

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4310

To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2012

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

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## A BILL

To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Defense Au-  
5       thorization Act for Fiscal Year 2013”.

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1           **TITLE I—PROCUREMENT**  
2           **Subtitle A—Authorization of**  
3           **Appropriations**

4   **SEC. 101. ARMY.**

5           Funds are hereby authorized to be appropriated for  
6 fiscal year 2013 for procurement for the Army as follows:

7           (1) For aircraft, \$5,853,729,000.

8           (2) For missiles, \$1,302,689,000.

9           (3) For weapons and tracked combat vehicles,  
10         \$1,501,706,000.

11          (4) For ammunition, \$1,739,706,000.

12          (5) For other procurement, \$6,326,245,000.

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

2 Funds are hereby authorized to be appropriated for  
3 fiscal year 2013 for procurement for the Navy and Marine  
4 Corps as follows:

5 (1) For aircraft, \$17,129,296,000.

6 (2) For weapons, including missiles and tor-  
7 pedoes, \$3,117,578,000.

8 (3) For shipbuilding and conversion,  
9 \$13,579,845,000.

10 (4) For other procurement, \$6,169,378,000.

11 (5) For procurement, Marine Corps,  
12 \$1,622,955,000.

13 (6) For ammunition procurement, Navy and  
14 Marine Corps, \$759,539,000.

15 **SEC. 103. AIR FORCE.**

16 (a) FISCAL YEAR 2013.—Funds are hereby author-  
17 ized to be appropriated for fiscal year 2013 for procure-  
18 ment for the Air Force as follows:

19 (1) For aircraft, \$11,002,999,000.

20 (2) For ammunition, \$599,194,000.

21 (3) For missiles, \$5,491,846,000.

22 (4) For other procurement, \$16,720,848,000.

23 (b) ADVANCE APPROPRIATIONS.—Funds, in the form  
24 of advance appropriations, are hereby authorized to be ap-  
25 propriated for procurement of missiles for the Air Force  
26 to fully fund the procurement of Advanced Extremely

1 High Frequency communications satellites 5 and 6 and  
2 Space Based Infrared System missile warning satellites 5  
3 and 6, as follows:

4 (1) For fiscal year 2014, \$833,500,000.

5 (2) For fiscal year 2015, \$763,900,000.

6 (3) For fiscal year 2016, \$708,400,000.

7 (4) For fiscal year 2017, \$1,107,200,000.

8 (5) For fiscal year 2018, \$1,013,700,000.

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

10 Funds are hereby authorized to be appropriated for  
11 fiscal year 2013 for Defense-wide procurement in the  
12 amount of \$4,187,935,000.

13 **SEC. 105. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**  
14 **FUND.**

15 Funds are hereby authorized to be appropriated for  
16 fiscal year 2013 for the Joint Improvised Explosive Device  
17 Defeat Fund in the amount of \$227,414,000.

18 **SEC. 106. DEFENSE PRODUCTION ACT PURCHASES.**

19 Funds are hereby authorized to be appropriated for  
20 fiscal year 2013 for purchases under the Defense Produc-  
21 tion Act of 1950 (50 U.S.C. App. 2061 et seq.) in the  
22 amount of \$89,189,000.

1           **Subtitle B—Specific Programs**

2   **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
3                   **ARMY CH-47F HELICOPTERS.**

4           (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
5 Subject to section 2306b of title 10, United States Code,  
6 the Secretary of the Army may enter into a multiyear con-  
7 tract or contracts, beginning with the fiscal year 2013 pro-  
8 gram year, for the procurement of airframes for CH-47F  
9 helicopters.

10          (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
11 MENTS.—A contract entered into under subsection (a)  
12 shall provide that any obligation of the United States to  
13 make a payment under the contract for a fiscal year after  
14 fiscal year 2013 is subject to the availability of appropria-  
15 tions for that purpose for such later fiscal year.

16   **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
17                   **ARLEIGH BURKE CLASS DESTROYERS AND**  
18                   **ASSOCIATED SYSTEMS.**

19          (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
20 Subject to section 2306b of title 10, United States Code,  
21 the Secretary of the Navy may enter into multiyear con-  
22 tracts, beginning with the fiscal year 2013 program year,  
23 for the procurement of Arleigh Burke class guided missile  
24 destroyers, as well as the AEGIS Weapon Systems, MK



1 41 Vertical Launching Systems, and Commercial  
2 Broadband Satellite Systems associated with those vessels.

3 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The  
4 Secretary of the Navy may enter into one or more con-  
5 tracts, beginning in fiscal year 2013, for advance procure-  
6 ment associated with the vessels and systems for which  
7 authorization to enter into a multiyear procurement con-  
8 tract is provided under subsection (a).

9 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
10 **MENTS.**—A contract entered into under subsection (a)  
11 shall provide that any obligation of the United States to  
12 make a payment under the contract for a fiscal year after  
13 fiscal year 2013 is subject to the availability of appropria-  
14 tions or funds for that purpose for such later fiscal year.

15 **SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22**

16 **JOINT AIRCRAFT PROGRAM.**

17 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
18 Subject to section 2306b of title 10, United States Code,  
19 the Secretary of the Navy may enter into a multiyear con-  
20 tract or contracts, beginning with the fiscal year 2013 pro-  
21 gram year, for the procurement of V-22 aircraft for the  
22 Department of the Navy, Department of the Air Force  
23 and the United States Special Operations Command.

24 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
25 **MENTS.**—A contract entered into under subsection (a)

1 shall provide that any obligation of the United States to  
2 make a payment under the contract for a fiscal year after  
3 fiscal year 2013 is subject to the availability of appropria-  
4 tions for that purpose for such later fiscal year.

5 **SEC. 114. REFUELING AND COMPLEX OVERHAUL OF THE**  
6 **U.S.S. ABRAHAM LINCOLN.**

7 (a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—  
8 Of the amount appropriated or otherwise made available  
9 for shipbuilding and conversion, Navy, for fiscal year  
10 2013, \$1,613,392,000 is authorized to be available for the  
11 commencement of the nuclear refueling and complex over-  
12 haul of the U.S.S. Abraham Lincoln (CVN-72) during fis-  
13 cal year 2013. The amount authorized to be made avail-  
14 able in the preceding sentence is the first increment in  
15 the two-year sequence of incremental funding planned for  
16 the nuclear refueling and complex overhaul of that vessel.

17 (b) CONTRACT AUTHORITY.—The Secretary of the  
18 Navy is authorized to enter into a contract during fiscal  
19 year 2013 for the nuclear refueling and complex overhaul  
20 of the U.S.S. Abraham Lincoln.

21 (c) CONDITION FOR OUT-YEAR CONTRACT PAY-  
22 MENTS.—A contract entered into under subsection (b)  
23 shall provide that any obligation of the United States to  
24 make a payment under the contract for a fiscal year after

1 fiscal year 2013 is subject to the availability of appropria-  
2 tions for that purpose for that later fiscal year.

3 **SEC. 115. MULTIYEAR PROCUREMENT AUTHORITY FOR VIR-**  
4 **GINIA CLASS SUBMARINE PROGRAM.**

5 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
6 The Secretary of the Navy may, in accordance with section  
7 2306b of title 10, United States Code, enter into multiyear  
8 contracts, beginning with the fiscal year 2014 program  
9 year, for procurement of Virginia class submarines and  
10 Government-furnished equipment associated with the Vir-  
11 ginia class submarine program.

12 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The  
13 Secretary of the Navy may enter into one or more con-  
14 tracts, beginning in fiscal year 2013, for advance procure-  
15 ment associated with the vessels and equipment for which  
16 authorization to enter into a multiyear procurement con-  
17 tract is provided under subsection (a).

18 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
19 **MENTS.**—A contract entered into under subsection (a)  
20 shall provide that any obligation of the United States to  
21 make a payment under the contract for a fiscal year after  
22 fiscal year 2014 is subject to the availability of appropria-  
23 tions or funds for that purpose for such later fiscal year.

1 **SEC. 116. EXTENSION OF MULTIYEAR PROCUREMENT AU-**  
2 **THORITY FOR F/A-18E, F/A-18F, AND EA-18G**  
3 **AIRCRAFT.**

4 Section 128 of the National Defense Authorization  
5 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.  
6 2217), as amended by Public Law 111–238 (124 Stat.  
7 2500), is further amended by adding at the end the fol-  
8 lowing new subsection:

9 “(f) **EXTENSION OF MULTIYEAR AUTHORITY.**—With  
10 respect to a multiyear contract entered into under sub-  
11 section (a), the Secretary of the Navy may, notwith-  
12 standing any provision of section 2306b of title 10, United  
13 States Code, to the contrary, modify such contract to add  
14 a fifth production year to the contract.”.

15 **SEC. 117. AUTHORITY FOR REALLOCATION OF CERTAIN**  
16 **AEGIS WEAPON SYSTEM ASSETS BETWEEN**  
17 **AND WITHIN THE DDG-51 DESTROYER AND**  
18 **AEGIS ASHORE PROGRAMS IN ORDER TO**  
19 **MEET MISSION REQUIREMENTS.**

20 (a) **AUTHORITY.**—Notwithstanding any other provi-  
21 sion of law, the Secretary of the Navy is authorized to  
22 provide Aegis Weapon System (AWS) equipment with Bal-  
23 listic Missile Defense (BMD) capability to the Missile De-  
24 fense Agency (MDA) for use in its Aegis Ashore System  
25 for installation in the country designated as Host Nation  
26 #1 (HN–1) by transferring to MDA such equipment pro-

1 cured with prior-year Shipbuilding and Conversion, Navy  
2 (SCN) appropriations for the DDG–51 Destroyer Pro-  
3 gram. The Secretary of the Navy is further authorized to  
4 make adjustments in equipment deliveries in accordance  
5 with subparagraph (a)(2) of this section as needed to sup-  
6 port shipbuilding schedules for affected ships. The Sec-  
7 retary of the Navy is further authorized to install on an  
8 SCN-funded DDG–51 Class Destroyer, AWS equipment  
9 with BMD capability procured using appropriations for  
10 Research, Development, Test and Evaluation, Defense-  
11 Wide (RDT&E,DW). The authority of the Secretary of the  
12 Navy under this section shall consist of the following spe-  
13 cific authorizations:

14           (1) The Secretary of the Navy may transfer  
15           AWS equipment with BMD capability procured for  
16           the DDG–51 Destroyer Program in FY 2010 and  
17           FY 2011 to MDA for installation in a shore-based  
18           AWS in the country designated as HN–1.

19           (2) The Secretary of the Navy may obligate  
20           funds appropriated under the subdivision of appro-  
21           priations “DDG–51 Destroyer” under the heading  
22           “Shipbuilding and Conversion, Navy” for FY 2012,  
23           or may use any AWS assets acquired with such  
24           funds, to deliver complete, mission-ready AWS with

1 BMD capability to any DDG–51 Class Destroyer for  
2 which SCN funds were appropriated in FY 2011.

3 (3) The Director, MDA shall transfer AWS  
4 equipment with BMD capability procured for instal-  
5 lation in a shore-based AWS to the Department of  
6 the Navy for the DDG–51 Destroyer Program to re-  
7 place equipment transferred to MDA under the au-  
8 thority of subparagraph (a)(1). Notwithstanding the  
9 appropriation that funded the acquisition of such re-  
10 placement equipment, the Secretary of the Navy  
11 shall fund all work necessary to complete construc-  
12 tion and outfitting of any recipient DDG–51 Class  
13 Destroyer in the same manner as if the replacement  
14 equipment had been acquired using SCN appropria-  
15 tions.

16 (b) RELATIONSHIP TO OTHER LAW.—Nothing in this  
17 section shall be construed to repeal or otherwise modify  
18 in any way the limitation on obligation or expenditure of  
19 funds for missile defense interceptors in Europe as speci-  
20 fied in section 223 of the Ike Skelton National Defense  
21 Authorization Act for Fiscal Year 2011 (Public Law 111–  
22 383).

1 **SEC. 118. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED**  
2 **TO BE MAINTAINED IN STRATEGIC AIRLIFT**  
3 **AIRCRAFT INVENTORY.**

4 (a) REDUCTION IN INVENTORY REQUIREMENT.—  
5 Section 8062(g)(1) of title 10, United States Code, is  
6 amended—

7 (1) by striking “Effective October 1, 2011, the”  
8 and inserting “The”; and

9 (2) by striking “301 aircraft” and inserting  
10 “275 aircraft”.

11 (b) MODIFICATION OF CERTIFICATION REQUIRE-  
12 MENT.—Subsection (d)(3)(B) of section 137 of the Na-  
13 tional Defense Authorization Act for Fiscal Year 2010  
14 (Public Law 111–84; 123 Stat. 2221) is amended by strik-  
15 ing “316 strategic airlift aircraft” and inserting “275  
16 strategic airlift aircraft”.

17 **SEC. 119. QUADRENNIAL LONG-TERM PLAN FOR THE PRO-**  
18 **CUREMENT OF AIRCRAFT FOR THE NAVY**  
19 **AND THE AIR FORCE.**

20 (a) IN GENERAL.—Section 231a of title 10, United  
21 States Code, is amended to read as follows:

22 **“§ 231a. Long-range plan for procurement of aircraft**  
23 **for the navy and air force**

24 “(a) QUADRENNIAL AIRCRAFT PROCUREMENT  
25 PLAN.—At the same time that the budget of the President  
26 is submitted under section 1105(a) of title 31 during each

1 year in which the Secretary of Defense submits a quadren-  
2 nial defense review, the Secretary of Defense shall submit  
3 to the congressional defense committees a long-range plan  
4 for the procurement of covered aircraft for the Depart-  
5 ment of the Navy and the Department of the Air Force  
6 that supports the aviation force structure recommenda-  
7 tions of the quadrennial defense review.

8 “(b) MATTERS INCLUDED.—Each aircraft procure-  
9 ment plan under subsection (a) shall include the following:

10 “(1) A detailed schedule for procurement of  
11 covered aircraft for the Department of the Navy and  
12 the Department of the Air Force for the 10-year pe-  
13 riod beginning on the date on which the plan is sub-  
14 mitted.

15 “(2) A notional procurement schedule for the  
16 20-year period beginning on the date that is 10  
17 years after the date on which the plan is submitted.

18 “(3) For the procurement schedules under  
19 paragraph (1)—

20 “(A) the estimated levels of annual funding  
21 necessary to carry out such schedule;

22 “(B) a determination by the Director of  
23 Cost Assessment and Program Evaluation of  
24 the level of funding necessary to carry out such  
25 schedules; and



1           “(C) an evaluation by the Director of the  
2           potential risk associated with such schedules,  
3           including detailed effects on operational plans,  
4           missions, deployment schedules, and fulfillment  
5           of the requirements of the commanders of the  
6           combatant commands.

7           “(c) ASSESSMENT WHEN AIRCRAFT PROCUREMENT  
8           BUDGET IS INSUFFICIENT.—If the budget for a fiscal  
9           year provides for funding of the procurement of covered  
10          aircraft for either the Department of the Navy or the De-  
11          partment of the Air Force at a level that is less than the  
12          level determined necessary by the Director of Cost Assess-  
13          ment and Program Evaluation under subsection  
14          (b)(3)(B), the Secretary of Defense shall include with the  
15          defense budget materials for that fiscal year an assess-  
16          ment that describes and discusses the risks associated  
17          with the budget, including the risk associated with a re-  
18          duced force structure of aircraft that may result from  
19          funding covered aircraft procurement at such level.

20          “(d) CBO EVALUATION.—Not later than 60 days  
21          after the date on which the congressional defense commit-  
22          tees receive the plan under subsection (a), the Director  
23          of the Congressional Budget Office shall submit to such  
24          committees a report assessing the sufficiency of the esti-  
25          mated levels of annual funding included in such plan with

1 respect to the budget submitted during the year in which  
2 the plan is submitted and the future-years defense pro-  
3 gram submitted under section 221 of this title.

4 “(e) DEFINITIONS.—In this section:

5 “(1) The term ‘covered aircraft’ means the fol-  
6 lowing:

7 “(A) Fighter aircraft.

8 “(B) Attack aircraft.

9 “(C) Bomber aircraft.

10 “(D) Strategic lift aircraft.

11 “(E) Intratheater lift aircraft.

12 “(F) Intelligence, surveillance, and recon-  
13 naissance aircraft.

14 “(G) Tanker aircraft.

15 “(H) Any other major support aircraft  
16 designated by the Secretary of Defense for pur-  
17 poses of this section.

18 “(2) The term ‘budget’, with respect to a fiscal  
19 year, means the budget for that fiscal year that is  
20 submitted to Congress by the President under sec-  
21 tion 1105(a) of title 31.

22 “(3) The term ‘defense budget materials’, with  
23 respect to a fiscal year, means the materials sub-  
24 mitted to Congress by the Secretary of Defense in  
25 support of the budget for that fiscal year.

1           “(4) The term ‘quadrennial defense review’  
2           means the review of the defense programs and poli-  
3           cies of the United States that is carried out every  
4           four years under section 118 of this title.”.

5           (b) CLERICAL AMENDMENT.—The table of sections  
6           at the beginning of chapter 9 of such title is amended by  
7           striking the item relating to section 231a and inserting  
8           the following new item:

          “231a. Long-range plan for procurement of aircraft for the Navy and the Air  
          Force.”.

9   **TITLE II—RESEARCH, DEVELOP-**  
10   **MENT, TEST, AND EVALUA-**  
11   **TION**

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

13           Funds are hereby authorized to be appropriated for  
14           fiscal year 2013 for the use of the Department of Defense  
15           for research, development, test, and evaluation as follows:

16           (1) For the Army, \$8,929,415,000.

17           (2) For the Navy, \$16,882,877,000.

18           (3) For the Air Force, \$25,428,046,000.

19           (4)       For       Defense-wide       activities,  
20           \$17,982,161,000.

21           (5) For the Director of Operational Test and  
22           Evaluation, \$185,268,000.

1 **SEC. 202. ELIGIBILITY FOR DEPARTMENT OF DEFENSE**  
2 **LABORATORIES TO ENTER INTO EDU-**  
3 **CATIONAL PARTNERSHIPS WITH EDU-**  
4 **CATIONAL INSTITUTIONS IN UNITED STATES**  
5 **TERRITORIES AND POSSESSIONS.**

6 (a) **ELIGIBILITY.**—Section 2194(a) of title 10,  
7 United States Code, is amended by inserting “, the Com-  
8 monwealth of Puerto Rico, the Commonwealth of the  
9 Northern Mariana Islands, and any possession of the  
10 United States” after “institutions of the United States”.

11 (b) **TECHNICAL AMENDMENT.**—Paragraph (2) of  
12 such section is amended by inserting “(20 U.S.C. 7801)”  
13 before the period.

14 **TITLE III—OPERATION AND**  
15 **MAINTENANCE**

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

17 Funds are hereby authorized to be appropriated for  
18 fiscal year 2013 for the use of the Armed Forces and other  
19 activities and agencies of the Department of Defense for  
20 expenses, not otherwise provided for, for operation and  
21 maintenance, in amounts as follows:

- 22 (1) For the Army, \$36,608,592,000.  
23 (2) For the Navy, \$41,606,943,000.  
24 (3) For the Marine Corps, \$5,983,163,000.  
25 (4) For the Air Force, \$35,435,360,000.

- 1           (5)       For       Defense-wide       activities,  
2       \$31,993,013,000.
- 3           (6) For the Army Reserve, \$3,162,008,000.
- 4           (7) For the Navy Reserve, \$1,246,982,000.
- 5           (8)       For       the       Marine       Corps       Reserve,  
6       \$272,285,000.
- 7           (9) For the Air Force Reserve, \$3,166,482,000.
- 8           (10)     For       the       Army       National       Guard,  
9       \$7,108,612,000.
- 10          (11)     For       the       Air       National       Guard,  
11       \$6,015,455,000.
- 12          (12) For the United States Court of Appeals  
13       for the Armed Forces, \$13,516,000.
- 14          (13) For the Department of Defense Acquisi-  
15       tion Workforce Development Fund, \$274,198,000.
- 16          (14) For Environmental Restoration, Army,  
17       \$335,921,000.
- 18          (15) For Environmental Restoration, Navy,  
19       \$310,594,000.
- 20          (16) For Environmental Restoration, Air Force,  
21       \$529,263,000.
- 22          (17) For Environmental Restoration, Defense-  
23       wide, \$11,133,000.
- 24          (18) For Environmental Restoration, Formerly  
25       Used Defense Sites, \$237,543,000.

1           (19) For Overseas Humanitarian, Disaster, and  
2           Civic Aid programs, \$108,759,000.

3           (20) For Cooperative Threat Reduction pro-  
4           grams, \$519,111,000.

5 **SEC. 302. REPEAL OF REDUNDANT AUTHORITY TO ENSURE**  
6                           **INTEROPERABILITY OF LAW ENFORCEMENT**  
7                           **AND EMERGENCY RESPONDER TRAINING.**

8           Section 372 of title 10, United States Code, is  
9 amended—

10           (1) by striking “(a) IN GENERAL.—” before  
11           “‘The Secretary of Defense’”; and

12           (2) by striking subsection (b).

13 **SEC. 303. REPEAL OF CERTAIN RECORD KEEPING AND RE-**  
14                           **PORTING REQUIREMENTS APPLICABLE TO**  
15                           **COMMISSARY AND EXCHANGE STORES OVER-**  
16                           **SEAS.**

17           (a) REPEAL.—Section 2489 of title 10, United States  
18 Code, is amended by striking subsections (b) and (c).

19           (b) TECHNICAL AMENDMENTS.—Such section is fur-  
20 ther amended—

21           (1) by striking “(1)” after “(a) IN GENERAL.—  
22           ”;

23           (2) by redesignating paragraph (2) as sub-  
24           section (b) and inserting “LIMITATIONS.—” before  
25           “‘In establishing’”; and

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

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

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

7           The Armed Forces are authorized strengths for active  
8   duty personnel as of September 30, 2013, as follows:

- 9                   (1) The Army, 552,100.  
10                   (2) The Navy, 322,700.  
11                   (3) The Marine Corps, 197,300.  
12                   (4) The Air Force, 328,900.

13                           **Subtitle B—Reserve Forces**

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

15           (a) IN GENERAL.—The Armed Forces are authorized  
16   strengths for Selected Reserve personnel of the reserve  
17   components as of September 30, 2013, as follows:

- 18                   (1) The Army National Guard of the United  
19   States, 358,200.  
20                   (2) The Army Reserve, 205,000.  
21                   (3) The Navy Reserve, 62,500.  
22                   (4) The Marine Corps Reserve, 39,600.  
23                   (5) The Air National Guard of the United  
24   States, 101,600.  
25                   (6) The Air Force Reserve, 70,500.

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

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

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

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

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



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

3 Within the end strengths prescribed in section  
4 411(a), the reserve components of the Armed Forces are  
5 authorized, as of September 30, 2013, the following num-  
6 ber of Reserves to be serving on full-time active duty or  
7 full-time duty, in the case of members of the National  
8 Guard, for the purpose of organizing, administering, re-  
9 cruiting, instructing, or training the reserve components:

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

12 (2) The Army Reserve, 16,277.

13 (3) The Navy Reserve, 10,114.

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

15 (5) The Air National Guard of the United  
16 States, 14,305.

17 (6) The Air Force Reserve, 2,888.

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

20 The minimum number of military technicians (dual  
21 status) as of the last day of fiscal year 2013 for the re-  
22 serve components of the Army and the Air Force (notwith-  
23 standing section 129 of title 10, United States Code) shall  
24 be the following:

25 (1) For the Army Reserve, 8,445.

1           (2) For the Army National Guard of the United  
2 States, 28,380.

3           (3) For the Air Force Reserve, 10,283.

4           (4) For the Air National Guard of the United  
5 States, 21,101.

6 **SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF**  
7 **NON-DUAL STATUS TECHNICIANS.**

8 (a) LIMITATIONS.—

9           (1) NATIONAL GUARD.—Within the limitation  
10 provided in section 10217(c)(2) of title 10, United  
11 States Code, the number of non-dual status techni-  
12 cians employed by the National Guard as of Sep-  
13 tember 30, 2013, may not exceed the following:

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

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

18           (2) ARMY RESERVE.—The number of non-dual  
19 status technicians employed by the Army Reserve as  
20 of September 30, 2013, may not exceed 595.

21           (3) AIR FORCE RESERVE.—The number of non-  
22 dual status technicians employed by the Air Force  
23 Reserve as of September 30, 2013, may not exceed  
24 90.

1 (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In  
2 this section, the term “non-dual status technician” has the  
3 meaning given that term in section 10217(a) of title 10,  
4 United States Code.

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

8 During fiscal year 2013, the maximum number of  
9 members of the reserve components of the Armed Forces  
10 who may be serving at any time on full-time operational  
11 support duty under section 115(b) of title 10, United  
12 States Code, is the following:

13 (1) The Army National Guard of the United  
14 States, 17,000.

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

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

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

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

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

1           **Subtitle C—Authorization of**  
2                           **Appropriations**

3   **SEC. 421. MILITARY PERSONNEL.**

4           (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 hereby authorized to be appropriated for military per-  
6 sonnel for fiscal year 2013 a total of \$128,430,025,000.

7           (b) CONSTRUCTION OF AUTHORIZATION.—The au-  
8 thorization of appropriations in subsection (a) supersedes  
9 any other authorization of appropriations (definite or in-  
10 definite) for such purpose for fiscal year 2013.

11   **TITLE V—MILITARY PERSONNEL**  
12                           **AUTHORIZATIONS**

13           **Subtitle A—Officer Personnel**  
14                           **Policy**

15   **SEC. 501. EXCEPTION TO 30-YEAR RETIREMENT FOR REG-**  
16                           **ULAR NAVY WARRANT OFFICERS IN THE**  
17                           **GRADE OF CHIEF WARRANT OFFICER, W-5.**

18           (a) EXCEPTION TO 30-YEAR STATUTORY RETIRE-  
19 MENT.—Paragraph (1) of section 1305(a) of title 10,  
20 United States Code, is amended—

21                   (1) by inserting “or a regular Navy warrant of-  
22 ficer in the grade of chief warrant officer, W-5, ex-  
23 empted under paragraph (3)” after “Army warrant  
24 officer”; and

25                   (2) by striking “he” and inserting “the officer”.

1 (b) MODIFICATION OF STATUTORY RETIREMENT  
2 FROM 30 TO 33 YEARS FOR NAVY CHIEF WARRANT OF-  
3 FICER, W-5.—Such section is further amended by adding  
4 at the end the following new paragraph:

5 “(3) In the case of a regular Navy warrant offi-  
6 cer in the grade of chief warrant officer, W-5, the  
7 officer shall be retired 60 days after the date on  
8 which the officer completes 33 years of total active  
9 service.”.

10 **SEC. 502. STANDARDIZATION OF GRADE FOR CERTAIN**  
11 **MEDICAL AND DENTAL BRANCH CHIEF POSI-**  
12 **TIONS.**

13 (a) ARMY.—

14 (1) CHIEF OF NURSE CORPS.—Section 3069(b)  
15 of title 10, United States Code, is amended by strik-  
16 ing “major general” in the second sentence and in-  
17 serting “brigadier general”.

18 (2) DEPUTY AND ASSISTANT CHIEFS OF  
19 BRANCHES.—Section 3039(b) of such title is amend-  
20 ed by striking “major general” in the last sentence  
21 and inserting “brigadier general”.

22 (b) NAVY.—

23 (1) CHIEF OF DENTAL CORPS.—Section  
24 5138(a) of such title is amended by striking “not  
25 below” and inserting “in”.

1           (2) DIRECTOR OF NURSE CORPS.—Section  
2 5150(e) of such title is amended—

3           (A) in the first sentence, by striking “rear  
4 admiral” the first place it appears and all that  
5 follows through “Service Corps” and inserting  
6 “rear admiral (lower half)”; and

7           (B) by striking the last sentence.

8           (3) CONFORMING AMENDMENT.—Section  
9 526(a)(2) of such title is amended by striking “160”  
10 and inserting “161”.

11       (c) AIR FORCE.—

12           (1) CHIEF OF NURSE CORPS.—Section 8069(b)  
13 of such title is amended by striking “major general”  
14 in the second sentence and inserting “brigadier gen-  
15 eral”.

16           (2) ASSISTANT SURGEON GENERAL FOR DEN-  
17 TAL SERVICES.—Section 8081 of such title is  
18 amended by striking “major general” in the second  
19 sentence and inserting “brigadier general”.

20 **SEC. 503. REVISION TO DEFINITION OF JOINT DUTY AS-**  
21 **SIGNMENT TO INCLUDE ALL INSTRUCTOR AS-**  
22 **SIGNMENTS FOR JOINT TRAINING AND EDU-**  
23 **CATION.**

24       Section 668(b)(2) of title 10, United States Code, is  
25 amended by striking “assignments for joint” and all that

1 follows through “Phase II” and inserting “student assign-  
2 ments for joint training and education”.

3 **Subtitle B—Reserve Component**  
4 **Management**

5 **SEC. 511. AUTHORITY FOR PERSONS WHO ARE LAWFUL**  
6 **PERMANENT RESIDENTS TO BE APPOINTED**  
7 **AS OFFICERS OF THE NATIONAL GUARD.**

8 Section 313(b)(1) of title 32, United States Code, is  
9 amended by inserting “or have been lawfully admitted to  
10 the United States for permanent residence under the Im-  
11 migration and Nationality Act (8 U.S.C. 1101 et seq.)”  
12 before the semicolon.

13 **SEC. 512. PLACEMENT OF NATIONAL GUARD NON-DUAL**  
14 **STATUS TECHNICIANS IN THE EXCEPTED**  
15 **SERVICE WITH ALL DUAL STATUS NATIONAL**  
16 **GUARD TECHNICIANS.**

17 Section 709(e) of title 32, United States Code, is  
18 amended in the second sentence—

19 (1) by striking “However, a position” and in-  
20 serting “A position”; and

21 (2) by striking “if the” and all that follows and  
22 inserting a period.

1                   **Subtitle C—Education and**  
2                   **Training**

3   **SEC. 521. INCLUSION OF THE SCHOOL OF ADVANCED MILI-**  
4                   **TARY STUDIES SENIOR LEVEL COURSE AS A**  
5                   **SENIOR LEVEL SERVICE SCHOOL.**

6           Section 2151(b)(1) of title 10, United States Code,  
7 is amended by adding at the end the following new sub-  
8 paragraph:

9                   “(E) The United States Army Command  
10                   and General Staff College’s School of Advanced  
11                   Military Studies Senior Level Course.”.

12   **SEC. 522. SUPPORT OF NAVAL ACADEMY ATHLETIC PRO-**  
13                   **GRAMS.**

14           (a) IN GENERAL.—Chapter 603 of title 10, United  
15 States Code, is amended by adding at the end the fol-  
16 lowing new section:

17   **“§ 6981. Support of athletic and physical fitness pro-**  
18                   **grams**

19           “(a) AUTHORITY.—

20                   “(1) IN GENERAL.—The Secretary of the Navy  
21 may enter into agreements, including cooperative  
22 agreements (as described in section 6305 of title  
23 31), with the association to manage any aspect of  
24 the athletic and physical fitness programs of the  
25 Naval Academy.



1           “(2) ASSOCIATION DEFINED.—In this section,  
2           the term ‘association’ means the Naval Academy  
3           Athletic Association and its successors and assigns.

4           “(b) AUTHORITY TO PROVIDE SUPPORT TO ASSOCIA-  
5           TION.—

6           “(1) AUTHORITY TO TRANSFER FUNDS TO THE  
7           ASSOCIATION.—The Secretary may to transfer funds  
8           to the association to pay expenses incurred by the  
9           association in managing the athletic and physical fit-  
10          ness programs of the Naval Academy.

11          “(2) AUTHORITY TO PROVIDE OTHER SUP-  
12          PORT.—The Secretary may provide personal prop-  
13          erty and the services of members of the naval service  
14          and civilian personnel of the Department of the  
15          Navy to assist the association in managing the ath-  
16          letic and physical fitness programs of the Naval  
17          Academy.

18          “(c) ACCEPTANCE OF GIFTS FROM THE ASSOCIA-  
19          TION.—The Secretary may accept from the association  
20          funds, supplies, and services for the support of the athletic  
21          and physical fitness programs of the Naval Academy.

22          “(d) RECEIPT AND RETENTION OF FUNDS.—

23                 “(1) FUNDS RECEIVED FROM THE ASSOCIA-  
24                 TION.—The Secretary may receive from the associa-  
25                 tion funds generated by the athletic and physical fit-

1       ness programs of the Naval Academy and any other  
2       activity of the association and to retain and use such  
3       funds to further the mission of the Naval Academy.  
4       Receipt and retention of such funds shall be subject  
5       to oversight by the Secretary of the Navy.

6               “(2) FUNDS RECEIVED FROM NCAA.—The Sec-  
7       retary may accept, use, and retain funds from the  
8       National Collegiate Athletic Association and to  
9       transfer all or part of those funds to the association  
10      for the support of the athletic and physical fitness  
11      programs of the Naval Academy.

12              “(3) USER FEES.—The Secretary may charge  
13      user fees to the association for the association’s use  
14      of Naval Academy facilities for the conduct of sum-  
15      mer athletic camps. Fees collected under this sub-  
16      section may be retained for use in support of the  
17      Naval Academy athletic program and shall remain  
18      available until expended.

19              “(e) LICENSING, MARKETING, AND SPONSORSHIP  
20      AGREEMENTS.—The Secretary may enter into an agree-  
21      ment with the association authorizing the association to  
22      represent the Department of the Navy in connection with  
23      licensing, marketing, and sponsorship agreements relating  
24      to trademarks and service marks identifying the Naval  
25      Academy, to the extent authorized by the Chief of Naval

1 Research and in accordance with sections 2260 and 5022  
2 of this title. Notwithstanding section 2260(d) of this title,  
3 any funds generated by the licensing, marketing, and  
4 sponsorship under such agreement may be accepted, used,  
5 and be retained by the Secretary of the Navy or trans-  
6 ferred by the Secretary to the association for the athletic  
7 and physical fitness programs of the Naval Academy.

8 “(f) AUTHORIZED SERVICE ON BOARD OF DIREC-  
9 TORS.—The Secretary may authorize members of the  
10 naval service and civilian personnel of the Department of  
11 the Navy to serve in accordance with sections 1033 and  
12 1589 of this title as members of the governing board of  
13 the association.

14 “(g) CONDITIONS.—The authority provided in this  
15 section with respect to the association is available only so  
16 long as the association continues to—

17 “(1) qualify as a nonprofit organization under  
18 section 501(c)(3) of the Internal Revenue Code of  
19 1986 and operates in accordance with this section,  
20 the laws of the State of Maryland, and the constitu-  
21 tion and bylaws of the association; and

22 “(2) operate exclusively to support the athletic  
23 and physical fitness programs of the Naval Acad-  
24 emy.”.

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:

“6981. Support of athletic and physical fitness programs.”.

4 **SEC. 523. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE**  
5 **DEGREE PROGRAMS UNDER THE COMMU-**  
6 **NITY COLLEGE OF THE AIR FORCE.**

7 Section 9315(b) of title 10, United States Code, is  
8 amended by adding at the end the following new para-  
9 graph:

10 “(3) Enlisted members of the armed forces  
11 other than the Air Force participating in joint-serv-  
12 ice medical training and education or who are serv-  
13 ing as instructors in such joint-service medical train-  
14 ing and education.”.

15 **SEC. 524. REPEAL OF REQUIREMENT THAT AT LEAST 50**  
16 **PERCENT OF PARTICIPANTS IN SENIOR RE-**  
17 **SERVE OFFICERS’ TRAINING CORPS PRO-**  
18 **GRAM BE ELIGIBLE FOR IN-STATE TUITION.**

19 Section 2107 of title 10, United States Code, is  
20 amended by striking the third sentence of subsection  
21 (c)(1).

1 **SEC. 525. CONSOLIDATION OF MILITARY DEPARTMENT AU-**  
2 **THORITY TO ISSUE ARMS, TENTAGE, AND**  
3 **EQUIPMENT TO EDUCATIONAL INSTITUTIONS**  
4 **NOT MAINTAINING UNITS OF JUNIOR ROTC.**

5 (a) CONSOLIDATION.—Chapter 152 of title 10,  
6 United States Code, is amended by inserting after section  
7 2552 the following new section:

8 **“§ 2552a. Arms, tentage, and equipment: educational**  
9 **institutions not maintaining units of jun-**  
10 **ior ROTC**

11 “The Secretary of a military department may issue  
12 arms, tentage, and equipment to an educational institution  
13 at which no unit of the Junior Reserve Officers’ Training  
14 Corps is maintained if the educational institution—

15 “(1) offers a course in military training pre-  
16 scribed by that Secretary; and

17 “(2) has a student body of at least 50 students  
18 who are in a grade above the eighth grade.”.

19 (b) CONFORMING REPEALS.—Sections 4651, 7911,  
20 and 9651 of such title are repealed.

21 (c) CLERICAL AMENDMENTS.—

22 (1) The table of sections at the beginning of  
23 chapter 152 of such title is amended by inserting  
24 after the item relating to section 2552 the following  
25 new item:

“2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior ROTC.”.

1           (2) The table of sections at the beginning of  
2 chapter 441 of such title is amended by striking the  
3 item relating to section 4651.

4           (3) The table of sections at the beginning of  
5 chapter 667 of such title is amended by striking the  
6 item relating to section 7911.

7           (4) The table of sections at the beginning of  
8 chapter 941 of such title is amended by striking the  
9 item relating to section 9651.

## 10           **Subtitle D—Other Matters**

### 11   **SEC. 541. AIR FORCE CHIEF AND DEPUTY CHIEF OF CHAP-** 12           **LAINS.**

13           (a) IN GENERAL.—Chapter 805 of title 10, United  
14 States Code, is amended by adding at the end the fol-  
15 lowing new section:

#### 16   **“§ 8039. Chief and deputy chief of chaplains: appoint-** 17           **ment; duties**

18           “(a) CHIEF OF CHAPLAINS.—

19           “(1) There is a Chief of Chaplains in the Air  
20 Force, appointed by the President, by and with the  
21 advice and consent of the Senate, from officers of  
22 the Air Force designated under section 8067(h) of  
23 this title as chaplains who are serving in the grade  
24 of colonel or above, are serving on active duty, and

1 have served on active duty as a chaplain for at least  
2 eight years.

3 “(2) An officer appointed as the Chief of Chap-  
4 lains shall be appointed for a term of three years.  
5 However, the President may terminate or extend the  
6 appointment at any time.

7 “(3) The Chief of Chaplains shall be appointed  
8 in the regular grade of major general.

9 “(4) The Chief of Chaplains shall perform such  
10 duties as may be prescribed by the Secretary of the  
11 Air Force and by law.

12 “(b) DEPUTY CHIEF OF CHAPLAINS.—

13 “(1) There is a Deputy Chief of Chaplains in  
14 the Air Force, appointed by the President, by and  
15 with the advice and consent of the Senate, from offi-  
16 cers of the Air Force designated under section  
17 8067(h) of this title as chaplains, who are serving in  
18 the grade of colonel, are serving on active duty, and  
19 have served on active duty as a chaplain for at least  
20 eight years.

21 “(2) An officer appointed as the Deputy Chief  
22 of Chaplains shall be appointed for a term of three  
23 years. However, the President may terminate or ex-  
24 tend the appointment at any time.

1           “(3) The Deputy Chief of Chaplains shall be  
2 appointed in the regular grade of brigadier general.

3           “(4) The Deputy Chief of Chaplains shall per-  
4 form such duties as may be prescribed by the Sec-  
5 retary of the Air Force and the Chief of Chaplains  
6 and by law.

7           “(c) SELECTION BOARD.—Under regulations ap-  
8 proved by the Secretary of Defense, the Secretary of the  
9 Air Force in selecting an officer for recommendation to  
10 the President under subsection (a) for appointment as the  
11 Chief of Chaplains or under subsection (b) for appoint-  
12 ment as the Deputy Chief of Chaplains, shall ensure that  
13 the officer selected is recommended by a board of officers  
14 that, insofar as practicable, is subject to the procedures  
15 applicable to the selection boards convened under chapter  
16 36 of this title.”.

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

“8039. Chief and Deputy Chief of Chaplains; appointment; duties.”.

20 **SEC. 542. AUTHORITY FOR ADDITIONAL BEHAVIORAL**  
21 **HEALTH PROFESSIONALS TO CONDUCT PRE-**  
22 **SEPARATION MEDICAL EXAMS FOR POST-**  
23 **TRAUMATIC STRESS DISORDER.**

24           Section 1177(a) of title 10, United States Code, is  
25 amended—



1 (1) in paragraph (1), by striking “or psychia-  
 2 trist” and inserting “psychiatrist, licensed clinical  
 3 social worker, or psychiatric nurse practitioner”; and

4 (2) in paragraph (3), by striking “or psychia-  
 5 trist” and inserting “, psychiatrist, licensed clinical  
 6 social worker, or psychiatric nurse practitioner”.

7 **SEC. 543. CLARIFICATION AND ENHANCEMENT OF THE**  
 8 **ROLE OF THE STAFF JUDGE ADVOCATE TO**  
 9 **THE COMMANDANT OF THE MARINE CORPS.**

10 (a) APPOINTMENT BY THE PRESIDENT AND PERMA-  
 11 NENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—

12 Subsection (a) of section 5046 of title 10, United States  
 13 Code, is amended—

14 (1) in the first sentence, by striking “detailed”  
 15 and inserting “appointed by the President, by and  
 16 with the advice and consent of the Senate,”; and

17 (2) in the second sentence—

18 (A) by striking “The” and inserting “If an  
 19 officer appointed as the”; and

20 (B) by striking “, while so serving, has the  
 21 grade of” and inserting “holds a lower grade,  
 22 the officer shall be appointed in the grade of”.

23 (b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—

24 Such section is further amended—

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

3           (2) by inserting after subsection (b) the fol-  
4           lowing new subsection (c):

5           “(c) The Staff Judge Advocate to the Commandant  
6 of the Marine Corps, under the direction of the Com-  
7 mandant of the Marine Corps and the Secretary of the  
8 Navy, shall—

9           “(1) perform duties relating to legal matters  
10          arising in the Marine Corps as may be assigned to  
11          him;

12          “(2) perform the functions and duties and exer-  
13          cise the powers prescribed for the Staff Judge Advoca-  
14          te to the Commandant of the Marine Corps in  
15          chapter 47 of this title (the Uniform Code of Mili-  
16          tary Justice) and chapter 53 of this title; and

17          “(3) perform such other duties as may be as-  
18          signed to him.”.

19          (c) COMPOSITION OF HEADQUARTERS, MARINE  
20 CORPS.—Section 5041(b) of such title is amended—

21          (1) by redesignating paragraphs (4) and (5) as  
22          paragraphs (5) and (6), respectively; and

23          (2) by inserting after paragraph (3) the fol-  
24          lowing new paragraph (4):

1           “(4) The Staff Judge Advocate to the Com-  
2           mandant of the Marine Corps.”.

3           (d) SUPERVISION OF CERTAIN LEGAL SERVICES.—

4           (1) ADMINISTRATION OF MILITARY JUSTICE.—

5           Section 806(a) of such title (article 6(a) of the Uni-  
6           form Code of Military Justice) is amended by insert-  
7           ing “, and within the Marine Corps the Staff Judge  
8           Advocate to the Commandant of the Marine Corps,”  
9           in the third sentence after “Judge Advocate Gen-  
10          eral”.

11          (2) DELIVERY OF LEGAL ASSISTANCE.—Section

12          1044(b) of such title is amended by inserting “and  
13          within the Marine Corps the Staff Judge Advocate  
14          to the Commandant of the Marine Corps” after  
15          “title”).

16       **TITLE VI—COMPENSATION AND**  
17       **OTHER PERSONNEL BENEFITS**

18       **SEC. 601. TRANSITIONAL COMPENSATION FOR DEPENDENT**

19                       **CHILDREN WHO WERE CARRIED DURING**  
20                       **PREGNANCY AT THE TIME OF THE DEPEND-**  
21                       **ENT-ABUSE OFFENSE.**

22          (a) IN GENERAL.—Section 1059 of title 10, United  
23       States Code, is amended—

24               (1) in subsection (f), by adding at the end the  
25       following new paragraph:

1           “(4) Payment to a child under this section shall  
2 not be paid for any period that the child was in  
3 utero.”; and

4           (2) in subsection (1), by striking “at the time of  
5 the dependent-abuse offense resulting in the separa-  
6 tion of the former member” and inserting “or eligi-  
7 ble spouse at the time of the dependent-abuse of-  
8 fense resulting in the separation of the former mem-  
9 ber or who was carried during pregnancy at the time  
10 of the dependent-abuse offense resulting in the sepa-  
11 ration of the former member and was subsequently  
12 born alive to the eligible spouse or former spouse”.

13           (b) PROSPECTIVE APPLICABILITY.—No benefits shall  
14 accrue by reason of the amendments made by this section  
15 for any month that begins before the date of the enact-  
16 ment of this Act.

## 17           **TITLE VII—HEALTH CARE** 18           **PROVISIONS**

### 19           **SEC. 701. REVISIONS TO TRICARE COST SHARING REQUIRE-** 20           **MENTS.**

21           (a) REVISION OF ANNUAL ENROLLMENT FEES.—  
22 Section 1097(e)(2) of title 10, United States Code, is  
23 amended to read as follows:

24           “(2)(A) Beginning October 1, 2012, the annual  
25 enrollment fees referred to in paragraph (1)—

1           “(i) may not be increased for a survivor of  
2 a member of the uniformed services who dies  
3 while on active duty, or a person retired under  
4 chapter 61 of this title or the dependents of  
5 such person; and

6           “(ii) for an individual enrollment, shall be  
7 one-half of the amount for a family enrollment.

8           “(B) Beginning October 1, 2012, such annual  
9 enrollment fees shall have three Tiers, as follows:

10           “(i) Tier 1, which shall be applicable to  
11 former members (or their survivors) with re-  
12 tired pay (or in the case of survivors, annuity  
13 under the Survivor Benefits Plan under chapter  
14 73 of this title) in 2012 less than \$22,590.

15           “(ii) Tier 2, which shall be applicable to  
16 former members (or their survivors) with re-  
17 tired pay (or in the case of survivors, annuity  
18 under the Survivor Benefits Plan under chapter  
19 73 of this title) in 2012 between \$22,590 and  
20 \$45,178 inclusive.

21           “(iii) Tier 3, which shall be applicable to  
22 former members (or their survivors) with re-  
23 tired pay (or in the case of survivors, annuity  
24 under the Survivor Benefits Plan under chapter  
25 73 of this title) in 2012 more than \$45,178.

1           “(C) Each amount specified in subparagraph  
2 (B) shall be adjusted in subsequent years by the cost  
3 of living adjustment applied to retired pay. In subse-  
4 quent years, tier placement will be based on retired  
5 pay or annuity during the calendar year in which the  
6 fiscal year starts. For purposes of applying subpara-  
7 graph (B), the amount of retired pay or annuity de-  
8 termined to be received by any eligible beneficiary  
9 under this section and any other tier placement  
10 issues under this section shall be determined by the  
11 Secretary of Defense.

12           “(D) The annual family enrollment fee by fiscal  
13 year referred to in paragraph (1), based upon the  
14 Tiers determined under subparagraphs (B) and (C),  
15 is the following:

16                   “(i) For 2013, \$600 for Tier 1, \$720 for  
17 Tier 2, and \$820 for Tier 3.

18                   “(ii) For 2014, \$680 for Tier 1, \$920 for  
19 Tier 2, and \$1,120 for Tier 3.

20                   “(iii) For 2015, \$760 for Tier 1, \$1,185  
21 for Tier 2, and \$1,535 for Tier 3.

22                   “(iv) For 2016, \$850 for Tier 1, \$1,450  
23 for Tier 2, and \$1,950 for Tier 3.

24                   “(v) For years after 2016, the amount for  
25 2016, indexed by the National Health Expendi-

1           tures per capita rate, as established by the Sec-  
2           retary of Health and Human Services.”.

3           (b) ESTABLISHMENT OF ANNUAL ENROLLMENT FEE  
4 FOR CERTAIN TRICARE STANDARD BENEFICIARIES.—  
5 Section 1086(b)(1) of such title is amended to read as fol-  
6 lows:

7           “(1) Beginning October 1, 2012, an annual en-  
8           rollment fee, which shall be a precondition to cov-  
9           erage under this section (including coverage that  
10          provides for discounts on cost-sharing for using  
11          TRICARE network providers) and section 1074g,  
12          except that such fee shall not apply to persons de-  
13          scribed in paragraph (5) or in subsection (d), or to  
14          those covered by an enrollment fee under section  
15          1097. The amount of the enrollment fee by fiscal  
16          year shall be—

17                   “(A) in 2013, \$70 for an individual or  
18                   \$140 for a family group;

19                   “(B) in 2014, \$85 for an individual or  
20                   \$170 for a family group;

21                   “(C) in 2015, \$100 for an individual or  
22                   \$200 for a family group;

23                   “(D) in 2016, \$115 for an individual or  
24                   \$230 for a family group;

1           “(E) in 2017, \$130 for an individual or  
2           \$250 for a family group; and

3           “(F) after 2017, the amounts for 2017 ad-  
4           justed based on the National Health Expendi-  
5           tures per capita rate, as established by the Sec-  
6           retary of Health and Human Services.”.

7           (c) REVISION OF ANNUAL DEDUCTIBLE AMOUNTS.—

8           (1) Section 1086(b)(2) of such title is amended to read  
9           as follows:

10           “(2) An annual deductible amount applicable to  
11           the charges for all types of care authorized by this  
12           section and received while in an outpatient status  
13           and 25 percent of the additional charges for such  
14           care during a year. The annual deductible amount,  
15           except for persons described in paragraph (5), by  
16           fiscal year shall be—

17           “(A) in 2013, \$160 for an individual or  
18           \$320 for a family group;

19           “(B) in 2014, \$200 for an individual or  
20           \$400 for a family group;

21           “(C) in 2015, \$230 for an individual or  
22           \$460 for a family group;

23           “(D) in 2016, \$260 for an individual or  
24           \$520 for a family group;



1           “(E) in 2017, \$290 for an individual or  
2           \$580 for a family group; and

3           “(F) after 2017, the amounts for 2017 ad-  
4           justed based on the National Health Expendi-  
5           tures per capita rate, as established by the Sec-  
6           retary of Health and Human Services.”.

7           (2) Such subsection is further amended by add-  
8           ing at the end the following new paragraph:

9           “(5) Paragraphs (1), (2), and (4)(B) shall not  
10          apply to a survivor of a member of the uniformed  
11          services who died while on active duty or to a person  
12          retired under chapter 61 of this title or the depend-  
13          ents of such person. For such individuals—

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

15                 “(B) the deductible amounts in effect in  
16          fiscal year 2012 shall remain in effect; and

17                 “(C) the maximum payment amount re-  
18          ferred to in paragraph (4)(A) shall remain in  
19          effect.”.

20          (d) ESTABLISHMENT OF ANNUAL ENROLLMENT FEE  
21          FOR TRICARE FOR LIFE BENEFICIARIES.—Section  
22          1086(d)(3) of such title is amended by adding at the end  
23          the following new subparagraph:

24                 “(D) A person described in paragraph (2)

25          (except a person described in clause (i) of this

1           subparagraph), shall pay an annual fiscal year  
2           enrollment fee as an additional condition of eli-  
3           gibility for health care benefits under this sec-  
4           tion.

5                   “(i) The annual enrollment fee shall  
6                   not be charged to a survivor of a member  
7                   of the uniformed services who died while  
8                   on active duty, or to a person retired under  
9                   chapter 61 of this title or the dependents  
10                  of such person.

11                   “(ii) The annual enrollment fee shall  
12                   have three Tiers, with Tier 1 applicable to  
13                   former members (or their survivors) with  
14                   retired pay (or in the case of survivors, an-  
15                   nuity under the Survivor Benefits Plan  
16                   under chapter 73 of this title) in 2012 less  
17                   than \$22,590, Tier 2 between \$22,590 and  
18                   \$45,178 (inclusive), and Tier 3 more than  
19                   \$45,178.

20                   “(iii) Each of the amounts in clause  
21                   (ii) shall be adjusted in subsequent years  
22                   by the cost of living adjustment applied to  
23                   retired pay.

24                   “(iv) Tier placement in years after  
25                   2012 shall be based on retired pay or an-

1           nuity during the calendar year in which  
2           the fiscal year starts.

3           “(v) For purposes of tier placement,  
4           the amount of retired pay or annuity de-  
5           termined to be received by any eligible ben-  
6           eficiary under this subparagraph, and any  
7           other tier placement issues under this sec-  
8           tion shall be determined by the Secretary  
9           of Defense.

10          “(vi) In 2013 the enrollment fee for  
11          an individual shall be \$35 for Tier 1, \$75  
12          for Tier 2, and \$115 for Tier 3.

13          “(vii) In 2014 the enrollment fee for  
14          an individual shall be \$75 for Tier 1, \$150  
15          for Tier 2, and \$225 for Tier 3.

16          “(viii) In 2015 the enrollment fee for  
17          an individual shall be \$115 for Tier 1,  
18          \$225 for Tier 2, and \$335 for Tier 3.

19          “(ix) In 2016 the enrollment fee for  
20          an individual shall be \$150 for Tier 1,  
21          \$300 for Tier 2, and \$450 for Tier 3.

22          “(x) In subsequent years, the enroll-  
23          ment fee for an individual shall be the  
24          amount in 2016, indexed by the National  
25          Health Expenditures per capita rate, as es-

1                   tablished by the Secretary of Health and  
2                   Human Services.”.

3           (e) REVISIONS TO CATASTROPHIC CAP.—Section  
4 1086(b)(4) of such title is amended—

5                   (1) by inserting “(A)” after “(4); and

6                   (2) by adding at the end the following new sub-  
7 paragraph:

8                   “(B) Beginning October 1, 2012, the  
9 amount referred to in subparagraph (A) shall  
10 be adjusted based on the National Health Ex-  
11 penditures per capita rate, as established by the  
12 Secretary of Health and Human Services, and  
13 shall not include enrollment fees under this  
14 chapter.”.

15           (f) REVISIONS TO TRICARE PHARMACY PROGRAM  
16 REQUIREMENTS.—(1) Section 1074g(a)(5) of such title is  
17 amended by striking “at least one of the means described  
18 in paragraph (2)(E)” and inserting “the national mail  
19 order pharmacy program”.

20                   (2) Section 1074g(a)(6) of such title is amended by  
21 adding at the end the following new subparagraph:

22                   “(C)(i) Notwithstanding any limitation in sub-  
23 paragraph (A) and subject to clause (iv), the gen-  
24 erally applicable cost sharing amounts specified in

1 the following table shall apply in the years 2013  
 2 through 2021:

“Fiscal Year	Retail Generic	Retail For- mulary	Mail Order Generic	Mail Order Formulary	Mail Order Non-formulary
2013 ...	\$5	\$26	\$0	\$26	\$51
2014 ...	\$6	\$28	\$0	\$28	\$54
2015 ...	\$7	\$30	\$0	\$30	\$58
2016 ...	\$8	\$32	\$0	\$32	\$62
2017 ...	\$9	\$34	\$9	\$34	\$66
2018 ...	\$10	\$36	\$10	\$36	\$70
2019 ...	\$11	\$38	\$11	\$38	\$75
2020 ...	\$12	\$40	\$12	\$40	\$80
2021 ...	\$13	\$43	\$13	\$43	\$85.

3 “(ii) The amounts specified in the table in  
 4 clause (i) for retail dispensing refer to dispensing in  
 5 retail network pharmacies for prescriptions for up to  
 6 a 30-day supply. The amounts specified for mail  
 7 order dispensing are for an up to 90-day supply.

8 “(iii) The amounts specified in the table in  
 9 clause (i) shall be adjusted by the Secretary for  
 10 years after 2021 based on changes (as determined  
 11 by the Secretary) in the costs of pharmaceutical  
 12 agents and prescription dispensing, rounded to the  
 13 nearest dollar.

14 “(iv) A cost-sharing amount under this sub-  
 15 paragraph shall not apply to a survivor of a member  
 16 of the uniformed services who died while on active  
 17 duty, or to a person retired under chapter 61 of this  
 18 title or the dependents of such person. For such in-

1       dividuals, the amounts in effect during fiscal year  
2       2012 shall remain in effect.”.

3       (g) **EFFECTIVE DATE AND REGULATIONS.**—This sec-  
4       tion shall take effect October 1, 2012. The Secretary of  
5       Defense may issue an interim final rule or take such other  
6       action as necessary to ensure implementation as of that  
7       date. Such action may include presumptive enrollment for  
8       designated beneficiaries (subject to declination) and auto-  
9       matic deduction from retired pay or annuity of enrollment  
10      fee amounts.

11      **SEC. 702. REQUIREMENT FOR MEDICARE PARTICIPATING**  
12                              **PHYSICIAN OR SUPPLIER TO ACCEPT**  
13                              **TRICARE AND VETERANS AFFAIRS PARTICI-**  
14                              **PATING RATES.**

15      Section 1842(h)(1) of the Social Security Act (42  
16      U.S.C. 1395u(h)(1)) is amended by adding at the end the  
17      following new sentence: “Any physician or supplier who  
18      voluntarily enters into an agreement with the Secretary  
19      to become a participating physician or supplier shall be  
20      deemed to have agreed to be a participating provider of  
21      medical care or services under any health plan contracted  
22      for under section 1079 or 1086 of title 10, United States  
23      Code, or under section 1718 of title 38, United States  
24      Code, in accordance with the payment methodology and  
25      amounts prescribed under joint regulations prescribed by

1 the Secretary, the Secretary of Defense, and the Secretary  
2 of Homeland Security pursuant to sections 1079 and 1086  
3 of title 10, United States Code.”.

4 **TITLE VIII—ACQUISITION POL-**  
5 **ICY, ACQUISITION MANAGE-**  
6 **MENT, AND RELATED MAT-**  
7 **TERS**

8 **SEC. 801. REDUCTION IN REQUIREMENTS FOR SUBMISSION**  
9 **OF SELECTED ACQUISITION REPORTS FOR**  
10 **MAJOR DEFENSE ACQUISITION PROGRAMS.**

11 Section 2432(g) of title 10, United States Code, is  
12 amended by striking “90 percent” both places it appears  
13 and inserting “75 percent”.

14 **SEC. 802. AUTHORIZATION FOR ENTERING INTO**  
15 **MULTIYEAR CONTRACTS WITH FEDERALLY**  
16 **FUNDED RESEARCH AND DEVELOPMENT**  
17 **CENTERS.**

18 Section 2367 of title 10, United States Code, is  
19 amended by adding at the end the following new sub-  
20 section:

21 “(e) ADMINISTRATION OF CENTERS.—(1) The head  
22 of an agency may enter into multiyear contracts with fed-  
23 erally funded research and development centers with which  
24 the agency has a sponsoring agreement. Any such contract  
25 may be for a term not to exceed five years, consistent with

1 the sponsoring agreement of the Department of Defense  
2 with such center.

3 “(2) The head of an agency that enters into a spon-  
4 soring agreement with a federally funded research and de-  
5 velopment center—

6 “(A) shall include in the sponsoring agreement,  
7 or in applicable contracts with that center, provi-  
8 sions—

9 “(i) for the orderly termination or non-  
10 renewal of the center; and

11 “(ii) upon such termination or nonrenewal,  
12 for disposal of assets, and settlement of liabil-  
13 ities, of the center; and

14 “(B) may include in the sponsoring agreement,  
15 or in applicable contracts with that center, provi-  
16 sions—

17 “(i) for special close-out costs, cancellation  
18 costs, termination costs and other types of ex-  
19 penses that may be incurred at the end of spon-  
20 sorship; and

21 “(ii) for transfer of title to, or liquidation  
22 of, the proceeds of sale or transfer of any prop-  
23 erty held by the center for the benefit of the  
24 Government.



1 “(3) In this subsection, the term ‘head of an agency’  
2 has the meaning given that term in subsection (c)(2).”.

3 **SEC. 803. AUTHORITY FOR THE SECRETARY OF DEFENSE**  
4 **TO PROVIDE FEE-FOR-SERVICE INSPECTION**  
5 **AND TESTING BY THE DEFENSE CONTRACT**  
6 **MANAGEMENT AGENCY FOR CERTAIN CRIT-**  
7 **ICAL EQUIPMENT IN THE ABSENCE OF A PRO-**  
8 **CUREMENT CONTRACT.**

9 (a) **AUTHORITY.**—Section 2539b of title 10, United  
10 States Code, is amended—

11 (1) in subsection (a)—

12 (A) by striking “and” at the end of para-  
13 graph (3);

14 (B) by striking the period at the end of  
15 paragraph (4) and inserting “; and”; and

16 (C) by adding at the end the following new  
17 paragraph:

18 “(5) make available to any person or entity, in  
19 advance of the award of a procurement contract,  
20 through contracts or other appropriate arrangements  
21 and subject to subsection (e), the services of the De-  
22 fense Contract Management Agency for testing and  
23 inspection of items when such testing and inspection  
24 is determined by the Secretary to be critical to a

1 specific program of the Department of Defense.”;  
2 and

3 (2) by adding at the end the following new sub-  
4 section:

5 “(e) DCMA SERVICES.—Services of the Defense  
6 Contract Management Agency may be made available  
7 under subsection (a)(5) only if the contract or other ar-  
8 rangement for those services—

9 “(1) holds the United States harmless if the  
10 items covered by the contract or other arrangement  
11 (whether or not tested and inspected under the con-  
12 tract or other arrangement) are not subsequently or-  
13 dered by or delivered to the United States under a  
14 procurement contract entered into after the contract  
15 or other arrangement is entered into; and

16 “(2) holds the United States harmless against  
17 any claim arising out of the inspection and testing,  
18 or the use in any commercial application, of the  
19 equipment tested and inspected by the Defense Con-  
20 tract Management Agency under the contract or  
21 other arrangement.”.

22 (b) FEES.—Subsection (c) of such section is amend-  
23 ed—

24 (1) by striking “and (a)(4)” in the first sen-  
25 tence and inserting “, (a)(4), and (a)(5)”;

1           (2) by inserting “, travel, and other incidental  
2           overhead expenses” in the second sentence after  
3           “salaries”; and

4           (3) by inserting “or inspection” before the pe-  
5           riod at the end of the second sentence.

6           (c) USE OF FEES.—Subsection (d) of such section  
7           is amended by striking “and (a)(4)” and inserting “,  
8           (a)(4), and (a)(5)”.

9           **SEC. 804. ELIMINATION OF CONTINUOUS-DAYS-OF-SESSION**  
10                                   **REQUIREMENT FOR CONGRESSIONAL NOTI-**  
11                                   **FICATION OF THE LEASE OF CERTAIN VES-**  
12                                   **SELS BY THE DEPARTMENT OF DEFENSE.**

13           Section 2401(h)(2) of title 10, United States Code,  
14           is amended by striking “of continuous session of Con-  
15           gress”.

16           **SEC. 805. DISESTABLISHMENT OF DEFENSE MATERIEL**  
17                                   **READINESS BOARD.**

18           (a) DISESTABLISHMENT OF BOARD.—The Defense  
19           Materiel Readiness Board established pursuant to section  
20           871 of the National Defense Authorization Act for Fiscal  
21           Year 2008 (Public Law 110–181; 10 U.S.C. 117 note) is  
22           hereby disestablished.

23           (b) TERMINATION OF DEFENSE STRATEGIC READI-  
24           NESS FUND.—The Defense Strategic Readiness Fund es-  
25           tablished by section 872(d) of the National Defense Au-

1 thorization Act for Fiscal Year 2008 (Public Law 110–  
2 181; 10 U.S.C. 117 note) is hereby closed.

3 (c) REPEAL.—Subtitle G of title VIII of the National  
4 Defense Authorization Act for Fiscal Year 2008 (Public  
5 Law 110–181; 10 U.S.C. 117 note) is repealed.

6 **TITLE IX—DEPARTMENT OF DE-**  
7 **FENSE ORGANIZATION AND**  
8 **MANAGEMENT**

9 **Subtitle A—Intelligence-Related**  
10 **Matters**

11 **SEC. 901. TECHNICAL AMENDMENTS TO REFLECT CHANGE**  
12 **IN NAME OF NATIONAL DEFENSE INTEL-**  
13 **LIGENCE COLLEGE TO NATIONAL INTEL-**  
14 **LIGENCE UNIVERSITY.**

15 (a) CONFORMING AMENDMENTS TO REFLECT NAME  
16 CHANGE.—Section 2161 of title 10, United States Code,  
17 is amended by striking “National Defense Intelligence  
18 College” each place it appears and inserting “National In-  
19 telligence University”.

20 (b) CLERICAL AMENDMENTS.—

21 (1) SECTION HEADING.—The heading of such  
22 section is amended to read as follows:

1 **“§ 2161. Degree granting authority for national intel-**  
2 **ligence university”.**

3 (2) TABLE OF SECTIONS.—The item related to  
4 such section in the table of sections at the beginning  
5 of chapter 108 of such title is amended to read as  
6 follows:

“2161. Degree granting authority for National Intelligence University.”.

7 **Subtitle B—Space Activities**

8 **SEC. 911. REVISIONS TO POLICY ON DEVELOPMENT AND**  
9 **PROCUREMENT OF UNMANNED SYSTEMS.**

10 (a) REVISION TO REQUIRED POLICY.—Subsection (a)  
11 of section 941 of the John Warner National Defense Au-  
12 thorization Act for Fiscal Year 2007 (Public Law 109–  
13 364; 120 Stat. 2083) is amended—

14 (1) by striking “on” and inserting “for the con-  
15 duct of”;

16 (2) by striking “procurement, and operation”  
17 and inserting “and for the conduct of procure-  
18 ment,”;

19 (3) by inserting “manned and” before “un-  
20 manned systems”; and

21 (4) by inserting “in a manner that is fiscally re-  
22 sponsible and enhances warfighter capability” before  
23 the period at the end.

24 (b) MODIFICATION TO ELEMENTS OF POLICY.—Sub-  
25 section (b) of such section is amended—

1           (1) by striking paragraphs (1) and (2) and in-  
2           serting the following new paragraphs:

3           “(1) An identification of those Department of  
4           Defense capabilities for which manned and un-  
5           manned systems may address potential needs.

6           “(2) A thorough and objective consideration of  
7           the acquisition of manned and unmanned systems  
8           whenever a new system is to be acquired to meet a  
9           capability requirement.”;

10          (2) in paragraph (5), by striking “, including”  
11          and all that follows through “on unmanned sys-  
12          tems”; and

13          (3) in paragraph (6), by striking “missions”  
14          and inserting “capabilities”.

15          (c) ROADMAP.—Such section is further amended—

16                 (1) by striking subsection (d);

17                 (2) by redesignating subsection (c) as sub-  
18                 section (d);

19                 (3) by inserting after subsection (b) the fol-  
20                 lowing new subsection (c):

21                 “(c) ROADMAP.—The Secretary of Defense shall pre-  
22                 pare and update periodically a roadmap for the policy re-  
23                 quired by subsection (a) that includes—



1 (B) The table of sections at the beginning  
2 of chapter 9 is amended by striking the item re-  
3 lating to section 232.

4 (2) Section 485(b) is amended—

5 (A) in paragraph (5)—

6 (i) by striking “including a description  
7 of” and all that follows through “(A) Spe-  
8 cific outcomes” and inserting “including a  
9 description of specific outcomes”; and

10 (ii) by striking subparagraph (B);

11 (B) by striking paragraph (8); and

12 (C) by redesignating paragraph (9) as  
13 paragraph (8).

14 (3) Section 2859(d) is amended by striking  
15 paragraph (2).

16 (4) Section 10503(13)(B) is amended by strik-  
17 ing clause (iii) and redesignating clause (iv) as  
18 clause (iii).

19 **SEC. 1002. REDESIGNATION OF THE CENTER FOR HEMI-**  
20 **SPHERIC DEFENSE STUDIES AS THE WILLIAM**  
21 **J. PERRY CENTER FOR HEMISPHERIC DE-**  
22 **FENSE STUDIES.**

23 (a) REDESIGNATION.—The Department of Defense  
24 regional center for security studies known as the Center  
25 for Hemispheric Defense Studies is hereby renamed the



1 “William J. Perry Center for Hemispheric Defense Stud-  
2 ies”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 184 of title 10, United States Code,  
5 is amended—

6 (A) by striking “The Center for Hemi-  
7 spheric Defense Studies” in subsection  
8 (b)(2)(C) and inserting “The William J. Perry  
9 Center for Hemispheric Defense Studies”; and

10 (B) by striking “the Center for Hemi-  
11 spheric Defense Studies” in subsection (f)(5)  
12 and inserting “the William J. Perry Center for  
13 Hemispheric Defense Studies”.

14 (2) Section 2611(a)(2)(C) of such title is  
15 amended by striking “The Center for Hemispheric  
16 Defense Studies.” and inserting “The William J.  
17 Perry Center for Hemispheric Defense Studies.”.

18 (c) REFERENCES.—Any reference to the Department  
19 of Defense Center for Hemispheric Defense Studies in any  
20 law, regulation, map, document, record, or other paper of  
21 the United States shall be deemed to be a reference to  
22 the William J. Perry Center for Hemispheric Defense  
23 Studies.

1                   **TITLE XIII—OTHER**  
2                   **AUTHORIZATIONS**  
3           **Subtitle A—Military Programs**

4 **SEC. 1301. WORKING CAPITAL FUNDS.**

5           Funds are hereby authorized to be appropriated for  
6 fiscal year 2013 for the use of the Armed Forces and other  
7 activities and agencies of the Department of Defense for  
8 providing capital for the Defense Working Capital Funds  
9 in the amount of \$1,516,184,000.

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

11           Funds are hereby authorized to be appropriated for  
12 fiscal year 2013 for the National Defense Sealift Fund  
13 in the amount of \$608,136,000.

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

15           Funds are hereby authorized to be appropriated for  
16 fiscal year 2013 for the Joint Urgent Operational Needs  
17 Fund in the amount of \$99,477,000.

18 **SEC. 1304. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
19                   **TION, DEFENSE.**

20           (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
21 are hereby authorized to be appropriated for the Depart-  
22 ment of Defense for fiscal year 2013 for expenses, not oth-  
23 erwise provided for, for Chemical Agents and Munitions  
24 Destruction, Defense, in the amount of \$1,301,786,000,  
25 of which—

1           (1) \$635,843,000 is for Operation and Mainte-  
2 nance;

3           (2) \$647,351,000 is for Research, Development,  
4 Test, and Evaluation; and

5           (3) \$18,592,000 is for Procurement.

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

8           (1) the destruction of lethal chemical agents  
9 and munitions in accordance with section 1412 of  
10 the Department of Defense Authorization Act, 1986  
11 (50 U.S.C. 1521); and

12           (2) the destruction of chemical warfare materiel  
13 of the United States that is not covered by section  
14 1412 of such Act.

15 **SEC. 1305. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
16 **TIVITIES, DEFENSE-WIDE.**

17           Funds are hereby authorized to be appropriated for  
18 the Department of Defense for fiscal year 2013 for ex-  
19 penses, not otherwise provided for, for Drug Interdiction  
20 and Counter-Drug Activities, Defense-wide, in the amount  
21 of \$999,363,000.

22 **SEC. 1306. DEFENSE INSPECTOR GENERAL.**

23           Funds are hereby authorized to be appropriated for  
24 the Department of Defense for fiscal year 2013 for ex-  
25 penses, not otherwise provided for, for the Office of the

1 Inspector General of the Department of Defense, in the  
2 amount of \$273,821,000, of which—

3 (1) \$272,821,000 is for Operation and Mainte-  
4 nance; and

5 (2) \$1,000,000 is for Procurement.

6 **SEC. 1307. DEFENSE HEALTH PROGRAM.**

7 Funds are hereby authorized to be appropriated for  
8 the Department of Defense for fiscal year 2013 for ex-  
9 penses, not otherwise provided for, for the Defense Health  
10 Program, in the amount of \$32,980,718,000, of which—

11 (1) \$31,801,279,000 is for Operation and  
12 Maintenance;

13 (2) \$672,977,000 is for Research, Development,  
14 Test, and Evaluation; and

15 (3) \$506,462,000 is for Procurement.

16 **Subtitle B—Other Matters**

17 **SEC. 1311. AUTHORIZATION OF APPROPRIATIONS FOR**  
18 **ARMED FORCES RETIREMENT HOME.**

19 There is hereby authorized to be appropriated for fis-  
20 cal year 2013 from the Armed Forces Retirement Home  
21 Trust Fund the sum of \$67,590,000 for the operation of  
22 the Armed Forces Retirement Home.

1 **TITLE XIV—AUTHORIZATION OF**  
2 **ADDITIONAL APPROPRIA-**  
3 **TIONS FOR OVERSEAS CON-**  
4 **TINGENCY OPERATIONS FOR**  
5 **FISCAL YEAR 2013**

6 **SEC. 1401. PURPOSE.**

7 The purpose of this title is to authorize appropria-  
8 tions for the Department of Defense for fiscal year 2013  
9 to provide additional funds for overseas contingency oper-  
10 ations being carried out by the Armed Forces.

11 **SEC. 1402. ARMY PROCUREMENT.**

12 Funds are hereby authorized to be appropriated for  
13 fiscal year 2013 for procurement for the Army in amounts  
14 as follows:

15 (1) For aircraft procurement, \$486,200,000.

16 (2) For missile procurement, \$49,653,000.

17 (3) For weapons and tracked combat vehicles  
18 procurement, \$15,422,000.

19 (4) For ammunition procurement,  
20 \$357,493,000.

21 (5) For other procurement, \$2,015,907,000.

1 **SEC. 1403. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**  
2 **FUND.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal year 2013 for the Joint Improvised Explosive Device  
5 Defeat Fund in the amount of \$1,675,400,000.

6 **SEC. 1404. NAVY AND MARINE CORPS PROCUREMENT.**

7 Funds are hereby authorized to be appropriated for  
8 fiscal year 2013 for procurement for the Navy and Marine  
9 Corps in amounts as follows:

10 (1) For aircraft procurement, Navy,  
11 \$164,582,000.

12 (2) For weapons procurement, Navy,  
13 \$23,500,000.

14 (3) For ammunition procurement, Navy and  
15 Marine Corps, \$285,747,000.

16 (4) For other procurement, Navy, \$98,882,000.

17 (5) For procurement, Marine Corps,  
18 \$943,683,000.

19 **SEC. 1405. AIR FORCE PROCUREMENT.**

20 Funds are hereby authorized to be appropriated for  
21 fiscal year 2013 for procurement for the Air Force in  
22 amounts as follows:

23 (1) For aircraft procurement, \$305,600,000.

24 (2) For ammunition procurement,  
25 \$116,203,000.

26 (3) For missile procurement, \$34,350,000.

1 (4) For other procurement, \$2,818,270,000.

2 **SEC. 1406. JOINT URGENT OPERATIONAL NEEDS FUND.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal year 2013 for the Joint Urgent Operational Needs  
5 Fund in the amount of \$100,000,000.

6 **SEC. 1407. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

7 Funds are hereby authorized to be appropriated for  
8 fiscal year 2013 for the procurement account for Defense-  
9 wide activities in the amount of \$196,349,000.

10 **SEC. 1408. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
11 **TION.**

12 Funds are hereby authorized to be appropriated for  
13 fiscal year 2013 for the use of the Department of Defense  
14 for research, development, test, and evaluation as follows:

15 (1) For the Army, \$19,860,000.

16 (2) For the Navy, \$60,119,000.

17 (3) For the Air Force, \$53,150,000.

18 (4) For Defense-wide activities, \$112,387,000.

19 **SEC. 1409. OPERATION AND MAINTENANCE.**

20 Funds are hereby authorized to be appropriated for  
21 fiscal year 2013 for the use of the Armed Forces for ex-  
22 penses, not otherwise provided for, for operation and  
23 maintenance, in amounts as follows:

24 (1) For the Army, \$28,591,441,000.

25 (2) For the Navy, \$5,880,395,000.

1 (3) For the Marine Corps, \$4,066,340,000.

2 (4) For the Air Force, \$9,241,613,000.

3 (5) For Defense-wide activities,  
4 \$7,824,579,000.

5 (6) For the Army Reserve, \$154,537,000.

6 (7) For the Navy Reserve, \$55,924,000.

7 (8) For the Marine Corps Reserve,  
8 \$25,477,000.

9 (9) For the Air Force Reserve, \$120,618,000.

10 (10) For the Army National Guard,  
11 \$382,448,000.

12 (11) For the Air National Guard, \$19,975,000.

13 (12) For the Afghanistan Security Forces  
14 Fund, \$5,749,167,000.

15 (13) For the Afghanistan Infrastructure Fund,  
16 \$400,000,000.

17 **SEC. 1410. MILITARY PERSONNEL.**

18 Funds are hereby authorized to be appropriated for  
19 fiscal year 2013 to the Department of Defense for military  
20 personnel accounts in the total amount of  
21 \$13,788,421,000.

22 **SEC. 1411. WORKING CAPITAL FUNDS.**

23 Funds are hereby authorized to be appropriated for  
24 fiscal year 2013 for the use of the Armed Forces and other  
25 activities and agencies of the Department of Defense for



1 providing capital for working capital and revolving funds  
2 in the amount of \$503,364,000.

3 **SEC. 1412. DEFENSE HEALTH PROGRAM.**

4 Funds are hereby authorized to be appropriated for  
5 the Department of Defense for fiscal year 2013 for ex-  
6 penses, not otherwise provided for, for the Defense Health  
7 Program in the amount of \$993,898,000 for operation and  
8 maintenance.

9 **SEC. 1413. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
10 **TIVITIES, DEFENSE-WIDE.**

11 Funds are hereby authorized to be appropriated for  
12 the Department of Defense for fiscal year 2013 for ex-  
13 penses, not otherwise provided for, for Drug Interdiction  
14 and Counter-Drug Activities, Defense-wide in the amount  
15 of \$469,025,000.

16 **SEC. 1414. DEFENSE INSPECTOR GENERAL.**

17 Funds are hereby authorized to be appropriated for  
18 the Department of Defense for fiscal year 2013 for ex-  
19 penses, not otherwise provided for, for the Office of the  
20 Inspector General of the Department of Defense in the  
21 amount of \$10,766,000.

22 **SEC. 1415. AFGHANISTAN SECURITY FORCES FUND.**

23 Funds available to the Department of Defense for the  
24 Afghanistan Security Forces Fund for fiscal year 2013  
25 shall be subject to the conditions contained in subsections

1 (b) through (g) of section 1513 of the National Defense  
2 Authorization Act for Fiscal Year 2008 (Public Law 110–  
3 181; 122 Stat. 428), as amended by section 1531(b) of  
4 the Ike Skelton National Defense Authorization Act for  
5 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

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