

**PRESS RELEASE**

## **U.S. Senate Committee on Armed Services**

Carl Levin, Chairman  
James M. Inhofe, Ranking Member

<http://armed-services.senate.gov>



FOR IMMEDIATE RELEASE

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### **CHAIRMAN AND RANKING MEMBER OF SENATE COMMITTEE ON ARMED SERVICES REACH AGREEMENT WITH HOUSE COUNTERPARTS REGARDING THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014**

WASHINGTON – Sen. Carl Levin, D-Mich., and Sen. James M. Inhofe, R-Okla., chairman and ranking member of the Senate Armed Services Committee, announced today that they have reached agreement with the Chairman and Ranking Member of the House Armed Services Committee on the National Defense Authorization Act for Fiscal Year 2014. The bill authorizes funding for the Department of Defense and the national security programs of the Department of Energy.

“This is a bipartisan bill that meets our obligations to our men and women in uniform and their families and includes important reforms and authorities for the Department of Defense,” Levin said. “The bill includes thirty-six provisions to strengthen DOD’s response to the problem of sexual assault in our military. It includes a compromise on Guantanamo, which eases the transfer of GTMO detainees overseas, while retaining prohibitions on transfers to the United States. This bill would not have been possible without the partnership and hard work of Jim Inhofe, the Ranking Republican on our committee, and Buck McKeon and Adam Smith, the Chairman and Ranking Member of the House Armed Services Committee.”

“Our constitutional responsibility in Congress is to provide for our nation's defense, and we must fulfill this duty by moving forward on the NDAA this year,” said Inhofe. “This strong bipartisan agreement contains many vital provisions that support the well-being and readiness of our men and women in uniform and their families and strengthens congressional oversight of the DOD. Time is running short and I urge my colleagues to move quickly to pass this bill before we adjourn for the year.”

Following is a summary of major provisions of the bill and a more detailed summary organized by subcommittee:

## **MAJOR HIGHLIGHTS**

*Note: This section describes major provisions contained in the agreement. Some items are repeated in the Detailed Description section following these major highlights.*

- 1. Sustains the quality of life of the men and women of the all-volunteer force (active duty, National Guard, and Reserves) and their families, as well as Department of Defense civilian personnel, through fair pay, policies, and benefits, and addresses the needs of the wounded, ill, and injured service members and their families.**
  - Authorizes FY 2014 active-duty end strengths for the Army of 520,000; the Navy, 323,600; the Marine Corps, 190,200; and the Air Force, 327,600.
  - Includes a robust package of 36 provisions to enhance sexual assault prevention and response, including the following:
    - Requires a Special Victims' Counsel program in each service to provide legal counsel to victims of sexual assault.
    - Requires review by the service secretary of a convening authority's decision not to prosecute certain charges of sexual offenses when the staff judge advocate recommends prosecution, and review by a superior general court-martial convening authority when the staff judge advocate recommends against prosecution.
    - Amends Article 32, Uniform Code of Military Justice (UCMJ), to change Article 32 proceedings from an investigation to a preliminary hearing normally conducted by a judge advocate to determine whether there is probable cause to prosecute a case.
    - Amends Article 60, UCMJ, to limit the authority of court-martial convening authorities to modify the findings and sentence of courts-martial.
    - Limits jurisdiction over specified sex-related offenses to trial by general court-martial and requires a minimum sentence of Dishonorable Discharge or Dismissal for conviction of these offenses.
  - Requires the accommodation of individual expressions of religious and moral beliefs by service members unless such expressions of belief could have an adverse impact on military readiness, unit cohesion, and good order and discipline.

- Requires a Comptroller General report on separation of service members due to unfitness for duty because of a mental condition not amounting to a disability since January 1, 2007.
- Does not include DOD proposals to establish or increase TRICARE fees, deductibles, and copayments.
- Authorizes \$25.0 million in impact aid for assistance to local educational agencies impacted by the enrollment of dependent children of military members and DOD civilian employees.
- Authorizes \$5.0 million in impact aid for schools with large numbers of children of military members and DOD civilian employees with severe disabilities.
- Authorizes \$10.4 billion for military construction, housing programs, energy conservation, and base closure activities.

**2. Reduces our Nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions.**

- Adds \$1.1 billion in Army reset funding to restore readiness.
- Adds \$959.8 million in Army operation and maintenance (O&M) to address readiness problems caused by sequestration.
- Adds \$497.4 million in Navy O&M to address readiness problems caused by sequestration.
- Adds \$477.1 million in Air Force O&M to address readiness problems caused by sequestration.
- Adds \$112.2 million in Army Reserve O&M to address readiness problems caused by sequestration.
- Adds \$100.0 million in Air Force overseas contingency operations (OCO) depot maintenance funding to restore readiness.
- Adds \$88.1 million in U.S. Special Operations Command (USSOCOM) O&M to address readiness problems caused by sequestration.
- Adds \$74.2 million in Army National Guard O&M to address readiness problems caused by sequestration.
- Adds \$56.0 million in Marine Corps O&M to address readiness problems caused by sequestration.

- Adds \$28.2 million in Air National Guard O&M to address readiness problems caused by sequestration.
- Adds \$15.8 million in Navy Reserve O&M to address readiness problems caused by sequestration.
- Adds \$8.9 million in Air Force Reserve O&M to address readiness problems caused by sequestration.
- Streamlines the Quarterly Readiness Report to Congress and requires DOD to report on the ability of the geographic and functional combatant commanders to successfully meet their respective contingency and operational plans and key mission essential tasks.
- Directs DOD to establish a policy setting forth the programs and priorities for retrograde, reconstitution, and replacement of units and materiel used to support OCO.
- Directs DOD to develop an overarching strategy and implementation plan for the Services' prepositioned equipment program.
- Updates the military departments' strategic plans with performance measures to show clear linkages to DOD's overarching goals and objectives as described in the Department's strategic plan for corrosion control and prevention.
- Directs DOD and the Government Accountability Office (GAO) to review arsenals owned by the United States in order to support critical manufacturing capabilities.
- Modifies certain Presidential authorities to maintain and manage a National Defense Stockpile to allow the Defense Logistics Agency to more proactively engage in the market.
- Provides authority to acquire certain additional strategic and critical materials for the National Defense Stockpile.

**3. Provides our servicemen and women with the resources, training, technology, equipment, and authorities they will need to succeed in combat, counterinsurgency, and stability operations.**

- Authorizes nearly \$1.0 billion for DOD counter improvised explosive device (IED) efforts to defeat the device, attack the network, and train the force.
- Codifies the responsibility of the CJCS to reflect the current joint training, doctrine, education, and force development functions that are overseen by the CJCS.

- Requires the Secretary of Defense to develop and implement a strategy for developing and sustaining appropriate military information operations capabilities for future contingencies.
  - Extends, for 2 additional years, the authority of DOD to establish, develop, and maintain non-conventional assisted recovery capabilities.
- 4. Enhances the capability of the U.S. armed forces to support the Afghanistan National Security Forces (ANSF) and Afghan Local Police as the lead responsibility for security throughout Afghanistan's transition to the ANSF.**
- Authorizes \$6.2 billion for the Afghanistan Security Forces Fund (ASFF), which is \$1.5 billion less than the budget request, based on a reduction in funds requested by the Commander of U.S. and coalition forces in Afghanistan for the funding required to build the capacity of the Afghan security forces to take over security nationwide by December 2014.
  - Requires that \$25.0 million of the amounts for the ASFF be available to be used for programs to support the recruitment, retention, integration, training, and treatment of women in the Afghan security forces, including increased hiring of female security personnel in connection with upcoming Afghan elections.
- 5. Enhances the capability of the U.S. armed forces and the security forces of allied and friendly nations to defeat al Qaeda, its affiliates, and other violent extremist organizations.**
- Directs the Secretary of Defense to develop a regional strategic framework for U.S. counterterrorism assistance and cooperation in North Africa.
  - Authorizes the general purpose forces of the U.S. Armed Forces to train with the military forces and other security forces of a friendly foreign country if the Secretary of Defense determines that it is in the national security interests of the United States to do so.
  - Requires a comprehensive strategy with respect to Somalia and a classified intelligence assessment on the threat posed by al Shabaab.
  - Extends the global train and equip (section "1206") authority through 2017 to help build the capacity of foreign force partners to conduct counterterrorism and stability operations and allows such assistance to be provided to non-military national security forces that have a counterterrorism mission.
  - Adds \$35.0 million in Marine Corps O&M funding for the Marine Corps Embassy Security Group.
  - Adds \$40.0 million in Marine Corps O&M for Crisis Response Force.

- Authorizes an increase of \$25.0 million to help address technology gaps identified by USSOCOM on its fleet of MQ-9 Reaper Unmanned Aerial Vehicles.

**6. Improves the ability of the armed forces to counter emerging and nontraditional threats, focusing on terrorism, cyber warfare, and the proliferation of weapons of mass destruction and their means of delivery (including ballistic missiles).**

- Requires the Missile Defense Agency to deploy an additional missile defense radar to protect the United States from long-range missile threats from North Korea, and authorizes \$30.0 million for initial costs toward deployment.
- Authorizes missile defense programs at \$9.5 billion, an increase of \$358.0 million above the budget request, including an increase of \$80.0 million for correcting a problem that caused a missile defense flight test failure in July 2013, and \$80 million for enhanced kill vehicle and discrimination capabilities.
- Authorizes \$528.0 million for the Cooperative Threat Reduction (CTR) program, the requested amount, but would transfer funds from the programs that will end in Russia (\$75.0 million) to CTR nonproliferation efforts in the Middle East while giving a two year enhanced funding authority with rigorous oversight for the destruction of the Syrian chemical weapons stockpile.
- Requires the President to provide a long-term strategy to the Congress for the CTR program in the Middle East and North Africa to stem the proliferation of weapons of mass destruction.
- Requires the President to establish an interagency process to develop policy to control the proliferation of cyber weapons through unilateral and cooperative law enforcement activities, financial means, and diplomatic engagement.
- Requires the Secretary of Defense to develop a comprehensive strategy for integrating the reserve components into a total force solution to the manning requirements of Cyber Command to execute missions to protect the nation, support the combatant commands, and defend DOD networks.
- Provides assistance to support the border security operations of the Jordanian Armed Forces to secure that country's border with Syria.
- Renews three longstanding counter-narcotics train and equip programs.
- Authorizes \$7.69 billion for USSOCOM in base budget funding and \$2.25 billion for OCO.

**7. Addresses the threats from nuclear weapons and materials by strengthening nonproliferation programs, maintaining a credible nuclear deterrent, reducing the size of the nuclear weapons stockpile, and ensuring the safety, security, and reliability of the stockpile, the delivery systems, and the nuclear infrastructure.**

- Authorizes \$543.0 million Mixed Oxide (MOX) Fuel Program, an increase of \$40.0 million above the budget request. This would continue the program while allowing DOE/ National Nuclear Security Administration (NNSA) to perform a strategic analysis of the overall disposition effort, including the ways to lower cost and achieve efficiencies in the current program.
  - Includes a provision that creates a Nuclear Command, Control, and Communications Council in DOD to ensure that senior leadership communications systems are integrated and modernized.
  - Allows the Department in FY 2014 to begin planning and preparation for implementing the force structure to meet the New START Treaty limits required by February 2018, allows 50% of the funds to be released to prepare any required environmental assessment associated with such implementation with a submission of a force structure plan including options and a preferred option to release the additional funding for conducting the remainder of the environmental assessment. Also allows B-52H aircraft to be modified to a conventional role once the force structure plan is received. Includes a sense of Congress that the New START force structure should preserve the existing Minuteman III silos, at the date of enactment, at a minimum in a warm status, and that the distribution of such warm-status silos should not disproportionately affect any one operational Intercontinental Ballistic Missile (ICBM) wing.
  - Requires a cost comparison for the interoperable warhead as well as the two strategic warheads it will replace to ensure the Congress understands the full cost (and risk) implications of the proposed program.
  - Expresses the sense of Congress on the importance of maintaining a modernized triad of delivery systems and weapons stockpile is consistent with the report required by Section 1043 of the FY 2012 NDAA as amended and that the President and Congress should work to ensure the programs are conducted as efficiently as possible.
  - Requires the Secretary of Energy to certify to Congress that DOE defense facilities containing special nuclear material at high security levels meets DOE standards for physical security.
  - Requires a plan to implement exascale computing as part of the stockpile stewardship mission. Exascale is 1000 times faster than today's current high performance computers and will require a new generation of chip sets and computing algorithms. This provision will also advance the U.S. leadership role in high performance computing and modeling of our stockpile.
- 8. Terminates troubled or unnecessary programs and activities, identifies efficiencies, and reduces defense expenditures in light of the Nation's budget deficit problems. Ensures the future capability, viability, and fiscal sustainability of the all-volunteer force.**

- Directs DOD to reduce the separate development and fielding of service-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform, or family of uniforms, for specific combat environments, to be used by all members of the armed forces.
  - Directs DOD to complete a comprehensive strategy and implementation plan for improving asset tracking and in-transit visibility across DOD.
  - Cuts \$644.8 million from military construction, including \$555.2 million in incrementally funded projects to improve efficiency and prevent waste through more efficient cash flow of large projects.
  - Cuts \$58.1 million in procurement for the XM25, Counter Defilade Target Engagement (CDTE) for continued live-fire testing of system reliability and munitions performance.
  - Cuts \$29.0 million in research and development for Long Endurance Multi-Intelligence Vehicle (LEMV) program termination.
  - Cuts \$49.5 million in procurement for the individual carbine based upon the Army's decision not to continue with the competitive evaluation program.
  - Cuts \$10.6 million in research and development for Landmine Warfare and Barrier advanced development for program deferral to FY 2019.
  - Cuts \$37.0 million in research and development for the Warfighter Information Network-Tactical (WIN-T) demonstration and evaluation for excess program growth.
  - Cuts \$17.1 million in research and development for General Fund Enterprise Business System for excess to requirements.
  - Cuts \$20.9 million in research and development for Marine Corps Ground Combat/Supporting Arms Systems for deferral of the marine personnel carrier program.
- 9. Emphasizes the reduction of dependency on fossil fuels and seeks greater energy security and independence, pursues technological advances in traditional and alternative energy storage, power systems, operational energy tactical advantages, renewable energy production, and more energy efficient ground, air, and naval systems.**
- Revises the deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.
  - Does not include a provision of the House-passed bill that would have exempted DOD from section 526 of the Energy Independence and Security Act of 2007.

- Does not include a provision of the House-passed bill that would have required DOD to obtain a congressional authorization before entering into a contract for the planning, design, refurbishing, or construction of a biofuels refinery.
- Prohibits DOD's FY 2014 funding to be used for bulk purchases of drop-in fuel for operational purposes during FY 2014, unless the cost of that drop-in fuel is cost competitive with traditional fuel, subject to a national security waiver.
- Cuts \$644.8 million from military construction, including \$555.2 million in incrementally funded projects to improve efficiency and prevent waste through more efficient cash flow of large projects.
- Authorizes \$150.0 million for the Energy Conservation Investment Program.

**10. Promotes aggressive and thorough oversight of DOD's programs and activities to ensure proper stewardship of taxpayer's dollars and compliance with relevant laws and regulations.**

- Requires the Secretary of the Army to provide a report on Stryker combat vehicle spare parts inventories.
- Requires the Secretary of the Army to provide a report on the Ground Combat Vehicle (GCV) program that includes an independent assessment of the business case to proceed with engineering and manufacturing development and a certification by the Secretary that the program has stable, achievable, and affordable requirements and sufficient funding planned in the future-years defense plan.
- Amends cost cap legislation for the CVN-78 program to:
  - increase the cost cap \$12.9 billion as requested;
  - exclude from the cost cap potential unforeseen cost increases in the shipboard testing program, subject to certain conditions;
  - require quarterly reports on the program manager's estimate for the CVN-79; and
  - directs the Secretary of the Navy to ensure that contracts for CVN-79 include provisions that would freeze payments of fees for a prime contractor if the program manager's estimate of total program costs for that contractor exceeds that contractor's portion of the CVN-79 cost cap.
- Requires GAO to review the Littoral Combat Ship (LCS) program to assess:
  - Sea frame production and testing, including:
    - sea frame developmental test activities;
    - weight management for both variants of the sea frame;
    - Navy plans for verifying survivability; and
    - any plans for achieving greater commonality between the variants, and progress made in executing such plans;
  - mission module development and testing;
  - lessons the Navy may be learning from the deployment of LCS-1 to Singapore;

- Navy studies on LCS requirements and technical capabilities, and any recommendations for changes from those studies;
  - the role of the LCS Council in overseeing LCS acquisition and fleet introduction.
- Prohibits funding for LCS-25 and LCS-26 until: (1) the Navy provides certain reports about the LCS program; and (2) the Joint Requirements Oversight Council makes certain certifications about the LCS program.
- Requires an annual GAO review of the VXX presidential helicopter program until the program begins full rate production.
- Adds \$34.8 million for the DOD Inspector General (IG) to enable continued growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement. DOD IG reviews resulted in savings of \$3.6 billion in FY 2012 – a return on investment of \$10.81 for every dollar appropriated.
- Requires that all future military construction projects funded using in-kind payments from partner nations under an international agreement be submitted for congressional authorization in the Military Construction Authorization Act.
- Cuts \$273.3 million from the Office of Economic Adjustment for projects ahead of need.
- Cuts \$74.5 million from Army ammunition procurement for excess amounts.
- Cuts \$12.0 million from Defense Security Cooperation Agency O&M for regional centers for security centers.
- Cuts \$10.3 million from Army ammunition procurement accounts for ahead of need.
- Cuts \$8.0 million from defense-wide O&M for a 2015 Base Realignment and Closure (BRAC).
- Cuts \$7.8 million from Defense Security Cooperation Agency O&M for the combating terrorism fellowship program.
- Cuts \$7.0 million from the Office of the Under Secretary of Defense for Policy for unjustified growth.
- Cuts \$5.1 million from Air Force O&M for an unjustified increase for public-private competitions.
- Cuts \$5.0 million from the Army for unjustified growth in U.S. European Command (EUCOM).

- Cuts \$5.0 million from Washington Headquarters Services O&M for unjustified price growth.
- Directs DOD to analyze foreign language contracts.

## **DETAILED DESCRIPTION BY SUBCOMMITTEE**

### **FUNDING LEVELS**

The administration's budget request for national defense discretionary programs within the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives for FY 2014 was \$625.2 billion. Of this amount, \$526.6 billion was requested for base DOD programs, \$80.7 billion was requested for overseas OCO, and \$17.9 billion was requested for national security programs in the DOE and the Defense Nuclear Facilities Safety Board (DNFSB).

The bill authorizes \$625.1 billion in FY 2014, including \$526.8 billion for base DOD programs, \$80.7 billion for OCO, and \$17.6 billion for national security programs in the DOE and the DNFSB. The bill includes \$5 billion in General Transfer Authority.

### **SUBCOMMITTEE ON PERSONNEL**

Subcommittee Chair Kirsten Gillibrand (D-NY) and Ranking Member Lindsey Graham (R-SC) continued to focus the Subcommittee on Personnel's attention on improving the quality of life of the men and women of the armed forces and their families, as well as DOD civilian personnel, through fair pay, policies, and benefits, with a particular emphasis on measures to address sexual assault in the military. The subcommittee included the following funding and legislative provisions:

#### **End Strength**

- Authorizes FY 2014 active-duty end strengths for the Army of 520,000; the Navy, 323,600; the Marine Corps, 190,200; and the Air Force, 327,600. These end strengths are consistent with the President's request.
- Increases maximum annual reduction in active-duty Army and Marine Corps end strength to 25,000 and 7,500, respectively, through 2017.
- Authorizes reserve component end strengths consistent with the President's request.

## **Military Personnel Policy**

- Requires congressional notification prior to any increase in number of general or flag officers on active-duty or in joint duty assignments.
- Authorizes constructive service credit upon original appointment as a commissioned officer for special experience or training in cyberspace-related fields.
- Revises eligibility criteria for selective early retirement of retirement-eligible active duty and reserve officers to enhance force management capabilities of the military services.
- Requires the Secretary of Defense to collaborate with state adjutants general to improve suicide prevention education and outreach for members of the National Guard and Reserves.
- Removes restrictions on the transfer of officers between the active and inactive National Guard.
- Requires the Secretary of Defense to personally approve any decision to cancel the deployment of a reserve component unit within 180 days of its scheduled deployment date when the reserve unit is replaced by an active duty unit and requires service secretaries to provide at least 120-days advance notice of an involuntary mobilization of an individual reservist who is not being mobilized as part of a unit.
- Requires the Secretary of Defense to conduct a review of requirements for reserve component general and flag officers in active status.
- Requires the Secretary of Defense to report on the feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.
- Requires the transition assistance program to include information on disability-related employment and education protections.
- Clarifies that a separation in lieu of court-martial is an administrative separation for purposes of the statute that requires a medical examination prior to administrative separation of a service member with post-traumatic stress disorder or a traumatic brain injury.
- Establishes a consistent definition of gender-neutral occupational standard for military career designators requiring that all service members serving in or assigned to a military career designator meet the same performance outcome-based standards.

- Expresses the sense of Congress that the service secretaries should develop, review, and validate individual occupational standards relating to the women in service implementation review no later than September 2015.
- Requires the Secretary of Defense to make military service records of service members discharged or released on or after January 1, 2014, available to the Secretary of Veterans Affairs in an electronic format.
- Requires the Secretary of Defense to review the backlog of pending reserve component cases in the Integrated Disability Evaluation System and to report on the progress being made to improve the processing of these cases.
- Modifies eligibility criteria to authorize the appointment of certain retired commissioned officers as judges on the United States Court of Appeals for the Armed Forces.
- Requires the accommodation of individual expressions of moral and religious beliefs by service members unless such expressions of belief could have an adverse impact on military readiness, unit cohesion, and good order and discipline.
- Requires the DOD IG to assess and report on compliance with regulations for the protection of rights of conscience of service members.
- Requires the Secretary of Defense to conduct a survey of military chaplains to assess whether restrictions placed on prayers offered in public or non-religious settings have prevented the military chaplains from exercising the tenets of their faith as prescribed by their endorsing faith group or have had an adverse impact on their ability to minister to service members and their families.
- Enhances DOD education assistance standards by requiring that participating schools be eligible for federal funding under title IV of the Higher Education Act.
- Requires service secretaries to make information on civilian credentialing opportunities available to service members at every stage of training for military occupational specialties and requires that information on military training and experience be provided upon request to civilian credentialing agencies and other approved entities.
- Requires the Secretary of Defense to submit a report on the potential expansion of the Troops to Teachers program.
- Requires the Secretary of Defense to report on the feasibility of automatically applying the prohibition on interest accrual on student loans for certain deployed service members.
- Authorizes the award of more than one Medal of Honor to a service member whose subsequent acts justify an additional award.

- Standardizes the time-limits for recommending and awarding the Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal.
- Establishes the “Army, Navy, Air Force, and Coast Guard Medal of Honor Roll” and provides for the automatic enrollment and payment of the special pension to living Medal of Honor recipients.
- Requires the replacement of military decorations to be completed within one year of request and that replacement military decorations be mailed within 90 days of verification of the service record of the recipient of the decoration.
- Requires a review of the circumstances of the attacks on the recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas, and requires award of the Purple Heart to victims of those attacks determined to be eligible. Also requires the Secretary of Defense to review the eligibility criteria for the award of the Purple Heart.
- Authorizes the award of the Army Distinguished Service Cross to Sergeant First Class Robert F. Keiser for acts of valor during the Korean War and to Patrick N. Watkins, Jr., and Specialist Four Robert L. Towles for acts of valor during the Vietnam War.
- Authorizes the President to award the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War and to Sergeant First Class Bennie G. Adkins, United States Army, and to Specialist Four Donald P. Sloat, United States Army, for acts of valor during the Vietnam War.
- Authorizes award of the Medal of Honor to veterans of the armed forces who, although they were not Jewish-American or Hispanic-American war veterans, were recommended for award of the Medal of Honor as a result of the required review of service records of certain Jewish-American war veterans and Hispanic-American war veterans.
- Requires the Secretary of Defense to report on the feasibility of including a 360-degree assessment approach as part of performance evaluation reports.
- Requires the Secretary of Defense to report on DOD personnel policies regarding members of the armed forces with human immunodeficiency virus or Hepatitis B and assess whether the policies reflect a medically accurate understanding of how these conditions are contracted, how they can be transmitted to others, and the risk of transmission.
- Requires the Secretary of Defense to ensure that graduates of secondary schools, including graduates of secondary schools that are legally operating or who otherwise complete a program of secondary education in compliance with state law, are required to meet the same standard of any test, assessment, or screening tool used to identify persons for recruitment and enlistment in the armed forces.

- Requires a Comptroller General report on separation of service members due to unfitness for duty because of a mental condition not amounting to a disability since January 1, 2007.
- Requires dissemination of information on the status of missing persons to authorized family members, a report on missing service members, and an assessment of the organization of the prisoner of war/missing in action accounting community.
- Expands categories of privileged information exempt from being maintained in personnel files maintained under the system for accounting for missing persons to include survival, evasion, resistance, and escape debriefing reports of certain persons returned to U.S. control under a promise of confidentiality.
- Requires the Secretary of Defense to conduct a review and report to Congress on security measures on military installations.
- Authorizes members of the armed forces not in uniform and veterans to render the military salute during recitation of the pledge of allegiance.
- Requires that the results of command climate assessments be provided to the individual commander and to the next higher level of command, and to require that the failure of commanders to conduct the required command climate assessments be noted in their performance evaluations.
- Directs the Army to work with the Middle States Commission on Higher Learning to designate the School of Advanced Military Studies as an additional location of study for the U.S. Army War College to authorize Joint Professional Military Education II credit to students who successfully complete the course of study.
- Directs the Comptroller General to provide a comprehensive listing of DOD and Department of Veterans Affairs (VA) programs that address the effects of warfare on members of the armed forces, the families of members of the armed forces, and the communities of members of the armed forces; the outgoing experience and transition between military and civilian life; and the gaps between the military and those Americans who do not participate directly in the military community.

### **Military Families**

- Authorizes \$25.0 million in impact aid for assistance to local educational agencies impacted by the enrollment of dependent children of military members and DOD civilian employees.
- Authorizes \$5.0 million in impact aid for schools with large numbers of children of military members and DOD civilian employees with severe disabilities.

- Authorizes \$21.7 million to continue DOD funding for the STARBASE program.
- Authorizes the Secretary of Defense to use tuition payments made by participants in the DOD virtual elementary and secondary education programs to support these virtual education programs.
- Authorizes up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of service members assigned to special operations forces.
- Expresses the sense of Congress that State courts should not consider military deployment as the sole factor in determining child custody in State court proceedings involving a parent who is a member of the armed forces.

### **Sexual Assault and Prevention**

- Extends specified crime victims' rights to victims of UCMJ offenses.
- Amends Article 60, UCMJ, to limit the authority of court-martial convening authorities to modify the findings and sentence of courts-martial.
- Requires that victims be afforded an opportunity to submit matters for consideration by a convening authority before the convening authority takes action on the findings and sentence of a court-martial and limits convening authority consideration to matters considered at trial.
- Amends Article 32, UCMJ, to change Article 32 proceedings from an investigation to a preliminary hearing normally conducted by a judge advocate to determine whether there is probable cause to prosecute a case.
- Eliminates the five-year statute of limitations on prosecutions for certain sex-related offenses under the UCMJ.
- Requires interviews of victims of sex-related offenses to be conducted in the presence of trial counsel, victim's counsel, or a Sexual Assault Victim Advocate if requested by the victim.
- Limits jurisdiction over specified sex-related offenses to trial by general court-martial and requires a minimum sentence of Dishonorable Discharge or Dismissal for conviction of these offenses.
- Repeals the offense of consensual sodomy under the UCMJ.
- Removes the character and military service of an accused from factors a commander should consider in deciding how to dispose of any offense.

- Prohibits retaliation against service members for reporting a criminal offense.
- Prohibits enlisting or commissioning in the military of individuals convicted of certain felony sex-related offenses.
- Requires the Coast Guard to issue regulations requiring timely action on requests for transfer or reassignment by sexual assault victims.
- Provides for temporary administrative reassignment or removal of service members accused of committing specified sex offenses.
- Enhances protections for military whistleblowers.
- Requires DOD IG investigation of allegations of retaliatory personnel actions for reporting certain sexual offenses.
- Requires a Special Victims' Counsel program in each service to provide legal counsel to victims of sexual assault.
- Requires service secretaries to track compliance of commanding officers in conducting command climate assessments.
- Requires DOD to retain for 50 years certain forms filed in connection with reports of sexual assault involving service members.
- Requires timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves who are victims of sexual assault.
- Requires the Secretary of Defense to report on the adequacy of training, qualifications, and experience of individuals with sexual assault prevention and response duties.
- Requires assignment of at least one full-time sexual assault nurse examiner to military medical treatment facilities that have a 24-hour emergency room.
- Assigns additional responsibilities to the DOD Sexual Assault Prevention and Response Office.
- Assigns additional tasks to the Response Systems Panel and to the Judicial Review Panel established to review matters involving sexual assaults in the military.
- Requires the Response Systems Panel to submit its report no later one year after its first meeting on its review of systems used to investigate, prosecute, and adjudicate sexual assault crimes.

- Requires review of practices of military criminal investigative organizations, including the determination of whether an offense is founded.
- Requires Secretary of Defense to identify common core elements that must be included in sexual assault prevention and response training.
- Requires Secretary of Defense to report to Congress on the progress made in developing and implementing a comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving service members.
- Requires Secretary of Defense to review the role of the Office of Diversity Management and Equal Opportunity in sexual harassment cases.
- Requires enhanced protections for prospective service members and new service members during entry level processing and training.
- Requires commanding officers to immediately refer reports of sexual offenses involving service members in their command to the appropriate military criminal investigation organization for investigation.
- Requires a written report be provided to senior officers within eight days of an unrestricted report of sexual assault to ensure necessary care and support for the victim and timely investigation of the offense.
- Requires review by the service secretary of a convening authority's decision not to prosecute certain charges of sexual offenses when the staff judge advocate recommends prosecution, and review by a superior general court-martial convening authority when the staff judge advocate recommends against prosecution.
- Requires that court-martial convictions, non-judicial punishment, or administrative action for sex-related offenses be noted in the service member's personnel records and requires that commanders review the history of substantiated sexual offenses of service members assigned to their commands.
- Requires military service academies to provide training and education on prevention of sexual assault within 14 days of arrival of new cadets and midshipmen and annually thereafter.
- Requires that service members be notified that they can answer no to the question about consulting with a mental health professional on the Questionnaire for National Security Positions (Standard Form 86) if the consultation relates to the service member being a victim of a sexual assault.
- Expresses the sense of Congress that commanders are responsible for establishing a healthy command climate where victims can report criminal activity, including sexual

assault, without fear of retaliation, and that failure to maintain such a climate is an appropriate basis for relief from command.

- Expresses the sense of Congress that charges of rape, sexual assault, forcible sodomy, or attempts to commit these offenses, should be prosecuted by court-martial rather than non-judicial punishment or administrative action.
- Expresses the sense of Congress that discharges in lieu of court-martial should be used very sparingly for service members who are charged with rape, sexual assault, forcible sodomy, or attempts to commit these offenses, and that victims should be consulted about the discharge of the service member whenever possible.

### **Military Pay and Compensation**

- Authorizes \$137.0 billion for military personnel, including costs of pay, allowances, bonuses, death benefits, and permanent change of station moves.
- Authorizes funding to support President's alternative pay plan establishing a 1 percent across-the-board pay raise for all members of the uniformed services.
- Reauthorizes over 30 types of bonuses and special pays aimed at encouraging enlistment, reenlistment, and continued service by active-duty and reserve component military personnel.
- Extends authority to provide temporary increases in the rate of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel.
- Authorizes members of the National Guard called into federal service for a period of 30 days to become entitled to basic pay by contacting their unit through authorized telephonic or electronic means.
- Authorizes a new bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.
- Authorizes payment of the health professions stipend to nurses enrolled in an accredited program of nursing in a specialty designated as critical by the Secretary of Defense who are eligible for appointment as Reserves officer in the Selected Reserve of any of the reserve components.
- Clarifies the applicability of the retired pay inversion statute to retirees who first entered active duty on or after September 8, 1980 ("high-3 retirees").

- Requires the service secretaries to provide periodic notice to reserve component members who have earned early retirement credit.
- Requires the service secretaries to designate a military member or civilian employee to provide certain assistance to spouses and other dependents of service members who die on active duty.
- Requires the Secretary of Defense, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, to assess the needs of Survivor Benefit Plan (SBP) participants who have children and spouses with special needs, and to report to Congress on the feasibility and advisability of authorizing such participants to direct their SBP annuity to a special needs trust for the benefit of the disabled child or spouse.
- Expands whistleblower protections for employees of non-appropriated fund instrumentalities to align them with whistleblower protections for other DOD civilian personnel.
- Authorizes the payment of certain expenses for the care and disposition of human remains retained by a service secretary pursuant to a forensic pathology investigation by the Armed Forces Medical Examiner.
- Requires the Secretary of Defense to conduct a study on the merits and feasibility of providing transitional compensation benefits to dependents or former dependents of service members convicted by court-martial under the UCMJ, and who, as a result of the sentence of the court-martial, are separated from active duty and forfeit all pays and allowances, and to report to Congress on the results of that study.
- Amends the Military Compensation and Retirement Modernization Commission statute to include additional authorities for the Commission, extend timelines and milestones, and increase funding.

### **Health Care**

- Authorizes \$32.9 billion for the Defense Health Program.
- Does not include DOD proposals to establish or increase TRICARE fees, deductibles, and copayments.
- Authorizes a one-time election to continue enrollment in TRICARE Prime for certain beneficiaries who were no longer eligible as of October 1, 2013.
- Authorizes the Secretary of Defense to extend Transitional Assistance Management Program coverage for certain individuals for an additional 180 days for mental health

care provided through telemedicine, and requires the Secretary to submit a report on the use of telemedicine.

- Requires the Secretary of Defense and Secretary of Veterans Affairs to jointly develop and implement a comprehensive policy on urotrauma.
- Requires the Secretary of Defense to carry out a pilot program for randomized placebo-controlled clinical trials of investigational treatments of traumatic brain injury or post-traumatic stress disorder for service members in non-military treatment facilities.
- Clarifies the authority of the Secretary of Defense, with regard to the Uniformed Services University of the Health Sciences, to enter into contracts and agreements and make grants to nonprofit entities.
- Requires the Secretary of Defense to carry out a pilot program to assess the feasibility of using commercially-available enhanced recovery practices for medical payment collection.
- Requires: the Secretary of Defense and the Secretary of Veterans Affairs to ensure that the departments' electronic health record systems are interoperable with integrated display of data, or a single electronic health record, and that each complies with national standards and architectural requirements; each department to deploy modernized electronic health record software supporting clinicians by December 31, 2016; and the Secretary of Defense to complete the implementation of the Healthcare Artifact and Image Management Solution program not later than 180 days after enactment of this Act.
- Requires the Secretary of Defense to submit to Congress, as a part of the documentation supporting the President's annual budget for DOD, a budget justification display for embedded mental health providers within each reserve component.
- Requires the Secretary of Veterans Affairs to report on the VA's support to centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of: traumatic brain injury, post-traumatic stress disorder and other mental health conditions; military eye injuries; hearing loss and auditory system injuries; and traumatic extremity injuries and amputations.
- Requires the Secretary of Defense to submit a report on identification, referral, and treatment of traumatic brain injuries for service members prior to a June 2010 change in policy.
- Requires the Secretary of Defense and the Secretary of Veterans Affairs to report on plans to ensure that the most clinically appropriate prosthetics and orthotics are made available to injured service members and veterans.

- Requires the Comptroller General of the United States to submit reports on the similarities and differences in identifying and recovering improper payments across Medicare and TRICARE, and the availability of compounded pharmaceuticals in the military health care system.
- Authorizes the Secretary of Defense to transfer \$143.1 million to the Joint DOD-VA Medical Facility Demonstration Fund for operation of the Captain James A. Lovell Federal Health Care Center.

### **Civilian Personnel**

- Extends for 1 year the authority of the head of an executive agency to waive limitations on the aggregate of basic and premium pay to employees who perform work in United States Central Command.
- Extends for 1 year temporary discretionary authority for federal agencies to grant allowances, benefits, and gratuities comparable to those provided to members of the Foreign Service to an agency's civilian employees on official duty in a combat zone.
- Extends the authority of the Secretary of Defense to allow certain civilian employees to volunteer for reduction-in-force separations.
- Extends the authority of the Secretary of Defense to pay the total amount of severance pay to an eligible civilian employee in one lump sum.
- Authorizes an additional 5 years the Information Technology Exchange Program for DOD.
- Extends to 2020 the authority of the Secretary of Defense to exercise any authority for appointment and pay of health care personnel under chapter 74 of title 38, United States Code.
- Directs the Secretary of Defense to review the civilian faculty requirements for all DOD and Professional Military Education schools, universities, and institutes.
- Authorizes DOD labs, through 2019, to direct hire qualified candidates possessing bachelor's degrees as well as qualified veterans, and establishes a category of senior professional scientific and technical positions called "senior scientific technical managers."

### **Armed Forces Retirement Home**

- Authorizes \$67.8 million to be appropriated for the Armed Forces Retirement Home.

## **SUBCOMMITTEE ON AIRLAND**

Under the leadership of Chairman Joe Manchin (D-WV) and Ranking Member Roger Wicker (R-MS), the Subcommittee on Airland followed Chairman Levin's full committee markup guidelines, in particular to provide what is needed to succeed in combat and stability operations, to restore the readiness of Army ground forces, and Air Force and Navy tactical air systems, to enhance the capability of the armed forces to conduct operations across the spectrum of peace and conflict, and to improve efficiency of programs and apply the savings toward high-priority programs. Specifically, the subcommittee included the following budget recommendations and legislative provisions:

### **Army**

- Authorizes \$592.2 million for continued GCV development.
- Authorizes \$374.1 million to convert flat-bottom Stryker vehicles to more survivable double-V hull configuration.
- Authorizes \$84.2 million in Army and \$50.4 million in Marine Corps research and development for the Joint Light Tactical Vehicle.
- Authorizes \$116.3 million to fund a development contract beginning in FY 2014 for the Armored Multi-purpose Vehicle, an armored vehicle to replace the M113 family of armored personnel carriers in the armored brigades.
- Authorizes \$340.0 million (research and procurement) for continued development and prototyping of the next generation Paladin Integrated Management program self-propelled howitzer artillery system. At the Army's request, transfers \$40.7 million from procurement to research and development.
- Adds \$75.0 million for a total authorization of \$171.2 million in procurement for the UH-72A Light Utility Helicopter to achieve production minimum sustaining rate for the final year of the Army's buy.
- Authorizes \$1.2 billion in procurement for UH-60 Blackhawk.
- Authorizes \$1.1 billion in procurement for CH-47F Chinook helicopters.
- Authorizes \$759.4 million in procurement for remanufactured AH-64E Apache attack helicopters.

- Authorizes \$973.5 million in procurement for increments 1 and 2 of the WIN-T networking system.
- Cuts \$37.0 million in research and development for the WIN-T demonstration and evaluation for excess program growth.
- Authorizes \$382.9 million in procurement for the Joint Tactical Radio System rifleman and manpack radios.
- Cuts \$58.1 million in procurement for the XM25, CDTE due to system unreliability and an Army decision to reconsider other weapons available to meet its requirement for a grenade launcher system that can fire programmable air burst munitions.
- Cuts \$29.0 million in research and development for the LEMV program termination.
- Cuts \$10.6 million in research and development for Landmine Warfare and Barrier advanced development for program deferral to FY 2019.
- Cuts \$17.1 million in research and development for General Fund Enterprise Business System for excess to requirements.
- Cuts \$49.5 million in procurement for the individual carbine based upon the Army's decision to not continue with the competitive evaluation program.
- Requires the Secretary of the Army to provide a report on Stryker combat vehicle spare parts inventories.
- Requires the Secretary of the Army to provide a report on the GCV program that includes an independent assessment of the business case to proceed with engineering and manufacturing development and a certification by the Secretary that the program has stable, achievable, and affordable requirements and sufficient funding planned in the future-years defense plan.
- Requires the Secretary of Defense to provide a report on plans for the improvement of body armor that would reduce weight while retaining at least current levels of protection.
- Requires the Secretary of Defense to contract with a federally-funded research and development entity for a study on alternative funding methods for research, development, and acquisition of personal protection equipment.
- Requires the Secretary of Defense to provide a report on a study and business case analysis of the feasibility and advisability of using multivehicle, multiyear contracting for the procurement of tactical vehicles.

## **Air Force and Naval Aviation**

- Authorizes \$2.0 billion in procurement for EF-18G Growler electronic warfare aircraft.
- Authorizes \$75.0 million in advance procurement for F/A-18E/F aircraft.
- Authorizes \$1.3 billion for E-2D Hawkeye aircraft.
- Authorizes \$2.6 billion for Navy and \$3.4 billion for Air Force Joint Strike Fighter aircraft.
- Authorizes \$354.6 million for F-15 and \$285.8 million for F-22 aircraft modifications.
- Authorizes \$1.9 billion for C/HC/MC/AC-130J cargo aircraft.
- Authorizes an additional \$47.3 million in Air Force research and development for C-130 legacy aircraft avionics modernization and prohibits cancellation of the C-130 Avionics Modernization Program pending a GAO review of the recent study on avionics modernization alternatives.
- Authorizes \$230.8 million for CV-22 aircraft.
- Authorizes \$1.6 billion in research and development to continue development of the KC-46A, the next-generation aerial refueling aircraft.
- Prevents the Air Force from using any FY 2014 funds to retire or plan to retire the RQ-4 Global Hawk Block 30 remotely piloted aircraft.
- Authorizes \$352.2 million to buy MQ-9 remotely piloted aircraft.
- Authorizes \$57.5 million to modernize E-8 Joint Surveillance Target Attack Radar System aircraft in procurement and \$23.1 million in research and development, including an additional \$9.9 million to maintain a test aircraft.
- Authorizes \$197.1 million to modernize E-3 Airborne Warning and Control System aircraft.
- Authorizes the Secretary of the Navy to enter into a multi-year procurement contract for the E-2D aircraft.
- Authorizes the Secretary of the Air Force to enter into a multiyear procurement contract for the C-130J aircraft.

- Repeals the law requiring the Secretary of the Air Force to maintain at least 74 of the KC-135E aircraft retired after 2006 in a condition that would allow for their recall to future service.
- Requires the Secretary of the Air Force to consider fuel efficiency upgrades for legacy models of the C-130 cargo aircraft and provides \$15.7 million for these efforts.
- Requires the Secretary of the Air Force to report on the requirements and allocation of aircraft for the Civil Air Patrol.
- Includes language requiring various actions by the Air Force, the Coast Guard, and the Forest Service regarding aircraft inventories:
  - Requires the Coast Guard to transfer seven HC-130H aircraft to the Air Force.
  - Requires the Secretary of the Air Force to spend up to \$130 million to upgrade those seven aircraft to make them suitable for Forest Service use a firefighting aircraft.
  - Requires the Forest Service to accept the upgraded HC-130H aircraft in lieu of exercising their right to take seven excess C-27J aircraft.
  - Transfers 14 excess C-27J aircraft from DOD to the Coast Guard.
  - Transfers up to 15 C-23 Sherpa aircraft from DOD to the Forest Service.
  - Transfers up to eight C-23 Sherpa aircraft to the Governor of Alaska.

### **SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES**

The Subcommittee on Emerging Threats and Capabilities, under the leadership of Chairman Kay Hagan (D-NC) and Ranking Member Deb Fischer (R-NE), focused on improving DOD capabilities to protect the Nation against emerging threats, including terrorism and the proliferation of weapons of mass destruction, and helping to transform U.S. forces to meet future threats. The subcommittee authorized increased investments in cutting-edge science and technology programs, and for unfunded requirements identified by special operations forces, and recommended improvements in programs to combat terrorism and violent extremism. Specifically, the subcommittee included the following funding and legislative provisions:

#### **Special Operations**

- Authorizes \$7.69 billion for USSOCOM in base budget funding and \$2.25 billion for OCO.
- Adds \$88.1 million in USSOCOM O&M to address readiness problems caused by sequestration.
- Authorizes an increase of \$25.0 million to help address technology gaps identified by USSOCOM on its fleet of MQ-9 Reaper Unmanned Aerial Vehicles.

- Prohibits expenditure of funds for the USSOCOM – National Capital Region (USSOCOM-NCR) until the Secretary of Defense provides a report to the congressional defense committees on the purpose and costs associated with the USSOCOM-NCR, among other things.
- Prohibits expenditure of funds for Regional Special Operations Coordination Centers (RSCC) and requires the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, in coordination with the Commander of USSOCOM, to provide a report on the RSCC’s purpose, cost, and coordination with other multilateral engagement efforts, among other things.
- Prohibits expenditure of funds for the Trans Regional Web Initiative (TRWI) with an exception for the use of up to \$2.0 million for termination of the program or for purposes of transitioning appropriate TRWI capabilities to other agencies.
- Requires the Secretary of Defense to develop and implement a strategy for developing and sustaining appropriate military information operations capabilities for future contingencies.
- Extends, for 2 additional years, the authority of DOD to establish, develop, and maintain non-conventional assisted recovery capabilities.
- Clarifies the responsibility of the USSOCOM Acquisition Executive to the USSOCOM Commander for rapidly delivering acquisition solutions to meet validated special operations-peculiar requirements while also remaining subordinate to the Defense Acquisition Executive in matters of acquisition.
- Requires the Secretary of Defense to review and assess the organization, missions, and authorities of U.S. Special Operations Forces and USSOCOM and to provide a report to the congressional defense committees.

### **Nonproliferation and Threat Reduction Programs**

- Authorizes \$528.0 million for the Cooperative Threat Reduction (CTR) program, the requested amount, but would transfer funds from the programs that will end in Russia (\$75.0 million) to CTR nonproliferation efforts in the Middle East, particularly related to Syrian chemical weapons.
- Authorizes the use of CTR funding without the 10 percent limit under section 1305 of the NDAA for FY 2010 (known as the “urgent needs authority”) over a two year period to eliminate the Syrian chemical weapons program, and requires quarterly briefings to Congress on the status of the use of such authority.

- Requires the President to provide to Congress a long-term strategy for the CTR program in the Middle East and North Africa to stem the proliferation of weapons of mass destruction.
- Authorizes \$543.0 million for the MOX fuel program, an increase of \$40.0 million above the budget request. This would continue the program while allowing DOE/NNSA to perform a strategic analysis of the overall disposition effort, including ways to lower the cost and achieve efficiencies in the current program.

### **Assistance and Training**

- Provides assistance to support the border security operations of the Jordanian Armed Forces to secure that country's border with Syria.
- Extends and modifies DOD's authority to provide certain types of assistance to the foreign militaries that are contributing to the ongoing operation to remove Joseph Kony and the top lieutenants of the Lord's Resistance Army from the battlefield.
- Directs the Secretary of Defense to develop a regional strategic framework for U.S. counterterrorism assistance and cooperation in North Africa.
- Extends through 2017 and modifies the global train and equip (section "1206") authority to help build the capacity of foreign force partners to conduct counterterrorism and stability operations to allow such assistance to be provided to non-military national security forces that have a counterterrorism mission and to require non-binding reporting on train and equip planning as part of the defense budget request.
- Continues funding for the Global Security Contingency Fund, a joint DOD-State security sector assistance program for building the capacity of foreign security forces.
- Reduces by \$12.0 million funding for the five regional centers for security studies and reduces by \$7.0 million funding for the Counterterrorism Fellowship Program.
- Extends the DOD Ministry of Defense Advisor program, which permits the Secretary of Defense to deploy DOD civilians overseas to advise foreign ministries of defense on a variety of matters.
- Authorizes the general purpose forces of the U.S. Armed Forces to train with the military forces and other security forces of a friendly foreign country if the Secretary of Defense determines that it is in the national security interests of the United States to do so.
- Authorizes State Partnership Program to conduct bilateral or multilateral military-to-military exchanges between the National Guard of a State or territory and the national

military forces of a foreign nation and also engagement with other than military forces focused on disaster response and emergency response.

### **Improved Explosive Device Defeat**

- Authorizes nearly \$1.0 billion for DOD counter-IED efforts to defeat the device, attack the network, and train the force.

### **Research, Development, Test, & Evaluation (including Science & Technology)**

- Reauthorizes, until 2020, DOD laboratories' ability to use up to 3 percent of their funds for internal research and development, workforce development, and limited laboratory revitalization activities. In addition, allows for funds under this authority to be accumulated for no more than 5 years for individual DOD laboratory revitalization projects with costs up to \$4 million.
- Establishes a pilot program through 2017 that would allow DOD laboratories to license DOD-owned intellectual property that may or may not be patented, and to retain associated royalties.
- Provides greater flexibility to the Secretary of Defense to determine the amount of financial assistance delivered by the Science, Mathematics, and Research for Transformation (SMART) program, and limits the termination or transfer of certain DOD pre-kindergarten through 12<sup>th</sup> grade Science, Technology, Engineering and Mathematics (STEM) activities pending an assessment submitted to congressional defense committees.
- Reauthorizes, until 2018, DOD's ability to carry out programs to award cash prizes (prize authority) in recognition of outstanding achievements in scientific and technical research and development.
- Authorizes the establishment of a Conflict Records Research Center to facilitate research in international relations, counterterrorism, conventional and unconventional warfare via the analysis of records captured from countries, organizations, or individuals, now or once hostile to the United States.
- Authorizes \$200.0 million for the Rapid Innovation Program (RIP) for competitive, merit-based projects in three broad areas: nearer-term emerging technologies; breakthrough technologies for future military capabilities; and improvements in the affordability of defense operations.
- Authorizes an increase of \$25.0 million for a long-standing competitive, merit-based program for innovative manufacturing technologies.
- Authorizes \$7.5 million for DOD's counter terrorism, counter insurgency, and exploitation of human terrain in conflict efforts, ensuring adequate time to transition

defense-wide research and development activities to the Services given the termination of this program in FY 2014.

### **DOD Counternarcotics Program**

- Authorizes more than \$1.3 billion for the DOD counternarcotics program across the base and OCO budgets.
- Renews three longstanding counter-narcotics train and equip programs, including:
  - Authority for a joint task force conducting counter-narcotics training and assistance to a foreign government to also provide counterterrorism training and assistance.
  - Authority to provide support to the Colombia unified counterterrorism and counternarcotics program.
  - Authority to provide certain foreign governments with non-lethal assistance to support counternarcotics operations and expands the list of eligible countries to include Niger, Libya, Mali, and Chad.

### **Chemical and Biological Matters**

- Authorizes the Secretary of Defense to provide assistance to military and civilian first responders of nations that border Syria, and other nations if the Secretary of Defense notifies Congress of the intention to do so, to improve their ability to respond to an incident involving weapons of mass destruction.
- Authorizes \$1.5 billion for the Chemical and Biological Defense Program.
- Authorizes \$1.2 billion for chemical demilitarization programs, the amount requested in the budget.

## **SUBCOMMITTEE ON STRATEGIC FORCES**

Under the leadership of the Chairman Mark Udall (D-CO), and Ranking Member Jeff Sessions (R-AL), the Subcommittee on Strategic Forces reviewed DOD programs for national security space, strategic forces, ballistic missile defenses, intelligence, security, and reconnaissance, and cyber security, as well as DOE nuclear and environmental management programs. Specifically, the subcommittee included the following funding and legislative provisions:

### **Ballistic Missile Defense**

- Requires the Missile Defense Agency to deploy an additional missile defense radar to protect the United States from long-range missile threats from North Korea, and requires DOD to ensure the capability of deploying additional sensor capabilities on the Atlantic side of the United States to support defense of the United States from long-range missile threats that emerge from Iran.
- Prohibits the use of FY 2014 funds to integrate Chinese missile defense systems into U.S. missile defense systems, and requires the Secretary of Defense to submit a report on the status and progress of U.S. regional missile defense programs and efforts.
- Requires the Secretary of Defense to evaluate potential future options for enhancing homeland missile defense and submit a report on the evaluation, including the conclusions and recommendations of the Secretary. Also requires DOD to develop options and plans to improve the Ground-based Midcourse Defense (GMD) system, including plans for developing an upgraded exo-atmospheric kill vehicle for the GMD system.
- Requires DOD to evaluate options for future ballistic missile defense sensor architectures to improve U.S. missile defense capabilities, and to report to Congress on the results of the evaluation.
- Requires DOD to provide briefings to Congress on the status of efforts to implement the requirements of section 227 of the NDAA for FY 2013 concerning the environmental assessment of a potential additional future homeland missile defense interceptor site, including preparation of the required Environmental Impact Statement and development of a contingency plan for the deployment of such a site, in case the President determines to proceed with such an additional deployment.
- Expresses the sense of Congress regarding U.S.-Russian missile defense cooperation and limits the use of funds to provide Russia with certain sensitive missile defense information.
- Authorizes missile defense programs at \$9.5 billion, an increase of \$358.0 million above the budget request.
- Authorizes an increase of \$210.0 million for efforts to improve homeland missile defense, including: \$30.0 million for initial costs toward deployment of an additional homeland defense radar; \$80.0 million for correcting a problem that caused a missile defense flight test failure in July, 2013; \$50.0 million for enhanced discrimination capabilities; \$30.0 million for enhanced kill vehicle technology design and development; and \$20 million to continue activities relative to site evaluation, environmental impact assessment, and planning for a potential future additional homeland missile defense interceptor site.

- Authorizes an increase of \$173.0 million to accelerate and enhance U.S.-Israeli cooperative missile defense programs, including \$33.7 million to improve the Arrow Weapon System; \$22.1 million for development of the Arrow-3 upper-tier interceptor; and \$117.2 for development of the David's Sling short-range ballistic missile defense system. Also requires a report on U.S.-Israeli missile defense cooperation.
- Authorizes \$220.3 million, the level of the budget request, for Israel to procure additional Iron Dome short-range rocket defense system interceptors and batteries, and authorizes an increase of \$15.0 million to establish a U.S. co-production capability for Iron Dome parts and components.
- Requires the Missile Defense Agency to improve its acquisition accountability reporting to account for the full operation and sustainment costs of missile defense systems.

### **Strategic Systems**

- Ensures coordination between DOD and DOE on nuclear security programs by requiring a report by the Nuclear Weapons Council on joint DOD – DOE activities to share best practices and procedures for nuclear material security.
- Includes a provision that creates a Nuclear Command, Control, and Communications Council in DOD to ensure that senior leadership communications systems are integrated and modernized.
- Requires a cost comparison for the interoperable warhead as well as the two strategic warheads it will replace to ensure the Congress understands the full cost (and risk) implications of the proposed program.
- Allows the Department in FY 2014 to begin planning and preparation for implementing the force structure to meet the New START Treaty limits required by February 2018, allows 50% of the funds to be released to prepare any required environmental assessment associated with such implementation with a submission of a force structure plan including options and a preferred option to release the additional funding for conducting the remainder of the environmental assessment. Also allows B-52H aircraft to be modified to a conventional role once the force structure plan is received. Includes a sense of Congress that the New START force structure should preserve the existing Minuteman III silos, at the date of enactment, at a minimum in a warm status, and that the distribution of such warm-status silos should not disproportionately affect any one operational ICBM wing.
- Expresses the sense of the Congress on the importance of maintaining a modernized triad of delivery systems and weapons stockpile consistent with the report required by section 1043 of the FY 2012 NDAA, as amended, and that the President and Congress should work to ensure the programs are conducted as efficiently as possible while ensuring that

the existing heavy bombers are maintained with a priority for funding the development Long-Range Strike Bomber.

- Includes a sense of the Congress that, if the United States seeks further strategic nuclear arms reductions with Russia, such reductions should be pursued through a mutually negotiated agreement, be verifiable, take into account tactical nuclear weapons, and be subject to Senate advice and consent.
- Requires the retention of the capability to re-MIRV ICBMs consistent with the 201 Nuclear Posture Review.
- Requires any future replacement for the Nuclear Air Launched Cruise Missile contain a follow-on option for a conventional version.
- Authorizes continued modernization and development of bomber fleets to include B-1 and B-52 and begins Long Range Strike design and development.

### **Space Programs**

- Requires a business case analysis of satellite systems that propose to use dedicated control systems instead of shared control systems to help control costs.
- Requires a strategy on 5, 10, and 30-year basis for national security needs for spectrum.
- Requires a plan to account for and mitigate any decertification of cryptographic systems during the acquisition of a major defense acquisition program.
- Requires a short and long term plan for protecting our space assets and fences \$10.0 million in funding for the current space protection program until the existing report on space protection is delivered to Congress.
- Adds \$10.0 million to the Operationally Responsive Space program, which was proposed to have no funding in FY 2014. The \$10.0 million will enable the program to continue designing a low cost weather satellite.
- Requires a report on a space acquisition strategy for the evolved expendable launch program.
- Requires notification of intentional attempts by a foreign actor to disrupt, degrade, or destroy a national security space satellite.
- Requires a report by the National Academies of Sciences on National Security Space Defense and Protection.

- Requires a strategy from DOD Iraqi Special Immigrant Visa for multi-year procurement of satellite services.
- Requires a report from DOD on offensive and defense space control systems, policies and future technologies.
- Requires a report from DOD on low cost responsive launch strategies.
- Requires enhanced notification by DOD for acquiring satellites services where a covered foreign entity, as listed in 1261(c) of the FY 2013 NDAA has an ownership interest enabling it to affect satellite operations.
- Requires certification by the Secretary of Defense and Director of the National Intelligence (DNI) that any foreign controlled GPS ground station on U.S. territory is not used to gather intelligence or improve weapons system performance, such certification includes a national security waiver.

### **Cyber Security**

- Requires the President to establish an interagency process to develop policy to control the proliferation of cyber weapons through unilateral and cooperative law enforcement activities, financial means, and diplomatic engagement.
- Requires the Secretary of Defense to develop a comprehensive strategy for integrating the reserve components into a total force solution to the manning requirements of Cyber Command to execute missions to protect the nation, support the combatant commands, and defend DOD networks.
- Strengthens DOD oversight and management of Cyber Command, the authorities of the Command, its infrastructure, and its training ranges and training capabilities.
- Requires the President to establish an interagency process to develop an integrated policy to deter adversaries in cyberspace.
- Requires the Secretary of Defense to reform the process for developing the curricula and certification process for the nation's Centers of Academic Excellence in Information Assurance.
- Requires DOD to identify existing organizations and resources, and designate them as joint assets, to assist program offices in ensuring the security and integrity of hardware and software incorporated into sensitive weapons and information systems.

### **Intelligence**

- Directs the Secretary of Defense, in coordination with the DNI and the Director of the Office of Management and Budget, to reform and modernize the security clearance process.
- Terminates further procurement of the Army Enhanced Medium Altitude Reconnaissance and Surveillance System but permits the Army to use requested funds to modify

transferred Air Force C-12 Liberty intelligence, surveillance, and reconnaissance aircraft to the Army.

### **Department of Energy Programs**

- Increases the design threshold of major construction projects from \$600,000 to \$1.0 million.
- Requires the NNSA to develop an integrated plutonium strategy across all phases of its mission.
- Requires the Secretary of Energy to certify to Congress that DOE defense facilities containing special nuclear material at high security levels meets DOE standards for physical security.
- Requires a plan to implement exascale computing as part of the stockpile stewardship mission. Exascale is 1000 times faster than today's current high performance computers and will require a new generation of chip sets and computing algorithms. This provision will also advance the U.S. leadership role in high performance computing.
- Requires a report on a common financial accounting system at the NNSA sites so that an assessment can be made on how efficient some NNSA sites are in their performance compared to others.
- Establishes a Cost Analysis and Program Evaluation Office in the NNSA to help control costs of construction and weapons life time extension programs.
- Establishes a Center for Security Technology, Analysis and Response.
- Reauthorizes "other transactions authority" in the DOE for 5 years.
- Requires a study on re-using nuclear weapon secondaries as a way to achieve cost savings.

### **Defense Nuclear Facilities Safety Board**

- Authorizes funding at \$29.9 million.

### **SUBCOMMITTEE ON SEAPOWER**

Under the leadership of the Chairman Jack Reed (D-RI) and Ranking Member John McCain (R-AZ), the Subcommittee on Seapower focused on the needs of the Navy, Marine Corps, and strategic mobility forces. The subcommittee put particular emphasis on supporting

marine and naval forces engaged in combat operations, improving efficiencies, and applying the savings to higher-priority programs. Specifically, the subcommittee included the following funding and legislative provisions:

- Amends cost cap legislation for the CVN-78 program to:
  - increase the cost cap \$12.9 billion as requested;
  - exclude from the cost cap potential unforeseen cost increases in the shipboard testing program, subject to certain conditions;
  - require quarterly reports on the program manager's estimate for the CVN-79; and
  - direct the Secretary of the Navy to ensure that contracts for CVN-79 include provisions that would freeze payments of fees for a prime contractor if the program manager's estimate of total program costs for that contractor exceeds that contractor's portion of the CVN-79 cost cap.
- Requires the Chief of Naval Operations (CNO), coordinating with the Director, Operational Test and Evaluation, to submit a report on the current Littoral Combat Ship (LCS) concept of operations and expected survivability attributes of each LCS sea frame when employed according to the Navy's concept of operations.
- Requires the CNO to submit an assessment of capabilities versus likely threats over the period of the 30-year shipbuilding plan to provide metrics that focus on capabilities of ships in the fleet, not just numbers.
- Requires GAO to review the LCS program to assess:
  - Sea frame production and testing, including:
    - sea frame developmental test activities;
    - weight management for both variants of the sea frame;
    - Navy plans for verifying survivability; and
    - any plans for achieving greater commonality between the variants, and progress made in executing such plans;
  - mission module development and testing;
  - lessons the Navy may be learning from the deployment of LCS-1 to Singapore;
  - Navy studies on LCS requirements and technical capabilities, and any recommendations for changes from those studies; and
  - the role of the LCS Council in overseeing LCS acquisition and fleet introduction.
- Prohibits funding for LCS-25 and LCS-26 until: (1) the Navy provides certain reports about the LCS program; and (2) the Joint Requirements Oversight Council makes certain certifications about the LCS program.
- Requires an annual GAO review of the VXX presidential helicopter program until the program begins full rate production.
- Provides an additional \$100.0 million to support buying the tenth DDG-51 under the current multiyear procurement program.

- Prohibits the Secretary of the Navy from retiring certain cruisers and dock landing ships.
- Modifies legislation that mandates the annual 30-year shipbuilding plan to include two new requirements: (1) identify assumed ship prices in the plan; and (2) require an assessment of operational risks whenever the number or capabilities of ships in the plan does not meet requirements.
- Cuts \$20.9 million in research and development for Marine Corps Ground Combat/Supporting Arms Systems for deferral of the marine personnel carrier program.
- Authorizes \$78.2 million in research and development for the Marine Corps Ground/Air Task Order Radar.
- Authorizes \$178.6 million in research and development for Marine Corps Communications Systems.
- Requires GAO to provide an annual report on the Marine Corps Amphibious Combat Vehicle program.

### **SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT**

Subcommittee Chairman Jeanne Shaheen (D-NH) and Ranking Member Kelly Ayotte (R-NH) focused the subcommittee's efforts on: (1) improving the readiness of our armed forces; (2) ensuring that members of the armed forces and their families have access to appropriate facilities, including family housing; and (3) addressing problems in the management and efficiency of the Department. The subcommittee included the following funding and legislative provisions:

#### **Operations & Maintenance and Procurement Funding Items**

- Adds \$1.1 billion in Army reset funding to restore readiness.
- Adds \$959.8 million in Army O&M to address readiness problems caused by sequestration.
- Adds \$497.4 million in Navy O&M to address readiness problems caused by sequestration.
- Adds \$477.1 million in Air Force O&M to address readiness problems caused by sequestration.

- Adds \$112.2 million in Army Reserve O&M to address readiness problems caused by sequestration.
- Adds \$100.0 million in Air Force OCO depot maintenance funding to restore readiness.
- Adds \$74.2 million in Army National Guard O&M to address readiness problems caused by sequestration.
- Adds \$56.0 million in Marine Corps O&M to address readiness problems caused by sequestration.
- Adds \$40.0 million in Marine Corps O&M for the Crisis Response Force.
- Adds \$35.0 million in Marine Corps O&M for the Marine Corps Embassy Security Group.
- Adds \$34.8 million to the DOD IG to enable continued growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement. DOD IG reviews resulted in savings of \$3.6 billion in FY 2012 – a return on investment of \$10.81 for every dollar appropriated.
- Adds \$28.2 million in Air National Guard O&M to address readiness problems caused by sequestration.
- Adds \$15.8 million in Navy Reserve O&M to address readiness problems caused by sequestration.
- Adds \$8.9 million in Air Force Reserve O&M to address readiness problems caused by sequestration.
- Cuts \$273.3 million from the Office of Economic Adjustment for projects ahead of need.
- Cuts \$74.5 million from Army ammunition procurement for excess amounts.
- Cuts \$12.0 million from Defense Security Cooperation Agency O&M for regional centers for security centers.
- Cuts \$10.3 million from Army ammunition procurement accounts ahead of need.
- Cuts \$8.0 million from defense-wide O&M for a 2015 BRAC.
- Cuts \$7.8 million from Defense Security Cooperation Agency O&M for the combating terrorism fellowship program.

- Cuts \$7.0 million from the Office of the Under Secretary of Defense for Policy for unjustified growth.
- Cuts \$5.1 million from Air Force O&M for an unjustified increase for public-private competitions.
- Cuts \$5.0 million from the Army for unjustified growth in U.S. EUCOM.
- Cuts \$5.0 million from Washington Headquarters Services O&M for unjustified price growth.

### **Military Construction and Basing Issues**

- Authorizes \$10.4 billion for military construction, housing programs, energy conservation, and base closure activities.
- Cuts \$644.8 million from military construction, including \$555.2 million in incrementally funded projects to improve efficiency and prevent waste through more efficient cash flow of large projects.
- Provides for the withdrawal or transfer of public lands at Twentynine Palms, CA, Chocolate Mountain Aerial Gunnery Range, CA, Naval Air Station China Lake, CA, White Sands Missile Range, NM, and Limestone Hills Training Area, MT to support critical military training and testing requirements.
- Authorizes \$150.0 million for the Energy Conservation Investment Program.
- Makes clear that nothing in the Act shall be construed to authorize a future BRAC round.
- Requires the Under Secretary of Defense for Installations and Environment to produce a report on the costs and savings associated with joint basing decisions from the 2005 BRAC round.
- Extends the prohibition on the use of U.S. and Japanese funds for the realignment of Marine Corps' forces from Okinawa to Guam or other Pacific locations until several conditions are met, including the completion of a master plan for military construction necessary to support such a move. The provision includes specific exceptions for facilities that would have military value independent of the movement of Marines from Okinawa to Guam and planning and design of facilities across the island.
- Prohibits the obligation or expenditure of funds for new military construction and family housing projects, with certain exceptions, in the U.S. European Command area of responsibility until the Secretary of Defense certifies to the congressional defense committees that the installations and specific military construction requirements authorized in this Act have been examined as part of the ongoing European Infrastructure

Consolidation Assessment, have been determined to be of an enduring nature, and most effectively meet military requirements at the authorized location.

- Requires that all future military construction projects funded using in-kind payments from partner nations under an international agreement be submitted for congressional authorization in the Military Construction Authorization Act.
- Extends, for 1 year, and modifies the authority for the Secretary of Defense to use O&M funds to construct temporary facilities supporting U.S. military operations in the U.S. Central Command and specified countries in the U.S. Africa Command areas of responsibility.
- Modifies the unspecified minor military construction threshold for the use of O&M funds for laboratory revitalization projects from \$2.0 million to \$4.0 million and extends the underlying authority from 2016 to 2018.
- Provides additional latitude to DOD to apply local threat criteria in the design and construction of DOD facilities.

### **Acquisition Policy Provisions**

- Caps the costs of compensation of contractor employees at \$625,000 and ties future adjustments to changes in the Economic Cost Index for all workers, as calculated by the Bureau of Labor and Statistics.
- Expands section 841 of the FY 2013 NDAA, Contracting with the Enemy, to all non-continental U.S. geographic combatant commands. Each command will have an intelligence process to determine whether a recipient of a U.S. contract, grant, or cooperative agreement is providing support to a person or entity against which the United States or coalition partners is actively engaged in hostilities. If so found, the appropriate head of contracting activity may terminate or void the contract, grant, or cooperative agreement and restrict future awards to such person or entity. The individual or entity is provided the ability to challenge the action.
- Requires DOD to issue a sources sought notice for Berry Amendment compliant athletic footwear and test any offers against military requirements and assess cost and production ability.
- Requires the Secretary of Defense to provide the congressional defense committees with a plan to cut funds over 10 fiscal years by reducing headquarters staff. It is expected that DOD will save \$40.0 billion over that time.
- Authorizes concession contracts at military cemeteries for transportation, interpretative, and other services in support of visitors at Arlington National Cemetery, and the United States Soldiers' and Airmen's Home National Cemetery.

- Extends the limitation on service contracting contained in section 808 of the FY 2012 NDAA by one year.
- Provides for expedited engineering change proposals to identify and eliminate obsolete electronic parts.

### **Defense Management Provisions**

- Requires reporting on the potential consolidation of federal agency facilities onto military installations.

### **Environmental Provisions**

- Reauthorizes the Sikes Act.
- Fully funds the Defense environmental programs to the levels requested in the President's budget.
- Clarifies the regulations concerning burn pits to dispose of waste.

### **Readiness-Related Legislative Provisions**

- Directs DOD to develop an overarching strategy and implementation plan for the services' prepositioned equipment program.
- Directs DOD to establish a policy setting forth the program and priorities for retrograde, reconstitution, and replacement of units and materiel used to support OCO.
- Directs DOD to analyze foreign language support contracts.
- Directs DOD to reduce the separate development and fielding of service-specific combat and camouflage utility uniforms and families of uniforms, in order to adopt and field a common combat and camouflage utility uniform, or family of uniforms, for specific combat environments, to be used by all members of the Armed Forces.
- Directs DOD to complete a comprehensive strategy and implementation plan for improving asset tracking and in-transit visibility across the DOD.
- Streamlines the Quarterly Readiness Report to Congress and requires DOD to report on the ability of the geographic and functional combatant commanders to successfully meet their respective contingency and operational plans and key mission essential tasks.
- Codifies the responsibility of the CJCS to reflect the current joint training, doctrine, education, and force development functions that are overseen by the CJCS.

- Updates the military departments' strategic plans with performance measure and clear linkages to DOD's overarching goals and objectives as described in DOD's strategic plan for corrosion control and prevention.
- Modifies certain Presidential authorities to maintain and manage a National Defense Stockpile to allow the Defense Logistics Agency to more proactively engage in the market.
- Provides authority to acquire certain additional strategic and critical materials for the National Defense Stockpile.
- Directs DOD and GAO to review arsenals owned by the United States in order to support critical manufacturing capabilities.
- Revises the deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.
- Does not include a provision of the House-passed bill that would have exempted DOD from section 526 of the Energy Independence and Security Act of 2007.
- Does not include a provision of the House-passed bill that would have required DOD to obtain congressional authorization before entering into a contract for the planning, design, refurbishing, or construction of a biofuels refinery.
- Prohibits DOD's FY 2014 funding to be used for bulk purchases of drop-in fuel for operational purposes during FY 2014, unless the cost of that drop-in fuel is cost competitive with traditional fuel, subject to a national security waiver.

## **GENERAL PROVISIONS**

### **Guantanamo-Related Provisions**

- The Secretary of Defense may transfer Guantanamo (GTMO) detainees to foreign countries, through two authorities:
  - Authorizing GTMO transfers to foreign countries if: (a) following a review by a Periodic Review Board, the detainee is determined to no longer be a threat to U.S. security; or (b) the transfer is pursuant to a court order.
  - For all other GTMO transfers overseas, the Secretary of Defense must determine that action has been taken or will be taken to mitigate the risk of detainee reengaging in terrorist activity and the transfer is in the national security interests of the United States. While making that determination the Secretary will evaluate

and consider a number of factors including: any recommendation of the Periodic Review Board; the security situation in the recipient country; the presence of foreign terrorist groups in the recipient country; whether the recipient country is a state sponsor of terrorism; and the steps taken or to be taken to substantially mitigate the risk of the detainee re-engaging in terrorist activities.

- The provision also expands the information that must be provided to Congress not later than 30 days prior to the transfer.
- Extends through 2014 the current prohibitions on (1) the construction or modifications of facilities in the United States to house GTMO detainees, and (2) the transfer of GTMO detainees into custody in the United States for any purpose, including for trial, detention, or medical emergencies.

### **Afghanistan, Pakistan, and Iraq**

- Authorizes \$6.2 billion for ASFF to build the Afghan security forces, including \$1.1 billion for key enabling capabilities, which provides Afghan security forces the capabilities needed to take full security responsibility throughout Afghanistan by December 2014. This is \$1.5 billion below the budget request of \$7.7 billion, consistent with a reduction in the ASFF request from the Commander of U.S. and coalition forces in Afghanistan.
- Extends or modifies a number of authorities relating to the conflict in Afghanistan, including:
  - Authorizing up to \$60.0 million for the Commanders' Emergency Response Program for commanders to support humanitarian projects and reconstruction in Afghanistan;
  - Authorizing the use of DOD funds to support a program to reintegrate Taliban fighters into Afghan society;
  - Authorizing up to \$250.0 million, a reduction of \$29.0 million from the budget request, to support the Afghanistan Infrastructure Fund, which supports electrification, irrigation, road, and other large-scale infrastructure projects that support the counterinsurgency campaign and help protect our troops; and
  - Authorizing \$63.8 million for the Task Force for Business and Stability Operations to support economic assistance programs that support the civil-military campaign in Afghanistan.
- Includes a sense of Congress that prior to publicly announcing a decision on the U.S. force presence in Afghanistan for post-2014, the President should consult with Congress on the size, mission, and estimated duration of that mission.

- Includes a statement of U.S. policy that any political settlement resulting from peace talks in Afghanistan should result in insurgent groups breaking ties with al Qaeda, renouncing violence, and accepting the Afghanistan constitution, including its protections for women and minorities.
- Authorizes up to \$1.5 billion in Coalition Support Funds (CSF), to reimburse certain nations for their support to U.S. military operations relating to Afghanistan, while extending conditions on CSF reimbursements for Pakistan.
- Authorizes up to \$209.0 million to support the Office of Security Cooperation in Iraq (OSC-I) as it transitions to a normalized status under Chief of Mission authority, and re-authorizes the OSC-I to provide institution-based training to certain Iraqi security forces.
- Requires reporting on the status of China's 5<sup>th</sup> generation fighter program.
- Requires reporting on the governmental and economic activities between China and North Korea and their impact on North's Korea weapons of mass destruction and ballistic missile programs.
- Requires reporting to update the mandate of the U.S. China Commission to reflect changes in the relationship between China and the United States since 2000.
- Extends and improves the Iraqi Special Immigrant Visa program and make improvements to the Afghan Special Immigrant Visa Program.
- Requires a comprehensive strategy with respect to Somalia and a classified intelligence assessment on the threat posed by al Shabaab.
- Requires the President to designate a senior U. S. government official with existing interagency authority for export policy for Africa to coordinate among various U. S. government agencies existing export strategies with the goal of significantly increasing U. S. exports to Africa in real dollar value.

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