  
4 LEVEL MAINTENANCE AND REPAIR CAPABILITIES.—

5           (1) ASSOCIATED CAPACITY.—Section  
6           2464(a)(3)(A) of title 10, United States Code, is  
7           amended by striking “and capacity required in para-  
8           graph (1)” and inserting “required in paragraph (1)  
9           and the associated capacity to maintain those capa-  
10          bilities”.

11          (2) DIRECT SUPPORT OF ASSOCIATED LOGIS-  
12          TICS CAPABILITIES.—Section 2464(a)(3)(B) of such  
13          title is amended by inserting “in direct support of  
14          depot-level maintenance and repair” after “associ-  
15          ated logistics capabilities”.

16          (3) REQUIREMENT TO NOTIFY CONGRESS BE-  
17          FORE ISSUANCE OF WAIVER.—Section 2464(b)(3) of  
18          such title is amended by striking “within 30 days of  
19          issuance” and inserting “at least 30 days before  
20          issuance of the waiver”.

21          (4) PROHIBITION ON DELEGATION OF CERTAIN  
22          WAIVER AUTHORITY.—Section 2464(b) of such title  
23          is amended by adding at the end the following new  
24          paragraph:

1       “(4) The authority of the Secretary of Defense to  
2 waive the requirement in subsection (a)(3) on the basis  
3 of a determination under paragraph (1)(A) or (1)(B) may  
4 not be delegated.”.

5           (5) EXCLUSION OF NUCLEAR AIRCRAFT CAR-  
6 RRIERS AND SPECIAL ACCESS PROGRAMS.—Section  
7 2464 of such title is further amended—

8           (A) by redesignating subsections (d), (e),  
9           (f), and (g) as subsections (e), (f), (g), and (h),  
10           respectively; and

11           (B) by inserting after subsection (c) the  
12           following new subsection (d):

13       “(d) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS  
14 AND SPECIAL ACCESS PROGRAMS.—(1) The requirement  
15 in subsection (a)(3) shall not apply to nuclear aircraft car-  
16 riers.

17       “(2) The requirement in subsection (a)(3) shall not  
18 apply to special access programs.”.

19           (6) ANNUAL SPECIAL ACCESS PROGRAM CORE  
20 CAPABILITY REVIEW.—Section 2464 of such title is  
21 further amended by adding at the end the following  
22 new subsection:

23       “(i) BIENNIAL SPECIAL ACCESS PROGRAM CORE CA-  
24 PABILITY REVIEW.—Notwithstanding the inapplicability  
25 of subsection (a)(3) to special access programs (as pro-

1 vided in subsection (d)), the Secretary of Defense shall,  
2 not later than April 1 on each even-numbered year, con-  
3 duct a review of each special access program in existence  
4 during the two fiscal years preceding the fiscal year during  
5 which the review is conducted to determine the core depot  
6 maintenance and repair capabilities required to provide a  
7 ready and controlled source of technical competence, and  
8 the resources that would be required to establish a core  
9 capability if it becomes necessary. The Secretary of De-  
10 fense shall include the results of such review in the form  
11 of a classified annex to the biennial core report required  
12 under subsection (f).”.

13 (7) AMENDMENTS FOR CONSISTENCY IN USE OF  
14 TERMS.—Section 2464 of such title is further  
15 amended—

16 (A) in subsection (a)(1), by striking “a  
17 core depot-level maintenance and repair capa-  
18 bility” and inserting “core depot-level mainte-  
19 nance and repair capabilities”;

20 (B) in subsection (a)(2), by striking “This  
21 core depot-level maintenance and repair capa-  
22 bility” and inserting “The core depot-level  
23 maintenance and repair capabilities required in  
24 paragraph (1)”;

1 (C) in subsection (e)(1), as redesignated by  
2 paragraph (5), by striking “a core depot-level  
3 maintenance and repair capability” and insert-  
4 ing “core depot-level maintenance and repair  
5 capabilities”.

6 (8) CONFORMING AMENDMENTS.—Section  
7 2464(b) of such title is further amended—

8 (A) in paragraph (1)—

9 (i) by striking subparagraph (B);

10 (ii) by inserting “or” at the end of  
11 subparagraph (A); and

12 (iii) by redesignating subparagraph  
13 (C) as subparagraph (B);

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

15 (C) by redesignating paragraph (3) as  
16 paragraph (2) and in that paragraph by strik-  
17 ing “or (2)”.

1                   **Subtitle D—Readiness**  
2   **SEC. 331. [LOG ID 34242]INTERGOVERNMENTAL SUPPORT**  
3                   **AGREEMENTS WITH STATE AND LOCAL GOV-**  
4                   **ERNMENTS.**

5           (a) AGREEMENTS AUTHORIZED.—Section 2391 of  
6 title 10, United States Code, is amended—

7               (1) by redesignating subsections (d) and (e) as  
8 subsections (e) and (f), respectively; and

9               (2) by inserting after subsection (c) the fol-  
10           lowing new subsection:

11           “(c) INTERGOVERNMENTAL SUPPORT AGREEMENTS  
12 WITH STATE AND LOCAL GOVERNMENTS.—(1) The Sec-  
13 retary of the military department concerned may enter  
14 into an intergovernmental support agreement with a State  
15 or local government to provide, receive, or share installa-  
16 tion-support services when such an agreement—

17               “(A) serves the best interests of the military de-  
18 partment by enhancing mission effectiveness or cre-  
19 ating efficiencies or economies of scale, including by  
20 reducing costs;

21               “(B) serves the best interest of State or local  
22 government party to the agreement, as determined  
23 by the community’s particular circumstances; and

1           “(C) otherwise provides a mutual benefit to the  
2           military department and the State or local govern-  
3           ment.

4           “(2) The authority provided by this subsection and  
5           limitations on its use are not intended to revoke, preclude,  
6           or otherwise interfere with existing or proposed mutual-  
7           aid agreements relating to police or fire protection services  
8           or other similar first responder agreements or arrange-  
9           ments.

10          “(3) Funds available to the Secretary of the military  
11          department concerned for installation support may be  
12          used to reimburse a State or local government for pro-  
13          viding installation-support services pursuant to an agree-  
14          ment under this subsection. Funds received by the Sec-  
15          retary as reimbursement for providing installation-support  
16          services pursuant to the agreement shall be credited to the  
17          appropriation or account charged with providing installa-  
18          tion support.”.

19          (b) **INSTALLATION-SUPPORT SERVICES DEFINED.**—  
20          Subsection (e) of section 2391 of title 10, United States  
21          Code, as redesignated by subsection (a)(1) of this section,  
22          is amended by adding at the end the following new para-  
23          graph:

24                 “(4) The term ‘installation-support services’  
25                 means those services, supplies, resources, and sup-

1 port provided typically by a local government, except  
2 that the term does not include or authorize police or  
3 fire protection services.”.

1                                   **Subtitle E—Reports**

2   **SEC. 341. [LOG ID 29241]REPORT ON JOINT STRATEGY FOR**  
3                                   **READINESS AND TRAINING IN A C4ISR-DE-**  
4                                   **NIED ENVIRONMENT.**

5           (a) REPORT REQUIRED.—The Secretary of Defense,  
6 in consultation with the Chairman of the Joint Chiefs of  
7 Staff, shall submit to Congress a report on the readiness  
8 of the joint force to conduct operations in environments  
9 where there is no access to Command, Control, Commu-  
10 nications, Computers, Intelligence, Surveillance, and Re-  
11 connaissance (in this section referred to as “C4ISR”) sys-  
12 tems, including satellite communications, classified Inter-  
13 net protocol-based networks, and the Global Positioning  
14 System (in this section referred to as “GPS”).

15           (b) CONTENTS OF REPORT.—The report required by  
16 subsection (a) shall include a description of the steps  
17 taken and planned to be taken—

18                   (1) to identify likely threats to the C4ISR sys-  
19                   tems of the United States, including both weapons  
20                   and those states with such capabilities; as well as  
21                   the most likely areas in which C4ISR systems could  
22                   be at risk;

23                   (2) to identify vulnerabilities to the C4ISR sys-  
24                   tems of the United States that could result in a  
25                   C4ISR-denied environment;

1           (3) to determine how the Armed Forces should  
2           respond in order to reconstitute C4ISR systems, pre-  
3           vent further denial of C4ISR systems; and develop  
4           counter-attack capabilities;

5           (4) to determine which types of joint operations  
6           could be feasible in an environment in which access  
7           to C4ISR systems is restricted or denied;

8           (5) to conduct training and exercises for sus-  
9           taining combat and logistics operations in C4ISR-de-  
10          nied environments; and

11          (6) to propose changes to current tactics, tech-  
12          niques, and procedures to prepare to operate in an  
13          environment in which C4ISR systems are degraded  
14          or denied for 48-hour, 7 day, 30-day, or 60-day peri-  
15          ods.

16          (c) **JOINT EXERCISE PLAN REQUIRED.**—Based on  
17          the findings of the report required by subsection (a), the  
18          Chairman of the Joint Chiefs of Staff shall develop a road-  
19          map and joint exercise plan for the joint force to operate  
20          in an environment where access to C4ISR systems, includ-  
21          ing satellite communications, classified Internet protocol-  
22          based networks, and the GPS network, is denied. The plan  
23          and joint exercise program shall include—

24                 (1) the development of alternatives to satellite  
25                 communications, classified Internet protocol-based

1 networks, and GPS for logistics, intelligence, surveil-  
2 lance, and reconnaissance, and combat operations;  
3 and

4 (2) methods to mitigate dependency on satellite  
5 communications, classified Internet protocol-based  
6 networks, and GPS;

7 (3) methods to protect vulnerable satellite com-  
8 munications, classified Internet protocol-based net-  
9 works, and GPS; and

10 (4) a joint exercise and training plan to include  
11 fleet battle experiments, to enable the force to oper-  
12 ate in a satellite communications, Internet protocol-  
13 based network, and GPS-denied environment.

14 (d) FORM OF REPORT.—The report required to be  
15 submitted by subsection (a) shall be submitted in unclassi-  
16 fied form, but may include a classified annex.

1 **SEC. 342. [LOG ID 29246]COMPTROLLER GENERAL REVIEW**  
2 **OF ANNUAL DEPARTMENT OF DEFENSE RE-**  
3 **PORT ON PREPOSITIONED MATERIEL AND**  
4 **EQUIPMENT.**

5 Section 2229a(b)(1) of title 10, United States Code,  
6 is amended—

7 (1) by striking “By not later than 120 days  
8 after the date on which a report is submitted under  
9 subsection (a), the” and inserting “The”; and

10 (2) by striking “the report”and inserting “each  
11 report submitted under subsection (a)”.

1 **SEC. 343. [LOG ID 26342]MODIFICATION OF REPORT ON**  
2 **MAINTENANCE AND REPAIR OF VESSELS IN**  
3 **FOREIGN SHIPYARDS.**

4 Section 7310(c) of title 10, United States Code, is  
5 amended—

6 (1) in paragraph (3)(A), by inserting after  
7 “justification under law” the following: “and oper-  
8 ational justification”; and

9 (2) in paragraph (4), by adding at the end the  
10 following new subparagraph:

11 “(C) A vessel not described in subparagraph  
12 (A) or (B) that is operated pursuant to a contract  
13 entered into by the Military Sealift Command, the  
14 Maritime Administration, or the United States  
15 Transportation Command.”.

1 **SEC. 344. [LOG ID 11750]EXTENSION OF DEADLINE FOR**  
2 **COMPTROLLER GENERAL REPORT ON DE-**  
3 **PARTMENT OF DEFENSE SERVICE CONTRACT**  
4 **INVENTORY.**

5       Section 803(c) of the National Defense Authorization  
6 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.  
7 2402) is amended by striking “180 days” and inserting  
8 “270 days”.

1 **SEC. 353. [LOG ID 13697]LIMITATION ON AUTHORIZATION**  
2 **OF APPROPRIATIONS FOR THE NATIONAL**  
3 **MUSEUM OF THE UNITED STATES ARMY.**

4 Of the amounts authorized to be appropriated for Op-  
5 eration and Maintenance for fiscal year 2013, not more  
6 than \$5,000,000 shall be made available for the National  
7 Museum of the United States Army until the Secretary  
8 of the Army submits to the congressional defense commit-  
9 tees certification in writing that sufficient private funding  
10 has been raised to fund the construction of the portion  
11 of the museum known as the “Baseline Museum” and that  
12 at least 50 percent of the Baseline Museum has been com-  
13 pleted.

1 **SEC. 354. [LOG ID 15191]LIMITATION ON AVAILABILITY OF**  
2 **FUNDS FOR RETIREMENT OR INACTIVATION**  
3 **OF TICONDEROGA CLASS CRUISERS OR DOCK**  
4 **LANDING SHIPS.**

5 (a) **LIMITATION.**—Except as provided by subsection  
6 (b), none of the funds authorized to be appropriated by  
7 this Act or otherwise made available for fiscal year 2013  
8 for the Department of Defense may be obligated or ex-  
9 pended to retire, prepare to retire, inactivate, or place in  
10 storage a cruiser or dock landing ship.

11 (b) **EXCEPTION.**—Notwithstanding subsection (a),  
12 the U.S.S. Port Royal, CG 73, is authorized for retire-  
13 ment.

14 (c) **MAINTAINED LEVELS.**—The Secretary of the  
15 Navy, in supporting the operational requirements of the  
16 combatant commands, shall maintain the operational ca-  
17 pability and perform the necessary maintenance of each  
18 cruiser and dock landing ship belonging to the Navy until  
19 the later of the following dates:

20 (1) The date of the enactment of the National  
21 Defense Authorization Act for Fiscal Year 2014.

22 (2) September 30, 2013.

1                   **Subtitle G—Other Matters**

2   **SEC. 361. [LOG ID 29240]RETIREMENT, ADOPTION, CARE,**  
3                   **AND RECOGNITION OF MILITARY WORKING**  
4                   **DOGS.**

5           (a) RETIREMENT AND ADOPTION OF MILITARY  
6 WORKING DOGS.—

7           (1) RETIREMENT AND RECLASSIFICATION OF  
8 MILITARY WORKING DOGS.—Section 2583 of title 10,  
9 United States Code, is amended—

10                   (A) by redesignating subsections (f) and  
11                   (g) as subsections (h) and (i), respectively; and

12                   (B) by inserting after subsection (e) the  
13 following new subsections:

14           “(f) CLASSIFICATION OF MILITARY WORKING  
15 DOGS.—The Secretary of Defense shall classify military  
16 working dogs as canine members of the armed forces.  
17 Such dogs shall not be classified as equipment.

18           “(g) TRANSFER OF RETIRED MILITARY WORKING  
19 DOGS.—If the Secretary of the military department con-  
20 cerned determines that a military working dog should be  
21 retired, and no suitable adoption is available at the mili-  
22 tary facility where the dog is located, the Secretary may  
23 transfer the dog—

24                   “(1) to the 341st Training Squadron; or

1           “(2) to another location for adoption under this  
2 section.”.

3           (2) ACCEPTANCE OF FREQUENT TRAVELER  
4 MILES TO FACILITATE ADOPTION.—Section 2613(d)  
5 of such title is amended—

6           (A) in paragraph (1)(B), by striking “; or”  
7 and inserting a semicolon;

8           (B) in paragraph (2), by striking the pe-  
9 riod at the end and inserting “; or”; and

10           (C) by adding at the end the following new  
11 paragraph:

12           “(3) facilitating the adoption of a military  
13 working dog under section 2583 of this title.”.

14           (b) VETERINARY CARE FOR RETIRED MILITARY  
15 WORKING DOGS.—

16           (1) VETERINARY CARE.—

17           (A) IN GENERAL.—Chapter 50 of such  
18 title is amended by adding at the end the fol-  
19 lowing new section:

20           **“§ 993. Military working dogs: veterinary care for re-**  
21           **tired military working dogs**

22           “(a) IN GENERAL.—The Secretary of Defense shall  
23 establish and maintain a system to provide for the veteri-  
24 nary care of retired military working dogs.

1           “(b) ELIGIBLE DOGS.—(1) A retired military work-  
2 ing dog eligible for veterinary care under this section is  
3 any military working dog adopted under section 2583 of  
4 this title.

5           “(2) The veterinary care provided a military working  
6 dog under this section shall be provided during the life  
7 of the dog beginning on the date on which the dog is  
8 adopted under such section 2583.

9           “(c) ADMINISTRATION.—(1) The Secretary shall ad-  
10 minister the system required by this section under a con-  
11 tract awarded by the Secretary for that purpose.

12           “(2)(A) The contract under this subsection shall be  
13 awarded to a private non-profit entity selected by the Sec-  
14 retary from among such entities submitting an application  
15 therefor that have such experience and expertise as the  
16 Secretary considers appropriate for purposes of this sub-  
17 section.

18           “(B) An entity seeking the award of a contract under  
19 this subsection shall submit to the Secretary an applica-  
20 tion therefor in such form, and containing such informa-  
21 tion, as the Secretary shall require.

22           “(3) The term of any contract under this subsection  
23 shall be such duration as the Secretary shall specify.

24           “(d) STANDARDS OF CARE.—(1) The veterinary care  
25 provided under the system required by this section shall

1 meet such standards as the Secretary shall establish and  
2 from time to time update.

3 “(2) The standards required by this subsection shall  
4 include the following:

5 “(A) Provisions regarding the types of care to  
6 be provided to retired military working dogs.

7 “(B) Provisions regarding the entities (includ-  
8 ing private veterinarians and entities) qualified to  
9 provide the care.

10 “(C) Provisions regarding the facilities, includ-  
11 ing military installations, government facilities, and  
12 private facilities, in which the care may be provided.

13 “(D) A requirement that complete histories be  
14 maintained on the health and use in research of re-  
15 tired military working dogs.

16 “(E) Such other matters as the Secretary con-  
17 siders appropriate.

18 “(3) The Secretary shall consult with the board of  
19 directors of the non-profit private entity awarded the con-  
20 tract under subsection (e) in establishing and updating  
21 standards of care under this subsection.

22 “(e) COVERAGE OF COSTS.—(1) Except as provided  
23 in paragraph (2), any costs of operation and administra-  
24 tion of the system required by this section, and of any  
25 veterinary care provided under the system, shall be cov-

1 ered by such combination of the following as the Secretary  
2 and the non-profit entity awarded the contract under sub-  
3 section (c) jointly consider appropriate:

4 “(A) Contributions from the non-profit entity.

5 “(B) Payments for such care by owners or  
6 guardians of the retired military working dogs re-  
7 ceiving such care.

8 “(C) Other appropriate non-Federal sources of  
9 funds.

10 “(2) Funds provided by the Federal Government—

11 “(A) may not be used—

12 “(i) to provide veterinary care under the  
13 system required by this section; or

14 “(ii) to pay for the normal operation of the  
15 non-profit entity awarded the contract under  
16 subsection (c); and

17 “(B) may be used to carry out the duties of the  
18 Secretary under subsections (a), (c), (d), and (f).

19 “(f) REGULATIONS.—The Secretary shall prescribe  
20 regulations for the discharge of the requirements and au-  
21 thorities in this section, including regulations on the  
22 standards of care required by subsection (d).”.

23 (B) CLERICAL AMENDMENT.—The table of  
24 sections at the beginning of such chapter is

1           amended by adding at the end the following  
2           new item:

“993. Military working dogs: veterinary care for retired military working dogs.”.

3           (2) REGULATIONS.—The Secretary of Defense  
4           shall prescribe the regulations required by subsection  
5           (f) of section 993 of title 10, United States Code (as  
6           added by paragraph (1)), not later than 180 days  
7           after the date of the enactment of this Act.

8           (c) RECOGNITION OF SERVICE OF MILITARY WORK-  
9           ING DOGS.—Section 1125 of such title is amended—

10           (1) by inserting “(a) GENERAL AUTHORITY.—  
11           ” before “The Secretary of Defense”; and

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

14           “(b) RECOGNITION OF SERVICE OF MILITARY WORK-  
15           ING DOGS.—The Secretary of Defense shall create a deco-  
16           ration or other appropriate recognition to recognize mili-  
17           tary working dogs under the jurisdiction of the Secretary  
18           that are killed in action or perform an exceptionally meri-  
19           torious or courageous act in service to the United States.”.

1 **SEC. 952 [Log # 15713]. EXPANSION OF PERSONS ELIGIBLE**  
2 **FOR EXPEDITED FEDERAL HIRING FOL-**  
3 **LOWING COMPLETION OF NATIONAL SECU-**  
4 **RITY EDUCATION PROGRAM SCHOLARSHIP.**

5 Section 802(k) of the David L. Boren National Secu-  
6 rity Education Act of 1991 (50 U.S.C. 1902(k)) is amend-  
7 ed to read as follows:

8 “(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—

9 “(1) APPOINTMENT AUTHORITY.—The Sec-  
10 retary of Defense, the Secretary of Homeland Secu-  
11 rity, the Secretary of State, or the head of a Federal  
12 agency or office identified by the Secretary of De-  
13 fense under subsection (g) as having national secu-  
14 rity responsibilities—

15 “(A) may, without regard to any provision  
16 of title 5 governing appointments in the com-  
17 petitive service, appoint an eligible program  
18 participant—

19 “(i) to a position in the excepted serv-  
20 ice that is certified by the Secretary of De-  
21 fense under clause (i) of subsection  
22 (b)(2)(A) as contributing to the national  
23 security of the United States; or

24 “(ii) subject to clause (ii) of such sub-  
25 section, to a position in the excepted serv-

1                   ice in such Federal agency or office identi-  
2                   fied by the Secretary; and

3                   “(B) may, upon satisfactory completion of  
4                   two years of substantially continuous service by  
5                   an incumbent who was appointed to an ex-  
6                   cepted service position under the authority of  
7                   subparagraph (A), convert the appointment of  
8                   such individual, without competition, to a career  
9                   or career conditional appointment.

10                  “(2) TREATMENT OF CERTAIN SERVICE.—In  
11                  the case of an eligible program participant described  
12                  in clause (ii) or (iii) of paragraph (3)(B) who re-  
13                  ceives an appointment under paragraph (1)(A), the  
14                  head of a Department or Federal agency or office  
15                  referred to in paragraph (1) may count any period  
16                  that the individual served in a position with the Fed-  
17                  eral Government towards satisfaction of the service  
18                  requirement under paragraph (1)(B) if that serv-  
19                  ice—

20                  “(A) in the case of an appointment under  
21                  clause (i) of paragraph (1)(A), was in a position  
22                  that is identified under clause (i) of subsection  
23                  (b)(2)(A) as contributing to the national secu-  
24                  rity of the United States; or

1           “(B) in the case of an appointment under  
2           clause (ii) of paragraph (1)(A), was in the Fed-  
3           eral agency or office in which the appointment  
4           under that clause is made.

5           “(3) ELIGIBLE PROGRAM PARTICIPANT DE-  
6           FINED.—In this subsection, the term ‘eligible pro-  
7           gram participant’ means an individual who—

8           “(A) has successfully completed an aca-  
9           demic program for which a scholarship or fel-  
10          lowship under this section was awarded; and

11          “(B) at the time of the appointment of the  
12          individual to an excepted service position under  
13          paragraph (1)(A)—

14          “(i) under the terms of the agreement  
15          for such scholarship or fellowship, owes a  
16          service commitment to a Department or  
17          Federal agency or office referred to in  
18          paragraph (1);

19          “(ii) is employed by the Federal Gov-  
20          ernment under a non permanent appoint-  
21          ment to a position in the excepted service  
22          that has national security responsibilities;  
23          or

24          “(iii) is a former civilian employee of  
25          the Federal Government who has less than

1 a one-year break in service from the last  
2 period of Federal employment of such indi-  
3 vidual in a non permanent appointment in  
4 the excepted service with national security  
5 responsibilities.”.

1 **SEC. [1072/Log #13719]. EXPANSION OF AUTHORITY OF THE**  
2 **SECRETARY OF THE ARMY TO LOAN OR DO-**  
3 **NATE EXCESS SMALL ARMS FOR FUNERAL**  
4 **AND OTHER CEREMONIAL PURPOSES.**

5 Section 4683(a) of title 10, United States Code, is  
6 amended by adding at the end the following new para-  
7 graph:

8 “(3)(A) In order to meet the needs of an eligi-  
9 ble organization with respect to performing funeral  
10 and other ceremonies, if the Secretary determines  
11 appropriate, the Secretary may—

12 “(i) loan or donate excess small arms to an  
13 eligible organization;

14 “(ii) authorize an eligible organization to  
15 retain small arms other than M-1 rifles; or

16 “(iii) if excess small arms stock is insuffi-  
17 cient to meet organizational requirements, pre-  
18 scribe policies and procedures to establish a ro-  
19 tational loan program based on the needs of eli-  
20 gible organizations.

21 “(B) Nothing in this paragraph shall be con-  
22 strued to supersede any Federal law or regulation  
23 governing the use or ownership of firearms.

24 “(C) The Secretary may not delegate the au-  
25 thority under this paragraph.”.

1 **SEC. [1073/Log #13723]. PROHIBITION ON THE USE OF**  
2 **FUNDS FOR MANUFACTURING BEYOND LOW-**  
3 **RATE INITIAL PRODUCTION AT CERTAIN**  
4 **PROTOTYPE INTEGRATION FACILITIES.**

5 (a) PROHIBITION.—None of the funds authorized to  
6 be appropriated by this Act may be used for manufac-  
7 turing production beyond the greater of low-rate initial  
8 production or 1000 units at a prototype integration facil-  
9 ity of any of the following components of the Army Re-  
10 search, Development, and Engineering Command:

11 (1) The Armament Research, Development, and  
12 Engineering Center.

13 (2) The Aviation and Missile Research, Devel-  
14 opment, and Engineering Center.

15 (3) The Communications-Electronics Research,  
16 Development, and Engineering Center.

17 (4) The Tank Automotive Research, Develop-  
18 ment, and Engineering Center.

19 (b) WAIVER.—The Assistant Secretary of the Army  
20 for Acquisition, Logistics, and Technology may waive the  
21 prohibition under subsection (a) for a fiscal year if—

22 (1) the Assistant Secretary determines that the  
23 waiver is necessary—

24 (A) for reasons of national security; or

25 (B) to rapidly acquire equipment to re-  
26 spond to combat emergencies; and

1           (2) the Assistant Secretary submits to Congress  
2           a notification of the waiver together with the reasons  
3           for the waiver.

4           (c) LOW-RATE INITIAL PRODUCTION.—For purposes  
5           of this section, the term “low-rate initial production” shall  
6           be determined in accordance with section 2400 of title 10,  
7           United States Code.

1 **TITLE XI—CIVILIAN PERSONNEL**  
2 **MATTERS**

Sec. 1101 [Log 14209]. Expansion of personnel management authority under experimental program with respect to certain scientific and technical positions.

Sec. 1102 [Log 27238]. Authority to pay for the transport of family household pets for Federal employees during certain evacuation operations.

Sec. 1103 [Log 27241]. Extension of authority to fill shortage category positions for certain Federal acquisition positions for civilian agencies.

Sec. 1104 [Log 28253]. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

3 **SEC. 1101 [Log 14209]. EXPANSION OF PERSONNEL MANAGE-**  
4 **MENT AUTHORITY UNDER EXPERIMENTAL**  
5 **PROGRAM WITH RESPECT TO CERTAIN SCI-**  
6 **ENTIFIC AND TECHNICAL POSITIONS.**

7 Subparagraph (A) of section 1101(b)(1) of the Strom  
8 Thurmond National Defense Authorization Act for Fiscal  
9 Year 1999 (5 U.S.C. 3104 note), as most recently amend-  
10 ed by section 1110 of the National Defense Authorization  
11 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
12 1615), is further amended by striking “40” and inserting  
13 “60”.

1 **SEC. 1102 [Log 27238]. AUTHORITY TO PAY FOR THE TRANS-**  
2 **PORT OF FAMILY HOUSEHOLD PETS FOR**  
3 **FEDERAL EMPLOYEES DURING CERTAIN**  
4 **EVACUATION OPERATIONS.**

5 Section 5725 of title 5, United States Code, is  
6 amended—

7 (1) in subsection (a), in the matter following  
8 paragraph (2), by striking “and personal effects,”  
9 and inserting “, personal effects, and family house-  
10 hold pets,”; and

11 (2) by adding at the end the following:

12 “(c)(1) The expenses authorized under subsection (a)  
13 shall, with respect to the transport of family household  
14 pets, include the expenses for the shipment of and the pay-  
15 ment of any quarantine costs for such pets.

16 “(2) Any payment or reimbursement under this sec-  
17 tion in connection with the transport of family household  
18 pets shall be subject to terms and conditions which—

19 “(A) the head of the agency shall by regulation  
20 prescribe; and

21 “(B) shall, to the extent practicable, be the  
22 same as would apply under regulations prescribed  
23 under section 476(b)(1)(H)(iii) of title 37 in connec-  
24 tion with the transport of family household pets of  
25 members of the uniformed services, including regula-  
26 tions relating to the types, size, and number of pets

1 for which such payment or reimbursement may be  
2 provided.”.

1 **SEC. 1103 [Log 27241]. EXTENSION OF AUTHORITY TO FILL**  
2 **SHORTAGE CATEGORY POSITIONS FOR CER-**  
3 **TAIN FEDERAL ACQUISITION POSITIONS FOR**  
4 **CIVILIAN AGENCIES.**

5 Section 1703(j) of title 41, United States Code, is  
6 amended—

7 (1) in paragraph (1)—

8 (A) by striking “sections 3304, 5333, and  
9 5753” and inserting “section 3304”; and

10 (B) by striking “use the authorities in  
11 those sections to recruit and”; and

12 (2) in paragraph (2), by striking “September  
13 30, 2012” and inserting “September 30, 2017”.

1 **SEC. 1104 [Log 28253]. ONE-YEAR EXTENSION OF AUTHOR-**  
2 **ITY TO WAIVE ANNUAL LIMITATION ON PRE-**  
3 **MIUM PAY AND AGGREGATE LIMITATION ON**  
4 **PAY FOR FEDERAL CIVILIAN EMPLOYEES**  
5 **WORKING OVERSEAS.**

6 Effective January 1, 2013, section 1101(a) of the  
7 Duncan Hunter National Defense Authorization Act for  
8 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615),  
9 as most recently amended by section 1104 of the National  
10 Defense Authorization Act for Fiscal Year 2012 (Public  
11 Law 112–81; 125 Stat. 1612), is further amended by  
12 striking “through 2012” and inserting “through 2013”.



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

4 **SEC. 2001. [LOG ID 10399]SHORT TITLE.**

5 This division may be cited as the “Military Construc-  
6 tion Authorization Act for Fiscal Year 2013”.

1 **SEC. 2002. [LOG ID 10400] EXPIRATION OF AUTHORIZATIONS**  
2 **AND AMOUNTS REQUIRED TO BE SPECIFIED**  
3 **BY LAW.**

4 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
5 YEARS.—Except as provided in subsection (b), all author-  
6 izations contained in titles XXI through XXVII and title  
7 XXIX for military construction projects, land acquisition,  
8 family housing projects and facilities, and contributions to  
9 the North Atlantic Treaty Organization Security Invest-  
10 ment Program (and authorizations of appropriations  
11 therefor) shall expire on the later of—

12 (1) October 1, 2015; or

13 (2) the date of the enactment of an Act author-  
14 izing funds for military construction for fiscal year  
15 2016.

16 (b) EXCEPTION.—Subsection (a) shall not apply to  
17 authorizations for military construction projects, land ac-  
18 quisition, family housing projects and facilities, and con-  
19 tributions to the North Atlantic Treaty Organization Se-  
20 curity Investment Program (and authorizations of appro-  
21 priations therefor), for which appropriated funds have  
22 been obligated before the later of—

23 (1) October 1, 2015; or

24 (2) the date of the enactment of an Act author-  
25 izing funds for fiscal year 2016 for military con-  
26 struction projects, land acquisition, family housing

- 1 projects and facilities, or contributions to the North
- 2 Atlantic Treaty Organization Security Investment
- 3 Program.

1 **SEC. 2003. [LOG ID 10402] EFFECTIVE DATE.**

2       Titles XXI through XXVII and title XXIX shall take  
3 effect on the later of—

4               (1) October 1, 2012; or

5               (2) the date of the enactment of this Act.

1 **TITLE XXI—ARMY MILITARY**  
 2 **CONSTRUCTION**

- Sec. 2101. [Log ID 10403]Authorized Army construction and land acquisition projects.
- Sec. 2102. [Log ID 10405] Family housing.
- Sec. 2103. [Log ID 10409] Authorization of appropriations, Army.
- Sec. 2104. [Log ID 27254]Modification of authority to carry out certain fiscal year 2010 project.
- Sec. 2105. [Log ID 27255]Extension of authorizations of certain fiscal year 2009 projects.
- Sec. 2106. [Log ID 27246]Extension of authorizations of certain fiscal year 2010 projects.
- Sec. 2107. [Log ID 13722]Extension of limitation on obligation or expenditure of funds for tour normalization.

3 **SEC. 2101. [LOG ID 10403]AUTHORIZED ARMY CONSTRUC-**  
 4 **TION AND LAND ACQUISITION PROJECTS.**

5 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 6 appropriated pursuant to the authorization of appropria-  
 7 tions in section 2103 and available for military construc-  
 8 tion projects inside the United States as specified in the  
 9 funding table in section 4601, the Secretary of the Army  
 10 may acquire real property and carry out military construc-  
 11 tion projects for the installations or locations inside the  
 12 United States, and in the amounts, set forth in the fol-  
 13 lowing table:

**Army: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alaska .....	Fort Wainwright .....	\$10,400,000
	Joint Base Elmendorf-Richardson .....	\$7,900,000
California .....	Concord .....	\$8,900,000
Colorado .....	Fort Carson .....	\$52,000,000
District of Columbia	Fort McNair .....	\$7,200,000
Georgia .....	Fort Benning .....	\$16,000,000
	Fort Gordon .....	\$23,300,000
	Fort Stewart .....	\$49,650,000
Hawaii .....	Pohakuloa Training Area .....	\$29,000,000
	Schofield Barracks .....	\$96,000,000
	Wheeler Army Air Field .....	\$85,000,000
Kansas .....	Fort Riley .....	\$12,200,000

**Army: Inside the United States—Continued**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Kentucky .....	Fort Campbell .....	\$81,800,000
	Fort Knox .....	\$6,000,000
Missouri .....	Fort Leonard Wood .....	\$123,000,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$47,000,000
	Picatinny Arsenal .....	\$10,200,000
New York .....	Fort Drum .....	\$95,000,000
	U.S. Military Academy .....	\$192,000,000
North Carolina .....	Fort Bragg .....	\$98,000,000
Oklahoma .....	Fort Sill .....	\$4,900,000
South Carolina .....	Fort Jackson .....	\$24,000,000
Texas .....	Corpus Christi .....	\$37,200,000
	Fort Bliss .....	\$7,200,000
	Fort Hood .....	\$51,200,000
	Joint Base San Antonio .....	\$21,000,000
Virginia .....	Arlington .....	\$84,000,000
	Fort Belvoir .....	\$94,000,000
	Fort Lee .....	\$81,000,000
Washington .....	Joint Base Lewis-McChord .....	\$164,000,000
	Yakima .....	\$5,100,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2103 and available for military construc-  
 4 tion projects outside the United States as specified in the  
 5 funding table in section 4601, the Secretary of the Army  
 6 may acquire real property and carry out military construc-  
 7 tion projects for the installations or locations outside the  
 8 United States, and in the amounts, set forth in the fol-  
 9 lowing table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Italy .....	Camp Ederle .....	\$36,000,000
	Vicenza .....	\$32,000,000
Japan .....	Okinawa .....	\$78,000,000
	Sagami .....	\$18,000,000
Korea .....	Camp Humphreys .....	\$45,000,000
Kwajalein Atoll .....	Kwajalein Atoll .....	\$62,000,000

1 **SEC. 2102. [LOG ID 10405] FAMILY HOUSING.**

2 Using amounts appropriated pursuant to the author-  
3 ization of appropriations in section 2103 and available for  
4 military family housing functions as specified in the fund-  
5 ing table in section 4601 the Secretary of the Army may  
6 carry out architectural and engineering services and con-  
7 struction design activities with respect to the construction  
8 or improvement of family housing units in an amount not  
9 to exceed \$4,641,000.

10 **SEC. 2103. [LOG ID 10409] AUTHORIZATION OF APPROPRIA-**  
11 **TIONS, ARMY.**

12 Funds are hereby authorized to be appropriated for  
13 fiscal years beginning after September 30, 2012, for mili-  
14 tary construction, land acquisition, and military family  
15 housing functions of the Department of the Army as speci-  
16 fied in the funding table in section 4601.

17 **SEC. 2104. [LOG ID 27254] MODIFICATION OF AUTHORITY TO**  
18 **CARRY OUT CERTAIN FISCAL YEAR 2010**  
19 **PROJECT.**

20 In the case of the authorization contained in the table  
21 in section 2101(a) of the Military Construction Authoriza-  
22 tion Act for Fiscal Year 2010 (division B of Public Law  
23 111-84; 123 Stat. 2628) for Fort Belvoir, Virginia, for  
24 construction of a Road and Access Control Point at the  
25 installation, the Secretary of the Army may construct a

1 standard design Access Control Point consistent with the  
 2 Army’s construction guidelines for Access Control Points.

3 **SEC. 2105. [LOG ID 27255]EXTENSION OF AUTHORIZATIONS**  
 4 **OF CERTAIN FISCAL YEAR 2009 PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2002 of  
 6 the Military Construction Authorization Act for Fiscal  
 7 Year 2009 (division B of Public Law 110–417; 122 Stat.  
 8 4658), authorizations set forth in the table in subsection  
 9 (b), as provided in section 2101 of that Act (122 Stat.  
 10 4659), shall remain in effect until October 1, 2013, or the  
 11 date of the enactment of an Act authorizing funds for mili-  
 12 tary construction for fiscal year 2014, whichever is later.

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

**Army: Extension of 2009 Project Authorizations**

State	Installation or Location	Project	Amount
Alabama .....	Anniston Army Depot.	Lake Yard Interchang .....	\$1,400,000
New Jersey .....	Picatimny Arsenal ..	Ballistic Evaluation Facil-ity Phase I .....	\$9,900,000

15 **SEC. 2106. [LOG ID 27246]EXTENSION OF AUTHORIZATIONS**  
 16 **OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

17 (a) EXTENSION.—Notwithstanding section 2002 of  
 18 the Military Construction Authorization Act for Fiscal  
 19 Year 2010 (division B of Public Law 111–84; 123 Stat.  
 20 2627), authorizations set forth in the table in subsection  
 21 (b), as provided in section 2101 of that Act (123 Stat.

1 2628), shall remain in effect until October 1, 2013, or the  
 2 date of the enactment of an Act authorizing funds for mili-  
 3 tary construction for fiscal year 2014, whichever is later.

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

**Army: Extension of 2010 Project Authorizations**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Louisiana .....	Fort Polk .....	Land Purchases and Con- demnation .....	\$17,000,000
New Jersey .....	Picatimny Arse- nal .....	Ballistic Evaluation Facil- ity Phase 2 .....	\$10,200,000
Virginia .....	Fort Belvoir ....	Road and Access Control Point .....	\$9,500,000
Washington .....	Fort Lewis .....	Fort Lewis-McChord AFB Joint Access .....	\$9,000,000
Kuwait .....	Kuwait .....	APS Warehouses .....	\$82,000,000

6 **SEC. 2107. [LOG ID 13722]EXTENSION OF LIMITATION ON**  
 7 **OBLIGATION OR EXPENDITURE OF FUNDS**  
 8 **FOR TOUR NORMALIZATION.**

9 Section 2111 of the Military Construction Authoriza-  
 10 tion Act for Fiscal Year 2012 (division B of Public Law  
 11 112–81; 125 Stat. 1665) is amended in the matter pre-  
 12 ceding paragraph (1) by inserting after “under this Act”  
 13 the following: “or an Act authorizing funds for military  
 14 construction for fiscal year 2013”.

1           **TITLE XXII—NAVY MILITARY**  
 2                           **CONSTRUCTION**

- Sec. 2201. [Log ID 10410]Authorized Navy construction and land acquisition projects.
- Sec. 2202. [Log ID 10411]Family housing.
- Sec. 2203. [Log ID 10412]Improvements to military family housing units.
- Sec. 2204. [Log ID 10413]Authorization of appropriations, Navy.
- Sec. 2205. [Log ID 27258]Modification of authority to carry out certain fiscal year 2012 project.
- Sec. 2206. [Log ID 27259]Extension of authorizations of certain fiscal year 2009 projects.
- Sec. 2207. [Log ID 27260]Extension of authorizations of certain fiscal year 2010 projects.

3   **SEC. 2201. [LOG ID 10410]AUTHORIZED NAVY CONSTRU-**  
 4                           **CTION AND LAND ACQUISITION PROJECTS.**

5           (a) INSIDE THE UNITED STATES.—Using amounts  
 6 appropriated pursuant to the authorization of appropria-  
 7 tions in section 2204(a) and available for military con-  
 8 struction projects inside the United States as specified in  
 9 the funding table in section 4601, the Secretary of the  
 10 Navy may acquire real property and carry out military  
 11 construction projects for the installations or locations in-  
 12 side the United States, and in the amounts, set forth in  
 13 the following table:

**Navy: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Yuma .....	\$29,285,000
California .....	Camp Pendleton .....	\$88,110,000
	Coronado .....	\$78,541,000
	Lemoore .....	\$14,843,000
	Miramar .....	\$27,897,000
	San Diego .....	\$71,188,000
	Seal Beach .....	\$30,594,000
	Twentynine Palms .....	\$47,270,000
Florida .....	Jacksonville .....	\$29,980,000

**Navy: Inside the United States**—Continued

State	Installation or Location	Amount
Hawaii .....	Kaneohe Bay .....	\$97,310,000
Mississippi .....	Meridian .....	\$10,926,000
New Jersey .....	Earle .....	\$33,498,000
North Carolina .....	Camp Lejeune .....	\$69,890,000
	Cherry Point Marine Corps Air Station .....	\$45,891,000
	New River .....	\$8,525,000
South Carolina .....	Beaufort .....	\$81,780,000
	Parris Island .....	\$10,135,000
Virginia .....	Dahlgren .....	\$28,228,000
	Oceana Naval Air Station .....	\$39,086,000
	Portsmouth .....	\$32,706,000
	Quantico .....	\$58,714,000
	Yorktown .....	\$48,823,000
Washington .....	Whidbey Island .....	\$6,272,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2204(a) and available for military con-  
 4 struction projects outside the United States as specified  
 5 in the funding table in section 4601, the Secretary of the  
 6 Navy may acquire real property and carry out military  
 7 construction projects for the installation or location out-  
 8 side the United States, and in the amounts, set forth in  
 9 the following table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Diego Garcia .....	Diego Garcia .....	\$1,691,000
Greece .....	Souda Bay .....	\$25,123,000
Japan .....	Iwakuni .....	\$13,138,000
	Okinawa .....	\$8,206,000
Romania .....	Deveselu .....	\$45,205,000
Spain .....	Rota .....	\$17,215,000
Worldwide (Unspec- ified) .....	Unspecified Worldwide Locations .....	\$34,048,000

10 **SEC. 2202. [LOG ID 10411]FAMILY HOUSING.**

11 Using amounts appropriated pursuant to the author-  
 12 ization of appropriations in section 2204(a) and available  
 13 for military family housing functions as specified in the

1 funding table in section 4601, the Secretary of the Navy  
2 may carry out architectural and engineering services and  
3 construction design activities with respect to the construc-  
4 tion or improvement of family housing units in an amount  
5 not to exceed \$4,527,000.

6 **SEC. 2203. [LOG ID 10412]IMPROVEMENTS TO MILITARY**  
7 **FAMILY HOUSING UNITS.**

8 Subject to section 2825 of title 10, United States  
9 Code, and using amounts appropriated pursuant to the  
10 authorization of appropriations in section 2204(a) and  
11 available for military family housing functions, the Sec-  
12 retary of the Navy may improve existing military family  
13 housing units in an amount not to exceed \$97,655,000.

14 **SEC. 2204. [LOG ID 10413]AUTHORIZATION OF APPROPRIA-**  
15 **TIONS, NAVY.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
17 are hereby authorized to be appropriated for fiscal years  
18 beginning after September 30, 2012, for military con-  
19 struction, land acquisition, and military family housing  
20 functions of the Department of the Navy, as specified in  
21 the funding table in section 4601.

22 (b) **LIMITATION.**—The Secretary of the Navy shall  
23 not enter into an award for a military construction project  
24 in Romania until after the date on which the Secretary

1 submits a NATO prefinancing request for consideration  
2 of the military construction project.

3 **SEC. 2205. [LOG ID 27258]MODIFICATION OF AUTHORITY TO**  
4 **CARRY OUT CERTAIN FISCAL YEAR 2012**  
5 **PROJECT.**

6 In the case of the authorization contained in the table  
7 in section 2201(a) of the Military Construction Authoriza-  
8 tion Act for Fiscal Year 2012 (division B of Public Law  
9 112–81; 125 Stat. 1666), for Kitsap (Bangor) Wash-  
10 ington, for construction of Explosives Handling Wharf No.  
11 2 at that location, the Secretary of the Navy may acquire  
12 fee or lesser real property interests to accomplish required  
13 environmental mitigation for the project using appropria-  
14 tions authorized for the project.

15 **SEC. 2206. [LOG ID 27259]EXTENSION OF AUTHORIZATIONS**  
16 **OF CERTAIN FISCAL YEAR 2009 PROJECTS.**

17 (a) EXTENSION.—Notwithstanding section 2002 of  
18 the Military Construction Authorization Act for Fiscal  
19 Year 2009 (division B of Public Law 110–417; 122 Stat.  
20 4658), the authorization set forth in the table in sub-  
21 section (b), as provided in section 2201 of that Act (122  
22 Stat 4670) and extended by section 2206 of the Military  
23 Construction Authorization Act for Fiscal Year 2012 (di-  
24 vision B of Public Law 112–81; 125 Stat. 1668), shall  
25 remain in effect until October 1, 2013, or the date of an

1 Act authorizing funds for military construction for fiscal  
 2 year 2014, whichever is later.

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

**Navy: Extension of 2009 Project Authorizations**

State	Installation or Location	Project	Amount
California .....	Marine Corps Base, Camp Pendelton.	Operations Access Points, Red Beach ..	\$11,970,000
	Marine Corps Air Station, Miramar.	Emergency Response Station .....	\$6,530,000
District of Columbia.	Washington Navy Yard.	Child Development Center .....	\$9,340,000

5 **SEC. 2207. [LOG ID 27260]EXTENSION OF AUTHORIZATIONS**  
 6 **OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2002 of  
 8 the Military Construction Authorization Act for Fiscal  
 9 Year 2010 (division B of Public Law 111–84; 123 Stat.  
 10 2627), the authorization set forth in the table in sub-  
 11 section (b), as provided in section 2201 of that Act (123  
 12 Stat. 2632), shall remain in effect until October 1, 2013,  
 13 or the date of an Act authorizing funds for military con-  
 14 struction for fiscal year 2014, whichever is later.

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

**Navy: Extension of 2010 Project Authorization**

State/Country	Installation or Location	Project	Amount
California .....	Bridgeport .....	Mountain Warfare Training, Commissary .....	\$6,830,000
Maine .....	Portsmouth Naval Shipyard.	Gate 2 Security Improvements .....	\$7,090,000
Djibouti .....	Camp Lemonier .....	Security Fencing .....	\$8,109,000
		Ammo Supply Point ....	\$21,689,000

**Navy: Extension of 2010 Project Authorization**—Continued

State/Country	Installation or Location	Project	Amount
		Interior Paved Roads ..	\$7,275,000

1 **TITLE XXIII—AIR FORCE**  
 2 **MILITARY CONSTRUCTION**

- Sec. 2301. [Log ID 10414]Authorized Air Force construction and land acquisition projects.
- Sec. 2302. [Log ID 10415]Family housing.
- Sec. 2303. [Log ID 10416]Improvements to military family housing units.
- Sec. 2304. [Log ID 10417]Authorization of appropriations, Air Force.
- Sec. 2305. [Log ID 27262]Extension of authorizations of certain fiscal year 2010 projects.

3 **SEC. 2301. [LOG ID 10414]AUTHORIZED AIR FORCE CON-**  
 4 **STRUCTION AND LAND ACQUISITION**  
 5 **PROJECTS.**

6 (a) INSIDE THE UNITED STATES.—Using amounts  
 7 appropriated pursuant to the authorization of appropria-  
 8 tions in section 2304 and available for military construc-  
 9 tion projects inside the United States as specified in the  
 10 funding table in section 4601, the Secretary of the Air  
 11 Force may acquire real property and carry out military  
 12 construction projects for the installations or locations in-  
 13 side the United States, and in the amounts, set forth in  
 14 the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Arkansas .....	Little Rock Air Force Base .....	\$30,178,000
Florida .....	Tyndall Air Force Base .....	\$14,750,000
Georgia .....	Fort Stewart .....	\$7,250,000
	Moody Air Force Base .....	\$8,500,000
New Mexico .....	Holloman Air Force Base .....	\$25,000,000
North Dakota .....	Minot Air Force Base .....	\$4,600,000
Texas .....	Joint Base San Antonio .....	\$18,000,000
Utah .....	Hill Air Force Base .....	\$13,530,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2304 and available for military construc-  
 4 tion projects outside the United States as specified in the  
 5 funding table in section 4601, the Secretary of the Air  
 6 Force may acquire real property and carry out military  
 7 construction projects for the installations or locations out-  
 8 side the United States, and in the amounts, set forth in  
 9 the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Greenland .....	Thule Air Base .....	\$63,500,000
Guam .....	Andersen Air Force Base .....	\$128,000,000
Italy .....	Aviano Air Base .....	\$9,400,000
Worldwide, Unspecified .....	Unspecified Worldwide Loca- tions .....	\$34,657,000

10 **SEC. 2302. [LOG ID 10415] FAMILY HOUSING.**

11 Using amounts appropriated pursuant to the author-  
 12 ization of appropriations in section 2304 and available for  
 13 military family housing functions as specified in the fund-  
 14 ing table in section 4601, the Secretary of the Air Force  
 15 may carry out architectural and engineering services and  
 16 construction design activities with respect to the construc-  
 17 tion or improvement of family housing units in an amount  
 18 not to exceed \$4,253,000.

1 **SEC. 2303. [LOG ID 10416]IMPROVEMENTS TO MILITARY**  
2 **FAMILY HOUSING UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2304 and avail-  
6 able for military family housing functions as specified in  
7 the funding table in section 4601, the Secretary of the  
8 Air Force may improve existing military family housing  
9 units in an amount not to exceed \$79,571,000.

10 **SEC. 2304. [LOG ID 10417]AUTHORIZATION OF APPROPRIA-**  
11 **TIONS, AIR FORCE.**

12 Funds are hereby authorized to be appropriated for  
13 fiscal years beginning after September 30, 2012, for mili-  
14 tary construction, land acquisition, and military family  
15 housing functions of the Department of the Air Force, as  
16 specified in the funding table in section 4601.

17 **SEC. 2305. [LOG ID 27262]EXTENSION OF AUTHORIZATIONS**  
18 **OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

19 (a) EXTENSION.—Notwithstanding section 2002 of  
20 the Military Construction Authorization Act for Fiscal  
21 Year 2010 (division B of Public Law 111–84; 123 Stat.  
22 2627), authorizations set forth in the table in subsection  
23 (b), as provided in section 2301 of that Act (123 Stat.  
24 2636), shall remain in effect until October 1, 2013, or the  
25 date of an Act authorizing funds for military construction  
26 for fiscal year 2014, whichever is later.

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

**Air Force: Extension of 2010 Project Authorization**

Location	Installation or Location	Project	Amount
Missouri .....	Whiteman Air Force Base .....	Land Acquisition North & South Boundary .....	\$5,500,000
Montana .....	Malmstrom Air Force Base .....	Weapons Storage Area (WSA), Phase 2 .....	\$10,600,000

1 **TITLE XXIV—DEFENSE AGEN-**  
2 **CIES MILITARY CONSTRUC-**  
3 **TION**

Subtitle A—Defense Agency Authorizations

- Sec. 2401. [Log ID 10418]Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. [Log ID 10419]Authorized energy conservation projects.
- Sec. 2403. [Log ID 10420]Authorization of appropriations, Defense Agencies.
- Sec. 2404. [Log ID 27264]Modification of authority to carry out certain fiscal year 2012 projects.
- Sec. 2405. [Log ID 27263]Extension of authorization of certain fiscal year 2010 project.

Subtitle B—Chemical Demilitarization Authorizations

- Sec. 2411. [Log ID 10421]Authorization of appropriations, chemical demilitarization construction, defense-wide.
- Sec. 2412. [Log ID 27265]Modification of authority to carry out certain fiscal year 1997 project.

4 **Subtitle A—Defense Agency**  
5 **Authorizations**

6 **SEC. 2401. [LOG ID 10418]AUTHORIZED DEFENSE AGENCIES**  
7 **CONSTRUCTION AND LAND ACQUISITION**  
8 **PROJECTS.**

9 (a) **INSIDE THE UNITED STATES.**—Using amounts  
10 appropriated pursuant to the authorization of appropria-  
11 tions in section 2403(a) and available for military con-  
12 struction projects inside the United States as specified in  
13 the funding table in section 4601, the Secretary of De-  
14 fense may acquire real property and carry out military  
15 construction projects for the installations or locations in-

1 side the United States, and in the amounts, set forth in  
 2 the following table:

**Defense Agencies: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Yuma .....	\$1,300,000
California .....	Coronado .....	\$55,259,000
	DEF Fuel Support Point-San Diego .....	\$91,563,000
	Edwards Air Force Base .....	\$27,500,000
	Twentynine Palms .....	\$27,400,000
Colorado .....	Buckley Air Force Base .....	\$30,000,000
	Fort Carson .....	\$56,673,000
	Pikes Peak .....	\$3,600,000
CONUS Classified .....	Classified Location .....	\$59,577,000
Delaware .....	Dover Air Force Base .....	\$2,000,000
Florida .....	Eglin Air Force Base .....	\$41,965,000
	Hurlburt Field .....	\$16,000,000
	MacDill Air Force Base .....	\$34,409,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$24,289,000
Illinois .....	Great Lakes .....	\$28,700,000
	Scott Air Force Base .....	\$86,711,000
Indiana .....	Grissom Army Reserve Base .....	\$26,800,000
Kentucky .....	Fort Campbell .....	\$71,639,000
Louisiana .....	Barksdale Air Force Base .....	\$11,700,000
Maryland .....	Annapolis .....	\$66,500,000
	Bethesda Naval Hospital .....	\$69,200,000
	Fort Meade .....	\$128,600,000
Missouri .....	Fort Leonard Wood .....	\$18,100,000
New Mexico .....	Cannon Air Force Base .....	\$93,085,000
New York .....	Fort Drum .....	\$43,200,000
North Carolina .....	Camp Lejeune .....	\$80,064,000
	Fort Bragg .....	\$100,422,000
	Seymour Johnson Air Force Base .....	\$55,450,000
Pennsylvania .....	DEF Distribution Depot New Cumberland .....	\$17,400,000
South Carolina .....	Shaw Air Force Base .....	\$57,200,000
Texas .....	Red River Army Depot .....	\$16,715,000
Virginia .....	Dam Neck .....	\$11,000,000
	Joint Expeditionary Base Little Creek - Story .....	\$11,132,000
	Norfolk .....	\$8,500,000
Washington .....	Fort Lewis .....	\$50,520,000

3 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2403(a) and available for military con-  
 6 struction projects outside the United States as specified  
 7 in the funding table in section 4601, the Secretary of De-  
 8 fense may acquire real property and carry out military  
 9 construction projects for the installations or locations out-

1 side the United States, and in the amounts, set forth in  
2 the following table:

**Defense Agencies: Outside the United States**

Country	Installation or Location	Amount
Belgium .....	Brussels .....	\$26,969,000
Germany .....	Stuttgart-Patch Barracks .....	\$2,413,000
	Vogelweh .....	\$61,415,000
	Weisbaden .....	\$52,178,000
Guam .....	Andersen Air Force Base .....	\$67,500,000
Guantanamo Bay, Cuba .....	Guantanamo Bay .....	\$40,200,000
Japan .....	Camp Zama .....	\$13,273,000
	Kadena Air Base .....	\$143,545,000
	Sasebo .....	\$35,733,000
	Zukeran .....	\$79,036,000
Korea .....	Kunsan Air Base .....	\$13,000,000
	Osan Air Base .....	\$77,292,000
Romania .....	Deveselu .....	\$157,900,000
United Kingdom .....	Menwith Hill Station .....	\$50,283,000
	Royal Air Force Feltwell .....	\$30,811,000
	Royal Air Force Mildenhall .....	\$6,490,000

3 **SEC. 2402. [LOG ID 10419]AUTHORIZED ENERGY CONSERVA-**  
4 **TION PROJECTS.**

5 (a) INSIDE THE UNITED STATES.—Using amounts  
6 appropriated pursuant to the authorization of appropria-  
7 tions in section 2403(a) and available for energy conserva-  
8 tion projects inside the United States as specified in the  
9 funding table in section 4601, the Secretary of Defense  
10 may carry out energy conservation projects under chapter  
11 173 of title 10, United States Code, for the installations  
12 or locations inside the United States, and in the amounts,  
13 set forth in the following table:

**Energy Conservation Projects: Inside the United States**

State	Installation or Location	Amount
Arkansas .....	Clear .....	\$15,337,000
California .....	Fort Hunter Liggett .....	\$9,600,000
	Parks RFTA .....	\$9,256,000
Colorado .....	Aerospace Data Facility .....	\$3,310,000
	Fort Carson .....	\$4,000,000
Hawaii .....	Joint Base Pearl Harbor Hickam .....	\$6,610,000
Missouri .....	Whiteman .....	\$6,000,000

**Energy Conservation Projects: Inside the United States—**  
Continued

State	Installation or Location	Amount
North Carolina .....	Fort Bragg .....	\$2,700,000
	MCB Camp Lejeune .....	\$5,701,000
New Jersey .....	Sea Girt .....	\$3,000,000
Pennsylvania .....	NSA Mechanicsburg .....	\$19,926,000
	Susquehanna .....	\$2,550,000
	Tobyhanna Army Depot .....	\$3,950,000
Tennessee .....	Arnold .....	\$3,606,000
Texas .....	Fort Bliss .....	\$5,700,000
	Fort Bliss .....	\$2,600,000
	Laughlin .....	\$4,800,000
Virginia .....	MCB Quantico .....	\$7,943,000
	Pentagon Reservation .....	\$2,360,000
	Pentagon Reservation .....	\$2,120,000
Various Locations .....	Various Locations .....	\$12,886,000

1           (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2403 and available for energy conservation  
 4 projects outside the United States as specified in the fund-  
 5 ing table in section 4601, the Secretary of Defense may  
 6 carry out energy conservation projects under chapter 173  
 7 of title 10, United States Code, for the installations or  
 8 locations outside the United States, and in the amounts,  
 9 set forth in the following table:

**Energy Conservation Projects: Outside the United States**

Country	Installation or Location	Amount
Italy .....	Naval Air Station Sigonella .....	\$6,121,000
Spain .....	Naval Station Rota .....	\$2,671,000
Various Locations .....	Various Locations .....	\$7,253,000

10 **SEC. 2403. [LOG ID 10420]AUTHORIZATION OF APPROPRIA-**  
 11 **TIONS, DEFENSE AGENCIES.**

12           (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
 13 are hereby authorized to be appropriated for fiscal years  
 14 beginning after September 30, 2012, for military con-

1 struction, land acquisition, and military family housing  
2 functions of the Department of Defense (other than the  
3 military departments), as specified in the funding table  
4 in section 4601.

5 (b) LIMITATION.—The Secretary of Defense shall not  
6 enter into an award for a military construction project in  
7 Romania until after the date on which the Secretary sub-  
8 mits a NATO prefinancing request for consideration of the  
9 military construction project.

10 **SEC. 2404. [LOG ID 27264]MODIFICATION OF AUTHORITY TO**  
11 **CARRY OUT CERTAIN FISCAL YEAR 2012**  
12 **PROJECTS.**

13 (a) MARYLAND.—The table in section 2401(a) of the  
14 Military Construction Authorization Act for Fiscal Year  
15 2012 (division B of Public Law 112–81; 125 Stat. 1672),  
16 is amended in the item relating to Fort Meade, Maryland,  
17 by striking “\$29,640,000” in the amount column and in-  
18 serting “\$792,200,000”.

19 (b) GERMANY.—The table in section 2401(b) of the  
20 Military Construction Authorization Act for Fiscal Year  
21 2012 (division B of Public Law 112–81; 125 Stat. 1673),  
22 is amended in the item relating to Rhine Ordnance Bar-  
23 racks, Germany, by striking “\$750,000,000” in the  
24 amount column and inserting “\$850,000,000”.

1 **SEC. 2405. [LOG ID 27263]EXTENSION OF AUTHORIZATION**  
 2 **OF CERTAIN FISCAL YEAR 2010 PROJECT.**

3 (a) **EXTENSION.**—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 authorization set forth in the table in sub-  
 7 section (b), as provided in section 2401(a) of that Act  
 8 (123 Stat. 2640), shall remain in effect until October 1,  
 9 2013, or the date of the enactment of an Act authorizing  
 10 funds for military construction for fiscal year 2014, which-  
 11 ever is later:

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

**Extension of 2010 Project Authorization**

<b>State/Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Virginia .....	Pentagon Reservation	Pentagon electrical upgrade .....	\$19,272,000

14 **Subtitle B—Chemical**  
 15 **Demilitarization Authorizations**

16 **SEC. 2411. [LOG ID 10421]AUTHORIZATION OF APPROPRIA-**  
 17 **TIONS, CHEMICAL DEMILITARIZATION CON-**  
 18 **STRUCTION, DEFENSE-WIDE.**

19 Funds are hereby authorized to be appropriated for  
 20 fiscal years beginning after September 30, 2012, for mili-  
 21 tary construction and land acquisition for chemical demili-  
 22 tarization as specified in the funding table in section 4601.

1 **SEC. 2412. [LOG ID 27265]MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 1997**  
3 **PROJECT.**

4 (a) MODIFICATIONS.—The table in section 2401(a)  
5 of the Military Construction Authorization Act for Fiscal  
6 Year 1997 (division B of Public Law 104–201; 110 Stat.  
7 2775), as amended by section 2406 of the Military Con-  
8 struction Authorization Act for Fiscal Year 2000 (division  
9 B of Public Law 106–65; 113 Stat. 839), section 2407  
10 of the Military Construction Authorization Act for Fiscal  
11 Year 2003 (division B of Public Law 107–314; 116 Stat.  
12 2699), and section 2413 of the Military Construction Au-  
13 thorization Act for Fiscal Year 2009 (division B of Public  
14 Law 110–417; 122 Stat. 4697), is further amended—

15 (1) under the agency heading relating to Chem-  
16 ical Demilitarization Program, in the item relating  
17 to Pueblo Army Depot, Colorado, by striking  
18 “\$484,000,000” in the amount column and inserting  
19 “\$520,000,000”; and

20 (2) by striking the amount identified as the  
21 total in the amount column and inserting  
22 “\$866,454,000”.

23 (b) CONFORMING AMENDMENT.—Section 2406(b)(2)  
24 of the Military Construction Authorization Act for Fiscal  
25 Year 1997 (110 Stat. 2779), as so amended, is further

1 amended by striking “\$484,000,000” and inserting  
2 “\$520,000,000”.

1 **TITLE XXV—NORTH ATLANTIC**  
2 **TREATY ORGANIZATION SE-**  
3 **CURITY INVESTMENT PRO-**  
4 **GRAM**

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for  
8 the North Atlantic Treaty Organization Security Invest-  
9 ment Program as provided in section 2806 of title 10,  
10 United States Code, in an amount not to exceed the sum  
11 of the amount authorized to be appropriated for this pur-  
12 pose in section 2502 and the amount collected from the  
13 North Atlantic Treaty Organization as a result of con-  
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for  
17 fiscal years beginning after September 30, 2012, for con-  
18 tributions by the Secretary of Defense under section 2806  
19 of title 10, United States Code, for the share of the United  
20 States of the cost of projects for the North Atlantic Treaty  
21 Organization Security Investment Program authorized by

1 section 2501 as specified in the funding table in section  
2 4601.

1 **TITLE XXVI—GUARD AND**  
2 **RESERVE FORCES FACILITIES**

Subtitle A—Project Authorizations and Authorization of Appropriations

- Sec. 2601. [Log ID 11406]Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. [Log ID 11407]Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. [Log ID 11408]Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. [Log ID 11409]Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. [Log ID 11410]Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. [Log ID 11411]Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

- Sec. 2611. [Log ID 27267]Modification of authority to carry out certain fiscal year 2010 projects.
- Sec. 2612. [Log ID 32235]Modification of authority to carry out certain fiscal year 2011 project.
- Sec. 2613. [Log ID 27271]Extension of authorization of certain fiscal year 2009 project.
- Sec. 2614. [Log ID 27272]Extension of authorization of certain fiscal year 2010 projects.

3 **Subtitle A—Project Authorizations**  
4 **and Authorization of Appropria-**  
5 **tions**

6 **SEC. 2601. [LOG ID 11406]AUTHORIZED ARMY NATIONAL**  
7 **GUARD CONSTRUCTION AND LAND ACQUI-**  
8 **SITION PROJECTS.**

9 (a) INSIDE THE UNITED STATES.—Using amounts  
10 appropriated pursuant to the authorization of appropria-  
11 tions in section 2606 and available for the National Guard  
12 and Reserve as specified in the funding table in section

1 4601, the Secretary of the Army may acquire real prop-  
 2 erty and carry out military construction projects for the  
 3 Army National Guard locations inside the United States,  
 4 and in the amounts, set forth in the following table:

**Army National Guard: Inside the United States**

State	Location	Amount
Alabama .....	Fort McClellan .....	\$5,400,000
Arkansas .....	Searcy .....	\$6,800,000
California .....	Fort Irwin .....	\$25,000,000
Connecticut .....	Camp Hartell .....	\$32,000,000
Delaware .....	Bethany Beach .....	\$5,500,000
Florida .....	Camp Blanding .....	\$9,000,000
	Miramar .....	\$20,000,000
Hawaii .....	Kapolei .....	\$28,000,000
Idaho .....	Orchard Training Area .....	\$40,000,000
Indiana .....	South Bend .....	\$21,000,000
	Terra Haute .....	\$9,000,000
Iowa .....	Camp Dodge .....	\$3,000,000
Kansas .....	Topeka .....	\$9,500,000
Kentucky .....	Frankfort .....	\$32,000,000
Massachusetts .....	Camp Edwards .....	\$27,200,000
Michigan .....	Camp Grayling .....	\$17,000,000
Minnesota .....	Camp Ripley .....	\$17,000,000
	St. Paul .....	\$17,000,000
Missouri .....	Fort Leonard Wood .....	\$18,000,000
	Kansas City .....	\$1,900,000
	Monett .....	\$820,000
	Perryville .....	\$700,000
Montana .....	Miles City .....	\$11,000,000
New Jersey .....	Sea Girt .....	\$34,000,000
New York .....	Stomville .....	\$24,000,000
Ohio .....	Chilleothe .....	\$3,100,000
	Delaware .....	\$12,000,000
Oklahoma .....	Camp Gruber .....	\$25,000,000
Utah .....	Camp Williams .....	\$36,000,000
Vermont .....	North Hyde Park .....	\$4,397,000
Washington .....	Fort Lewis .....	\$35,000,000
West Virginia .....	Logan .....	\$14,200,000
Wisconsin .....	Wausau .....	\$10,000,000

5 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 6 appropriated pursuant to the authorization of appropria-  
 7 tions in section 2606 and available for the National Guard  
 8 and Reserve as specified in the funding table in section  
 9 4601, the Secretary of the Army may acquire real prop-  
 10 erty and carry out military construction projects for the

- 1 Army National Guard locations outside the United States,  
2 and in the amounts, set forth in the following table:

**Army National Guard: Outside the United States**

Country	Location	Amount
Guam .....	Barrigada .....	\$8,500,000
Puerto Rico .....	Camp Santiago .....	\$3,800,000
	Ceiba .....	\$2,200,000
	Guaynabo .....	\$15,000,000
	Gurabo .....	\$14,700,000

3 **SEC. 2602. [LOG ID 11407]AUTHORIZED ARMY RESERVE CON-**  
4 **STRUCTION AND LAND ACQUISITION**  
5 **PROJECTS.**

6 Using amounts appropriated pursuant to the author-  
7 ization of appropriations in section 2606 and available for  
8 the National Guard and Reserve as specified in the fund-  
9 ing table in section 4601, the Secretary of the Army may  
10 acquire real property and carry out military construction  
11 projects for the Army Reserve locations inside the United  
12 States, and in the amounts, set forth in the following  
13 table:

**Army Reserve**

Country	Location	Amount
California .....	Fort Hunter Liggett .....	\$78,300,000
	Tustin .....	\$27,000,000
Kansas .....	Kansas City .....	\$28,000,000
Maryland .....	Aberdeen Proving Ground .....	\$21,000,000
	Baltimore .....	\$10,000,000
Massachusetts .....	Devens Reserve Forces Training Area	\$8,500,000
Nevada .....	Las Vegas .....	\$21,000,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst ...	\$7,400,000
Pennsylvania .....	Conneant Lake .....	\$4,800,000
Washington .....	Joint Base Lewis-McChord .....	\$40,000,000
Wisconsin .....	Fort McCoy .....	\$47,800,000

1 **SEC. 2603. [LOG ID 11408]AUTHORIZED NAVY RESERVE AND**  
 2 **MARINE CORPS RESERVE CONSTRUCTION**  
 3 **AND LAND ACQUISITION PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Navy may  
 8 acquire real property and carry out military construction  
 9 projects for the Navy Reserve and Marine Corps Reserve  
 10 locations inside the United States, and in the amounts,  
 11 set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

State	Location	Amount
Arizona .....	Yuma .....	\$5,379,000
Iowa .....	Fort Des Moines .....	\$19,162,000
Louisiana .....	New Orleans .....	\$7,187,000
New York .....	Brooklyn .....	\$4,430,000
Texas .....	Fort Worth .....	\$11,256,000

12 **SEC. 2604. [LOG ID 11409]AUTHORIZED AIR NATIONAL**  
 13 **GUARD CONSTRUCTION AND LAND ACQUI-**  
 14 **SITION PROJECTS.**

15 Using amounts appropriated pursuant to the author-  
 16 ization of appropriations in section 2606 and available for  
 17 the National Guard and Reserve as specified in the fund-  
 18 ing table in section 4601, the Secretary of the Air Force  
 19 may acquire real property and carry out military construc-  
 20 tion projects for the Air National Guard locations inside

1 the United States, and in the amounts, set forth in the  
2 following table:

**Air National Guard**

State	Location	Amount
California .....	Fresno Yosemite International Airport Air National Guard .....	\$11,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$6,500,000
New Mexico .....	Kirtland Air Force Base .....	\$8,500,000
Tennessee .....	McGee-Tyson Airport .....	\$18,000,000
Wyoming .....	Cheyenne Municipal Airport .....	\$6,486,000

3 **SEC. 2605. [LOG ID 11410]AUTHORIZED AIR FORCE RESERVE**  
4 **CONSTRUCTION AND LAND ACQUISITION**  
5 **PROJECTS.**

6 Using amounts appropriated pursuant to the author-  
7 ization of appropriations in section 2606 and available for  
8 the National Guard and Reserve as specified in the fund-  
9 ing table in section 4601, the Secretary of the Air Force  
10 may acquire real property and carry out military construc-  
11 tion projects for the Air Force Reserve locations inside  
12 the United States, and in the amounts, set forth in the  
13 following table:

**Air Force Reserve**

State	Location	Amount
California .....	March Air Reserve Base .....	\$16,900,000
New York .....	Niagara Falls International Airport ....	\$6,100,000

14 **SEC. 2606. [LOG ID 11411]AUTHORIZATION OF APPROPRIA-**  
15 **TIONS, NATIONAL GUARD AND RESERVE.**

16 Funds are hereby authorized to be appropriated for  
17 fiscal years beginning after September 30, 2012, for the  
18 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), as specified in  
5 the funding table in section 4601.

## 6 **Subtitle B—Other Matters**

### 7 **SEC. 2611. [LOG ID 27267]MODIFICATION OF AUTHORITY TO** 8 **CARRY OUT CERTAIN FISCAL YEAR 2010** 9 **PROJECTS.**

10 (a) AUTHORITY TO CARRY OUT ARMY NATIONAL  
11 GUARD READINESS CENTER PROJECT, NORTH LAS  
12 VEGAS, NEVADA.—In the case of the authorization con-  
13 tained in the table in section 2601 of the Military Con-  
14 struction Authorization Act for Fiscal Year 2010 (division  
15 B of Public Law 111–84; 123 Stat. 2648) for North Las  
16 Vegas, Nevada, for construction of a Readiness Center,  
17 the Secretary of the Army may construct up to 68,593  
18 square feet of readiness center, 10,000 square feet of  
19 unheated equipment storage area, and 25,000 square feet  
20 of unheated vehicle storage, consistent with the Army’s  
21 construction guidelines for readiness centers.

22 (b) AUTHORITY TO CARRY OUT ARMY RESERVE  
23 CENTER PROJECT, MIRAMAR, CALIFORNIA.—In the case  
24 of the authorization contained in the table in section 2602  
25 of the Military Construction Authorization Act for Fiscal

1 Year 2010 (division B of Public Law 111–84; 123 Stat.  
2 2649) for Camp Pendleton, California, for construction of  
3 an Army Reserve Center, the Secretary of the Army may  
4 instead construct an Army Reserve Center in the vicinity  
5 of the Marine Corps Air Station, Miramar, California.

6 (c) **AUTHORITY TO CARRY OUT ARMY RESERVE CEN-**  
7 **TER PROJECT, BRIDGEPORT, CONNECTICUT.**—In the case  
8 of the authorization contained in the table in section 2602  
9 of the Military Construction Authorization Act for Fiscal  
10 Year 2010 (division B of Public Law 111–84; 123 Stat.  
11 2649) for Bridgeport, Connecticut, for construction of an  
12 Army Reserve Center/Land, the Secretary of the Army  
13 may instead construct an Army Reserve Center and ac-  
14 quire land in the vicinity of Bridgeport, Connecticut.

15 **SEC. 2612. [LOG ID 32235]MODIFICATION OF AUTHORITY TO**  
16 **CARRY OUT CERTAIN FISCAL YEAR 2011**  
17 **PROJECT.**

18 In the case of the authorization contained in the table  
19 in section 2602 of the Military Construction Authorization  
20 Act for Fiscal Year 2011 (division B of Public Law 111–  
21 383; 124 Stat. 4453) for Fort Story, Virginia, for con-  
22 struction of an Army Reserve Center, the Secretary of the  
23 Army may instead construct an Army Reserve Center in  
24 the vicinity of Fort Story, Virginia.

1 **SEC. 2613. [LOG ID 27271]EXTENSION OF AUTHORIZATION**  
 2 **OF CERTAIN FISCAL YEAR 2009 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2002 of  
 4 the Military Construction Authorization Act for Fiscal  
 5 Year 2009 (division B of Public Law 110–417; 122 Stat.  
 6 4658), the authorization set forth in the table in sub-  
 7 section (b), as provided in section 2604 of that Act (122  
 8 Stat. 4706), shall remain in effect until October 1, 2013,  
 9 or the date of the enactment of an Act authorizing funds  
 10 for military construction for fiscal year 2014, whichever  
 11 is later.

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

**Army National Guard: Extension of 2009 Project Authorizations**

State	Installation or Location	Project	Amount
Mississippi .....	Gulfport-Biloxi Airport.	Relocate Munitions Complex .....	\$3,400,000

14 **SEC. 2614. [LOG ID 27272]EXTENSION OF AUTHORIZATION**  
 15 **OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

16 (a) EXTENSION.—Notwithstanding section 2002 of  
 17 the Military Construction Authorization Act for Fiscal  
 18 Year 2010 (division B of Public Law 111–84; 123 Stat.  
 19 2627), the authorizations set forth in the tables in sub-  
 20 section (b), as provided in sections 2602 and 2604 of that  
 21 Act (123 Stat. 2649, 2651), shall remain in effect until  
 22 October 1, 2013, or the date of the enactment of an Act

1 authorizing funds for military construction for fiscal year  
 2 2014, whichever is later.

3 (b) TABLE.—The tables referred to in subsection (a)  
 4 are as follows:

**Army Reserve: Extension of 2010 Project Authorizations**

State	Installation or Location	Project	Amount
California .....	Camp Pendleton	Army Reserve Center .....	\$19,500,000
Connecticut .....	Bridgeport .....	Army Reserve Center/Land ...	\$18,500,000

**Air National Guard: Extension of 2010 Project Authorization**

State	Installation or Location	Project	Amount
Mississippi .....	Gulfport-Biloxi Airport .....	Relocate Base Entrance .....	\$6,500,000

1 **TITLE XXVII—BASE REALIGN-**  
2 **MENT AND CLOSURE ACTIVI-**  
3 **TIES**

Subtitle A—Authorization of Appropriations

Sec. 2701. [Log ID 11412]Authorization of appropriations for base realign-  
ment and closure activities funded through Department of De-  
fense Base Closure Account 1990.

Sec. 2702. [Log ID 11414]Authorization of appropriations for base realign-  
ment and closure activities funded through Department of De-  
fense Base Closure Account 2005.

Subtitle B—Other Matters

Sec. 2711. [Log ID 11753]Consolidation of Department of Defense base clo-  
sure accounts and authorized uses of base closure account  
funds.

Sec. 2712. [Log ID 12486]Air Armament Center, Eglin Air Force Base.

4 **Subtitle A—Authorization of**  
5 **Appropriations**

6 **SEC. 2701. [LOG ID 11412]AUTHORIZATION OF APPROPRIA-**  
7 **TIONS FOR BASE REALIGNMENT AND CLO-**  
8 **SURE ACTIVITIES FUNDED THROUGH DE-**  
9 **PARTMENT OF DEFENSE BASE CLOSURE AC-**  
10 **COUNT 1990.**

11 Funds are hereby authorized to be appropriated for  
12 fiscal years beginning after September 30, 2012, for base  
13 realignment and closure activities, including real property  
14 acquisition and military construction projects, as author-  
15 ized by the Defense Base Closure and Realignment Act  
16 of 1990 (part A of title XXIX of Public Law 101–510;

1 10 U.S.C. 2687 note) and funded through the Department  
2 of Defense Base Closure Account 1990 established by sec-  
3 tion 2906 of such Act as specified in the funding table  
4 in section 4601.

5 **SEC. 2702. [LOG ID 11414]AUTHORIZATION OF APPROPRIA-**  
6 **TIONS FOR BASE REALIGNMENT AND CLO-**  
7 **SURE ACTIVITIES FUNDED THROUGH DE-**  
8 **PARTMENT OF DEFENSE BASE CLOSURE AC-**  
9 **COUNT 2005.**

10 Funds are hereby authorized to be appropriated for  
11 fiscal years beginning after September 30, 2012, for base  
12 realignment and closure activities, including real property  
13 acquisition and military construction projects, as author-  
14 ized by the Defense Base Closure and Realignment Act  
15 of 1990 (part A of title XXIX of Public Law 101-510;  
16 10 U.S.C. 2687 note) and funded through the Department  
17 of Defense Base Closure Account 2005 established by sec-  
18 tion 2906A of such Act as specified in the funding table  
19 in section 4601.

1                   **Subtitle B—Other Matters**

2   **SEC. 2711. [LOG ID 11753]CONSOLIDATION OF DEPARTMENT**  
3                   **OF DEFENSE BASE CLOSURE ACCOUNTS AND**  
4                   **AUTHORIZED USES OF BASE CLOSURE AC-**  
5                   **COUNT FUNDS.**

6           (a) ESTABLISHMENT OF SINGLE DEPARTMENT OF  
7 DEFENSE BASE CLOSURE ACCOUNT; USE OF FUNDS.—  
8 The Defense Base Closure and Realignment Act of 1990  
9 (part A of title XXIX of Public Law 101–510; 10 U.S.C.  
10 2687 note) is amended by striking sections 2906 and  
11 2906A and inserting the following new section 2906:

12   **“SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE AC-**  
13                   **COUNT.**

14           “(a) ESTABLISHMENT.—There is hereby established  
15 on the books of the Treasury an account to be known as  
16 the ‘Department of Defense Base Closure Account’ which  
17 shall be administered by the Secretary as a single account.

18           “(b) CREDITS TO ACCOUNT.—There shall be credited  
19 to the Account the following:

20                   “(1) Funds authorized for and appropriated to  
21 the Account.

22                   “(2) Funds transferred to the Account pursu-  
23 ant to section \_\_\_\_ (b) of the National Defense Au-  
24 thorization Act for Fiscal Year 2013.

1           “(3) Funds that the Secretary may, subject to  
2 approval in an appropriation Act, transfer to the Ac-  
3 count from funds appropriated to the Department of  
4 Defense for any purpose, except that funds may be  
5 transferred under the authority of this paragraph  
6 only after the date on which the Secretary transmits  
7 written notice of, and justification for, such transfer  
8 to the congressional defense committees.

9           “(4) Proceeds received from the lease, transfer,  
10 or disposal of any property at a military installation  
11 closed or realigned under this part or the 1988  
12 BRAC law.

13           “(c) USE OF ACCOUNT.—

14           “(1) AUTHORIZED PURPOSES.—The Secretary  
15 may use the funds in the Account only for the fol-  
16 lowing purposes:

17           “(A) To carry out the Defense Environ-  
18 mental Restoration Program under section  
19 2701 of title 10, United States Code, and other  
20 environmental restoration and mitigation activi-  
21 ties at military installations closed or realigned  
22 under this part or the 1988 BRAC law.

23           “(B) To cover property management, dis-  
24 posal, and caretaker costs incurred at military

1 installations closed or realigned under this part  
2 or the 1988 BRAC law.

3 “(C) To cover costs associated with super-  
4 vision, inspection, overhead, engineering, and  
5 design of military construction projects under-  
6 taken under this part or the 1988 BRAC law  
7 before September 30, 2013, and subsequent  
8 claims, if any, related to such activities.

9 “(D) To record, adjust, and liquidate obli-  
10 gations properly chargeable to the following ac-  
11 counts:

12 “(i) The Department of Defense Base  
13 Closure Account 2005 established by sec-  
14 tion 2906A of this part, as in effect on  
15 September 30, 2013.

16 “(ii) The Department of Defense Base  
17 Closure Account 1990 established by this  
18 section, as in effect on September 30,  
19 2013.

20 “(iii) The Department of Defense  
21 Base Closure Account established by sec-  
22 tion 207 of the 1988 BRAC law, as in ef-  
23 fect on September 30, 2013.

24 “(2) SOLE SOURCE OF FUNDS.—The Account  
25 shall be the sole source of Federal funds for the ac-

1 activities specified in paragraph (1) at a military in-  
2 stallation closed or realigned under this part or the  
3 1988 BRAC law.

4 “(3) PROHIBITION ON USE OF ACCOUNT FOR  
5 NEW MILITARY CONSTRUCTION.—Except as provided  
6 in paragraph (1), funds in the Account may not be  
7 used, directly or by transfer to another appropria-  
8 tions account, to carry out a military construction  
9 project, including a minor military construction  
10 project, under section 2905(a) or any other provision  
11 of law at a military installation closed or realigned  
12 under this part or the 1988 BRAC law.

13 “(d) DISPOSAL OR TRANSFER OF COMMISSARY  
14 STORES AND PROPERTY PURCHASED WITH NON-  
15 APPROPRIATED FUNDS.—

16 “(1) DEPOSIT OF PROCEEDS IN RESERVE AC-  
17 COUNT.—If any real property or facility acquired,  
18 constructed, or improved (in whole or in part) with  
19 commissary store funds or nonappropriated funds is  
20 transferred or disposed of in connection with the clo-  
21 sure or realignment of a military installation under  
22 this part, a portion of the proceeds of the transfer  
23 or other disposal of property on that installation  
24 shall be deposited in the reserve account established  
25 under section 204(b)(7)(C) of the 1988 BRAC law.

1           “(2) The amount so deposited under paragraph  
2           (1) shall be equal to the depreciated value of the in-  
3           vestment made with such funds in the acquisition,  
4           construction, or improvement of that particular real  
5           property or facility. The depreciated value of the in-  
6           vestment shall be computed in accordance with regu-  
7           lations prescribed by the Secretary of Defense.

8           “(3) USE OF RESERVE FUNDS.—Subject to the  
9           limitation contained in section 204(b)(7)(C)(iii) of  
10          the 1988 BRAC law, amounts in the reserve account  
11          are hereby made available to the Secretary, without  
12          appropriation and until expended, for the purpose of  
13          acquiring, constructing, and improving—

14                   “(A) commissary stores; and

15                   “(B) real property and facilities for non-  
16          appropriated fund instrumentalities.

17          “(e) ANNUAL REPORTS.—

18                   “(1) ANNUAL ACCOUNTING.—No later than 60  
19          days after the end of each fiscal year in which the  
20          Secretary carries out activities under this part, the  
21          Secretary shall transmit a report to the congress-  
22          sional defense committees containing an accounting  
23          of—

1           “(A) the amount and nature of credits to,  
2           and expenditures from, the Account during  
3           such fiscal year; and

4           “(B) the amount and nature of anticipated  
5           deposits to be made into, and the anticipated  
6           expenditures to be made from, the Account dur-  
7           ing the first fiscal year commencing after the  
8           submission of the report.

9           “(2) SPECIFIC ELEMENTS OF REPORT.—The  
10          report for a fiscal year shall include the following:

11           “(A) The obligations and expenditures  
12           from the Account during the fiscal year, identi-  
13           fied by subaccount and installation, for each  
14           military department and Defense Agency.

15           “(B) The fiscal year in which appropria-  
16           tions or transfers for such expenditures were  
17           made and the fiscal year in which funds were  
18           obligated for such expenditures.

19           “(C) An estimate of the net revenues to be  
20           received from property disposals under this part  
21           or the 1988 BRAC law to be completed during  
22           the first fiscal year commencing after the sub-  
23           mission of the report.

24           “(f) CLOSURE OF ACCOUNT; TREATMENT OF RE-  
25          MAINING FUNDS.—

1           “(1) CLOSURE.—The Account shall be closed at  
2           the time and in the manner provided for appropria-  
3           tion accounts under section 1555 of title 31, United  
4           States Code, except that unobligated funds which re-  
5           main in the Account upon closure shall be held by  
6           the Secretary of the Treasury until transferred by  
7           law after the congressional defense committees re-  
8           ceive the final report transmitted under paragraph  
9           (2).

10           “(2) FINAL REPORT.—No later than 60 days  
11           after the closure of the Account under paragraph  
12           (1), the Secretary shall transmit to the congressional  
13           defense committees a report containing an account-  
14           ing of—

15                   “(A) all the funds credited to and ex-  
16                   pended from the Account or otherwise expended  
17                   under this part or the 1988 BRAC law; and

18                   “(B) any funds remaining in the Account.

19           “(g) DEFINITIONS.—In this section:

20                   “(1) The term ‘commissary store funds’ means  
21                   funds received from the adjustment of, or surcharge  
22                   on, selling prices at commissary stores fixed under  
23                   section 2685 of title 10, United States Code.

1           “(2) The term ‘nonappropriated funds’ means  
2 funds received from a nonappropriated fund instru-  
3 mentality.

4           “(3) The term ‘nonappropriated fund instru-  
5 mentality’ means an instrumentality of the United  
6 States under the jurisdiction of the Armed Forces  
7 (including the Army and Air Force Exchange Serv-  
8 ice, the Navy Resale and Services Support Office,  
9 and the Marine Corps exchanges) which is conducted  
10 for the comfort, pleasure, contentment, or physical  
11 or mental improvement of members of the Armed  
12 Forces.

13           “(4) The term ‘1988 BRAC law’ means title II  
14 of the Defense Authorization Amendments and Base  
15 Closure and Realignment Act (Public Law 100–526;  
16 10 U.S.C. 2687 note).”.

17           (b) CLOSURE OF EXISTING CURRENT ACCOUNTS;  
18 TRANSFER OF FUNDS.—

19           (1) CLOSURE.—Subject to paragraph (2), the  
20 Secretary of the Treasury shall close, pursuant to  
21 section 1555 of title 31, United States Code, the fol-  
22 lowing accounts on the books of the Treasury:

23           (A) The Department of Defense Base Clo-  
24 sure Account 2005 established by section  
25 2906A of the Defense Base Closure and Re-

1 alignment Act of 1990 (part A of title XXIX of  
2 Public Law 101–510; 10 U.S.C. 2687 note), as  
3 in effect on the effective date of this section.

4 (B) The Department of Defense Base Clo-  
5 sure Account 1990 established by section 2906  
6 of the Defense Base Closure and Realignment  
7 Act of 1990 (part A of title XXIX of Public  
8 Law 101–510; 10 U.S.C. 2687 note), as in ef-  
9 fect on the effective date of this section.

10 (C) The Department of Defense Base Clo-  
11 sure Account established by section 207 of the  
12 Defense Authorization Amendments and Base  
13 Closure and Realignment Act (Public Law 100–  
14 526; 10 U.S.C. 2687 note), as in effect on the  
15 effective date of this section.

16 (2) TRANSFER OF FUNDS.—All amounts re-  
17 maining in the three accounts specified in paragraph  
18 (1) as of the effective date of this section, shall be  
19 transferred, effective on that date, to the Depart-  
20 ment of Defense Base Closure Account established  
21 by section 2906 of the Defense Base Closure and  
22 Realignment Act of 1990, as added by subsection  
23 (a).

24 (3) CROSS REFERENCES.—Except as provided  
25 in this subsection or the context requires otherwise,

1 any reference in a law, regulation, document, paper,  
2 or other record of the United States to an account  
3 specified in paragraph (1) shall be deemed to be a  
4 reference to the Department of Defense Base Clo-  
5 sure Account established by section 2906 of the De-  
6 fense Base Closure and Realignment Act of 1990, as  
7 added by subsection (a).

8 (c) CONFORMING AMENDMENTS.—

9 (1) REPEAL OF FORMER ACCOUNT.—Section  
10 207 of the Defense Authorization Amendments and  
11 Base Closure and Realignment Act (Public Law  
12 100–526; 10 U.S.C. 2687 note) is repealed.

13 (2) DEFINITION.—

14 (A) 1990 LAW.—Section 2910(1) of the  
15 Defense Base Closure and Realignment Act of  
16 1990 (part A of title XXIX of Public Law 101–  
17 510; 10 U.S.C. 2687 note) is amended by strik-  
18 ing “1990 established by section 2906(a)(1)”  
19 and inserting “established by section 2906(a)”.

20 (B) 1988 LAW.—The Defense Authoriza-  
21 tion Amendments and Base Closure and Re-  
22 alignment Act (Public Law 100–526; 10 U.S.C.  
23 2687 note) is amended—

24 (i) in section 204(b)(7)(A), by striking  
25 “established by section 207(a)(1)”; and

1 (ii) in section 209(1), by striking “es-  
2 tablished by section 207(a)(1)” and insert-  
3 ing “established by section 2906(a) of the  
4 Defense Base Closure and Realignment  
5 Act of 1990 (part A of title XXIX of Pub-  
6 lic Law 101–510; 10 U.S.C. 2687 note)”.

7 (3) ENVIRONMENTAL RESTORATION.—Chapter  
8 160 of title 10, United States Code, is amended—

9 (A) in section 2701(d)(2), by striking “De-  
10 partment of Defense Base Closure Account  
11 1990 or the Department of Defense Base Clo-  
12 sure Account 2005 established under sections  
13 2906 and 2906A” and inserting “Department  
14 of Defense Base Closure Account established by  
15 section 2906”;

16 (B) in section 2703(h)—

17 (i) by striking “the applicable Depart-  
18 ment of Defense base closure account” and  
19 inserting “the Department of Defense  
20 Base Closure Account established under  
21 section 2906 of the Defense Base Closure  
22 and Realignment Act of 1990 (part A of  
23 title XXIX of Public Law 101–510; 10  
24 U.S.C. 2687 note)”; and

1 (ii) by striking “the applicable base  
2 closure account” and inserting “such base  
3 closure account”; and

4 (C) in section 2905(g)(2), by striking  
5 “Closure Account 1990” and inserting “Closure  
6 Account”.

7 (4) DEPARTMENT OF DEFENSE HOUSING  
8 FUNDS.—Section 2883 of such title is amended—

9 (A) in subsection (c)—

10 (i) by striking subparagraph (G) of  
11 paragraph (1); and

12 (ii) by striking subparagraph (G) of  
13 paragraph (2); and

14 (B) in subsection (f)—

15 (i) in the first sentence, by striking  
16 “or (G)” both places it appears; and

17 (ii) by striking the second sentence.

18 (d) EFFECTIVE DATE.—This section and the amend-  
19 ments made by this section shall take effect on the later  
20 of—

21 (1) October 1, 2013; and

22 (2) the date of the enactment of an Act author-  
23 izing funds for military construction for fiscal year  
24 2014.

1 **SEC. 2712. [LOG ID 12486]AIR ARMAMENT CENTER, EGLIN**  
2 **AIR FORCE BASE.**

3 The Secretary of the Air Force shall retain an Air  
4 Armament Center at Eglin Air Force Base, Florida, in  
5 name and function, with the same integrated mission ele-  
6 ments, responsibilities, and capabilities as existed upon the  
7 completion of implementation of the recommendations of  
8 the 2005 Base Closure and Realignment Commission re-  
9 garding such military installation contained in the report  
10 transmitted by the President to Congress in accordance  
11 with section 2914(e) of the Defense Base Closure and Re-  
12 alignment Act of 1990 (part A of title XXIX of Public  
13 Law 101–510; 10 U.S.C. 2687 note), until such time as  
14 such integrated mission elements, responsibilities, and ca-  
15 pabilities are modified pursuant to section 2687 of title  
16 10, United States Code, or a subsequent law providing for  
17 the closure or realignment of military installations in the  
18 United States.

1 **Subtitle A—Military Construction**  
2 **Program and Military Family**  
3 **Housing Changes**

4 **SEC. 2801. [LOG ID 25482]PREPARATION OF MILITARY IN-**  
5 **STALLATION MASTER PLANS.**

6 (a) MILITARY INSTALLATION MASTER PLANS.—Sub-  
7 chapter III of chapter 169 of title 10, United States Code,  
8 is amended by inserting after section 2863 the following  
9 new section:

10 **“§ 2864. Military installation master plans**

11 “(a) PLANS REQUIRED.—At a time interval pre-  
12 scribed by the Secretary concerned (but not less frequently  
13 than once every 10 years), the commander of each military  
14 installation under the jurisdiction of the Secretary shall  
15 ensure an installation master plan is developed to address  
16 environmental planning, sustainable design and develop-  
17 ment, sustainable range planning, real property master  
18 planning, and transportation planning.

19 “(b) TRANSPORTATION COMPONENT.—

20 “(1) COOPERATION WITH METROPOLITAN  
21 PLANNING ORGANIZATIONS.—The transportation  
22 component of an installation master plan shall be  
23 developed and updated in cooperation with the met-  
24ropolitan planning organization designated for the

1 metropolitan planning area in which the military in-  
2 stallation is located.

3 “(2) DEFINITIONS.—In this subsection, the  
4 terms ‘metropolitan planning area’ and ‘metropoli-  
5 tan planning organization’ have the meanings given  
6 those terms in section 134(b) of title 23 and section  
7 5303(b) of title 49.

8 “(3) TRANSIT SERVICES.—The installation  
9 master plan for a military installation shall also ad-  
10 dress operating costs for transit service and travel  
11 demand measures on the installation.”.

1 **SEC. 2802. [LOG ID 25483]SUSTAINMENT OVERSIGHT AND**  
2 **ACCOUNTABILITY FOR MILITARY HOUSING**  
3 **PRIVATIZATION PROJECTS AND RELATED AN-**  
4 **NUAL REPORTING REQUIREMENTS.**

5 (a) SUSTAINMENT OVERSIGHT AND ACCOUNT-  
6 ABILITY FOR PRIVATIZATION PROJECTS.—

7 (1) OVERSIGHT AND ACCOUNTABILITY MEAS-  
8 URES.—Subchapter IV of chapter 169 of title 10,  
9 United States Code, is amended by inserting after  
10 section 2885 the following new section:

11 **“§ 2885a. Oversight and accountability for privatiza-**  
12 **tion projects: sustainment**

13 “(a) OVERSIGHT AND ACCOUNTABILITY MEAS-  
14 URES.—Each Secretary concerned shall prescribe regula-  
15 tions to effectively oversee and manage a military housing  
16 privatization project carried out under this subchapter  
17 during the sustainment phase of the project following com-  
18 pletion of the construction or renovation of the housing  
19 units. The regulations shall include the following require-  
20 ments for each privatization project:

21 “(1) The financial health and performance of  
22 the military housing privatization project, including  
23 the debt-coverage ratio of the project and occupancy  
24 rates for the constructed or renovated housing units.

25 “(2) A resident satisfaction assessment of the  
26 privatization project.

1           “(3) An assessment of the backlog of mainte-  
2           nance and repair.

3           “(b) REQUIRED QUALIFICATIONS.—The Secretary  
4           concerned or designated representative shall ensure that  
5           the project owner, developer, or general contractor that  
6           is selected for each military housing privatization initiative  
7           project has sustainment experience commensurate with  
8           that required to maintain the project.”.

9           (2) CONFORMING AMENDMENT.—Section  
10          2885(a) of such title is amended in the matter pre-  
11          ceding paragraph (1) by inserting before the period  
12          at the end of the first sentence the following: “dur-  
13          ing the course of the construction or renovation of  
14          the housing units”.

15          (3) CLERICAL AMENDMENTS.—

16                 (A) SECTION HEADING.—The heading of  
17                 section 2885 of such title is amended to read as  
18                 follows:

19                 **“§ 2885. Oversight and accountability for privatiza-  
20                 tion projects: construction”.**

21                 (B) TABLE OF SECTIONS.—The table of  
22                 sections at the beginning of subchapter IV of  
23                 chapter 169 of such title is amended by striking  
24                 the item relating to section 2885 and inserting  
25                 the following new items:

“2885. Oversight and accountability for privatization projects: construction.

“2885a. Oversight and accountability for privatization projects: sustainment.”.

1 (b) ANNUAL REPORTING REQUIREMENTS.—Section  
2 2884(b) of such title is amended—

3 (1) by striking paragraphs (2), (3), (4), and  
4 (7);

5 (2) by redesignating paragraphs (5), (6), and  
6 (8) as paragraphs (2), (3), and (4), respectively; and

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

9 “(5) A trend analysis of the backlog of mainte-  
10 nance and repair for each privatization project, in-  
11 cluding the total cost of the operation, maintenance,  
12 and repair costs associated with each project.

13 “(6) If the debt associated with a privatization  
14 project exceeds net operating income or the occu-  
15 pancy rates for the constructed or renovated housing  
16 units are below 75 percent for any sustained period  
17 of more than one year, a report regarding the plan  
18 to mitigate the financial risk of the project.”.

1 **SEC. 2803. [LOG ID 25475]ONE-YEAR EXTENSION OF AU-**  
2 **THORITY TO USE OPERATION AND MAINTEN-**  
3 **NANCE FUNDS FOR CONSTRUCTION**  
4 **PROJECTS OUTSIDE THE UNITED STATES.**

5 Subsection (h) of section 2808 of the Military Con-  
6 struction Authorization Act for Fiscal Year 2004 (division  
7 B of Public Law 108–136; 117 Stat. 1723), as most re-  
8 cently amended by section 2804(a)(2) of the Military Con-  
9 struction Authorization Act for Fiscal Year 2012 (division  
10 B of Public Law 112–81; 125 Stat. 1685), is amended—

11 (1) in paragraph (1), by striking “September  
12 30, 2012” and inserting “September 30, 2013”; and

13 (2) in paragraph (2), by striking “fiscal year  
14 2013” and inserting “fiscal year 2014”.

1           **Subtitle B—Real Property and**  
2           **Facilities Administration**

3   **SEC. 2811. [LOG ID 22317]AUTHORITY OF MILITARY MUSE-**  
4           **UMS TO ACCEPT GIFTS AND SERVICES AND**  
5           **TO ENTER INTO LEASES AND COOPERATIVE**  
6           **AGREEMENTS.**

7           (a) MUSEUM SUPPORT AUTHORITY.—Chapter 155 of  
8 title 10, United States Code, is amended by inserting after  
9 section 2608 the following new section:

10   **“§ 2609. Military museum programs: acceptance of**  
11           **gifts and other support**

12           “(a) ACCEPTANCE OF SERVICES.—Notwithstanding  
13 section 1342 of title 31, the Secretary concerned may ac-  
14 cept services from a nonprofit entity to support a military  
15 museum program under the jurisdiction of the Secretary.

16           “(b) LIMITATION ON USE OF GIFT FUNDS.—A gift  
17 made for the purpose of assisting in the development, op-  
18 eration, maintenance, or management of, or for the acqui-  
19 sition of collections for, a military museum program and  
20 deposited into one of the general gift funds specified in  
21 section 2601(c) of this title shall be available only for the  
22 military museum program and the purpose for which the  
23 gift was made.

24           “(c) SOLICITATION OF GIFTS.—Under regulations  
25 prescribed under this section, the Secretary concerned

1 may solicit from any person or public or private entity,  
2 for the use and benefit of a military museum program,  
3 a gift of books, manuscripts, works of art, historical arti-  
4 facts, drawings, plans, models, condemned or obsolete  
5 combat materiel, or other personal property.

6 “(d) LEASING AUTHORITY.—(1) In accordance with  
7 section 2667 of this title, the Secretary concerned may  
8 lease real and personal property of a military museum pro-  
9 gram to a nonprofit entity for purposes related to the mili-  
10 tary museum program.

11 “(2) A lease under this subsection may not include  
12 any part of the collection of a military museum program.

13 “(e) COOPERATIVE AGREEMENTS.—The Secretary  
14 concerned may enter into a cooperative agreement with  
15 a nonprofit entity for purposes related to support of a mili-  
16 tary museum program.

17 “(f) EMPLOYEE STATUS.—For purposes of this sec-  
18 tion, employees or personnel of a nonprofit entity may not  
19 be considered to be employees of the United States.

20 “(g) REGULATIONS.—(1) The Secretary of Defense  
21 shall prescribe regulations to implement this section. The  
22 regulations shall apply uniformly throughout the Depart-  
23 ment of Defense.

24 “(2) The regulations shall provide that solicitation of  
25 a gift, acceptance of a gift (including a gift of services),

1 or use of a gift under this section may not occur if the  
2 nature or circumstances of the solicitation, acceptance, or  
3 use would compromise the integrity or the appearance of  
4 integrity of any program of the Department of Defense  
5 or any individual involved in such program.

6 “(h) DEFINITIONS.—In this section:

7 “(1) The term ‘military museum program’ may  
8 include an individual museum.

9 “(2) The term ‘nonprofit entity’ means an ex-  
10 empt organization under section 501(c)(3) of the In-  
11 ternal Revenue Code of 1986 whose primary purpose  
12 is supporting a military museum program.

13 “(3) The term ‘Secretary concerned’ includes  
14 the Secretary of Defense with respect to matters  
15 concerning the Defense Agencies.”.

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 2608 the following new  
19 item:

“2609. Military museum programs: acceptance of gifts and other support.”.

1 **SEC. 2812. [LOG ID 27239]CLARIFICATION OF PARTIES WITH**  
2 **WHOM DEPARTMENT OF DEFENSE MAY CON-**  
3 **DUCT EXCHANGES OF REAL PROPERTY AT**  
4 **CERTAIN MILITARY INSTALLATIONS.**

5 Section 2869(a)(1) of title 10, United States Code,  
6 is amended—

7 (1) by striking “any eligible entity” and insert-  
8 ing “any person”;

9 (2) by striking “the entity” and inserting “the  
10 person”; and

11 (3) by striking “their control” and inserting  
12 “the person’s control”.

1 **SEC. 2813. [LOG ID 11755]INDEMNIFICATION OF TRANS-**  
2 **FEREES OF PROPERTY AT ANY CLOSED MILI-**  
3 **TARY INSTALLATION.**

4 Section 330 of the National Defense Authorization  
5 Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C.  
6 2687 note) is amended—

7 (1) in subsection (a)(1), by striking “pursuant  
8 to a base closure law” and inserting “after October  
9 24, 1988, the date of the enactment of the Defense  
10 Authorization Amendments and Base Closure and  
11 Realignment Act (Public Law 100–526; 10 U.S.C.  
12 2687 note)”; and

13 (2) in subsection (f), by striking paragraph (3).

1 **SEC. 2814. [LOG ID 13726]PLAN TO PROTECT CRITICAL DE-**  
2 **PARTMENT OF DEFENSE CRITICAL ASSETS**  
3 **FROM ELECTROMAGNETIC PULSE WEAPONS.**

4 (a) PLAN REQUIRED.—Not later than September 1,  
5 2013, the Secretary of the Defense shall submit to the  
6 congressional defense committees a plan to protect defense  
7 critical assets under the jurisdiction of the Department  
8 of Defense, and critical equipment at military installa-  
9 tions, from the adverse effects of electromagnetic pulse  
10 and high-powered microwave weapons.

11 (b) PREPARATION AND ELEMENTS OF PLAN.—In  
12 preparing the plan required by subsection (a), the Sec-  
13 retary of Defense shall utilize the guidance and rec-  
14 ommendations of the Commission to Assess the Threat to  
15 the United States from Electromagnetic Pulse Attack es-  
16 tablished by section 1401 of the Floyd D. Spence National  
17 Defense Authorization Act for Fiscal Year 2001 (as en-  
18 acted into law by Public Law 106–398; 114. Stat. 1654A–  
19 345). The plan shall include the following elements:

20 (1) An assessment of overall military installa-  
21 tion protection from electromagnetic pulse and high-  
22 powered microwave weapons.

23 (2) A listing of defense critical assets.

24 (3) An assessment of the adequacy of each de-  
25 fense critical asset to withstand attack currently and  
26 a description and a cost estimate for each project to

1 improve, repair, renovate, or modernize defense crit-  
2 ical assets for which any deficiency is identified in  
3 the assessment.

4 (4) A list of projects, costs, and timelines  
5 through the future-years defense program to meet  
6 the requirements to overcome deficiencies identified  
7 under paragraph (3) for all defense critical assets.

8 (c) FORM OF SUBMISSION.—The plan required by  
9 subsection (a) shall be submitted in unclassified form, but  
10 may include a classified annex.

11 (d) DEFENSE CRITICAL ASSET.—In this section, the  
12 term “defense critical asset” means an asset of such ex-  
13 traordinary importance to operations in peace, crisis, and  
14 war that its incapacitation or destruction would have a  
15 very serious debilitating effect on the ability of the Depart-  
16 ment of Defense to fulfill its missions.

1           **Subtitle C—Energy Security**  
2   **SEC. 2821. [LOG ID 27252]CONGRESSIONAL NOTIFICATION**  
3           **FOR CONTRACTS FOR THE PROVISION AND**  
4           **OPERATION OF ENERGY PRODUCTION FA-**  
5           **CILITIES AUTHORIZED TO BE LOCATED ON**  
6           **REAL PROPERTY UNDER THE JURISDICTION**  
7           **OF A MILITARY DEPARTMENT.**

8           Section 2662(a)(1) of title 10, United States Code,  
9 is amended by adding at the end the following new sub-  
10 paragraph:

11           “(H) Any transaction or contract action for the  
12           provision and operation of energy production facili-  
13           ties on real property under the jurisdiction of the  
14           Secretary of a military department, as authorized by  
15           section 2922a(a)(2) of this title, if the term of the  
16           transaction or contract exceeds 20 years.”.

1 **SEC. 2822. [LOG ID 26318]CONTINUATION OF LIMITATION**  
2 **ON USE OF FUNDS FOR LEADERSHIP IN EN-**  
3 **ERGY AND ENVIRONMENTAL DESIGN (LEED)**  
4 **GOLD OR PLATINUM CERTIFICATION AND EX-**  
5 **PANSION TO INCLUDE IMPLEMENTATION OF**  
6 **ASHRAE BUILDING STANDARD 189.1.**

7 Section 2830(b) of the Military Construction Author-  
8 ization Act for Fiscal Year 2012 (division B of Public Law  
9 112–81; 125 Stat. 1695) is amended—

10 (1) in the subsection heading, by inserting after  
11 “AND ASHRAE IMPLEMENTATION” after “CERTIFI-  
12 CATION”; and

13 (2) in paragraph (1)—

14 (A) by striking “authorized to be”;

15 (B) by striking “by this Act”;

16 (C) by inserting “or 2013” after “fiscal  
17 year 2012”; and

18 (D) by inserting before the period at the  
19 end the following: “and implementing ASHRAE  
20 building standard 189.1”.

1     **Subtitle D—Provisions Related to**  
2                     **Guam Realignment**

3     **SEC. 2831. [LOG ID 12104]USE OF OPERATION AND MAINTENANCE FUNDING TO SUPPORT COMMUNITY ADJUSTMENTS RELATED TO REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.**

8             (a) TEMPORARY ASSISTANCE AUTHORIZED.—

9                     (1) ASSISTANCE TO GOVERNMENT OF GUAM.—

10             Using funds made available under subsection (c), the  
11             Secretary of Defense may assist the Government of  
12             Guam in meeting the costs of providing increased  
13             municipal services and facilities required as a result  
14             of the realignment of military installations and the  
15             relocation of military personnel on Guam (in this  
16             section referred to as the “Guam realignment”) if  
17             the Secretary determines that an unfair and excessive  
18             financial burden will be incurred by the Government  
19             of Guam to provide the services and facilities  
20             in the absence of the Department of Defense assistance.  
21             

22                     (2) MITIGATION OF IDENTIFIED IMPACTS.—The  
23             Secretary of Defense may take such actions as the  
24             Secretary considers to be appropriate to mitigate the  
25             significant impacts identified in the Record of Deci-

1 sion of the “Guam and CNMI Military Relocation  
2 Environmental Impact Statement” by providing in-  
3 creased municipal services and facilities to activities  
4 that directly support the Guam realignment.

5 (b) METHODS OF PROVIDING ASSISTANCE.—

6 (1) USE OF EXISTING PROGRAMS.—The Sec-  
7 retary of Defense shall carry out subsection (a)  
8 through existing Federal programs supporting the  
9 Government of Guam and the Guam realignment,  
10 whether or not the programs are administered by  
11 the Department of Defense or another Federal agen-  
12 cy.

13 (2) COST SHARE ASSISTANCE.—The Secretary  
14 may assist the Government of Guam to any cost-  
15 sharing obligation imposed on the Government of  
16 Guam under any Federal program utilized by the  
17 Secretary under paragraph (1).

18 (c) SOURCE OF FUNDS.—

19 (1) TRANSFER AUTHORITY.—To the extent nec-  
20 essary to carry out subsection (a), the Secretary  
21 may transfer appropriated funds available to the De-  
22 partment of Defense or a military department for  
23 operation and maintenance to a different account of  
24 the Department of Defense or another Federal agen-  
25 cy in order to make funds available to the Govern-

1       ment of Guam under a Federal program utilized by  
2       the Secretary under subsection (b)(1). Amounts so  
3       transferred shall be merged with the appropriation  
4       to which transferred and shall be available only for  
5       the purpose of assisting the Government of Guam as  
6       described in subsection (a).

7               (2) ADDITIONAL AUTHORITY.—The transfer au-  
8       thority provided by paragraph (1) is in addition to  
9       the transfer authority provided by section 1001.

10       (d) PROGRESS REPORTS REQUIRED.—The Secretary  
11      of Defense shall submit to the Committees on Armed Serv-  
12      ices of the Senate and the House of Representatives semi-  
13      annual reports indicating the total amount expended  
14      under the authority of this section during the preceding  
15      six-month period, the specific projects for which assistance  
16      was provided during such period, and the total amount  
17      provided for each project during such period.

18       (e) TERMINATION.—The authority to provide assist-  
19      ance under this section expires September 30, 2020.  
20      Amounts obligated on or before that date may be expended  
21      after that date.

1 **SEC. 2832. [LOG ID 12103]CERTIFICATION OF MILITARY**  
2 **READINESS NEED FOR FIRING RANGE ON**  
3 **GUAM AS CONDITION ON ESTABLISHMENT OF**  
4 **RANGE.**

5       A firing range on Guam may not be established (in-  
6 cluding any construction or lease of lands related to such  
7 establishment) until the Secretary of Defense certifies to  
8 the congressional defense committees that there is a na-  
9 tional security need for the firing range related to readi-  
10 ness of the Armed Forces assigned to the United States  
11 Pacific Command.

1 **SEC. 2833. [LOG ID 22318]REPEAL OF CONDITION ON USE OF**  
2 **FUNDS FOR GUAM REALIGNMENT.**

3 Section 2207(a) of the Military Construction Author-  
4 ization Act for Fiscal Year 2012 (division B of Public Law  
5 112–81; 125 Stat. 1668) is amended—

6 (1) in paragraph (3), by inserting “and” after  
7 the semicolon;

8 (2) by striking paragraph (4); and

9 (3) by redesignating paragraph (5) as para-  
10 graph (4).

1           **Subtitle E—Land Conveyances**

2   **SEC. 2841. [LOG ID 22316]MODIFICATION TO AUTHORIZED**  
3                   **LAND CONVEYANCE AND EXCHANGE, JOINT**  
4                   **BASE ELMENDORF RICHARDSON, ALASKA.**

5           (a) CHANGE IN OFFICER AUTHORIZED TO CARRY  
6   OUT CONVEYANCES.—Subsection (a) of section 2851 of  
7   the Military Construction Authorization Act for Fiscal  
8   Year 2012 (division B of Public Law 112–81; 125 Stat.  
9   1697) is amended—

10           (1) in paragraph (1), by striking “The Sec-  
11       retary of the Air Force may, in consultation with the  
12       Secretary of the Interior” and inserting “The Sec-  
13       retary of the Interior may, in consultation with the  
14       Secretary of the Air Force”; and

15           (2) in paragraph (2)—

16           (A) by striking “The Secretary of the Air  
17       Force may, in consultation with the Secretary  
18       of the Interior, upon terms mutually agreeable  
19       to the Secretary of the Air Force” and inserting  
20       “The Secretary of the Interior may, in con-  
21       sultation with the Secretary of the Air Force,  
22       upon terms mutually agreeable to the Secretary  
23       of the Interior”; and

24           (B) by striking “in consultation with the  
25       Secretary of the Interior” the second place it

1 appears and inserting “in consultation with the  
2 Secretary of the Air Force”.

3 (b) CONFORMING AMENDMENTS.—Such section is  
4 further amended—

5 (1) in subsection (a)(3), by inserting “of the In-  
6 terior” after “Secretary”;

7 (2) in subsection (c)—

8 (A) in paragraph (1)—

9 (i) by striking “The Secretary of the  
10 Air Force” and inserting “The Secretary  
11 of the Interior”;

12 (ii) by striking “the Secretary” the  
13 first place it appears and inserting “the  
14 Secretary of the Interior and the Secretary  
15 of the Air Force”; and

16 (iii) by striking “the Secretary” in  
17 each other place it appears and inserting  
18 “the Secretaries”; and

19 (B) in paragraph (2), by striking “the Sec-  
20 retary” and inserting “the Secretaries”; and

21 (3) in subsections (e) and (f), by inserting “of  
22 the Interior” after “Secretary”.

23 (c) TECHNICAL AMENDMENT.—Subsection (a)(1) of  
24 such section is further amended by striking “JBER” and

- 1 inserting “Joint Base Elmendorf Richardson, Alaska (in
- 2 this section referred to as ‘JBER’),”.

1 **SEC. 2842. [LOG ID 20136]MODIFICATION OF FINANCING AU-**  
2 **THORITY, BROADWAY COMPLEX OF THE DE-**  
3 **PARTMENT OF THE NAVY, SAN DIEGO, CALI-**  
4 **FORNIA.**

5 Subsection (a) of section 2732 of the Military Con-  
6 struction Authorization Act, 1987 (division B of Public  
7 99-661; 100 Stat. 4046) is amended to read as follows:

8 “(a) IN GENERAL.—(1) Subject to subsections (b)  
9 through (g), the Secretary of the Navy may enter into  
10 long-term leases of real property located within the Broad-  
11 way Complex of the Department of the Navy, San Diego,  
12 California.

13 “(2) Subject to subsections (b) through (g), the Sec-  
14 retary may assist any lessee of real property described in  
15 paragraph (1) in financing the construction by the lessee  
16 of any facility on such real property or otherwise within  
17 the boundaries of the metropolitan San Diego, California,  
18 area.”.

1 **SEC. 2844. [LOG ID 12115]LAND CONVEYANCE, CASTNER**  
2 **RANGE, FORT BLISS, TEXAS.**

3 (a) CONVEYANCE AUTHORIZED.—

4 (1) CONVEYANCE AUTHORITY.—The Secretary  
5 of the Army may convey, without consideration, to  
6 the Parks and Wildlife Department of the State of  
7 Texas (in this section referred to as the “Depart-  
8 ment”) all right, title, and interest of the United  
9 States in and to a parcel of real property, including  
10 any improvements thereon, consisting of approxi-  
11 mately 7,081 acres at Fort Bliss, Texas, for the pur-  
12 pose of permitting the Department to establish and  
13 operate a park as an element of the Franklin Moun-  
14 tains State Park.

15 (2) PIECEMEAL CONVEYANCES.—In anticipa-  
16 tion of the conveyance of the entire parcel of real  
17 property described in paragraph (1), the Secretary  
18 may subdivide the parcel and convey to the Depart-  
19 ment portions of the real property as the Secretary  
20 determines that the condition of the real property is  
21 compatible with the Department’s intended use of  
22 the property.

23 (b) REVERSIONARY INTEREST.—If the Secretary de-  
24 termines at any time that the real property conveyed  
25 under subsection (a) is not being used in accordance with  
26 the purpose of the conveyance, all right, title, and interest

1 in and to such real property, including any improvements  
2 thereto, shall, at the option of the Secretary, revert to and  
3 become the property of the United States, and the United  
4 States shall have the right of immediate entry onto such  
5 real property. A determination by the Secretary under this  
6 subsection shall be made on the record after an oppor-  
7 tunity for a hearing.

8 (c) PAYMENT OF COSTS OF CONVEYANCES.—

9 (1) PAYMENT REQUIRED.—The Secretary shall  
10 require the Department to cover costs to be incurred  
11 by the Secretary, or to reimburse the Secretary for  
12 costs incurred by the Secretary, to carry out the  
13 land conveyance under this section, including survey  
14 costs, costs related to environmental documentation,  
15 and other administrative costs related to the convey-  
16 ance. If amounts are collected from the Department  
17 in advance of the Secretary incurring the actual  
18 costs, and the amount collected exceeds the costs ac-  
19 tually incurred by the Secretary to carry out the  
20 land exchange, the Secretary shall refund the excess  
21 amount to Department. This paragraph does not  
22 apply to costs associated with the environmental re-  
23 mediation of the property to be conveyed.

24 (2) TREATMENT OF AMOUNTS RECEIVED.—

25 Amounts received as reimbursements under para-

1 graph (1) shall be credited to the fund or account  
2 that was used to cover the costs incurred by the Sec-  
3 retary in carrying out the land exchange. Amounts  
4 so credited shall be merged with amounts in such  
5 fund or account and shall be available for the same  
6 purposes, and subject to the same conditions and  
7 limitations, as amounts in such fund or account.

8 (c) DESCRIPTION OF PROPERTY.—The exact acreage  
9 and legal descriptions of the parcels of real property to  
10 be conveyed under subsection (a) shall be determined by  
11 a survey satisfactory to the Secretary.

12 (d) ADDITIONAL TERMS AND CONDITIONS.—The  
13 Secretary may require such additional terms and condi-  
14 tions in connection with the conveyances under subsection  
15 (a) as the Secretary considers appropriate to protect the  
16 interests of the United States.

1 **SEC. 2845. [LOG ID 12871]MODIFICATION OF LAND CONVEY-**  
2 **ANCE, FORT HOOD, TEXAS.**

3 Section 2848(a) of the Military Construction Author-  
4 ization Act for Fiscal Year 2005 (division B of Public Law  
5 108–375; 118 Stat. 2140) is amended by striking “for the  
6 sole purpose” and all that follows through “Central  
7 Texas.” and inserting the following: “for the purpose of  
8 permitting the University System to use the property—

9 “(1) for the establishment of a State-supported  
10 university, separate from other universities of the  
11 University System, designated as Texas A&M Uni-  
12 versity, Central Texas; and

13 “(2) for such other educational and related pur-  
14 poses as the University System considers to be ap-  
15 propriate and the Secretary of the Army determines  
16 to be compatible with military activities in the vicin-  
17 ity of the property.”.

1                   **Subtitle F—Other Matters**

2   **SEC. 2861. [LOG ID 12116]INCLUSION OF RELIGIOUS SYM-**  
3                   **BOLS AS PART OF MILITARY MEMORIALS.**

4           (a) AUTHORITY.—Chapter 21 of title 36, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7   **“§ 2115. Inclusion of religious symbols as part of mili-**  
8                   **tary memorials**

9           “(a) INCLUSION OF RELIGIOUS SYMBOLS AUTHOR-  
10 IZED.—To recognize the religious background of members  
11 of the United States Armed Forces, religious symbols may  
12 be included as part of—

13                   “(1) a military memorial that is established or  
14                   acquired by the United States Government; or

15                   “(2) a military memorial that is not established  
16                   by the United States Government, but for which the  
17                   American Battle Monuments Commission cooperated  
18                   in the establishment of the memorial.

19           “(b) MILITARY MEMORIAL DEFINED.—In this sec-  
20 tion, the term ‘military memorial’ means a memorial or  
21 monument commemorating the service of the United  
22 States Armed Forces. The term includes works of archi-  
23 tecture and art described in section 2105(b) of this title.”.

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

“2115. Inclusion of religious symbols as part of military memorials.”.

1 **SEC. 2862. [LOG ID 13694]REDESIGNATION OF THE CENTER**  
2 **FOR HEMISPHERIC DEFENSE STUDIES AS**  
3 **THE WILLIAM J. PERRY CENTER FOR HEMI-**  
4 **SPHERIC DEFENSE STUDIES.**

5 (a) REDESIGNATION.—The Department of Defense  
6 regional center for security studies known as the Center  
7 for Hemispheric Defense Studies is hereby renamed the  
8 “William J. Perry Center for Hemispheric Defense Stud-  
9 ies”.

10 (b) CONFORMING AMENDMENTS.—(1) Section 184 of  
11 title 10, United States Code, is amended—

12 (A) in subsection (b)(2)(C), by striking “The  
13 Center for Hemispheric Defense Studies” and in-  
14 serting “The William J. Perry Center for Hemi-  
15 spheric Defense Studies”; and

16 (B) in subsection (f)(5), by striking “the Center  
17 for Hemispheric Defense Studies” and inserting  
18 “the William J. Perry Center for Hemispheric De-  
19 fense Studies”.

20 (2) Section 2611(a)(2)(C) of such title is amended  
21 by striking “The Center for Hemispheric Defense Stud-  
22 ies.” and inserting “The William J. Perry Center for  
23 Hemispheric Defense Studies.”.

24 (c) REFERENCES.—Any reference to the Department  
25 of Defense Center for Hemispheric Defense Studies in any  
26 law, regulation, map, document, record, or other paper of

- 1 the United States shall be deemed to be a reference to
- 2 the William J. Perry Center for Hemispheric Defense
- 3 Studies.

1 **SEC. 2863. [LOG ID 26345]SENSE OF CONGRESS REGARDING**  
2 **ESTABLISHMENT OF MILITARY DIVERS ME-**  
3 **MORIAL AT WASHINGTON NAVY YARD.**

4 It is the sense of Congress that the Secretary of the  
5 Navy should provide an appropriate site at the former  
6 Navy Dive School at the Washington Navy Yard for a me-  
7 morial, to be paid for with private funds, to honor the  
8 members of the Armed Forces who have served as divers  
9 and whose service in defense of the United States has been  
10 carried out beneath the waters of the world, so long as  
11 the Secretary of the Navy has exclusive authority to ap-  
12 prove the design and site of the memorial.

1 **TITLE XXIX—OVERSEAS CONTIN-**  
 2 **GENY OPERATIONS MILI-**  
 3 **TARY CONSTRUCTION**

Sec. 2901. Authorized Navy construction and land acquisition projects.

4 **SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 5 **ACQUISITION PROJECTS.**

6 (a) OUTSIDE THE UNITED STATES.—The Secretary  
 7 of the Navy may acquire real property and carry out mili-  
 8 tary construction projects for the installations or locations  
 9 outside the United States, and in the amounts, set forth  
 10 in the following table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
SW Asia .....	SW Asia .....	\$51,348,000
Djibouti .....	Camp Lemonier .....	\$99,420,000

11 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds  
 12 are hereby authorized to be appropriated for fiscal years  
 13 beginning after September 30, 2012, for military con-  
 14 struction projects outside the United States authorized by  
 15 subsection (a) as specified in the funding table in section  
 16 4602.

1 **SEC. 3401 [Log #15709]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS.**

3 (a) AMOUNT.—There are hereby authorized to be ap-  
4 propriated to the Secretary of Energy \$14,909,000 for fis-  
5 cal year 2013 for the purpose of carrying out activities  
6 under chapter 641 of title 10, United States Code, relating  
7 to the naval petroleum reserves.

8 (b) PERIOD OF AVAILABILITY.—Funds appropriated  
9 pursuant to the authorization of appropriations in sub-  
10 section (a) shall remain available until expended.

# **SUMMARY OF DIRECTIVE REPORT LANGUAGE**

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# **DIRECTIVE REPORT LANGUAGE**

**Titles 3, 9, 11, & Division B**

# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE III—OPERATION AND MAINTENANCE

### ITEMS OF SPECIAL INTEREST

#### ENERGY ISSUES

##### Energy and Fuel Budget Justification

The committee commends the Department of Defense for its emphasis on energy reductions, investments in renewable projects that result in long-term savings, and more efficient processes that reduce demand for fuel consumption. The committee is, however, concerned by the lack of visibility into the annual investments in energy and expenditures on fuel. The committee notes that the Department of Defense spent \$19.4 billion in fiscal year 2011 on energy, an increase from the total expenditure of \$15.2 billion in fiscal year 2010. The committee is concerned about fluctuating fuel prices, and the resulting shortfalls and impacts on the operation and maintenance accounts.

Therefore the committee directs the Secretary of Defense to submit to the congressional defense committees in conjunction with the annual President's Budget request, a separate budget justification material on energy and fuel budget justification. The material should include details of energy costs by account, energy investments by account, and details of fuel expenditures. The committee recognizes that there are a variety of funding accounts and mechanisms being leveraged for energy investments that result in reductions in long-term sustainment costs. Therefore, the energy and fuel justification should include the details regarding the total energy expenditures by account and investments being made for energy by account and type of funds across the Future Years Defense Program to ensure that the committee can exercise the necessary oversight for the investment in funds.

Regarding fuel expenditures, the committee seeks information regarding budgeted fuel prices, adjustments to the account, resulting shortfalls or excesses, and details regarding the accounts that funded any such shortfalls and the impact to those accounts. The committee notes that in the fiscal year 2013 budget request, the projected price for fuel is \$157 per barrel, whereas the average price in fiscal year 2012 is \$162 per barrel. The committee also notes that the price for fuel projected across the FYDP is \$137 per barrel. Recognizing the volatility in the fuel market, the committee further directs the Secretary of Defense to more accurately project fuel prices and to seek opportunities to enter into longer-term bulk fuel contracts or identify other options that would stabilize the fuel accounts for the military services.

##### Marine Energy Technologies

The committee is aware of the Navy's efforts to develop and test wave marine and hydrokinetic energy technologies as one of many technology solutions helping the Navy meet its shore energy goals and mandates, as well as to potentially power maritime security systems, and support at-sea surveillance and communications systems. The committee directs the Secretary of Defense to provide a briefing to the congressional defense committees by October 31, 2012, on the current and future investments in test wave marine and hydrokinetic energy technologies, the payback associated with this investment, the future of the program, and a map of possible locations in proximity to military installations for employing this technology.

### Navy Hybrid Electric Technology

The committee is aware of the Department of the Navy's efforts to incorporate hybrid electric engines into its fleet to reduce fuel consumption, and to help meet its energy goals. The committee directs the Secretary of the Navy to provide a briefing to the Senate Committee on Armed Services and the House Committee on Armed Services by October 31, 2012, on the current and long-term employment of hybrid electric engine technology. The briefing should include details on the potential long-term savings that may be achieved, the projected cost for incorporating such technology in the initial design of engines, the cost to retrofit a platform with the technology, and future plans to incorporate this technology into additional classes of ships in the fleet.

### LOGISTICS AND SUSTAINMENT ISSUES

#### Army Management of the Organic Industrial Base

The committee is aware that the Army is currently evaluating the potential benefits of having U.S. Army Installation Management Command (IMCOM) assume responsibility from U.S. Army Materiel Command (AMC) of the day-to-day management of the service's organic industrial base installations.

While the committee commends the Army for exploring ways to become more efficient in its management of these facilities and recognizes that other military departments manage their portions of the organic industrial base in a similar manner, it is concerned about the possible unintended consequences of having IMCOM assume responsibility over the depots and arsenals. Therefore, the committee directs the Commander, U.S. Army Installation Management Command in consultation with the Commander, U.S. Army Materiel Command to establish policies to ensure that in any future transition that:

(1) Depot and arsenal production remain under the purview of the depot and arsenal commanders;

(2) IMCOM establishes a formal process for the proper prioritization of resourcing of depots and arsenals within the IMCOM budget, including statutory requirements for capital improvements;

(3) Duplicative management structures are not created; and

(4) The organic industrial base retains the necessary flexibility to allocate its allotted funding, such as the Critical Infrastructure Program, to best meet customer needs.

To enable the proper oversight of implementation, the committee further directs the Secretary of the Army to provide a briefing to the congressional defense committees within 180 days of any formal approval by the Secretary of the Army to shift management of the Army's organic industrial base from AMC to IMCOM.

#### Consolidated Guidance for Mine-Resistant Ambush-Protected Vehicle Sustainment

The committee commends the Department of Defense for rapidly acquiring and fielding mine-resistant ambush-protected (MRAP) vehicles in support of Operations Iraqi Freedom, Enduring Freedom, and New Dawn. The committee also recognizes the progress the military departments have made in planning for the disposition of their respective MRAP fleets. However, the committee is concerned about the lack of a long-term joint guidance for the integration of MRAP vehicles within the military departments' existing fleets and the sustainment of the enduring fleet. The committee notes the significant investment made in the development and fielding of the MRAP fleet and the costs associated with its sustainment in a reduced budgetary environment.

Therefore, the committee directs the Secretary of Defense, in consultation with Secretaries of the military departments and the Joint Chiefs of Staff, to develop Department-wide guidance for the sustainment of the MRAP vehicle fleet and to submit the guidance to the congressional defense committees in conjunction with the submission of the President's budget request for fiscal year 2014. At a minimum, the guidance should address:

- (1) The enduring nature of the IED (improvised explosive device) threat and any needed MRAP capability;
- (2) MRAP variants that will be deemed enduring;
- (3) Fulfilling outstanding combatant commander requirements for MRAPs;
- (4) An operations and sustainment plan for the MRAP fleet;
- (5) The MRAP fleet's integration into training programs, centers, and curricula;
- (6) The MRAP fleet's integration into prepositioned stocks; and
- (7) The MRAP guidance's congruence with other acquisition strategies, operations plans, and combatant commander requirements.

The committee further directs the Secretary of Defense to provide a briefing to the congressional defense committees on the guidance within 30 days of the budget's submission to Congress.

#### Testing and Evaluation of Materials Degradation

The committee encourages the Director of Operational Test and Evaluation to consider the impacts of corrosion and exposure of equipment to corrosive

environments when considering its evaluation of individual program test and evaluation master plans and conducting operational tests and evaluations across platforms and weapon systems. The committee believes that this will more accurately depict the environments in which the equipment will be operated and will help ensure material degradation due to corrosion does not become a limiting factor during the useful service life of a weapon.

The committee recognizes the issues that were highlighted by the Government Accountability Office regarding the F-22 Raptor and believes such issues could be more effectively mitigated or addressed if given consideration throughout the initial acquisition and testing process, as Congress intended in the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23). Therefore, the committee directs the Director of Operational Test and Evaluation to provide a briefing to the congressional defense committees by October 31, 2012, on how corrosion prevention, mitigation, and control are incorporated into the test and evaluation plans for weapon systems, and actions taken in the test and evaluation community to consider material degradation due to corrosion and the impacts to long-term sustainment costs.

## READINESS ISSUES

### Analysis of Readiness Trends

In the January 2012 strategic guidance and the fiscal year 2013 budget request, the Department of Defense presented a new defense strategy and related budget decisions that the committee believes have significant implications for the sizing, use, and readiness of U.S. forces. Specifically, the Department is calling for what it describes as a smaller, lighter, flexible joint force able to conduct a full range of activities, and has proposed reductions in either end strength and/or force structure in each of the military departments. Since the turn of the century, the Department has been heavily engaged in ongoing operations which, among other things, have required personnel to deploy frequently and have left little time to train for anything other than counterinsurgency missions. These ongoing operations and repeated use of equipment have accelerated the degradation of equipment readiness which has begun to show signs of improvement only since the cessation of operations in the Republic of Iraq. In addition, units that are not deployed have had to transfer equipment and personnel to deploying units, causing shortfalls.

Notwithstanding steps the Department has taken in the past several years intended to enhance its ability to better manage deployments and address readiness concerns, including implementing programmatic actions and increasing investments, reported readiness rates have declined over the past 12 years and are improving only as operations in Iraq have ceased and units' dwell time at home station has increased along with opportunities for expanded training. During this time period, the Department of Defense has also made various changes in its readiness reporting policies and supporting information systems which have

resulted in adjustments to the scope of readiness data that is reported to internal and external decision-makers.

To help inform the committee's oversight of the Department's efforts to improve readiness and its consideration of the budget request, the committee directs the Comptroller General of the United States to prepare and submit a report to the congressional defense committees by March 1, 2013, on the readiness of U.S. forces. The report should include, at a minimum, an analysis of:

(1) Key changes in the type of readiness information available to Congress and Department of Defense decision-makers, such as those resulting from changes in readiness reporting policies;

(2) The current and historical readiness status of each of the military departments including any trends in reported readiness and any major areas of deficiencies;

(3) Actions taken by the Department to address the above identified deficiencies and the nature and results of any assessments undertaken by the Department of Defense to measure the contribution of these actions towards improving readiness;

(4) The extent to which the Department has developed any further action plans and identified associated resource needs to assess the aforementioned deficiencies; and

(5) The impact of the cessation of operations in Iraq on readiness, including training, equipment, and personnel availability.

#### Army Immersive Gaming and Simulation Training Architecture

The committee understands that the Army continues to incorporate a growing number of immersive gaming and simulation systems into its "Army Force Generation" training model. The committee understands that as this integration has progressed, several technical challenges concerning interoperability and technology refreshment have emerged. Specifically, the committee is aware of conflicting hardware requirements, software compatibility issues, and training tool integration challenges. The committee is concerned that efforts to grow this medium of training further in a constrained budgetary environment without standardization of the supporting architecture could lead to unsustainable and unnecessary growth in the civilian manpower or contractor support required to effectively operate and maintain the architecture.

Therefore the committee directs the Commander, U.S. Army Training and Doctrine Command (TRADOC) to institute Army-wide standards for immersive gaming and simulation architecture. As part of these standards, the committee directs the Commander, U.S. TRADOC to require a common hardware standard to the maximum extent possible to reduce life-cycle costs of buying, maintaining, and upgrading equipment. Further, the commander, in his guidance, should ensure that future system development uses a common operating system or, at a minimum, a compatible operating system, to an established standard. The committee also

directs the Commander, U.S. TRADOC to utilize, to the extent possible, an open architecture for software products to ensure the maximum level of interoperability between various training tools in order to provide the best possible training environment.

#### Army Rotary Wing Aviation Water Egress Training

The committee recognizes the need to ensure the Army provides its rotary-wing aviation community with the best survivability training available. The committee is aware that the Army's capability to train a key component of survivability, water egress, may be degraded. Therefore, the committee directs the Secretary of the Army to formally assess the Army's current rotary-wing water egress training capability and submit written notification to the congressional defense committees outlining the findings by December 1, 2012, and ensure that any deficiencies are addressed in the fiscal year 2014 budget submission.

#### Chemical Protective Over-Garment Stockpile

The committee believes that protecting troops from dangerous conditions in the battlefield is a top priority, and the Chemical Protective Over-Garment (CPOG) is the primary means by which individual military members are protected against contact with chemical, biological, and other threats. The production of CPOG suits is a complex process that includes the acquisition of special fabric and bonding of the material in addition to sewing and packaging. The committee is concerned about the impact of an extended break in CPOG production, and therefore, directs the Secretary of Defense to provide to the congressional defense committees written notification of the number of CPOG suits in the current Department of Defense inventory within 1 year after the date of the enactment of this Act. The notification should include: the number of suits in each camouflage pattern; the number of suits in each size; and the locations where suits are being stored. The notification should also include a detailed summary of the age of the suits in the current stockpile along with testing data which was used to validate extending the shelf-life of CPOG suits currently in the inventory.

#### Civil Reserve Air Fleet Program

The committee recognizes that commercial air carriers participating in the Department of Defense's Civil Reserve Air Fleet (CRAF) program commit their aircraft to be called upon, or activated, to support a range of military operations. As an incentive to encourage participation in CRAF, the Department of Defense contracts with CRAF participants to fly its daily peacetime passenger and cargo airlift business. CRAF participants are used to directly augment an increasingly overburdened organic fleet which has been significantly overflowed in the last 10 years (C-5s average overfly 30 percent per year, and C-17s average overfly 7 percent per year). Based on reports indicating recent consolidations among CRAF

participants, a decreased use of CRAF aircraft for military missions, and an historical overuse of the Department of Defense's organic air mobility fleet, the committee is concerned with the long-term ability of CRAF and the organic mobility fleet to meet the Department of Defense's needs. Therefore, the committee directs the Comptroller General of the United States to provide a report to the congressional defense committees by March 31, 2013, on the following:

(1) The relevant statutes, regulations, and Department of Defense guidance and policies pertaining to the use of commercial airlift to support military operations under the CRAF program;

(2) The Department of Defense's usage rates for CRAF and how those rates compare to those of its military air fleet, for fiscal years 2011 and 2012, as well as a historical perspective of usage rates as appropriate. Additionally, this analysis should include the identification of statutes, regulations, guidance, or policies in place to address usage rates in the CRAF program;

(3) An analysis of any justification to support unclassified restricted routes that prohibit civilian aircraft from participating;

(4) The extent to which the Department of Defense has established future requirements for CRAF and how the planned size of CRAF compares to those requirements; and

(5) Any additional information that the Comptroller General determines will further inform the committees on issues related to the CRAF program.

### Counter-Improvised Explosive Device Training

The committee is aware that the Joint Improvised Explosive Device Defeat Organization (JIEDDO) obligates more than \$150.0 million annually to support counter-IED (C-IED) training. The committee notes JIEDDO's evolving efforts to ensure all warfighters receive the necessary training for effective operational employment for rapidly fielded C-IED systems. In addition, the committee understands that it is the collective assessment of the Department of Defense that the IED threat is enduring and will require adequate resourcing in order to sustain certain capabilities and related training requirements.

The committee believes that the best asset on the battlefield is a well-led, trained, situationally-aware soldier, sailor, airman or marine. For this particular purpose, the committee understands training as the ability to develop, define, and set C-IED and Attack the Network training standards for joint forces in response to combatant commanders' requirements and integrate those standards into appropriate joint and DOD concepts and doctrine. The committee commends JIEDDO's training efforts and understands the difficulties in managing training efforts that are inherent in an intense, fluid IED environment. However, the committee also believes that training is inherently the responsibility of the respective military departments. The committee is concerned that JIEDDO appears to lack a comprehensive plan for the transition of current training initiatives to the military services for long-term sustainment. The committee

expects the military departments to actively participate in the planning, programming, and budgeting process for C-IED training and encourages their participation in defining enduring requirements. The committee also notes that a large portion of JIEDDO funding is contained in the Overseas Contingency Operations budget and that there is risk associated with resourcing enduring training requirements outside of the base budget. The committee expects that enduring training capabilities managed by the military services should be resourced in the base budget.

The committee directs the Director, Joint Improvised Explosive Device Defeat Organization, in consultation with the Secretaries of the military departments, to develop a transition plan within 1 year after the date of enactment of this Act to guide the transfer of all enduring C-IED training to the military departments by January 1, 2015. The Director should provide a briefing to the congressional defense committees on the transition plan within 30 days of the plan's completion.

#### Operation and Maintenance Budget Transparency Requirements

The committee has been increasingly concerned about its lack of visibility into the military departments' operation and maintenance accounts. It is concerned that these large accounts represent a wide array of activities that are not clearly defined in the Department of Defense's annual budget submission. The committee is also concerned that the administrative and indirect costs imbedded within the operation and maintenance accounts seem to be growing at a disproportional rate to that of funding directly supporting training and operations. This lack of budget visibility has degraded the committee's ability to provide the necessary and proper oversight to a large portion of the military departments' budgets. However, the committee wishes to commend the Marine Corps for providing much of this information in its annual budget submission through the deployable day metric and direct and indirect cost ratio metrics.

In addition, the committee has grown increasingly concerned with the frequency and size of the military departments' intra-budget activity transfers. While the committee has established clear guidelines for congressional notification and approval of above-threshold reprogramming requests, it has not provided similar notification requirements for intra-budget activity transfers. The committee believes that this, too, has degraded the committee's ability to provide oversight and to ensure authorized expenditures are being made in accordance with congressional intent.

Therefore, the committee directs the Secretary of Defense, in consultation with the Secretaries of the military departments, to establish a new consolidated budget justification display to be delivered in conjunction with the military departments' annual budget submissions that, at a minimum:

- (1) Fully identifies the military departments' baseline operational tempo budget;

- (2) Delineates direct and indirect costs including resources and personnel;
- (3) Defines the operational tempo budgetary requirement;
- (4) Defines the percentage of the requirement met by the budget request;
- (5) Displays a percentage of growth or decline for both direct and indirect costs; and

- (6) Clearly defines items included in both direct and indirect costs.

In order to help the committee more fully understand departmental priorities and future requirements within these accounts, the committee further directs the Secretary of Defense to submit written notification to the congressional defense committees whenever an intra-budget activity transfer within an operation and maintenance account exceeds \$25.0 million.

### Paramedic Training and Certification for Army Medical Evacuation Aircrews

The committee is aware that, in 2009, the Secretary of Defense directed that the new U.S. Army standard for aeromedical evacuation (MEDEVAC) is to evacuate urgent point of injury patients to the appropriate level of care within one hour of receiving a MEDEVAC mission request. The committee commends the Department for meeting this important challenge and its continued efforts to improve MEDEVAC operations. The committee is aware that these efforts have contributed to a 92 percent survival rate for wounded service members in the Islamic Republic of Afghanistan, the highest in U.S. history.

However, the committee is also aware that the Defense Health Board (DHB), in June 2011, noted opportunities to improve the care provided to casualties during tactical evacuation, or the transit from point-of-injury to the first medical treatment facility. The committee supports the DHB's effort to enhance the quality of care provided to the warfighter and supports its recommendations for improvement. The committee understands that among the DHB's recommendations were a need to institutionalize best practices, optimize evacuation time for all likely tactical contingencies, enhance in-flight care documentation procedures, and, notably, improve the level of training and certification for in-flight care providers. The committee was most interested in the DHB's assessment regarding the linkages between mortality rates and the level of in-flight care provider medical training, specifically noting that flights with critical care flight paramedic (CCFP) certified crews demonstrated increased patient survivability rates.

Therefore, the committee directs the Secretary of the Army to promulgate the rules and regulations necessary to implement the recommendations of the Committee on Tactical Combat Casualty Care, as approved by the Defense Health Board, entitled "Tactical Evacuation Care Improvements within the Department of Defense 2011-03," dated June 14, 2011. The committee further directs the Secretary of the Army to establish by September 1, 2012, a Department-wide standard that requires all in-flight medical care providers to be CCFP certified within the next 3 years.

## Simulated Tactical Flight Training

The cost of operating high-performance fighter aircraft continues to increase the overall costs of the flying hour program. While the committee supports the current level of funding of the flying hour program and the invaluable experience provided, the committee believes that alternative methods to train and prepare pilots for combat should be assessed. One such alternative has been an increased reliance on simulator-based training platforms. Among the emerging technologies available to simulate the dynamic forces experienced during flight is a new class of centrifuge-based flight simulators known as "sustained-G tactical flight trainers." These simulators combine long-arm centrifugation with high fidelity, flyable cockpit modules to mimic the physiological stresses and G-forces experienced during actual tactical flight.

Therefore, the committee directs the Secretary of Defense to conduct a study on the effectiveness of simulated tactical flight training in a sustained G environment and to submit a report to the congressional defense committees by December 31, 2013. The study should assess the training effectiveness, cost efficiencies, increased readiness, and life-cycle efficiencies from simulator based training platforms on the modeled aircraft.

## Strategic Mobility Study Plan

In the conference report (H. Rept. 112-329) accompanying the National Defense Authorization Act for Fiscal Year 2012, the conferees expressed concern about the Department of the Navy's plans to place Maritime Prepositioning Ship Squadron-One (MPSRON-1) in a reduced operating status. The committee understands that in fiscal year 2013, the Navy has proposed to further reduce the readiness of MPRSON-1 by placing it into the Ready Reserve Fleet (RRF). The committee is concerned that the decision to place MPRSON-1 into RRF status was done without due consideration of other strategic lift reductions being made by the other military departments. Furthermore, the committee understands that U.S. Transportation Command intends to perform a Strategic Mobility Capabilities Study in the coming calendar year.

Therefore, to help ensure the conferees' concerns are properly addressed, the committee directs the Commander, U.S. Transportation Command, to provide a plan to congressional defense committees for the forthcoming Strategic Mobility Capabilities Study by August 1, 2012.

## OTHER MATTERS

### Capital Investment Program

The committee is aware that statutory and regulatory dollar-value limitations placed on the discretionary authority of depot and arsenal commanders to carry out renovation and minor construction capital investment program projects

funded through the Defense Working Capital Fund (DWCF) have not been adjusted for inflation. The committee is concerned that these limitations have degraded the purchasing power of depot and arsenal installation commanders and may lead to ineffective utilization of statutorily prescribed capital investments associated with improvements in depot and arsenal production. The committee is aware that in fiscal year 2002, section 2805 of title 10, United States Code was amended to increase the threshold for unspecified military construction projects funded by the WCF intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening to \$1.5 million. However, the committee believes that an adjustment for non-safety related projects is warranted.

Therefore, the committee directs the Under Secretary of Defense for Acquisition, Technology, and Logistics to review renovation and minor construction project limitations in statute and regulation and provide formal recommendations on needed inflation-related adjustments to ensure efficient operation of Department of Defense maintenance depots, shipyards, and arsenals. If disparities regarding the exercise of a depot or arsenal commander's discretionary authority to carry out renovations or minor new construction exist in practice between military departments or defense agencies, or major commands within a military department, the committee directs the Under Secretary of Defense to identify and highlight those disparities for the committee. The Under Secretary of Defense should transmit this information by letter to the congressional defense committees within 90 days after the date of the enactment of this Act.

#### Congressional Budget Office and Government Accountability Office Information Access

The committee commends the Department of Defense for its efforts to begin securing its various online databases and informational portals, such as Army Knowledge Online. The committee believes that these steps are a necessary precaution that will enhance the Department's information security. However, the committee is also aware that in securing these resources, the Department has made it more difficult for the Congressional Budget Office (CBO) and the Government Accountability Office (GAO) to access the information necessary to assist Congress in carrying out its oversight responsibilities.

Therefore, the committee directs the Secretary of Defense in consultation with the Secretaries of the military departments to update the necessary rules and regulations and issue any credentials required for staff members of CBO and GAO to access departmental information in support of congressionally directed tasks by September 1, 2012. Further, the committee directs the Secretary of Defense to submit written notification to the congressional defense committees certifying the Department's compliance.

#### Consolidated Guidance for Equipment Retrograde and Disposition

The committee commends the Department of Defense and the military departments on the progress made toward successful retrograde of equipment used in support of Operations Iraqi Freedom and New Dawn. The committee recognizes the significant challenges associated with the inventory, assessment, and subsequent transportation of the large amount of equipment used to support these operations.

However, the committee remains concerned about the overall level of coordination, oversight, and the processes in place to guide the remaining retrograde and disposition. In particular, the committee believes that the military departments may be unnecessarily retrograding non-enduring mission equipment or may be disposing of equipment prior to enduring requirements being fully established. Further, the committee recognizes the logistical and political challenges associated with the retrograde of equipment used in support of Operation Enduring Freedom.

Therefore, the committee directs the Secretary of Defense, in consultation with Secretaries of the military departments and the Joint Chiefs of Staff, to develop department-wide guidance for the retrograde and disposition of equipment used in support of operations in the Central Command area of responsibility. At a minimum, the strategy shall:

- 1) Prescribe standard prioritization and disposition criteria that focus on filling unmet combatant commander and home-station training requirements with retrograded equipment;

- 2) Provide guidance on the nomination, evaluation, and acceptance process for non-standard equipment additions to the military services' equipment authorization documents and prepositioned stocks; and

- 3) Provide disposition guidance to the military departments for the donation, transfer, or sale of non-enduring excess equipment only after it is deemed excess by the Department's process for donation, transfer and sale of excess equipment.

The committee directs the Secretary of Defense to deliver this guidance to the congressional defense committees in conjunction with the annual budget submission for fiscal year 2014. Further, to enable the committee to provide the necessary oversight, the committee directs the Department to brief the congressional defense committees on the guidance within 90 days after its delivery to Congress.

### Contracted Hospitality and Food Services

The committee is concerned about the quality assurance of contracted food and hospitality services in support of the military departments. Therefore, the committee directs the Secretaries of the military departments to ensure that contracted culinary or hospitality services are procured from vendors utilizing personnel that are professionally trained through an accredited program in a relevant field by May 1, 2013.

# TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

## ITEMS OF SPECIAL INTEREST

### Assessment of Department of Defense Future Years Defense Program Workforce Requirements

The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) directed the Department of Defense (DOD) to take a more holistic approach to its manpower requirements in order to achieve the appropriate balance in its total workforce, rather than simply managing to budgetary targets. The Secretary of Defense was required to develop a total force management plan that would provide the means to establish the appropriate mix of manpower to perform the Department's mission in consideration of the distinct value of each component of the plan, whether by military (Active and Reserve Components), civilian, or contractor personnel.

The committee is concerned, however, that the budget request does not reflect the holistic approach called for in Public Law 112-81. For example, the committee notes that the Department of Defense is reducing its Active Duty and Reserve Component end strength by 31,300 from fiscal year 2012-13, reducing civilian full time equivalents (FTEs) by 10,517 over the same period, and increasing contractor FTEs by 18,399. Further, section 2330a of title 10, United States Code, requires the Department to annually compile and review an inventory of activities performed by contractors to help provide greater insight into the number of contractor FTEs providing services to the Department and the functions that they perform. The committee notes that in its report, "Further Actions Needed to Improve Accountability for DOD's Inventory of Contracted Services" (GAO-12-357), the Government Accountability Office concludes that a number of factors, and in particular the Department of Defense's reliance on the Federal Procurement Data System as the basis for the inventory for most defense components, has limited the utility, accuracy, and completeness of the inventory data. Further, the report noted that the military departments' required reviews of the inventories were incomplete, despite the fact that "reliance on contractors to support core missions...can place the Department at risk of contractors performing inherently governmental functions." Such issues underscore the need for the Department to embrace a more holistic approach to workforce management.

Therefore, the committee directs the Comptroller General of the United States to assess what measures the Department of Defense is taking to appropriately balance its current and future workforce structure against its requirements, and to provide a report of the findings to the Senate Committee on Armed Services and the House Committee on Armed Services by March 15, 2013. The Comptroller General should consider the following when conducting the assessment:

- (1) Historical trends on the levels of military, civilian and contractor personnel;
- (2) The process by which the Department identified its civilian workforce requirements, especially in light of the withdrawal from the Republic of Iraq and impending withdrawal from the Islamic Republic of Afghanistan;
- (3) What analysis the Department conducted to identify core or critical functions and to determine which of those activities would be most appropriately performed by military, civilian, or contractor personnel;
- (4) The role of the Department comptroller in determining workforce levels; and
- (5) How the defense agencies and military departments used the inventory of contracted services to inform their fiscal year 2013 and 2014 budget submissions.

## TITLE XI—CIVILIAN PERSONNEL MATTERS

### ITEMS OF SPECIAL INTEREST

#### Defense Civilian Intelligence Personnel System

The committee notes that in 2011, the Secretary of Defense returned all defense intelligence employees in the Defense Civilian Intelligence Personnel System pay bands to the original grade structure, with the exception of the National Geospatial-Intelligence Agency. The committee directs the Secretary of Defense to provide a briefing to the Senate Committee on Armed Services and the House Committee on Armed Services by September 30, 2012, on the status of the transition back to a grade structure. The briefing should include the impact on retention and recruiting as a result of the change, including information on pay banding impacts on retention and recruiting, incentives and authorities available to retain critical skill sets, and information on the process by which employees have the ability to appeal reviews and compensation within the Defense Civilian Intelligence Personnel System.

#### Pay Parity for Department of Defense Federal Wage System Employees Employed at Joint Military Institutions

The committee continues to be concerned about pay parity for Department of Defense employees at joint bases and is disappointed that it has not yet received the briefing it directed the Director of the Office of Personnel Management to provide in the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, regarding the actions being taken to address the Federal Prevailing Rate Advisory Committee (FPRAC) recommendations. In October 2010, the FPRAC recommended consolidation of the Federal Wage System area within the same General Schedule locality pay area; however, no further action has been taken. As previously noted, an example of pay

disparity is Joint Base McGuire-Dix-Lakehurst, New Jersey, where the former McGuire Air Force Base, New Jersey, and Fort Dix, New Jersey, are in the Philadelphia cost of living area, and the former Lakehurst NAES is in the New York cost of living area. Therefore, the committee directs the Secretary of Defense, in cooperation with the Director of the Office of Personnel Management, to provide the briefing directed by the committee in H. Rept. 112-78 to the Senate Committee on Armed Services and the House Committee on Armed Services by June 30, 2012. The briefing should include actions being taken to correct the disparities between General Schedule and Federal Wage System employees employed at joint military installations.

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

### **TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

#### **ITEMS OF SPECIAL INTEREST**

##### **Alternative Financing Instruments**

The committee is concerned that the process to determine costs and savings from future basing decisions may overlook costs that should be taken into consideration. Specifically, the Department of Defense has effectively leveraged private capital to improve military family housing through the Military Housing Privatization Initiative; promote renewable energy use on installations through Energy Savings Performance Contracts, Utility Energy Service Contracts, guaranteed loans from the Department of Energy, and other alternative financing vehicles; developed unused installation property for consideration from private developers through the Enhanced Use Leasing Program; and improved Army lodging through the Privatization of Army Lodging program. At the same time, a future basing decision could lead to a closure of an installation before the associated ground leases or other contractual arrangements between the government and the developer have been satisfied. Thus, the long-term contractual obligations may affect future basing decisions.

Therefore, the committee directs the Comptroller General of the United States to determine the impact of base closures on alternatively financed projects and to provide a report of the findings to the congressional defense committees by March 1, 2013. At a minimum, the Comptroller General's study should assess the following:

(1) What alternatively financed projects exist on military installations in the United States and what contractual obligations related to contract or ground lease termination or loan guarantees exist in these contracts, leases, or loans;

(2) How the Department of Defense ensures that the U.S. Government's interests are protected in addressing contract or ground lease termination, or loan guarantees;

(3) To what extent the Department of Defense's process for estimating costs and savings from candidate basing modifications capture any termination liability that the U.S. Government could incur from these contractual obligations; and

(4) The Comptroller General should add such additional questions as deemed relevant to complete this study.

#### Alternative Site Assessment for the Broadway Complex, San Diego, California

The committee is aware of the legal and regulatory challenges faced by the Department of the Navy in executing lease No. N6247307RP07P24, redevelopment of the Broadway Complex in San Diego, California. Even with these challenges, the committee is concerned that the Navy has been unable to move forward with the construction of a new Government Administrative Facility (GAF) nearly 6 years after entering into a long-term lease to develop the existing site. The committee is also troubled that project delays are requiring the Navy to expend funds to maintain the current Broadway Complex 3 years after the new GAF was originally scheduled for completion.

Given the delays and unanticipated maintenance costs associated with this lease, the committee believes the Navy should consider relocating the GAF to a military facility in the San Diego metropolitan area. While the committee is aware that the Navy faces land use restraints that could make this option impractical, insufficient data exists to make such a determination. Therefore, the Secretary of the Navy should prepare a report and submit it to the congressional defense committees by March 1, 2013. Such a report should include a land availability study of Department of the Navy property located on a military installation in the San Diego metropolitan area to determine if sufficient land is available, or could be made available, to construct a GAF that meets Department of the Navy requirements. This report should also include a cost assessment to compare the various alternatives with the existing lease.

#### Briefing on Alternative Power Applications on Military Installations

The committee recognizes that there may be merit to the development of small modular reactors (SMR), that produce under 300 Megawatts, to support the electricity consumption on military installations. The Center for Naval Analysis (CNA) report, entitled Feasibility of Nuclear Power on US Military Installations, indicated that an SMR could be a viable option for a military installation provided the Department does not assume First Of a Kind (FOAK) expenses. If the Department was required or assumed FOAK expenses SMR was not determined to be a viable option for military installations. The committee is interested, however, in the Department's assessment of the CNA report, and whether the Department has assessed the practicality of partnering with interested parties that would

undertake the FOAK expenses in order to assess the viability of SMR on a military installation. The committee, therefore, directs the Secretary of Defense to brief the House Committee on Armed Services by December 31, 2012, on any actions the Department has undertaken to date on this issue. If action has been taken to move forward on the deployment of SMR, the briefing should include the current and potential budget for such an undertaking, including any personnel costs associated with such projects, a timeline for the proposed projects, a plan for storing the resulting nuclear waste, if necessary, the additional security requirement that may be required, and any other factors that are pertinent to the successful execution of establishing a SMR on a military installation.

### Decentralized Steam Generation

In fiscal year 2013, the committee recommends authorization of over \$180.0 million in military construction projects to support rapid energy savings in decentralizing steam utilities at three locations. In addition to the quick payback period, these investments are expected to reduce steam lost in the transmission lines and provide a more reliable utility. While the Department of Defense has proposed additional energy projects in the budget request for fiscal year 2013, the Department has elected to not prioritize any further decentralized steam systems. The committee supports investments in projects that provide a rapid return on investment and believes the payback period associated with these facilities makes them ideal candidates for future military construction projects.

Therefore, the committee directs the Secretary of Defense to brief the congressional defense committees by March 1, 2013, on the current inventory of centralized steam systems. The briefing should include an assessment of the costs to decentralize these steam systems, the payback associated with decentralizing these assets, the current locations of decentralized steam systems, the potential location of additional decentralized steam systems, and funding options available to support these decentralized efforts.

### Departments of Defense and Energy Collaboration and Technology Transition

The committee notes that in July 2010, the Department of Defense and the Department of Energy signed a memorandum of understanding (MOU) to encourage innovative energy and conservation technologies, from research and development to end user applications within the Department of Defense. The committee commends both agencies for working together to maximize both of their the technical expertise in emerging energy technology. The committee is aware that the Department of Energy has made significant investment in the development of alternative energy sources, and the committees urges the Department of Defense to leverage those investments in its alternative energy initiatives. The committee is also aware that the Department of Defense's Environmental Security and Technology Certification program funds an installation energy test bed to demonstrate energy efficiencies and renewable energy technologies to validate

performance, cost, and environmental impacts, and to determine which technologies would be applicable for broader application across the Department of Defense's inventory of installations. The committee directs the Secretary of Defense to provide a briefing to the congressional defense committees by October 31, 2012, on the current status of activities under the MOU, details regarding the installation energy technology selection process, the list of companies and technologies that received awards in fiscal years 2011-12, a description of how the technologies were transitioned, and the installations where they were employed.

#### Inclusion of Cost-Benefit Analysis for Energy Security

The committee recognizes the importance of energy security on military installations to ensure access to reliable supplies of energy sufficient to meet mission essential requirements. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) required the Secretary of Defense to establish a policy for military installations to include favorable consideration for energy security in the design and development of energy projects on military installations using renewable energy sources, and to provide guidance to commanders in order to minimize the effects of a disruption of services by a utility. The committee believes that energy security projects are vital to the operational requirements that support national security. Therefore, the committee directs the Secretary of Defense to ensure that any installation energy project that excludes energy security in its design due to excessive costs provide details of the factors used to value energy security within the required cost-benefit analysis.

#### Local Communities' Capacity to Support Military Installation Change

The committee is concerned about the impact of Base Closure and Realignment (BRAC), overseas rebasing, and force structure changes on local communities surrounding installations affected by these initiatives. The committee is concerned that some communities affected by significant installation growth were not as well prepared as others to ensure that adequate transportation infrastructure, schools, utilities services, and housing were available when needed to support installation growth. The committee notes that some communities that coped relatively well with the growth may have implemented strategies that, if adopted, might benefit other communities experiencing similar installation growth in the future. The committee also notes that many communities have been affected by the closure of about 100 major installations through 5 BRAC rounds authorized and carried out between 1988 and 2011. The committee is aware that the Government Accountability Office has issued a series of reports since 2004 on such issues as to how communities fared after the first four BRAC rounds, how effectively the Army communicated growth plans at its installations with local communities, the main challenges in coping with local installation growth, and the Department of Defense's Defense Access Roads program. Coping with growth is

particularly important because the ability of the installation to meet mission requirements can be affected by overburdened transportation and utilities networks.

Now that the Department of Defense has completed its fifth BRAC round and the potential exists for future infrastructure, force structure, and installation mission changes, local communities may once again have to manage potentially significant installation change. Communities that encounter such changes in the future could benefit from lessons learned from those communities that coped relatively well with such change. Therefore, the committee directs the Comptroller General of the United States to study the practices and strategies that local communities and States used to cope with such changes, and to prepare and submit a report to the congressional defense committees by March 1, 2013. At a minimum, the Comptroller General's report should address the following:

- (1) The best practices that communities or states relied on to cope with installation growth, installation closure, or mission changes and how could those practices be replicated by similarly situated communities in the future;
- (2) Opportunities that exist to share best practices to cope with installation change that were successfully implemented by communities or States;
- (3) The extent to which local communities' or states' economies recover from the closure of a major military installation in any of the five BRAC rounds conducted through 2011; and
- (4) Any such additional questions that the Comptroller General deems relevant to this study.