

**H.R. 1960—FY14 NATIONAL DEFENSE
AUTHORIZATION BILL**

**SUBCOMMITTEE ON MILITARY
PERSONNEL**

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—ACTIVE FORCES

Section 401—End Strengths for Active Forces

This section would authorize the following end strengths for Active Duty personnel of the Armed Forces as of September 30, 2014:

Service	FY 2013	FY 2014		Change from	
	Authorized	Request	Committee Recommendation	FY 2014 Request	FY 2013 Authorization
Army	552,100	520,000	520,000	0	-32,100
Navy	322,700	323,600	323,600	0	900
USMC	197,300	190,200	190,200	0	-7,100
Air Force	329,460	327,600	327,600	0	-1,860
DOD	1,401,560	1,361,400	1,361,400	0	-40,160

Section 402—Revision in Permanent Active Duty End Strength Minimum Levels

This section would establish new minimum Active Duty end strengths for the Army, Navy, Marine Corps, and Air Force as of September 30, 2014. The committee recommends 520,000 as the minimum Active Duty end strength for the Army, 323,600 as the minimum Active Duty end strength for the Navy, 190,200 as the minimum Active Duty end strength for the Marine Corps, and 327,600 as the minimum Active Duty end strength for the Air Force.

SUBTITLE B—RESERVE FORCES

Section 411—End Strengths for Selected Reserve

This section would authorize the following end strengths for Selected Reserve personnel, including the end strength for Reserves on Active Duty in support of the Reserves, as of September 30, 2014:

Service	FY 2013	FY 2014	Committee Recommendation	Change from	
	Authorized	Request		FY 2014 Request	FY 2013 Authorized
Army National Guard	358,200	354,200	354,200	0	-4,000
Army Reserve	205,000	205,000	205,000	0	0
Navy Reserve	62,500	59,100	59,100	0	-3,400
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	105,700	105,400	105,400	0	-300
Air Force Reserve	70,880	70,400	70,400	0	-480
DOD Total	841,880	833,700	833,700	0	-8,180
Coast Guard Reserve	9,000	9,000	9,000	0	0

Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves

This section would authorize the following end strengths for Reserves on Active Duty in support of the Reserves as of September 30, 2014:

Service	FY 2013	FY 2014	Committee Recommendation	Change from	
	Authorized	Request		FY 2014 Request	FY 2013 Authorized
Army National Guard	32,060	32,060	32,060	0	0
Army Reserve	16,277	16,261	16,261	0	-16
Naval Reserve	10,114	10,159	10,159	0	45
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	14,765	14,734	14,734	0	-31
Air Force Reserve	2,888	2,911	2,911	0	23
DOD Total	78,365	78,386	78,386	0	21

Section 413— End Strengths for Military Technicians (Dual Status)

This section would authorize the following end strengths for military technicians (dual status) as of September 30, 2014:

Service	FY 2013	FY 2014		Change from	
	Authorized	Request	Committee Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	27,210	27,210	27,210	0	0
Army Reserve	8,395	8,395	8,395	0	0
Air National Guard	22,180	21,875	21,875	0	-305
Air Force Reserve	10,400	10,429	10,429	0	29
DOD Total	68,185	67,909	67,909	0	-276

Section 414—Fiscal Year 2014 Limitation on Number of Non-Dual Status Technicians

This section would establish the maximum end strengths for the Reserve Components of the Army and Air Force for non-dual status technicians as of September 30, 2014:

Service	FY 2013	FY 2014		Change from	
	Authorized	Request	Committee Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	1,600	1,600	1,600	0	0
Air National Guard	350	350	350	0	0
Army Reserve	595	595	595	0	0
Air Force Reserve	90	90	90	0	0
DOD Total	2,635	2,635	2,635	0	0

Section 415—Maximum Number of Reserve Personnel Authorized To Be on Active Duty for Operational Support

This section would authorize, as required by section 115(b) of title 10, United States Code, the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during fiscal year 2014 to provide operational support. The personnel authorized here do not count against the end strengths authorized by section 401 or section 412 of this Act unless the duration on Active Duty exceeds the limitations in section 115(b)(2) of title 10, United States Code.

Service	FY 2013	FY 2014		Change from	
	Authorized	Request	Committee Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	17,000	17,000	17,000	0	0
Army Reserve	13,000	13,000	13,000	0	0
Naval Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	3,000	3,000	3,000	0	0
Air National Guard	16,000	16,000	16,000	0	0
Air Force Reserve	14,000	14,000	14,000	0	0
DOD Total	69,200	69,200	69,200	0	0

SUBTITLE C—AUTHORIZATION OF APPROPRIATIONS

Section 421—Military Personnel

This section would authorize appropriations for military personnel at the levels identified in the funding table in section 4401 of division D of this Act.

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS

SUBTITLE A—OFFICER PERSONNEL POLICY GENERALLY

Section 501—Limitations on Number of General and Flag Officers on Active Duty

This section would reduce by 14 the total of the number of general and flag officers authorized to be on Active Duty in the military services, and by 10 the number of general and flag officers authorized to be assigned to joint duty assignments. The reductions would take effect on October 1, 2014. The committee is aware that reductions in the number of general and flag officers are proceeding as a result of previously directed actions by the Secretary of Defense. For example, based on data provided by the Department of Defense, there were 889 general and flag officers on Active Duty in 2001. That number grew to 971 in 2011, but will decrease to 908 in 2013 and is projected to be 869 in 2016. Given both the projected decrease and the known reductions in active end strength, the committee believes the reductions required by this section are prudent.

SUBTITLE B—RESERVE COMPONENT MANAGEMENT

Section 511—Minimum Notification Requirements for Members of Reserve Components Before Deployment or Cancellation of Deployment Related to a Contingency Operation

This section would require the service secretaries to provide Reserve Component members or units notification 120 days in advance of being ordered to deployment or being notified that such deployment has been canceled, postponed, or otherwise altered. If the service secretary fails to meet the 120-day notification requirement, the Secretary of the military service must submit, within 30 days after the date of the failure, written notification to the Committees on Armed Services of the Senate and the House of Representatives explaining the reason for not meeting the required minimum notification and the units and members of the Reserve Component affected.

Section 512—Information to be Provided to Boards Considering Officers for Selective Early Removal from Reserve Active-Status List

This section would amend Section 14704 of title 10, United States Code, by aligning the statutory procedures for a board convened to consider officers with sufficient qualifying service for early removal from the reserve active-status list with the procedures required for an Active Duty selective early retirement board. The statutes governing Active Duty selective early retirement boards, sections 638 and 638a of title 10, U.S. Code, provide the Secretary of the military department

concerned discretion to limit the zone of officers eligible for selective early retirement based on date of rank and to exclude officers with approved voluntary or involuntary retirements from consideration. The proposed amendment would extend this authority to reserve selective early removal boards.

Section 513—Temporary Authority to Maintain Active Status and Inactive Status Lists of Members in the Inactive National Guard

This section would provide temporary authority for the Secretary of the Army and the Secretary of the Air Force to maintain an active status and an inactive status list of members in the inactive National Guard. This section would also limit the number of members that may be carried on the active list of the inactive National Guard to no more than 4,000 at any one time. This section would also require the Secretary of Defense to commission an independent study to evaluate the effectiveness of using an active status list for the inactive National Guard to improve the readiness of the Army and Air National Guard. The study would also assess the impact of using the temporary authority with personnel who have permanent profiles and are non-deployable to improve the time necessary to complete the Integrated Disability Evaluation System (IDES) process. The temporary authority under this provision is available between October 1, 2013, and December 31, 2018. Prior to implementation of the authority provided by this section, the Secretary of Defense would be required to submit to the Committees on Armed Services of the Senate and the House of Representatives the implementation guidance to execute this authority. The Secretary of Defense would also be required to submit to the Committees on Armed Services of the Senate and the House of Representatives the results of the study required by this section within 180 days of the completion of the study.

Section 514—Review of Requirements and Authorizations for Reserve Component General and Flag Officers in an Active Status

This section would require the Secretary of Defense to report the findings and recommendations of a review of the requirements for Reserve Component general and flag officers in an active status. The section would require the report to be provided to the Committees on Armed Services of the Senate and the House of Representatives not later than 18 months after the date of the enactment of this Act. The Secretary of Defense's efficiencies review in 2011 projected that such a review would be completed by the end of 2012. However, a lack of funding and incomplete Reserve Component force structure and organizational studies postponed the review. Under current law, 422 such officers are authorized. They are in addition to the Reserve Component general and flag officers on Active Duty and in addition to those general officers serving in the National Guard Bureau or as adjutants general in the Army and Air National Guard. The committee has provided funding for this study in the tables accompanying this Act.

SUBTITLE C—GENERAL SERVICE AUTHORITIES

Section 521—Review of Integrated Disability Evaluation System

This section would require the Secretary of Defense to conduct a review of the backlog of Reserve Component cases in the Integrated Disability Evaluation System and consider improvements to the system, and to submit a report on the results of the review to the Committees on Armed Services of the Senate and the House of Representatives within 180 days after the date of the enactment of this Act.

Section 522—Compliance Requirements for Organizational Climate Assessments

This section would require verification and tracking of the organizational climate assessments mandated as part of the Department of Defense sexual assault prevention and response program, as required by section 572(a)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). This section would also require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than 90 days after the date of the enactment of this Act on the progress in developing, and estimated completion of, a tracking system to ensure compliance.

Section 523—Command Responsibility and Accountability for Remains of Members of the Army, Navy, Air Force, and Marine Corps Who Die Outside the United States

This section would require the Secretary of Defense to ensure that there is a continuous military command responsibility and accountability for the remains of each deceased member of the military services who died outside of the United States.

SUBTITLE D—MILITARY JUSTICE AND LEGAL MATTERS, INCLUDING SEXUAL ASSAULT PREVENTION AND RESPONSE

Section 531—Limitations on Convening Authority Discretion Regarding Court-Martial Findings and Sentence

This section would amend section 860 of title 10 of the United States Code, to remove the command prerogative and sole discretion of the court-martial convening authority with regard to the findings and sentence of a court-martial. Specifically, with regard to the findings of a court-martial, the section would prohibit the convening authority from dismissing a finding, or from reducing a guilty finding to guilty of a lesser included offense, except for minor offenses. This section would define a minor offense as any in which the adjudged court-martial sentence was not more than 30 days' confinement, or forfeiture of two-thirds pay per month for one month, or reduction to the lowest grade, or a combination of those.

Regardless of the adjudged sentence, this section would exclude the offenses of murder, rape, sexual assault, rape or sexual assault of a child, or any other offense punishable by death from being considered a minor offense. With regard to sentences, this section would continue to authorize the convening authority to approve, disapprove, commute, or suspend a sentence in whole or in part, except where the offense had a mandatory minimum sentence. In such cases, this section would prohibit the convening authority from reducing, disapproving, commuting, or suspending an adjudged mandatory minimum sentence, except when, upon the recommendation of the trial counsel, the accused provided substantial cooperation in the investigation or the prosecution of another person who had committed an offense. Under such circumstances, the convening authority could impose a sentence below that of the mandatory minimum sentence, or disapprove, commute, or suspend the adjudged sentence in whole or in part.

Furthermore, when an adjudged sentence includes punishments in addition to the mandatory minimum sentence, this section would permit the convening authority to modify, disapprove, commute, or suspend those additional punishments. Finally, this section would require that if the convening authority acted to change a finding or sentence, then the convening authority's written rationale for the action would be provided at the same time and made part of the record of trial.

Section 532—Elimination of Five-Year Statute of Limitations on Trial By Court-Martial for Additional Offenses Involving Sex-Related Crimes

This section would add sexual assault and sexual assault of a child, offenses covered respectively by section 920(b) and section 920b(b) of title 10, United States Code, to the list of offenses in the Uniform Code of Military Justice that may be tried and punished at any time without limitation. This section would apply to offenses committed on or after the date of the enactment of this Act.

Section 533—Discharge or Dismissal for Certain Sex-Related Offenses and Trial of Offenses by General Courts-Martial

This section would establish dismissal (for officers, commissioned warrant officers, cadets, and midshipmen) or dishonorable discharge (for enlisted personnel and warrant officers who are not commissioned) as the mandatory minimum sentence for a person subject to the Uniform Code of Military Justice who is convicted by court-martial of rape, sexual assault, forcible sodomy, or an attempt to commit those offenses. Given such mandatory minimum sentences, this section would also limit jurisdiction for trial of the cited offenses to only a general court-martial. The changes to the Uniform Code of Military Justice made by this section would be effective 180 days after the date of the enactment of this Act and apply to offenses committed after that date. This section would also require the independent Response Systems Panel established by section 576(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to assess the

appropriateness of establishing additional mandatory minimum sentences for other offenses under the Uniform Code of Military Justice. Furthermore, this section would require the independent Judicial Proceedings Panel established by section 576(a)(2) of Public Law 112-239 to assess the implementation and effect of mandatory minimum sentences established by this section.

Section 534—Regulations Regarding Consideration of Application for Permanent Change of Station or Unit Transfer by Victims of Sexual Assault

This section would require the Secretary concerned to issue regulations to provide for timely determination and action on an application for consideration of a change of station or unit transfer submitted by a member of the Armed Forces serving on Active Duty who is a victim of sexual assault.

Section 535—Consideration of Need for, and Authority to Provide for, Temporary Administrative Reassignment or Removal of a Member on Active Duty Who is Accused of Committing a Sexual Assault or Related Offense

This section would authorize the Secretary concerned to provide guidance for commanders regarding authority for temporary reassignment or removal of an individual from a position of authority who is alleged to have committed a sexual assault or other sex-related offense under section 920, 920a, 920b or 920c of title 10, United States Code. Further, this section would require the Secretary of Defense to include information on the use of such authority as part of training for new and prospective commanders.

Section 536—Victims' Counsel for Victims of Sex-Related Offenses and Related Provisions

This section would require Victims' Counsels, who would be qualified and specially trained lawyers in each of the Armed Forces, to be made available to provide legal assistance to victims of sex-related offenses, which include rape and sexual assault, stalking, and rape and sexual assault of a child. The legal assistance authorized by this section would include accompanying the victim at any proceedings related to the reporting, military investigation, and military prosecution of the sex-related offense, as well as legal consultation on the military justice system, the potential criminal liability of the victim stemming from the sex-related offense, the Victim Witness Assistance Program, potential civil litigation by the victim, medical support, and mental health counseling. This section would allow the victim the option of declining the assistance without prejudicing a later decision to seek such assistance. This section would require Victim's Counsels to be available within 180 days after the date of the enactment of this Act. This section would also require the Secretary of Defense, in coordination with the Secretary of Homeland Security, to provide the Committees on Armed Services of the Senate and the House of Representatives with a report on how the Armed Forces will implement this

section. The report would be due within 90 days after the date of the enactment of this Act. Furthermore, this section would require the independent Response Systems Panel, established by section 576(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to assess whether the legal assistance authorized by this section should be expanded to include legal standing to represent the victim during investigative and military justice proceedings. Finally, this section would task the independent Judicial Proceedings Panel established by section 576(a)(2) of the cited public law to assess the implementation and effect of the Victims' Counsel program established by this section.

Section 537—Inspector General Investigation of Allegations of Retaliatory Personnel Actions Taken in Response to Making Protected Communications Regarding Sexual Assault

The section would add rape, sexual assault, or other sexual misconduct to the protected communications of members of the Armed Forces with Members of Congress or an Inspector General.

Section 538—Secretary Defense Report on Role of Commanders in Military Justice Process

This section would require the Secretary of Defense to assess the current role and authorities of commanders in the administration of military justice and the investigation, prosecution, and adjudication of offenses under the Uniform Code of Military Justice. This section would also require the Secretary to report the assessment, together with his recommendation whether the role and authorities of commanders should be further modified or repealed, to the Committees on Armed Services of the Senate and the House of Representatives within 90 days after the date of the enactment of this Act.

SUBTITLE E—MILITARY FAMILY READINESS

Section 551—Department of Defense Recognition of Spouses of Members of the Armed Forces Who Serve in Combat Zones

This section would require the design of a spouse-of-a-combat veteran lapel button, approved by the Secretary of Defense, to identify and recognize the spouse of a member of the Armed Forces who is serving or has served in a combat zone for a period of more than 30 days. In addition, this section would authorize the Secretary concerned to use appropriated funds to procure spouse-of-a-combat-veteran lapel buttons and to provide for their presentation to eligible spouses of members.

Section 552—Protection of Child Custody Arrangements For Parents Who Are Members of the Armed Forces

This section would amend title II of the Service Members Civil Relief Act (50 U.S.C. app. 521) to require a court that issued a temporary custody order based solely on the deployment or anticipated deployment of a service member to reinstate the custody order that was in effect immediately preceding the temporary order, unless the court finds reinstatement is not in the best interest of the child. This section would also prohibit a court from using deployment or the possibility of deployment as the sole factor when determining the best interest of a child.

Section 553—Treatment of Relocation of Members of the Armed Forces for Active Duty for Purposes of Mortgage Refinancing

This section would amend section 303 of the Servicemembers Civil Relief Act to expand certain mortgage protections for service members, surviving spouses, and veterans; to make knowing violations of these protections a criminal offense; and to increase civil penalties for violations of these protections.

Section 554—Family Support Programs for Immediate Family Members of Members of the Armed Forces Assigned to Special Operations Forces

This section would authorize the Commander, United States Special Operations Command, consistent with regulations that the Secretary of Defense may prescribe, to conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of the Armed Forces assigned to special operations forces. This section would require that family support programs provided by pilot programs not duplicate those family support programs being provided by the Secretary of a military department. This section also would authorize the pilot programs for fiscal years 2014 through 2016. It is the committee's intent is that any pilot program initiated under this section be completed by the end of fiscal year 2016. The section would also limit to \$5.0 million the amount that may be spent on the pilot programs in a fiscal year, and require the Commander, United States Special Operations Command to provide a report to the congressional defense committees within 180 days of the completion of a pilot program initiated under this section.

SUBTITLE F—EDUCATION AND TRAINING OPPORTUNITIES AND ADMINISTRATION

Section 561—Inclusion of Freely Associated States within Scope of Junior Reserve Officers' Training Corps Program

This section would amend section 2031(a) of title 10, United States Code, to authorize the Secretary of a military department to establish and maintain a unit of the Junior Reserve Officers' Training Corps at a secondary education institution in

the Freely Associated States, if the conditions of section 2031(b) of title 10, United States Code, are met.

SUBTITLE G—DEFENSE DEPENDENTS' EDUCATION

Section 571—Continuation of Authority To Assist Local Educational Agencies that Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees

This section would authorize \$20.0 million for continuation of the Department of Defense assistance program to local educational agencies (LEAs) that are impacted by the enrollment of dependent children of military members and Department civilian employees. This section would also authorize \$5.0 million for assistance to LEAs with significant changes in enrollment of school-aged dependents of military members and civilian employees due to base closures, force structure changes, or force relocations. Furthermore, this section would extend the authority for assistance to LEAs impacted by base closures, force structure changes, or force relocations by 1 year to September 30, 2015.

Section 572—Support for Efforts to Improve Academic Achievement and Transition of Military Dependent Students

This section would authorize the Secretary of Defense to provide grant assistance to non-profit organizations that provide services to improve the academic achievement of military dependent students, including those non-profit organizations whose programs focus on increasing the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the Government.

SUBTITLE H—DECORATIONS AND AWARDS

Section 581—Fraudulent Representations about Receipt of Military Decorations or Medals

This section would amend title 18, United States Code, to make fraudulently claiming to be a recipient of certain decorations or medals with the intent to obtain money, property, or other tangible benefits a crime.

Section 582—Repeal of Limitation on Number of Medals of Honor That May Be Awarded to the same Member of the Armed Forces

This section would authorize a service member to receive a Medal of Honor for each subsequent valorous act that results in the award of a Medal of Honor.

Section 583—Standardization of Time-Limits for Recommending and Awarding Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal

This section would modify the Army and Air Force time limits to 3 years for recommending and 5 years for awarding a soldier or airman a Medal of Honor, Service Cross, or Distinguished-Service Medal, thereby standardizing those limits for all services.

Section 584—Recodification and Revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll Requirements

This section would require the Secretaries of the Army, Navy, Air Force, and the Secretary of the Department in which the Coast Guard is operating to establish and maintain a Medal of Honor Roll and enter the name of each person on the roll who has served on Active Duty in the Armed Forces and who has been awarded the Medal of Honor. This section would also require the Secretary concerned to furnish the Secretary of Veterans Affairs a certified copy of each certification of enrollment. This section would repeal sections 1560 and 1561 of title 38, United States Code.

Section 585—Award of Purple Heart to Members of the Armed Forces Who Were Victims of the Attacks at Recruiting Station in Little Rock, Arkansas, and at Fort Hood, Texas

This section would require the Secretary of the military department concerned to award the Purple Heart to members of the Armed Forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009.

Section 586—Retroactive Award of Army Combat Action Badge

This section would authorize the Secretary of the Army to award the Army Combat Action Badge to a person who, while a member of the Army, participated in combat during which the person personally engaged, or was personally engaged by, the enemy at any time during the period beginning on December 7, 1941, and ending on September 18, 2001.

Section 587—Report on Navy Review, Findings, and Actions Pertaining to Medal of Honor Nomination of Marine Corps Sergeant Rafael Peralta

This section would require the Secretary of the Navy to submit a report on the Navy review, findings, and actions pertaining to the Medal of Honor nomination of Sergeant Rafael Peralta to the Committees on Armed Services of the Senate and the House of Representatives.

SUBTITLE I—OTHER MATTERS

Section 591—Revision of Specified Senior Military Colleges to Reflect Consolidation of North Georgia College and State University and Gainesville State College

This section would amend section 2111a(f) of title 10, United States Code, to reflect the name change of North Georgia College and State University to The University of North Georgia.

Section 592—Authority to Enter into Concessions Contracts at Army National Military Cemeteries

This section would authorize the Secretary of the Army to enter into concession contracts 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. This section would also require that each concession contract include terms that the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided. Furthermore, the section would prohibit the Secretary of the Army from instituting a concession contract for operation of the gift shop at Arlington National Cemetery without subsequent authorization. In providing for transportation services at Arlington National Cemetery, the committee directs the Secretary of the Army to ensure that service provides visitors with access to the Custis Lee Mansion.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS

SUBTITLE A—PAY AND ALLOWANCES

Section 601—Extension of Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances

This section would extend for 1 year the authority of the Secretary of Defense to temporarily increase the rate of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel.

SUBTITLE B—BONUSES AND SPECIAL AND INCENTIVE PAYS

Section 611—One-Year Extension of Certain Bonus and Special Pay Authorities for Reserve Forces

This section would extend the authority for the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve

enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service, and the authority to reimburse travel expenses for inactive duty training outside of normal commuting distance until December 31, 2014.

Section 612—One-Year Extension of Certain Bonus and Special Pay Authorities for Health Care Professionals

This section would extend the authority for the nurse officer candidate accession program, repayment of educational loans for certain health professionals who serve in the Selected Reserve, the accession and retention bonuses for psychologists, the accession bonus for registered nurses, the incentive special pay for nurse anesthetists, the special pay for Selected Reserve health care professionals in critically short wartime specialties, the accession bonus for dental officers, the accession bonus for pharmacy officers, the accession bonus for medical officers in critically short wartime specialties, and the accession bonus for dental specialist officers in critically short wartime specialties until December 31, 2014.

Section 613—One-Year Extension of Special Pay and Bonus Authorities for Nuclear Officers

This section would extend the authority for the special pay for nuclear-qualified officers extending a period of active service, nuclear career accession bonus, and the nuclear career annual incentive bonus until December 31, 2014.

Section 614—One-Year Extension of Authorities Relating to Title 37 Consolidated Special Pay, Incentive Pay, and Bonus Authorities

This section would extend the general bonus authority for enlisted members, the general bonus authority for officers, the special bonus and incentive pay authority for nuclear officers, special aviation incentive pay and bonus authorities, the special health professions incentive pay and bonus authorities, hazardous duty pay, assignment pay or special duty pay, skill incentive pay or proficiency bonus, and the retention bonus for members with critical military skills or assigned to high-priority units until December 31, 2014.

Section 615—One-Year Extension of Authorities Relating to Payment of Other Title 37 Bonuses and Special Pays

This section would extend the authority for the aviation officer retention bonus, assignment incentive pay, the reenlistment bonus for active members, the

enlistment bonus for active members, the accession bonus for new officers in critical skills, the incentive bonus for conversion to military occupational specialty to ease personnel shortage, the incentive bonus for transfer between Armed Forces, and the accession bonus for officer candidates until December 31, 2014.

SUBTITLE C—DISABILITY, RETIRED PAY, SURVIVOR, AND TRANSITIONAL BENEFITS

Section 621—Transitional Compensation and Other Benefits for Dependents of Certain Members Separated for Violation of the Uniform Code of Military Justice

This section would amend section 1059 of title 10, United States Code, to authorize the provision of transitional compensation and other benefits for the dependent of a member of the Armed Forces when the member, after completing more than 20 years of service, is separated from the Armed Forces because of a violation of the Uniform Code of Military Justice and forfeits all pay and allowances.

Section 622—Prevention of Retired Pay Inversion for Members whose Retired Pay is Computed Using High-Three Average

This section would clarify the application of the Tower amendment, section 1401a(f) of title 10, United States Code, to the computation of retired pay for service members who first entered military service on or after September 8, 1980. The Tower amendment was enacted in 1975 to prevent the loss of military retired pay for members who were eligible to retire earlier than their actual retirement date under the Final Pay Retirement System. The High-36 Retirement System enacted in 1980 obviated the need for application of the Tower amendment. This section would clarify that Tower amendment does not apply in the application of the High-36 retirement calculations, but will continue to be used when calculating retired pay under the Final Pay Retirement System.

SUBTITLE D—COMMISSARY AND NONAPPROPRIATED FUND INSTRUMENTALITY BENEFITS AND OPERATIONS

Section 631—Expansion of Protection of Employees of Nonappropriated Fund Instrumentalities from Reprisals

This section would amend section 1587(b) of title 10, United States Code, to include “threaten to take” as an adverse personnel action. This amendment would bring whistleblower protections for non-appropriated fund instrumentality employees in line with protections afforded to members of the Armed Forces.

Section 632—Purchase of Sustainable Products, Local Food Products, and Recyclable Materials for Resale in Commissary and Exchange Store Systems

This section would require the governing body giving oversight and management direction to the military exchange and commissary systems in accordance with section 2481(c) of title 10, United States Code, to establish guidelines for the identification of fresh meat, poultry, seafood, produce, and other products raised or produced through sustainable methods that are not harmful to the ecology. This section would require the guidelines to be established not later than 2 years from the date of the enactment of this Act. The committee believes the guidelines should consider the impact of implementing sustainable product policies on the cost of goods and the pricing of the products offered to patrons. This section would also require the governing body to establish, not later than September 30, 2018, goals for all exchange and commissary stores to purchase sustainable products, local food products, and recyclable materials.

Section 633—Correction of Obsolete References to Certain Nonappropriated Fund Instrumentalities

This section would amend section 2105(c) of title 5, United States Code, to strike obsolete Nonappropriated Fund Instrumentalities references to the Army and Air Force Motion Picture Service and Navy Ships Stores Ashore, and update with an accurate title of the Navy Ships Store Program.

SUBTITLE E—OTHER MATTERS

Section 641—Authority to Provide Certain Expenses for Care and Disposition of Human Remains Retained by the Department Of Defense for Forensic Pathology Investigation

This section would amend sections 1481 and 1482 of title 10, United States Code, to authorize the Secretaries of the military departments to pay for expenses incident to death for certain decedents whose deaths are investigated by the Armed Forces Medical Examiner System (AFMES) under section 1471 of title 10, United States Code, when payment of such expenses is not otherwise authorized by law. Currently, when the AFMES removes decedent remains to a Department of Defense mortuary for a forensic pathology investigation pursuant to section 1471, title 10 United States Code, some decedent's next of kin must pay for the mortuary services, including transportation costs, which may otherwise not be available under section 1482 of title 10, at the conclusion of the investigation.

TITLE VII—HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—IMPROVEMENTS TO HEALTH BENEFITS

Section 701—Mental Health Assessments for Members of the Armed Forces

This section would amend section 1074m of title 10, United States Code, to require the Secretary of Defense to provide person-to-person mental health screenings once during each 180-day period in which a member is deployed.

SUBTITLE B—HEALTH CARE ADMINISTRATION

Section 712—Cooperative Health Care Agreements Between the Military Departments and Non-Military Health Care Entities

This section would permit the Secretaries of the military departments to establish cooperative health care arrangements and agreements between military installations and local and regional non-military health care entities.

Section 713—Limitation on Availability of Funds for Integrated Electronic Health Record Program

This section would limit the amount of funds the Secretary of Defense may obligate or expend for procurement, or research, development, test and evaluation of the integrated electronic health record until 30 days after the date that the Secretary submits a report detailing an analysis of alternatives for the plan of the Secretary to proceed with such program.

Section 714—Pilot Program on Increased Third-Party Collection Reimbursements in Military Medical Treatment Facilities

This section would require the Secretary of Defense to conduct a pilot program for 3 years at military installations to assess the feasibility of using revenue-cycle management processes, including cash flow management and accounts-receivable processes to increase amounts collected by military treatment facilities from third party payers. The Secretary of Defense would be required to submit a report of the results of the pilot program to the congressional defense committees within 180 days after completion of the pilot program.

SUBTITLE C—OTHER MATTERS

Section 721—Display of Budget Information for Embedded Mental Health Providers of the Reserve Components

This section would require the Secretary of Defense to include in the documents that support the President' annual budget, a budget justification display for embedded mental health providers of the Reserve Components that includes the amount for each component.

Section 722—Authority of Uniformed Services University of Health Sciences to Enter Into Contracts and Agreements and Make Grants to Other Nonprofit Entities

This section would clarify the authority of the Secretary of Defense, with regard to the Uniformed Services University of Health Sciences, to enter into contracts and agreements and make grants to nonprofit entities.

TITLE XIV—OTHER AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE C—OTHER MATTERS

Section 1421—Authority for Transfer of Funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois

This section would authorize the Secretary of Defense to transfer funds from the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund created by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84).

Section 1422—Authorization of Appropriations for Armed Forces Retirement Home

This section would authorize \$67.8 million to be appropriated for the operation of the Armed Forces Retirement Home during fiscal year 2014.

BILL LANGUAGE

1 **TITLE IV—MILITARY**
2 **PERSONNEL AUTHORIZATIONS**

Subtitle A—Active Forces

Sec. 401 [Log 50342]. End strengths for active forces.
Sec. 402 [Log 50343]. Revision in permanent active duty end strength minimum levels.

Subtitle B—Reserve Forces

Sec. 411 [Log 50344]. End strengths for Selected Reserve.
Sec. 412 [Log 50345]. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. [Log 50346]. End strengths for military technicians (dual status).
Sec. 414. [Log 50347]. Fiscal year 2014 limitation on number of non-dual status technicians.
Sec. 415 [Log 50348]. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421 [Log 50350]. Military personnel.

3 **Subtitle A—Active Forces**

4 **SEC. 401 [Log 50342]. END STRENGTHS FOR ACTIVE FORCES.**

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

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

1 **SEC. 402 [Log 50343]. REVISION IN PERMANENT ACTIVE**
2 **DUTY END STRENGTH MINIMUM LEVELS.**

3 Section 691(b) of title 10, United States Code, is
4 amended by striking paragraphs (1) through (4) and in-
5 serting the following new paragraphs:

6 “(1) For the Army, 520,000.

7 “(2) For the Navy, 323,600.

8 “(3) For the Marine Corps, 190,200.

9 “(4) For the Air Force, 327,600.”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411 [Log 50344]. END STRENGTHS FOR SELECTED RE-**
3 **SERVE.**

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

7 (1) The Army National Guard of the United
8 States, 354,200.

9 (2) The Army Reserve, 205,000.

10 (3) The Navy Reserve, 59,100.

11 (4) The Marine Corps Reserve, 39,600.

12 (5) The Air National Guard of the United
13 States, 105,400.

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

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

16 (b) END STRENGTH REDUCTIONS.—The end
17 strengths prescribed by subsection (a) for the Selected Re-
18 serve of any reserve component shall be proportionately
19 reduced by—

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

24 (2) the total number of individual members not
25 in units organized to serve as units of the Selected

1 Reserve of such component who are on active duty
2 (other than for training or for unsatisfactory partici-
3 pation in training) without their consent at the end
4 of the fiscal year.

5 (c) END STRENGTH INCREASES.—Whenever units or
6 individual members of the Selected Reserve of any reserve
7 component are released from active duty during any fiscal
8 year, the end strength prescribed for such fiscal year for
9 the Selected Reserve of such reserve component shall be
10 increased proportionately by the total authorized strengths
11 of such units and by the total number of such individual
12 members.

1 **SEC. 412 [Log 50345]. END STRENGTHS FOR RESERVES ON**
2 **ACTIVE DUTY IN SUPPORT OF THE RE-**
3 **SERVES.**

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

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

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

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

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

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

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

1 **SEC. 413 [Log 50346]. END STRENGTHS FOR MILITARY TECH-**
2 **NICIANS (DUAL STATUS).**

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

8 (1) For the Army National Guard of the United
9 States, 27,210.

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

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

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

1 **SEC. 414 [Log 50347]. FISCAL YEAR 2014 LIMITATION ON**
2 **NUMBER OF NON-DUAL STATUS TECHNI-**
3 **CIANS.**

4 (a) LIMITATIONS.—

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

10 (A) For the Army National Guard of the
11 United States, 1,600.

12 (B) For the Air National Guard of the
13 United States, 350.

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

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

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

1 **SEC. 415 [Log 50348]. MAXIMUM NUMBER OF RESERVE PER-**
2 **SONNEL AUTHORIZED TO BE ON ACTIVE**
3 **DUTY FOR OPERATIONAL SUPPORT.**

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

9 (1) The Army National Guard of the United
10 States, 17,000.

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

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

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

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

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

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

3 **SEC. 421 [Log 50350]. MILITARY PERSONNEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal year
6 2014 for the use of the Armed Forces and other activities
7 and agencies of the Department of Defense for expenses,
8 not otherwise provided for, for military personnel, as spec-
9 ified in the funding table in section 4401.

10 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
11 thorization of appropriations in subsection (a) supersedes
12 any other authorization of appropriations (definite or in-
13 definite) for such purpose for fiscal year 2014.



1 **Subtitle A—Officer Personnel**
2 **Policy Generally**

3 **SEC. 501 [Log 50774]. LIMITATIONS ON NUMBER OF GEN-**
4 **ERAL AND FLAG OFFICERS ON ACTIVE DUTY.**

5 (a) PER-SERVICE LIMITATIONS; LIMITED JOINT
6 DUTY EXCLUSIONS.—Section 526 of title 10, United
7 States Code, as amended by section 502 of the National
8 Defense Authorization Act for Fiscal Year 2012 (Public
9 Law 112–81; 125 Stat. 1387) and section 501(a) of the
10 National Defense Authorization Act for Fiscal Year 2013
11 (Public Law 112–239; 126 Stat. 1714), is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “231”
14 and inserting “226”

15 (B) in paragraph (2), by striking “162”
16 and inserting “157”; and

17 (C) in paragraph (3), by striking “198”
18 and inserting “193”; and

19 (2) in subsection (b)—

20 (A) in paragraph (1), by striking “310”
21 and inserting “300”; and

22 (B) in paragraph (2)—

23 (i) in subparagraph (A), by striking
24 “85” and inserting “81”;

1 (ii) in subparagraph (B), by striking
2 “61” and inserting “59”;

3 (iii) in subparagraph (C), by striking
4 “73” and inserting “70”; and

5 (iv) in subparagraph (D), by striking
6 “21” and inserting “20”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on October 1, 2014.

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

3 **SEC. 511 [Log 50898]. MINIMUM NOTIFICATION REQUIRE-**
4 **MENTS FOR MEMBERS OF RESERVE COMPO-**
5 **NENTS BEFORE DEPLOYMENT OR CANCELLA-**
6 **TION OF DEPLOYMENT RELATED TO A CON-**
7 **TINGENCY OPERATION.**

8 Section 12301 of title 10, United States Code, is
9 amended—

10 (1) in subsection (e), by striking “The period”
11 and inserting “Subject to subsection (i), the period”;
12 and

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

15 “(i)(1) The Secretary concerned shall provide not less
16 than 120 days advance notice to a unit of the reserve com-
17 ponents that—

18 “(A) will be ordered to active duty for deploy-
19 ment in connection with a contingency operation; or

20 “(B) having been notified of such a deployment,
21 has such deployment canceled, postponed, or other-
22 wise altered.

23 “(2) If a member of the reserve components is not
24 assigned to a unit organized to serve as a unit or is to
25 be ordered to active duty apart from the member’s unit,

1 the required notice under paragraph (1) shall be provided
2 directly to the member.

3 “(3) If the Secretary concerned fails to provide timely
4 notification as required by paragraph (1) or (2), the Sec-
5 retary concerned shall submit, within 30 days after the
6 date of the failure, written notification to the Committees
7 on Armed Services of the House of Representatives and
8 the Senate explaining the reason for the failure and the
9 units and members of the reserve components affected.”.

1 **SEC. 512 [Log 50727]. INFORMATION TO BE PROVIDED TO**
2 **BOARDS CONSIDERING OFFICERS FOR SE-**
3 **LECTIVE EARLY REMOVAL FROM RESERVE**
4 **ACTIVE-STATUS LIST.**

5 (a) OFFICERS TO BE CONSIDERED; EXCLUSIONS.—
6 Section 14704(a) of title 10, United States Code, is
7 amended—

8 (1) by inserting “(1)” before “Whenever” ;

9 (2) by striking “all officers on that list” and in-
10 sserting “officers on the reserve active-status list”;

11 (3) by striking “the reserve active-status list, in
12 the number specified by the Secretary by each grade
13 and competitive category.” and inserting “that list.”;
14 and

15 (4) by adding at the end the following new
16 paragraphs:

17 “(2) Except as provided in paragraph (3), the list of
18 officers in a reserve component whose names are sub-
19 mitted to a board under paragraph (1) shall include each
20 officer on the reserve active-status list for that reserve
21 component in the same grade and competitive category
22 whose position on the reserve active-status list is be-
23 tween—

24 “(A) that of the most junior officer in that
25 grade and competitive category whose name is sub-
26 mitted to the board; and

1 “(B) that of the most senior officer in that
2 grade and competitive category whose name is sub-
3 mitted to the board.

4 “(3) A list submitted to a board under paragraph (1)
5 may not include an officer who—

6 “(A) has been approved for voluntary retire-
7 ment; or

8 “(B) is to be involuntarily retired under any
9 provision of law during the fiscal year in which the
10 board is convened or during the following fiscal
11 year.”.

12 (b) SPECIFICATION OF NUMBER OF OFFICERS WHO
13 MAY BE RECOMMENDED FOR REMOVAL.—Such section is
14 further amended—

15 (1) by redesignating subsections (b) and (c) as
16 subsections (c) and (d), respectively; and

17 (2) by inserting after subsection (a) the fol-
18 lowing new subsection:

19 “(b) SPECIFICATION OF NUMBER OF OFFICERS WHO
20 MAY BE RECOMMENDED FOR SEPARATION.—The Sec-
21 retary of the military department concerned shall specify
22 the number of officers described in subsection (a)(1) that
23 a board may recommend for separation under subsection
24 (c).”.

1 **SEC. 513 [Log 50834]. TEMPORARY AUTHORITY TO MAINTAIN**
2 **ACTIVE STATUS AND INACTIVE STATUS LISTS**
3 **OF MEMBERS IN THE INACTIVE NATIONAL**
4 **GUARD.**

5 (a) AUTHORITY TO MAINTAIN ACTIVE AND INACTIVE
6 STATUS LISTS IN THE INACTIVE NATIONAL GUARD.—

7 (1) ACTIVE AND INACTIVE STATUS LISTS AU-
8 THORIZED.—The Secretary of the Army and the
9 Secretary of the Air Force may maintain an active
10 status list and an inactive status list of members in
11 the inactive Army National Guard and the inactive
12 Air National Guard, respectively.

13 (2) TOTAL NUMBER ON ALL LISTS AT ONE
14 TIME.—The total number of members of the Army
15 National Guard and members of the Air National
16 Guard on the active status lists and the inactive sta-
17 tus lists assigned to the inactive National Guard
18 may not exceed a total of 10,000 at any time.

19 (3) TOTAL NUMBER ON ACTIVE STATUS LISTS
20 AT ONE TIME.—The total number of members of the
21 Army National Guard and members of the Air Na-
22 tional Guard on the active status lists of the inactive
23 National Guard may not exceed 4,000 at any time.

24 (4) CONDITION OF IMPLEMENTATION.—Before
25 the authority provided by this subsection is used to
26 establish an active status list and an inactive status

1 list of members in the inactive Army National Guard
2 or the inactive Air National Guard, the Secretary of
3 Defense shall submit to the Committees on Armed
4 Services of the House of Representatives and the
5 Senate a copy of the implementation guidance to be
6 used to execute this authority.

7 (b) ADDITIONAL ENLISTED MEMBER TRANSFER AU-
8 THORITY.—In addition to the transfer authority provided
9 by section 303(b) of title 32, United States Code, while
10 an inactive status list for the inactive National Guard ex-
11 ists—

12 (1) an enlisted member of the active Army Na-
13 tional Guard may be transferred to the inactive
14 Army National Guard without regard to whether the
15 member was formerly enlisted in the inactive Army
16 National Guard; and

17 (2) an enlisted member of the active Air Na-
18 tional Guard may be transferred to the inactive Air
19 National Guard without regard to whether the mem-
20 ber was formerly enlisted in the inactive Air Na-
21 tional Guard.

22 (c) REMOVAL OF RESTRICTIONS ON TRANSFER OF
23 OFFICERS.—While an inactive status list for the inactive
24 National Guard exists, nothing in chapter 3 of title 32,

1 United States Code, shall be construed to prevent any of
2 the following:

3 (1) An officer of the Army National Guard who
4 fills a vacancy in a federally recognized unit of the
5 Army National Guard from being transferred from
6 the active Army National Guard to the inactive
7 Army National Guard.

8 (2) An officer of the Air National Guard who
9 fills a vacancy in a federally recognized unit of the
10 Air National Guard from being transferred from the
11 active Air National Guard to the inactive Air Na-
12 tional Guard.

13 (3) An officer of the Army National Guard
14 transferred to the inactive Army National Guard
15 from being transferred from the inactive Army Na-
16 tional Guard to the active Army National Guard to
17 fill a vacancy in a federally recognized unit.

18 (4) An officer of the Air National Guard trans-
19 ferred to the inactive Air National Guard from being
20 transferred from the inactive Air National Guard to
21 the active Air National Guard to fill a vacancy in a
22 federally recognized unit.

23 (d) STATUS AND TRAINING CATEGORIES FOR MEM-
24 BERS IN INACTIVE STATUS.—While an inactive status list

1 for the inactive Army National Guard or inactive Air Na-
2 tional Guard exists—

3 (1) the first sentence of subsection (b) of sec-
4 tion 10141 of title 10, United States Code, shall
5 apply only with respect to members of the reserve
6 components assigned to the inactive Army National
7 Guard or inactive Air National Guard who are as-
8 signed to such inactive status list; and

9 (2) the exclusion of the Army National Guard
10 of the United States or Air National Guard of the
11 United States under the first sentence of subsection
12 (c) of such section shall not apply.

13 (e) ELIGIBILITY FOR INACTIVE-DUTY TRAINING
14 PAY.—While an inactive status list for the inactive Na-
15 tional Guard exists, the limitation on pay for inactive-duty
16 training contained in section 206(e) of title 37, United
17 States Code, shall apply only to persons assigned to the
18 inactive status list of the inactive National Guard, rather
19 than to all persons enlisted in the inactive National Guard.

20 (f) CONFORMING AMENDMENTS.—

21 (1) MODIFICATION OF ACTIVE STATUS DEFINI-
22 TION.—Section 101(d)(4) of title 10, United States
23 Code, is amended by adding at the end the following
24 new sentence: “However, while an inactive status list
25 for the inactive Army National Guard or inactive Air

1 National Guard exists, such term means the status
2 of a member of the Army National Guard of the
3 United States or Air National Guard of the United
4 States who is not assigned to the inactive status list
5 of the inactive Army National Guard or inactive Air
6 National Guard, on another inactive status list, or in
7 the Retired Reserve.”.

8 (2) COMPUTATION OF YEARS OF SERVICE FOR
9 ENTITLEMENT TO RETIRED PAY.—Paragraph (3) of
10 section 12732(b) of such title is amended to read as
11 follows:

12 “(3) Service in the inactive National Guard (for
13 any period other than a period in which an inactive
14 status list for the inactive National Guard exists)
15 and service while assigned to the inactive status list
16 of the inactive National Guard (for any period in
17 which an inactive status list for the inactive Na-
18 tional Guard exists).”.

19 (g) EVALUATION OF USE OF AUTHORITY.—

20 (1) INDEPENDENT STUDY REQUIRED.—Before
21 the end of the period specified in subsection (h), the
22 Secretary of Defense shall commission an inde-
23 pendent study to evaluate the effectiveness of using
24 an active status list for the inactive National Guard

1 to improve the readiness of the Army National
2 Guard and the Air National Guard.

3 (2) ELEMENTS.—As part of the study required
4 by this subsection, the entity conducting the study
5 shall determine, for each year in which the tem-
6 porary authority provided by subsection (a) is
7 used—

8 (A) how many members of the Army Na-
9 tional Guard and the Air National Guard were
10 transferred to the active status list of the inac-
11 tive National Guard;

12 (B) how many of these vacancies were
13 filled with personnel new to the Army National
14 Guard;

15 (C) the additional cost of filling these posi-
16 tions; and

17 (D) the impact on drill and annual train-
18 ing participation rates.

19 (3) ADDITIONAL CONSIDERATION.—The study
20 required by this subsection also shall include an as-
21 sessment of the impact of the use of the temporary
22 authority provided by subsection (a) on medical
23 readiness category 3B personnel transferred to the
24 active status inactive National Guard, including—

1 (A) how long it took them to complete the
2 Integrated Disability Evaluation System
3 (IDES) process; and

4 (B) how satisfied they were with their
5 unit's management and collaboration during the
6 IDES process.

7 (4) SUBMISSION OF RESULTS.—Not later than
8 180 days after completion of the study required by
9 this subsection, the Secretary of Defense shall sub-
10 mit to the Committees on Armed Services of the
11 House of Representatives and the Senate a report
12 containing the results of the study.

13 (h) DURATION OF AUTHORITY.—The authority pro-
14 vided by subsection (a) for the maintenance of both an
15 active status list and inactive status list of members in
16 the inactive National Guard exists only during the period
17 beginning on October 1, 2013, and ending on December
18 31, 2018.

1 **SEC. 514 [Log 50775]. REVIEW OF REQUIREMENTS AND AU-**
2 **THORIZATIONS FOR RESERVE COMPONENT**
3 **GENERAL AND FLAG OFFICERS IN AN ACTIVE**
4 **STATUS.**

5 (a) REVIEW REQUIRED.—The Secretary of Defense
6 shall conduct a review of the general officer and flag offi-
7 cer requirements for members of the reserve component
8 in an active status.

9 (b) PURPOSE OF REVIEW.—The purpose of the re-
10 view is to ensure that the authorized strengths provided
11 in section 12004 of title 10, United States Code, for re-
12 serve general officers and reserve flag officers in an active
13 status—

14 (1) are based on an objective requirements
15 process and are sufficient for the effective manage-
16 ment, leadership, and administration of the reserve
17 components;

18 (2) provide a qualified, sufficient pool from
19 which reserve component general and flag officers
20 can continue to be assigned on active duty in joint
21 duty and in-service military positions;

22 (3) reflect a review of the appropriateness and
23 number of exemptions provided by subsections (b),
24 (c), and (d) of section 12004 of title 10, United
25 States Code;

1 (4) reflect the efficiencies that can be achieved
2 through downgrading or elimination of reserve com-
3 ponent general or flag officer positions, including
4 through the conversion of certain reserve component
5 general or flag officer positions to senior civilian po-
6 sitions; and

7 (5) are subjected to periodic review, control,
8 and adjustment.

9 (c) REPORT.—Not later than 18 months after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall submit to the Committees on Armed Services of the
12 Senate and the House of Representatives a report con-
13 taining the results of the review, including such rec-
14 ommendations for changes in law and policy related to au-
15 thorized reserve general and flag officers strengths as the
16 Secretary considers to be appropriate.

1 **Subtitle C—General Service**
2 **Authorities**

3 **SEC. 521 [Log 50926]. REVIEW OF INTEGRATED DISABILITY**
4 **EVALUATION SYSTEM.**

5 (a) **REVIEW.**—The Secretary of Defense shall con-
6 duct a review of—

7 (1) the backlog of pending cases in the Inte-
8 grated Disability Evaluation System with respect to
9 members of the reserve components of the Armed
10 Forces for the purpose of addressing the matters
11 specified in paragraph (1) of subsection (b); and

12 (2) the improvements to the Integrated Dis-
13 ability Evaluation System specified in paragraph (2)
14 of such subsection.

15 (b) **REPORT.**—Not later than 180 days after the date
16 of the enactment of this Act, the Secretary shall submit
17 to the Committees on Armed Services of the House of
18 Representatives and the Senate a report on the review
19 under subsection (a). Such report shall include the fol-
20 lowing:

21 (1) With respect to the reserve components of
22 the Armed Forces—

23 (A) the number of pending cases that exist
24 as of the date of the report, listed by military

1 department, component, and, with respect to
2 the National Guard, State;

3 (B) as of the date of the report, the aver-
4 age time it takes to process a case in the Inte-
5 grated Disability Evaluation System;

6 (C) a description of the steps the Secretary
7 will take to resolve the backlog of cases in the
8 Integrated Disability Evaluation System; and

9 (D) the date by which the Secretary plans
10 to resolve such backlog for each military depart-
11 ment.

12 (2) With respect to the regular components and
13 reserve components of the Armed Forces—

14 (A) a description of the progress being
15 made to transition the Integrated Disability
16 Evaluation System to an integrated and readily
17 accessible electronic format that a member of
18 the Armed Forces may access and see the sta-
19 tus of the member during each phase of the
20 system;

21 (B) an estimate of the cost to complete the
22 transition to an integrated and readily acces-
23 sible electronic format; and

24 (C) an assessment of the feasibility of im-
25 proving in-transit visibility of pending cases, in-

1 cluding by establishing a method of tracking a
2 pending case when a military treatment facility
3 is assigned a packet and pending case for ac-
4 tion regarding a member.

5 (c) PENDING CASE DEFINED.—In this section, the
6 term “pending case” means a case involving a member
7 of the Armed Forces who, as of the date of the review
8 under subsection (a), is within the Integrated Disability
9 Evaluation System and has been referred to a medical
10 evaluation board.

1 **SEC. 522 [Log 50919]. COMPLIANCE REQUIREMENTS FOR OR-**
2 **GANIZATIONAL CLIMATE ASSESSMENTS.**

3 (a) VERIFICATION AND TRACKING REQUIRE-
4 MENTS.—The Secretary of Defense shall direct the Secre-
5 taries of the military departments to verify and track the
6 compliance of commanding officers in conducting organi-
7 zational climate assessments required as part of the com-
8 prehensive policy for the Department of Defense sexual
9 assault prevention and response program pursuant to sec-
10 tion 572(a)(3) of the National Defense Authorization Act
11 for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
12 1753).

13 (b) IMPLEMENTATION.—No later than 90 days after
14 the date of the enactment of this Act, the Secretary of
15 Defense shall submit to the Committees on Armed Serv-
16 ices of the Senate and House of Representatives a report
17 containing—

18 (1) a description of the progress of the develop-
19 ment of the system that will verify and track the
20 compliance of commanding officers in conducting or-
21 ganizational climate assessments; and

22 (2) an estimate of when the system will be com-
23 pleted and implemented.

1 **SEC. 523 [Log 50531]. COMMAND RESPONSIBILITY AND AC-**
2 **COUNTABILITY FOR REMAINS OF MEMBERS**
3 **OF THE ARMY, NAVY, AIR FORCE, AND MA-**
4 **RINE CORPS WHO DIE OUTSIDE THE UNITED**
5 **STATES.**

6 Not later than 60 days after the date of the enact-
7 ment of this Act, the Secretary of Defense shall take such
8 steps as may be necessary to ensure that there is contin-
9 uous, designated military command responsibility and ac-
10 countability for the care, handling, and transportation of
11 the remains of each deceased member of the Army, Navy,
12 Air Force, or Marine Corps who died outside the United
13 States, beginning with the initial recovery of the remains,
14 through the defense mortuary system, until the interment
15 of the remains or the remains are otherwise accepted by
16 the person designated as provided by section 1482(e) of
17 title 10, United States Code, to direct disposition of the
18 remains.

1 **Subtitle D—Military Justice, In-**
2 **cluding Sexual Assault Preven-**
3 **tion and Response**

4 **SEC. 531 [Log 50929]. LIMITATIONS ON CONVENING AU-**
5 **THORITY DISCRETION REGARDING COURT-**
6 **MARTIAL FINDINGS AND SENTENCE.**

7 (a) **ELIMINATION OF UNLIMITED COMMAND PRE-**
8 **ROGATIVE AND DISCRETION.**—Paragraph (1) of section
9 860(c) of title 10, United States Code (article 60(c) of
10 the Uniform Code of Military Justice) is amended by
11 striking the first sentence.

12 (b) **LIMITATIONS ON DISCRETION REGARDING**
13 **COURT-MARTIAL FINDINGS.**—Paragraph (3) of section
14 860(c) of title 10, United States Code (article 60(c) of
15 the Uniform Code of Military Justice) is amended to read
16 as follows:

17 “(3)(A) Action on the findings of a court-martial by
18 the convening authority or by another person authorized
19 to act under this section is not required.

20 “(B) If the convening authority or another person au-
21 thorized to act under this section acts on the findings of
22 a court-martial, the convening authority or other person
23 may not—

1 “(i) dismiss any charge or specification, other
2 than a charge or specification for a minor offense,
3 by setting aside a finding of guilty thereto; or

4 “(ii) change a finding of guilty to a charge or
5 specification, other than a charge or specification for
6 a minor offense, to a finding of guilty to an offense
7 that is a lesser included offense of the offense stated
8 in the charge or specification.

9 “(C) If the convening authority or another person au-
10 thorized to act under this section acts on the findings to
11 dismiss or change any charge or specification for a minor
12 offense, the convening authority or other person shall pro-
13 vide, at that same time, a written explanation of the rea-
14 sons for such action. The written explanation shall be
15 made a part of the record of the trial and action thereon.

16 “(D) For purposes of this paragraph, the convening
17 authority or another person authorized to act under this
18 section may treat an offense as a minor offense only if
19 the sentence adjudged by a court-martial for an offense,
20 or combination of offenses, is not more severe than con-
21 finement for 30 days, forfeiture of two-thirds pay per
22 month for one month, or reduction to the lowest pay
23 grade, or some combination thereof. However, a charge
24 or specification of murder, rape, sexual assault, rape or
25 sexual assault of a child, or any other offense punishable

1 by death may not, under any circumstances, be considered
2 a minor offense for purposes of this paragraph, regardless
3 of the adjudged sentence.”.

4 (c) LIMITATIONS OF DISCRETION TO MODIFY AN AD-
5 JUDGED SENTENCE TO LESS THAN MANDATORY MIN-
6 IMUM SENTENCE.—Section 860(c) of title 10, United
7 States Code (article 60(c) of the Uniform Code of Military
8 Justice) is amended—

9 (1) in paragraph (2), by striking “The con-
10 vening authority” and inserting the following:

11 “(B) Except as provided in paragraph (4), the con-
12 vening authority”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(4)(A) Except as provided in subparagraph (B), if
16 a mandatory minimum sentence exists for a charge, the
17 convening authority or another person authorized to act
18 under this section may not modify an adjudged sentence
19 to reduce the sentence to less than the mandatory min-
20 imum sentence or disapprove, commute, or suspend the
21 adjudged mandatory minimum sentence in whole or in
22 part. This limitation does not restrict the discretion of the
23 convening authority or another person authorized to act
24 under this section to modify, disapprove, commute, or sus-

1 pend any portion of the adjudged sentence that is in addi-
2 tion to the mandatory minimum sentence.

3 “(B) Upon the recommendation of the trial counsel,
4 the convening authority or another person authorized to
5 act under this section shall have the authority to impose
6 a sentence below a level established by statute as a min-
7 imum sentence or to disapprove, commute, or suspend the
8 adjudged sentence in whole or in part so as to reflect the
9 substantial assistance by the accused in the investigation
10 or prosecution of another person who has committed an
11 offense.”.

12 (d) EXPLANATION FOR ANY DECISION DIS-
13 APPROVING, COMMUTING, OR SUSPENDING COURT-MAR-
14 TIAL SENTENCE.—Section 860(c)(2) of title 10, United
15 States Code (article 60(c)(2) of the Uniform Code of Mili-
16 tary Justice), as amended by subsection (c)(1), is further
17 amended—

18 (1) by inserting “(A)” after “(2)”; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(C) If the convening authority or another person au-
22 thorized to act under this section acts to disapprove, com-
23 mute, or suspend the sentence in whole or in part, the
24 convening authority or other person shall provide, at that
25 same time, a written explanation of the reasons for such

1 action. The written explanation shall be made a part of
2 the record of the trial and action thereon.”.

3 (e) CONFORMING AMENDMENT TO OTHER AUTHOR-
4 ITY FOR CONVENING AUTHORITY TO SUSPEND SEN-
5 TENCE.—Section 871(d) of such title (article 71(d) of the
6 Uniform Code of Military Justice) is amended by adding
7 at the end the following new sentence: “Paragraphs (2)
8 and (4) of subsection (c) of section 860 of this title (article
9 60) shall apply to any decision by the convening authority
10 or such person to suspend the execution of any sentence
11 or part thereof under this subsection.”.

12 (f) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect 180 days after the date of
14 the enactment of this Act and shall apply with respect to
15 findings and sentences of courts-martial reported to con-
16 vening authorities under section 860 of title 10, United
17 States Code (article 60 of the Uniform Code of Military
18 Justice), as amended by this section, on or after that ef-
19 fective date.

1 **SEC. 532 [Log 50930]. ELIMINATION OF FIVE-YEAR STATUTE**
2 **OF LIMITATIONS ON TRIAL BY COURT-MAR-**
3 **TIAL FOR ADDITIONAL OFFENSES INVOLVING**
4 **SEX-RELATED CRIMES.**

5 (a) INCLUSION OF ADDITIONAL OFFENSES.—Section
6 843(a) of title 10, United States Code (article 43(a) of
7 the Uniform Code of Military Justice) is amended by
8 striking “rape, or rape of a child” and inserting “rape
9 or sexual assault, or rape or sexual assault of a child”.

10 (b) CONFORMING AMENDMENT.—Section
11 843(b)(2)(B)(i) of title 10, United States Code (article
12 43(b)(2)(B)(i) of the Uniform Code of Military Justice)
13 is amended by inserting before the period at the end the
14 following: “, unless the offense is covered by subsection
15 (a)”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of the enactment
18 of this Act, and shall apply with respect to an offense cov-
19 ered by section 920(b) or 920b(b) of title 10, United
20 States Code (article 120(b) or 120b(b) of the Uniform
21 Code of Military Justice) that is committed on or after
22 that date.

1 **SEC. 533 [Log 51005]. DISCHARGE OR DISMISSAL FOR CER-**
2 **TAIN SEX-RELATED OFFENSES AND TRIAL OF**
3 **OFFENSES BY GENERAL COURTS-MARTIAL.**

4 (a) MANDATORY DISCHARGE OR DISMISSAL RE-
5 QUIRED.—

6 (1) IMPOSITION.—Section 856 of title 10,
7 United States Code (article 56 of the Uniform Code
8 of Military Justice) is amended—

9 (A) by inserting “(a)” before “The punish-
10 ment”; and

11 (B) by adding at the end the following new
12 subsection:

13 “(b)(1) While a person subject to this chapter who
14 is found guilty of an offense specified in paragraph (2)
15 shall be punished as a general court-martial may direct,
16 such punishment must include, at a minimum, dismissal
17 or dishonorable discharge.

18 “(2) Paragraph (1) applies to the following offenses:

19 “(A) An offense in violation of subsection (a) or
20 (b) of section 920 (article 120(a) or (b)).

21 “(B) Forcible sodomy under section 925 of this
22 title (article 125).

23 “(C) An attempt to commit an offense specified
24 in subparagraph (A) or (B) that is punishable under
25 section 880 of this title (article 80).”.

26 (2) CLERICAL AMENDMENTS.—

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

3 **“§ 856. Art. 56. Maximum and minimum limits”.**

4 (B) TABLE OF SECTIONS.—The table of
5 sections at the beginning of subchapter VIII of
6 chapter 47 of such title is amended by striking
7 the item relating to section 856 and inserting
8 the following new item:

“856. Art 56. Maximum and minimum limits.”.

9 (b) JURISDICTION LIMITED TO GENERAL COURTS-
10 MARTIAL.—Section 818 of title 10, United States Code
11 (article 18 of the Uniform Code of Military Justice) is
12 amended—

13 (1) by inserting “(a)” before the first sentence;

14 (2) in the third sentence, by striking “However,
15 a general court-martial” and inserting the following:
16 “(b) A general court-martial”; and

17 (3) by adding at the end the following new sub-
18 section:

19 “(c) Consistent with sections 819, 820, and 856(b)
20 of this title (articles 19, 20, and 56(b)), only general
21 courts-martial have jurisdiction over an offense specified
22 in section 856(b)(2) of this title (article 56(b)(2)).”.

23 (c) ADDITIONAL DUTIES FOR INDEPENDENT PAN-
24 ELS.—

1 (1) RESPONSE SYSTEMS PANEL.—The inde-
2 pendent panel established by the Secretary of De-
3 fense under subsection (a)(1) of section 576 of the
4 National Defense Authorization Act for Fiscal Year
5 2013 (Public Law 112–239; 126 Stat. 1758) shall
6 assess the appropriateness of statutorily mandated
7 minimum sentencing provisions for additional of-
8 fenses under the Uniform Code of Military Justice.
9 The panel shall include the results of the assessment
10 in the report required by subsection (c)(1) of such
11 section.

12 (2) JUDICIAL PROCEEDINGS PANEL.—The inde-
13 pendent panel established by the Secretary of De-
14 fense under subsection (a)(2) of section 576 of the
15 National Defense Authorization Act for Fiscal Year
16 2013 (Public Law 112–239; 126 Stat. 1758) shall
17 assess the implementation and effect of the manda-
18 tory minimum sentences established by section
19 856(b) of title 10, United States Code (article 56(b)
20 of the Uniform Code of Military Justice), as added
21 by subsection (a) of this section. The panel shall in-
22 clude the results of the assessment in one of the re-
23 ports required by subsection (c)(2)(B) of such sec-
24 tion 576.

1 (d) **EFFECTIVE DATE.**—The amendments made by
2 this section shall take effect 180 days after the date of
3 the enactment of this Act, and apply to offenses specified
4 in section 856(b)(2) of title 10, United States Code (arti-
5 cle 56(b)(2) of the Uniform Code of Military Justice), as
6 added by subsection (a)(1), committed after that date.

1 **SEC. 534 [Log 50483]. REGULATIONS REGARDING CONSIDER-**
2 **ATION OF APPLICATION FOR PERMANENT**
3 **CHANGE OF STATION OR UNIT TRANSFER BY**
4 **VICTIMS OF SEXUAL ASSAULT.**

5 Section 673(b) of title 10, United States Code, is
6 amended by striking “The Secretaries of the military de-
7 partments” and inserting “The Secretary concerned”.

1 **SEC. 535 [Log 50995]. CONSIDERATION OF NEED FOR, AND**
2 **AUTHORITY TO PROVIDE FOR, TEMPORARY**
3 **ADMINISTRATIVE REASSIGNMENT OR RE-**
4 **MOVAL OF A MEMBER ON ACTIVE DUTY WHO**
5 **IS ACCUSED OF COMMITTING A SEXUAL AS-**
6 **SAULT OR RELATED OFFENSE.**

7 (a) IN GENERAL.—Chapter 39 of title 10, United
8 States Code, is amended by inserting after section 673 the
9 following new section:

10 **“§ 674. Temporary administrative reassignment or re-**
11 **moval of a member on active duty ac-**
12 **cused of committing a sexual assault or**
13 **related offense**

14 “(a) GUIDANCE FOR TIMELY CONSIDERATION AND
15 ACTION.—The Secretary concerned may provide guidance,
16 within guidelines provided by the Secretary of Defense, for
17 commanders regarding their authority to make a timely
18 determination, and to take action, regarding whether a
19 member of the armed forces serving on active duty who
20 is alleged to have committed a sexual assault or other sex-
21 related offense covered by section 920, 920a, 920b, or
22 920c of this title (article 120, 120a, 120b, or 120c of the
23 Uniform Code of Military Justice) should be temporarily
24 reassigned or removed from a position of authority or as-
25 signment, not as a punitive measure, but solely for the

1 purpose of maintaining good order and discipline within
2 the member's unit.

3 “(b) TIME FOR DETERMINATIONS.—A determination
4 described in subsection (a) may be made at any time after
5 receipt of notification of an unrestricted report of a sexual
6 assault or other sex-related offense that identifies the
7 member as an alleged perpetrator.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such chapter is amended by inserting
10 after the item relating to section 673 the following new
11 item:

“674. Temporary administrative reassignment or removal of a member on active
duty accused of committing a sexual assault or related of-
fense.”.

12 (c) ADDITIONAL TRAINING REQUIREMENT FOR COM-
13 MANDERS.—The Secretary of Defense shall provide for in-
14 clusion of information and discussion regarding the avail-
15 ability and use of the authority provided by section 674
16 of title 10, United States Code, as added by subsection
17 (a), as part of the training for new and prospective com-
18 manders at all levels of command required by section
19 585(b) of the National Defense Authorization Act for Fis-
20 cal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note).

1 **SEC. 536 [Log 51006]. VICTIMS' COUNSEL FOR VICTIMS OF**
2 **SEX-RELATED OFFENSES AND RELATED PRO-**
3 **VISIONS.**

4 (a) DESIGNATION AND DUTIES.—

5 (1) IN GENERAL.—Chapter 53 of title 10,
6 United States Code, is amended by inserting after
7 section 1044d the following new section:

8 **“§ 1044e. Victims' Counsel for victims of sex-related**
9 **offenses**

10 “(a) DESIGNATION; PURPOSES.—The Secretary con-
11 cerned shall designate legal counsel (to be known as ‘Vic-
12 tims' Counsel’) for the purpose of providing legal assist-
13 ance to an individual eligible for military legal assistance
14 under section 1044 of this title who is the victim of an
15 alleged sex-related offense, regardless of whether the re-
16 port of that offense is restricted or unrestricted.

17 “(b) TYPES OF LEGAL ASSISTANCE AUTHORIZED.—
18 The types of legal assistance authorized by subsection (a)
19 include the following:

20 “(1) Legal consultation regarding potential
21 criminal liability of the victim stemming from or in
22 relation to the circumstances surrounding the al-
23 leged sex-related offense and the victim's right to
24 seek military defense services.

25 “(2) Legal consultation regarding the Victim
26 Witness Assistance Program, including—

1 “(A) the rights and benefits afforded the
2 victim;

3 “(B) the role of the Victim Witness Assist-
4 ance Program liaison and what privileges do or
5 do not exist between the victim and the liaison;
6 and

7 “(C) the nature of communication made to
8 the liaison in comparison to communication
9 made to a Victims’ Counsel or a legal assistance
10 attorney under section 1044 of this title.

11 “(3) Legal consultation regarding the respon-
12 sibilities and support provided to the victim by the
13 Sexual Assault Response Coordinator, a unit or in-
14 stallation Sexual Assault Victim Advocate or domes-
15 tic abuse advocate, to include any privileges that
16 may exist regarding communications between those
17 persons and the victim.

18 “(4) Legal consultation regarding the potential
19 for civil litigation against other parties (other than
20 the Department of Defense).

21 “(5) Legal consultation regarding the military
22 justice system, including—

23 “(A) the roles and responsibilities of the
24 trial counsel, the defense counsel, and investiga-
25 tors;

1 “(B) any proceedings of the military jus-
2 tice process in which the victim may observe or
3 participate as a witness or other party;

4 “(C) the Government’s authority to compel
5 cooperation and testimony; and

6 “(D) the victim’s responsibility to testify,
7 and other duties to the court.

8 “(6) Accompanying the victim at any pro-
9 ceedings in connection with the reporting, military
10 investigation, and military prosecution of the alleged
11 sex-related offense.

12 “(7) Legal consultation regarding—

13 “(A) services available from appropriate
14 agencies or offices for emotional and mental
15 health counseling and other medical services;

16 “(B) eligibility for and requirements for
17 obtaining any available military and veteran
18 benefits, such as transitional compensation ben-
19 efits found in section 1059 of this title and
20 other State and Federal victims’ compensation
21 programs; and

22 “(C) the availability of, and any protec-
23 tions offered by, civilian and military restrain-
24 ing orders.

1 “(8) Legal consultation and assistance in per-
2 sonal civil legal matters in accordance with section
3 1044 of this title.

4 “(9) Such other legal assistance as the Sec-
5 retary of Defense (or, in the case of the Coast
6 Guard, the Secretary of the Department in which
7 the Coast Guard is operating) may authorize in the
8 regulations prescribed under subsection (g).

9 “(c) QUALIFICATIONS.—An individual may not be
10 designated as a Victims’ Counsel under this section unless
11 the individual—

12 “(1) meets the qualifications specified in section
13 1044(d)(2) of this title; ; and

14 “(2) is certified as competent to be designated
15 as a Victims’ Counsel by the Judge Advocate Gen-
16 eral of the Armed Force in which the judge advocate
17 is a member or by which the civilian attorney is em-
18 ployed.

19 “(d) ADMINISTRATIVE RESPONSIBILITY.—(1) Con-
20 sistent with the regulations prescribed under subsection
21 (g), the Judge Advocate General (as defined in section
22 801(1) of this title) under the jurisdiction of the Sec-
23 retary, and within the Marine Corps the Staff Judge Ad-
24 vocate to the Commandant of the Marine Corps, is respon-

1 sible for the establishment and supervision of individuals
2 designated as Victims' Counsel.

3 “(2) The Secretary of Defense (and, in the case of
4 the Coast Guard, the Secretary of the Department in
5 which the Coast Guard is operating) shall conduct a peri-
6 odic evaluation of the Victims' Counsel programs operated
7 under this section.

8 “(e) AVAILABILITY OF VICTIMS' COUNSEL.—(1) An
9 individual eligible for military legal assistance under sec-
10 tion 1044 of this title who is the victim of an alleged sex-
11 related offense shall be offered the option of receiving as-
12 sistance from a Victims' Counsel upon report of an alleged
13 sex-related offense or at the time the victim seeks assist-
14 ance from a Sexual Assault Response Coordinator, a Sex-
15 ual Assault Victim Advocate, a military criminal investi-
16 gator, a victim/witness liaison, a trial counsel, a healthcare
17 provider, or any other personnel designated by the Sec-
18 retary concerned for purposes of this subsection.

19 “(2) The assistance of a Victims' Counsel under this
20 subsection shall be available to an individual eligible for
21 military legal assistance under section 1044 of this title
22 regardless of whether the individual elects unrestricted or
23 restricted reporting of the alleged sex-related offense. The
24 individual shall also be informed that the assistance of a
25 Victims' Counsel may be declined, in whole or in part, but

1 that declining such assistance does not preclude the indi-
2 vidual from subsequently requesting the assistance of a
3 Victims' Counsel.

4 “(f) ALLEGED SEX-RELATED OFFENSE DEFINED.—
5 In this section, the term ‘alleged sex-related offense’
6 means any allegation of—

7 “(1) a violation of section 920, 920a, 920b,
8 920c, or 925 of this title (article 120, 120a, 120b,
9 120c, or 125 of the Uniform Code of Military Jus-
10 tice); or

11 “(2) an attempt to commit an offense specified
12 in a paragraph (1) as punishable under section 880
13 of this title (article 80 of the Uniform Code of Mili-
14 tary Justice).

15 “(g) REGULATIONS.—The Secretary of Defense and
16 the Secretary of the Department in which the Coast Guard
17 is operating shall prescribe regulations to carry out this
18 section.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such chapter is amended
21 by inserting after the item relating to section 1044d
22 the following new item:

“1044e. Victims' Counsel for victims of sex-related offenses.”.

23 (3) CONFORMING AMENDMENTS.—

24 (A) QUALIFICATIONS OF PERSONS PRO-
25 VIDING LEGAL ASSISTANCE.—Section

1 1044(d)(2) of such title is amended by inserting
2 before the period at the end the following:
3 “and, for purposes of service as a Victims’
4 Counsel under section 1044e of this title, meets
5 the additional qualifications specified in sub-
6 section (c)(2) of such section.”.

7 (B) INCLUSION IN DEFINITION OF MILI-
8 TARY LEGAL ASSISTANCE.—Section
9 1044(d)(3)(B) of such title is amended by strik-
10 ing “and 1044d” and inserting “1044d, 1044e,
11 and 1565b(a)(1)(A)”.

12 (C) ACCESS TO LEGAL ASSISTANCE AND
13 SERVICES.—Section 1565b(a)(1)(A) of such
14 title is amended by striking “section 1044” and
15 inserting “sections 1044 and 1044e”.

16 (4) IMPLEMENTATION.—Section 1044e of title
17 10, United States Code, as added by paragraph (1),
18 shall be implemented within six months after the
19 date of the enactment of this Act.

20 (b) ENHANCED TRAINING REQUIREMENT.—The Sec-
21 retary of each military department, and the Secretary of
22 Homeland Security with respect to the Coast Guard when
23 it is not operating as a service in the Department of the
24 Navy, shall implement, consistent with the guidelines pro-
25 vided under section 1044e of title 10, United States Code,

1 as added by subsection (a), in-depth and advanced train-
2 ing for all military and civilian attorneys providing legal
3 assistance under section 1044 or 1044e of such to support
4 victims of alleged sex-related offenses.

5 (c) SECRETARY OF DEFENSE IMPLEMENTATION RE-
6 PORT.—

7 (1) REPORT REQUIRED.—Not later than 90
8 days after the date of the enactment of this Act, the
9 Secretary of Defense, in coordination with the Sec-
10 retary of Homeland Security with respect to the
11 Coast Guard, shall submit to the Committees on
12 Armed Services and Commerce, Science, and Trans-
13 portation of the Senate and the Committees on
14 Armed Services and Transportation and Infrastruc-
15 ture of the House of Representatives a report de-
16 scribing how the Armed Forces will implement the
17 requirements of section 1044e of title 10, United
18 States Code, as added by subsection (a).

19 (2) ADDITIONAL SUBMISSION REQUIREMENT.—
20 The report required by paragraph (1) shall also be
21 submitted to the independent review panel estab-
22 lished by the Secretary of Defense under section
23 576(a)(1) of the National Defense Authorization Act
24 for Fiscal Year 2013 (Public Law 112–239; 126

1 Stat. 1758) and to the Joint Services Committee on
2 Military Justice.

3 (c) ADDITIONAL DUTIES FOR INDEPENDENT PAN-
4 ELS.—

5 (1) RESPONSE SYSTEMS PANEL.—The inde-
6 pendent panel established by the Secretary of De-
7 fense under subsection (a)(1) of section 576 of the
8 National Defense Authorization Act for Fiscal Year
9 2013 (Public Law 112–239; 126 Stat. 1758) shall
10 conduct an assessment regarding whether the roles,
11 responsibilities, and authorities of Victims’ Counsel
12 to provide legal assistance under section 1044e of
13 title 10, United States Code, as added by subsection
14 (a), to victims of alleged sex-related offenses should
15 be expanded to include legal standing to represent
16 the victim during investigative and military justice
17 proceedings in connection with the prosecution of
18 the offense. The panel shall include the results of
19 the assessment in the report required by subsection
20 (c)(1) of such section.

21 (2) JUDICIAL PROCEEDINGS PANEL.—The inde-
22 pendent panel established by the Secretary of De-
23 fense under subsection (a)(2) of section 576 of the
24 National Defense Authorization Act for Fiscal Year
25 2013 (Public Law 112–239; 126 Stat. 1758) shall

1 conduct an assessment of the implementation and
2 effect of section 1044e of title 10, United States
3 Code, as added by subsection (a), and make such
4 recommendations for modification of such section
5 1044e as the panel considers appropriate. The panel
6 shall include the results of the assessment and its
7 recommendations in one of the reports required by
8 subsection (c)(2)(B) of such section 576.

1 **SEC. 537 [Log 50808]. INSPECTOR GENERAL INVESTIGATION**
2 **OF ALLEGATIONS OF RETALIATORY PER-**
3 **SONNEL ACTIONS TAKEN IN RESPONSE TO**
4 **MAKING PROTECTED COMMUNICATIONS RE-**
5 **GARDING SEXUAL ASSAULT.**

6 Section 1034(c)(2)(A) of title 10, United States
7 Code, is amended by striking “sexual harassment or” and
8 inserting “rape, sexual assault, or other sexual misconduct
9 in violation of sections 920 through 920c of this title (arti-
10 cles 120 through 120c of the Uniform Code of Military
11 Justice), sexual harassment, or”.

1 **SEC. 538 [Log51008]. SECRETARY OF DEFENSE REPORT ON**
2 **ROLE OF COMMANDERS IN MILITARY JUS-**
3 **TICE PROCESS.**

4 Not later than 90 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the Committees on Armed Services of the Senate and
7 the House of Representatives a report containing—

8 (1) an assessment of the current role and au-
9 thorities of commanders in the administration of
10 military justice and the investigation, prosecution,
11 and adjudication of offenses under the Uniform
12 Code of Military Justice; and

13 (2) a recommendation by the Secretary of De-
14 fense regarding whether the role and authorities of
15 commanders should be further modified or repealed.

1 **Subtitle E—Military Family**
2 **Readiness**

3 **SEC. 551 [Log 50917]. DEPARTMENT OF DEFENSE RECOGNI-**
4 **TION OF SPOUSES OF MEMBERS OF THE**
5 **ARMED FORCES WHO SERVE IN COMBAT**
6 **ZONES.**

7 (a) ESTABLISHMENT AND PRESENTATION OF LAPEL
8 BUTTONS.—Chapter 57 of title 10, United States Code,
9 is amended by inserting after section 1126 the following
10 new section:

11 **“§ 1126a. Spouse-of-a-combat-veteran lapel button:**
12 **eligibility and presentation**

13 “(a) DESIGN AND ELIGIBILITY.—A lapel button, to
14 be known as the spouse-of-a-combat-veteran lapel button,
15 shall be designed, as approved by the Secretary of De-
16 fense, to identify and recognize the spouse of a member
17 of the armed forces who is serving or has served in a com-
18 bat zone for a period of more than 30 days.

19 “(b) PRESENTATION.—The Secretary concerned may
20 authorize the use of appropriated funds to procure spouse-
21 of-a-combat-veteran lapel buttons and to provide for their
22 presentation to eligible spouses of members.

23 “(c) EXCEPTION TO TIME-PERIOD REQUIREMENT.—
24 The 30-day period specified in subsection (a) does not

1 apply if the member is killed or wounded in the combat
2 zone before the expiration the period.

3 “(d) LICENSE TO MANUFACTURE AND SELL LAPEL
4 BUTTONS.—Section 901(c) of title 36 shall apply with re-
5 spect to the spouse-of-a-combat-veteran lapel button au-
6 thorized by this section.

7 “(e) COMBAT ZONE DEFINED.—In this section, the
8 term ‘combat zone’ has the meaning given that term in
9 section 112(c)(2) of the Internal Revenue Code of 1986.

10 “(f) REGULATIONS.—The Secretary of Defense shall
11 issue such regulations as may be necessary to carry out
12 this section. The Secretary shall ensure that the regula-
13 tions are uniform for each armed force to the extent prac-
14 ticable.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of such chapter is amended by inserting
17 after the item relating to section 1126 the following new
18 item:

“1126a. Spouse-of-a-combat-veteran lapel button: eligibility and presentation.”.

19 (c) SENSE OF CONGRESS REGARDING IMPLEMENTA-
20 TION.—It is the sense of Congress that, as soon as prac-
21 ticable once the spouse-of-a-combat-veteran lapel button
22 becomes available, the Secretary of Defense should—

23 (1) widely announce the availability of spouse-
24 of-a-combat-veteran lapel buttons through military
25 and public information channels; and

1 (2) encourage commanders at all levels to con-
2 duct ceremonies recognizing the support provided by
3 spouses of members of the Armed Forces and to use
4 the ceremonies as an opportunity for members to
5 present their spouses with a spouse-of-a-combat-vet-
6 eran lapel button.

1 **SEC. 552 [Log 50482]. PROTECTION OF CHILD CUSTODY AR-**
2 **RANGEMENTS FOR PARENTS WHO ARE MEM-**
3 **BERS OF THE ARMED FORCES.**

4 (a) CHILD CUSTODY PROTECTION.—Title II of the
5 Servicemembers Civil Relief Act (50 U.S.C. App. 521 et
6 seq.) is amended by adding at the end the following new
7 section:

8 **“SEC. 208. CHILD CUSTODY PROTECTION.**

9 “(a) RESTRICTION ON TEMPORARY CUSTODY
10 ORDER.—If a court renders a temporary order for custo-
11 dial responsibility for a child based solely on a deployment
12 or anticipated deployment of a parent who is a
13 servicemember, then the court shall require that, upon the
14 return of the servicemember from deployment, the custody
15 order that was in effect immediately preceding the tem-
16 porary order shall be reinstated, unless the court finds
17 that such a reinstatement is not in the best interest of
18 the child, except that any such finding shall be subject
19 to subsection (b).

20 “(b) LIMITATION ON CONSIDERATION OF MEMBER’S
21 DEPLOYMENT IN DETERMINATION OF CHILD’S BEST IN-
22 TEREST.—If a motion or a petition is filed seeking a per-
23 manent order to modify the custody of the child of a
24 servicemember, no court may consider the absence of the
25 servicemember by reason of deployment, or the possibility

1 of deployment, as the sole factor in determining the best
2 interest of the child.

3 “(c) NO FEDERAL JURISDICTION OR RIGHT OF AC-
4 TION OR REMOVAL.—Nothing in this section shall create
5 a Federal right of action or otherwise give rise to Federal
6 jurisdiction or create a right of removal.

7 “(d) PREEMPTION.—In any case where State law ap-
8 plicable to a child custody proceeding involving a tem-
9 porary order as contemplated in this section provides a
10 higher standard of protection to the rights of the parent
11 who is a deploying servicemember than the rights provided
12 under this section with respect to such temporary order,
13 the appropriate court shall apply the higher State stand-
14 ard.

15 “(e) DEPLOYMENT DEFINED.—In this section, the
16 term ‘deployment’ means the movement or mobilization of
17 a servicemember to a location for a period of longer than
18 60 days and not longer than 540 days pursuant to tem-
19 porary or permanent official orders—

20 “(1) that are designated as unaccompanied;

21 “(2) for which dependent travel is not author-
22 ized; or

23 “(3) that otherwise do not permit the move-
24 ment of family members to that location.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is amended by adding at the
3 end of the items relating to title II the following new item:
“208. Child custody protection.”.

1 **SEC. 553 [Log 50485]. TREATMENT OF RELOCATION OF MEM-**
2 **BERS OF THE ARMED FORCES FOR ACTIVE**
3 **DUTY FOR PURPOSES OF MORTGAGE REFI-**
4 **NANCING.**

5 (a) IN GENERAL.—Title III of the Servicemembers
6 Civil Relief Act is amended by inserting after section 303
7 (50 U.S.C. App. 533) the following new section:

8 **“SEC. 303A. TREATMENT OF RELOCATION OF**
9 **SERVICEMEMBERS FOR ACTIVE DUTY FOR**
10 **PURPOSES OF MORTGAGE REFINANCING.**

11 “(a) TREATMENT OF ABSENCE FROM RESIDENCE
12 DUE TO ACTIVE DUTY.—While a servicemember who is
13 the mortgagor under an existing mortgage does not reside
14 in the residence that secures the existing mortgage be-
15 cause of a relocation described in subsection (c)(1)(B), if
16 the servicemember inquires about or applies for a covered
17 refinancing mortgage, the servicemember shall be consid-
18 ered, for all purposes relating to the covered refinancing
19 mortgage (including such inquiry or application and eligi-
20 bility for, and compliance with, any underwriting criteria
21 and standards regarding such covered refinancing mort-
22 gage) to occupy the residence that secures the existing
23 mortgage to be paid or prepaid by such covered reffi-
24 nancing mortgage as the principal residence of the
25 servicemember during the period of such relocation.

1 “(b) LIMITATION.—Subsection (a) shall not apply
2 with respect to a servicemember who inquires about or ap-
3 plies for a covered refinancing mortgage if, during the 5-
4 year period preceding the date of such inquiry or applica-
5 tion, the servicemember entered into a covered refinancing
6 mortgage pursuant to this section.

7 “(c) DEFINITIONS.—In this section:

8 “(1) EXISTING MORTGAGE.—The term ‘existing
9 mortgage’ means a mortgage that is secured by a 1-
10 to 4-family residence, including a condominium or a
11 share in a cooperative ownership housing associa-
12 tion, that was the principal residence of a
13 servicemember for a period that—

14 “(A) had a duration of 13 consecutive
15 months or longer; and

16 “(B) ended upon the relocation of the
17 servicemember caused by the servicemember re-
18 ceiving military orders for a permanent change
19 of station or to deploy with a military unit, or
20 as an individual in support of a military oper-
21 ation, for a period of not less than 18 months
22 that did not allow the servicemember to con-
23 tinue to occupy such residence as a principal
24 residence.

1 “(2) COVERED REFINANCING MORTGAGE.—The
2 term ‘covered refinancing mortgage’ means any
3 mortgage that—

4 “(A) is made for the purpose of paying or
5 prepaying, and extinguishing, the outstanding
6 obligations under an existing mortgage or mort-
7 gages; and

8 “(B) is secured by the same residence that
9 secured such existing mortgage or mortgages.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in section 1(b) of such Act is amended by inserting after
12 the item relating to section 303 the following new item:

 “303A. Treatment of relocation of servicemembers for active duty for purposes
 of mortgage refinancing.”.

1 **SEC. 554 [Log50927]. FAMILY SUPPORT PROGRAMS FOR IM-**
2 **MEDIATE FAMILY MEMBERS OF MEMBERS OF**
3 **THE ARMED FORCES ASSIGNED TO SPECIAL**
4 **OPERATIONS FORCES.**

5 (a) PILOT PROGRAMS AUTHORIZED.—Consistent
6 with such regulations as the Secretary of Defense may
7 prescribe to carry out this section, the Commander of the
8 United States Special Operations Command may conduct
9 up to three pilot programs to assess the feasibility and
10 benefits of providing family support activities for the im-
11 mediate family members of members of the Armed Forces
12 assigned to special operations forces.

13 (b) SELECTION OF PROGRAMS.—In selecting the pilot
14 programs to be conducted under subsection (a), the Com-
15 mander shall—

16 (1) identify family support activities that have
17 a direct and concrete impact on the readiness of spe-
18 cial operations forces, but that are not being pro-
19 vided to the immediate family members of members
20 of the Armed Forces assigned to special operations
21 forces by the Secretary of a military department;
22 and

23 (2) conduct a cost-benefit analysis of each fam-
24 ily support activity proposed to be included in a pilot
25 program.

1 (c) EVALUATION.—The Commander shall develop
2 outcome measurements to evaluate the success of each
3 family support activity included in a pilot program under
4 subsection (a).

5 (d) ADDITIONAL AUTHORITY.—The Commander may
6 expend up to \$5,000,000 during each fiscal year specified
7 in subsection (f) to carry out the pilot programs under
8 subsection (a).

9 (e) DEFINITIONS.—In this section:

10 (1) The term “Commander” means the Com-
11 mander of the United States Special Operations
12 Command.

13 (2) The term “immediate family members” has
14 the meaning given that term in section 1789(c) of
15 title 10, United States Code.

16 (3) The term “special operations forces” means
17 those forces of the Armed Forces identified as spe-
18 cial operations forces under section 167(i) of such
19 title.

20 (f) DURATION OF PILOT PROGRAM AUTHORITY.—
21 The authority provided by subsection (a) is available to
22 the Commander during fiscal years 2014 through 2016.

23 (g) REPORT.—Not later than 180 days after com-
24 pleting a pilot program under subsection (a), the Com-

- 1 mander shall submit to the congressional defense commit-
- 2 tees a report describing the results of the pilot program.

1 **Subtitle F—Education and Train-**
2 **ing Opportunities and Adminis-**
3 **tration**

4 **SEC. 561 [Log 50918]. INCLUSION OF FREELY ASSOCIATED**
5 **STATES WITHIN SCOPE OF JUNIOR RESERVE**
6 **OFFICERS' TRAINING CORPS PROGRAM.**

7 Section 2031(a) of title 10, United States Code, is
8 amended by adding at the end the following new para-
9 graph:

10 “(3) If a secondary educational institution in the
11 Federated States of Micronesia, the Republic of the Mar-
12 shall Islands, or the Republic of Palau otherwise meets
13 the conditions imposed by subsection (b) on the establish-
14 ment and maintenance of units of the Junior Reserve Offi-
15 cers' Training Corps, the Secretary of a military depart-
16 ment may establish and maintain a unit of the Junior Re-
17 serve Officers' Training Corps at the secondary edu-
18 cational institution even though the secondary educational
19 institution is not a United States secondary educational
20 institution.”.

1 **Subtitle G—Defense Dependents’**
2 **Education**

3 **SEC. 571 [Log 50467]. CONTINUATION OF AUTHORITY TO AS-**
4 **SIST LOCAL EDUCATIONAL AGENCIES THAT**
5 **BENEFIT DEPENDENTS OF MEMBERS OF THE**
6 **ARMED FORCES AND DEPARTMENT OF DE-**
7 **FENSE CIVILIAN EMPLOYEES.**

8 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
9 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
10 amount authorized to be appropriated for fiscal year 2014
11 by section 301 and available for operation and mainte-
12 nance for Defense-wide activities as specified in the fund-
13 ing table in section 4301, \$20,000,000 shall be available
14 only for the purpose of providing assistance to local edu-
15 cational agencies under subsection (a) of section 572 of
16 the National Defense Authorization Act for Fiscal Year
17 2006 (Public Law 109–163; 20 U.S.C. 7703b).

18 (b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT
19 CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE
20 CHANGES, OR FORCE RELOCATIONS.—

21 (1) EXTENSION OF AUTHORITY TO PROVIDE AS-
22 SISTANCE.—Section 572(b)(4) of the National De-
23 fense Authorization Act for Fiscal Year 2006 (20
24 U.S.C. 7703b(b)(4)) is amended by striking “Sep-

1 tember 30, 2014” and inserting “September 30,
2 2015”.

3 (2) AMOUNT OF ASSISTANCE AUTHORIZED.—Of
4 the amount authorized to be appropriated for fiscal
5 year 2014 by section 301 and available for operation
6 and maintenance for Defense-wide activities as spec-
7 ified in the funding table in section 4301,
8 \$5,000,000 shall be available only for the purpose of
9 providing assistance to local educational agencies
10 under subsection (b) of section 572 of the National
11 Defense Authorization Act for Fiscal Year 2006 (20
12 U.S.C. 7703b).

13 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
14 this section, the term “local educational agency” has the
15 meaning given that term in section 8013(9) of the Ele-
16 mentary and Secondary Education Act of 1965 (20 U.S.C.
17 7713(9)).

1 **SEC. 572 [Log 50358]. SUPPORT FOR EFFORTS TO IMPROVE**
2 **ACADEMIC ACHIEVEMENT AND TRANSITION**
3 **OF MILITARY DEPENDENT STUDENTS.**

4 The Secretary of Defense may make grants to non-
5 profit organizations that provide services to improve the
6 academic achievement of military dependent students, in-
7 cluding those nonprofit organizations whose programs
8 focus on improving the civic responsibility of military de-
9 pendent students and their understanding of the Federal
10 Government through direct exposure to the operations of
11 the Federal Government.

1 **Subtitle H—Decorations and**
2 **Awards**

3 **SEC. 581 [Log 50587]. FRAUDULENT REPRESENTATIONS**
4 **ABOUT RECEIPT OF MILITARY DECORATIONS**
5 **OR MEDALS.**

6 (a) IN GENERAL.—Section 704 of title 18, United
7 States Code, is amended—

8 (1) in subsection (a), by striking “wears,”; and

9 (2) so that subsection (b) reads as follows:

10 “(b) FRAUDULENT REPRESENTATIONS ABOUT RE-
11 CEIPT OF MILITARY DECORATIONS OR MEDALS.—Who-
12 ever, with intent to obtain money, property, or other tan-
13 gible benefit, fraudulently holds oneself out to be a recipi-
14 ent of a decoration or medal described in subsection (c)(2)
15 or (d) shall be fined under this title, imprisoned not more
16 than one year, or both.”.

17 (b) ADDITION OF CERTAIN OTHER MEDALS.—Sec-
18 tion 704(d) of title 18, United States Code, is amended—

19 (1) by striking “If a decoration” and inserting
20 the following:

21 “(1) IN GENERAL.—If a decoration”;

22 (2) by inserting “a combat badge,” after “1129
23 of title 10,”; and

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

1 “(2) COMBAT BADGE DEFINED.—In this sub-
2 section, the term ‘combat badge’ means a Combat
3 Infantryman’s Badge, Combat Action Badge, Com-
4 bat Medical Badge, Combat Action Ribbon, or Com-
5 bat Action Medal.”.

6 (c) CONFORMING AMENDMENT.—Section 704 of title
7 18, United States Code, is amended in each of subsections
8 (c)(1) and (d) by striking “or (b)”.

1 **SEC. 582 [Log 50839]. REPEAL OF LIMITATION ON NUMBER**
2 **OF MEDALS OF HONOR THAT MAY BE AWARD-**
3 **ED TO THE SAME MEMBER OF THE ARMED**
4 **FORCES.**

5 (a) ARMY.—Section 3744(a) of title 10, United
6 States Code, is amended by striking “medal of honor, dis-
7 tinguished-service cross,” and inserting “distinguished-
8 service cross”.

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

12 (c) AIR FORCE.—Section 8744(a) of title 10, United
13 States Code, is amended by striking “medal of honor, Air
14 Force cross,” and inserting “Air Force Cross”.

1 **SEC. 583 [Log 50841]. STANDARDIZATION OF TIME-LIMITS**
2 **FOR RECOMMENDING AND AWARDING**
3 **MEDAL OF HONOR, DISTINGUISHED-SERVICE**
4 **CROSS, NAVY CROSS, AIR FORCE CROSS, AND**
5 **DISTINGUISHED-SERVICE MEDAL.**

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

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

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

12 (b) AIR FORCE.—Section 8744(b) of such title is
13 amended—

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

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

1 **SEC. 584 [Log 50904]. RECODIFICATION AND REVISION OF**
2 **ARMY, NAVY, AIR FORCE, AND COAST GUARD**
3 **MEDAL OF HONOR ROLL REQUIREMENTS.**

4 (a) AUTOMATIC ENROLLMENT AND FURNISHING OF
5 CERTIFICATE.—

6 (1) IN GENERAL.—Chapter 57 of title 10,
7 United States Code, is amended by inserting after
8 section 1134 the following new section:

9 **“§ 1134a. Medal of honor: Army, Navy, Air Force, and**
10 **Coast Guard Medal of Honor Roll**

11 “(a) ESTABLISHMENT.—There shall be in the De-
12 partment of the Army, the Department of the Navy, the
13 Department of the Air Force, and the Department in
14 which the Coast Guard is operating a roll designated as
15 the ‘Army, Navy, Air Force, and Coast Guard Medal of
16 Honor Roll’.

17 “(b) ENROLLMENT.—The Secretary concerned shall
18 enter and record on the Army, Navy, Air Force, and Coast
19 Guard Medal of Honor Roll the name of each person who
20 has served on active duty in the armed forces and who
21 has been awarded a medal of honor pursuant to section
22 3741, 6241, or 8741 of this title or section 491 of title
23 14.

24 “(c) ISSUANCE OF ENROLLMENT CERTIFICATE.—
25 Each living person whose name is entered on the Army,

1 Navy, Air Force, and Coast Guard Medal of Honor Roll
2 shall be issued a certificate of enrollment on the roll.

3 “(d) ENTITLEMENT TO SPECIAL PENSION; NOTICE
4 TO SECRETARY OF VETERANS AFFAIRS.—The Secretary
5 concerned shall deliver to the Secretary of Veterans Af-
6 fairs a certified copy of each certificate of enrollment
7 issued under subsection (c). The copy of the certificate
8 shall authorize the Secretary of Veterans Affairs to pay
9 the special pension provided by section 1562 of title 38
10 to the person named in the certificate.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of such chapter is amended
13 by inserting after the item relating to section 1134
14 the following new item:

“1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of
Honor Roll.”.

15 (b) SPECIAL PENSION.—

16 (1) AUTOMATIC ENTITLEMENT.—Subsection (a)
17 of section 1562 of title 38, United States Code, is
18 amended—

19 (A) by striking “each person” and insert-
20 ing “each living person”;

21 (B) by striking “Honor roll” and inserting
22 “Honor Roll”;

1 (C) by striking “subsection (c) of section
2 1561 of this title” and inserting “subsection (d)
3 of section 1134a of title 10”; and

4 (D) by striking “date of application there-
5 for under section 1560 of this title” and insert-
6 ing “date on which the person’s name is en-
7 tered on the Army, Navy, Air Force, and Coast
8 Guard Medal of Honor Roll under subsection
9 (b) of such section”.

10 (2) ELECTION TO DECLINE SPECIAL PEN-
11 SION.—Such section is further amended by adding
12 at the end the following new subsection:

13 “(g)(1) A person who is entitled to special pension
14 under subsection (a) may elect not to receive special pen-
15 sion by notifying the Secretary of such election in writing.

16 “(2) Upon receipt of an election made by a person
17 under paragraph (1) not to receive special pension, the
18 Secretary shall cease payments of special pension to the
19 person.”.

20 (c) CONFORMING AMENDMENTS.—

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

24 (2) CLERICAL AMENDMENTS.—The table of sec-
25 tions at the beginning of chapter 15 of such title is

1 amended by striking the items relating to sections
2 1560 and 1561.

3 (d) APPLICATION OF AMENDMENTS.—The amend-
4 ments made by this section shall apply with respect to
5 Medals of Honor awarded on or after the date of the en-
6 actment of this Act.

1 **SEC. 585 [Log50480]. AWARD OF PURPLE HEART TO MEM-**
2 **BERS OF THE ARMED FORCES WHO WERE**
3 **VICTIMS OF THE ATTACKS AT RECRUITING**
4 **STATION IN LITTLE ROCK, ARKANSAS, AND**
5 **AT FORT HOOD, TEXAS.**

6 (a) AWARD REQUIRED.—The Secretary of the mili-
7 tary department concerned shall award the Purple Heart
8 to the members of the Armed Forces who were killed or
9 wounded in the attacks that occurred at the recruiting sta-
10 tion in Little Rock, Arkansas, on June 1, 2009, and at
11 Fort Hood, Texas, on November 5, 2009.

12 (b) EXCEPTION.—Subsection (a) shall not apply to
13 a member of the Armed Forces whose wound was the re-
14 sult of the willful misconduct of the member.

1 **SEC. 586 [Log 50588]. RETROACTIVE AWARD OF ARMY COM-**
2 **BAT ACTION BADGE.**

3 (a) **AUTHORITY TO AWARD.**—The Secretary of the
4 Army may award the Army Combat Action Badge (estab-
5 lished by order of the Secretary of the Army through
6 Headquarters, Department of the Army Letter 600–05–
7 1, dated June 3, 2005) to a person who, while a member
8 of the Army, participated in combat during which the per-
9 son personally engaged, or was personally engaged by, the
10 enemy at any time during the period beginning on Decem-
11 ber 7, 1941, and ending on September 18, 2001 (the date
12 of the otherwise applicable limitation on retroactivity for
13 the award of such decoration), if the Secretary determines
14 that the person has not been previously recognized in an
15 appropriate manner for such participation.

16 (b) **PROCUREMENT OF BADGE.**—The Secretary of
17 the Army may make arrangements with suppliers of the
18 Army Combat Action Badge so that eligible recipients of
19 the Army Combat Action Badge pursuant to subsection
20 (a) may procure the badge directly from suppliers, thereby
21 eliminating or at least substantially reducing administra-
22 tive costs for the Army to carry out this section.

1 **SEC. 587 [Log 50259]. REPORT ON NAVY REVIEW, FINDINGS,**
2 **AND ACTIONS PERTAINING TO MEDAL OF**
3 **HONOR NOMINATION OF MARINE CORPS SER-**
4 **GEANT RAFAEL PERALTA.**

5 Not later than 30 days after the date of the enact-
6 ment of this Act, the Secretary of the Navy shall submit
7 to the Committees on Armed Services of the Senate and
8 House of Representatives a report describing the Navy re-
9 view, findings, and actions pertaining to the Medal of
10 Honor nomination of Marine Corps Sergeant Rafael
11 Peralta. The report shall account for all evidence sub-
12 mitted with regard to the case.

1 **Subtitle I—Other Matters**
2 **SEC. 591 [Log 50341]. REVISION OF SPECIFIED SENIOR MILI-**
3 **TARY COLLEGES TO REFLECT CONSOLIDA-**
4 **TION OF NORTH GEORGIA COLLEGE AND**
5 **STATE UNIVERSITY AND GAINESVILLE STATE**
6 **COLLEGE.**

7 Paragraph (6) of section 2111a(f) of title 10, United
8 States Code, is amended to read as follows:

9 “(6) The University of North Georgia.”.

1 **SEC. 592 [Log 50940]. AUTHORITY TO ENTER INTO CONCESSIONS CONTRACTS AT ARMY NATIONAL MILITARY CEMETERIES.**

2
3
4 (a) IN GENERAL.—Chapter 446 of title 10, United
5 States Code, is amended by adding at the end the following new section:

6
7 **“§ 4727. Cemetery concessions contracts**

8 “(a) CONTRACTS AUTHORIZED.—The Secretary of
9 the Army may enter into a contract with an appropriate
10 entity for the provision of transportation, interpretative,
11 or other necessary or appropriate concession services to
12 visitors at the Army National Military Cemeteries.

13 “(b) SPECIAL REQUIREMENTS.—(1) The Secretary
14 of the Army shall establish and include in each concession
15 contract such requirements as the Secretary determines
16 are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under
17 the contract.

18
19 “(2) A concession contract shall not include operation
20 of the gift shop at Arlington National Cemetery without
21 the specific prior authorization by an Act of Congress.

22 “(c) TERM OF CONTRACTS.—(1) Except as provided
23 in paragraph (2), a concession contract may be awarded
24 for a period of not more than 10 years.

25 “(2)(A) If the Secretary of the Army determines that
26 the terms and conditions of a concession contract to be

1 entered into under this section, including any required
2 construction of capital improvements, warrant entering
3 into the contract for a period of greater than 10 years,
4 the Secretary may award the contract for a period of up
5 to 20 years.

6 “(B) If a concession contract is intended solely for
7 the provision of transportation services, the Secretary may
8 enter into the contract for a period of not more than five
9 years and may extend the period of the contract for one
10 or more successive five-year periods pursuant to an option
11 included in the contract or a modification of the contract.
12 The aggregate period of any such contract, including ex-
13 tensions, may not exceed 10 years.

14 “(d) FRANCHISE FEES.—A concession contract shall
15 provide for payment to the United States of a franchise
16 fee or such other monetary consideration as determined
17 by the Secretary of the Army. The Secretary shall ensure
18 that the objective of generating revenue for the United
19 States is subordinate to the objectives of honoring the
20 service and sacrifices of the deceased members of the
21 armed forces and of providing necessary and appropriate
22 services for visitors to the Cemeteries at reasonable rates.

23 “(e) SPECIAL ACCOUNT.—All franchise fees (and
24 other monetary consideration) collected by the United
25 States under subsection (d) shall be deposited into a spe-

1 cial account established in the Treasury of the United
2 States. The funds deposited in such account shall be avail-
3 able for expenditure by the Secretary of the Army, to the
4 extent authorized and in such amounts as are provided
5 in advance in appropriations Acts, to support activities at
6 the Cemeteries. The funds deposited into the account shall
7 remain available until expended.

8 “(f) CONCESSION CONTRACT DEFINED.—In this sec-
9 tion, the term ‘concession contract’ means a contract au-
10 thorized and entered into under this section.”.

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

“4727. Cemetery concessions contracts.”.

1 **Subtitle A—Pay and Allowances**

2 **SEC. 601 [Log 50787]. EXTENSION OF AUTHORITY TO PRO-**
3 **VIDE TEMPORARY INCREASE IN RATES OF**
4 **BASIC ALLOWANCE FOR HOUSING UNDER**
5 **CERTAIN CIRCUMSTANCES.**

6 Section 403(b)(7)(E) of title 37, United States Code,
7 is amended by striking “December 31, 2013” and insert-
8 ing “December 31, 2014”.

1 **Subtitle B—Bonuses and Special**
2 **and Incentive Pays**

3 **SEC. 611 [Log 50340]. ONE-YEAR EXTENSION OF CERTAIN**
4 **BONUS AND SPECIAL PAY AUTHORITIES FOR**
5 **RESERVE FORCES.**

6 The following sections of title 37, United States
7 Code, are amended by striking “December 31, 2013” and
8 inserting “December 31, 2014”:

9 (1) Section 308b(g), relating to Selected Re-
10 serve reenlistment bonus.

11 (2) Section 308c(i), relating to Selected Reserve
12 affiliation or enlistment bonus.

13 (3) Section 308d(c), relating to special pay for
14 enlisted members assigned to certain high-priority
15 units.

16 (4) Section 308g(f)(2), relating to Ready Re-
17 serve enlistment bonus for persons without prior
18 service.

19 (5) Section 308h(e), relating to Ready Reserve
20 enlistment and reenlistment bonus for persons with
21 prior service.

22 (6) Section 308i(f), relating to Selected Reserve
23 enlistment and reenlistment bonus for persons with
24 prior service.

1 (7) Section 478a(e), relating to reimbursement
2 of travel expenses for inactive-duty training outside
3 of normal commuting distance.

4 (8) Section 910(g), relating to income replace-
5 ment payments for reserve component members ex-
6 periencing extended and frequent mobilization for
7 active duty service.

1 **SEC. 612 [Log 50352]. ONE-YEAR EXTENSION OF CERTAIN**
2 **BONUS AND SPECIAL PAY AUTHORITIES FOR**
3 **HEALTH CARE PROFESSIONALS.**

4 (a) TITLE 10 AUTHORITIES.—The following sections
5 of title 10, United States Code, are amended by striking
6 “December 31, 2013” and inserting “December 31,
7 2014”:

8 (1) Section 2130a(a)(1), relating to nurse offi-
9 cer candidate accession program.

10 (2) Section 16302(d), relating to repayment of
11 education loans for certain health professionals who
12 serve in the Selected Reserve.

13 (b) TITLE 37 AUTHORITIES.—The following sections
14 of title 37, United States Code, are amended by striking
15 “December 31, 2013” and inserting “December 31,
16 2014”:

17 (1) Section 302e–1(f), relating to accession and
18 retention bonuses for psychologists.

19 (2) Section 302d(a)(1), relating to accession
20 bonus for registered nurses.

21 (3) Section 302e(a)(1), relating to incentive
22 special pay for nurse anesthetists.

23 (4) Section 302g(e), relating to special pay for
24 Selected Reserve health professionals in critically
25 short wartime specialties.

1 (5) Section 302h(a)(1), relating to accession
2 bonus for dental officers.

3 (6) Section 302j(a), relating to accession bonus
4 for pharmacy officers.

5 (7) Section 302k(f), relating to accession bonus
6 for medical officers in critically short wartime spe-
7 cialties.

8 (8) Section 302l(g), relating to accession bonus
9 for dental specialist officers in critically short war-
10 time specialties.

1 **SEC. 613 [Log 50353]. ONE-YEAR EXTENSION OF SPECIAL**
2 **PAY AND BONUS AUTHORITIES FOR NUCLEAR**
3 **OFFICERS.**

4 The following sections of title 37, United States
5 Code, are amended by striking “December 31, 2013” and
6 inserting “December 31, 2014”:

7 (1) Section 312(f), relating to special pay for
8 nuclear-qualified officers extending period of active
9 service.

10 (2) Section 312b(c), relating to nuclear career
11 accession bonus.

12 (3) Section 312c(d), relating to nuclear career
13 annual incentive bonus.

1 **SEC. 614 [Log 50354]. ONE-YEAR EXTENSION OF AUTHORI-**
2 **TIES RELATING TO TITLE 37 CONSOLIDATED**
3 **SPECIAL PAY, INCENTIVE PAY, AND BONUS**
4 **AUTHORITIES.**

5 The following sections of title 37, United States
6 Code, are amended by striking “December 31, 2013” and
7 inserting “December 31, 2014”:

8 (1) Section 331(h), relating to general bonus
9 authority for enlisted members.

10 (2) Section 332(g), relating to general bonus
11 authority for officers.

12 (3) Section 333(i), relating to special bonus and
13 incentive pay authorities for nuclear officers.

14 (4) Section 334(i), relating to special aviation
15 incentive pay and bonus authorities for officers.

16 (5) Section 335(k), relating to special bonus
17 and incentive pay authorities for officers in health
18 professions.

19 (6) Section 351(h), relating to hazardous duty
20 pay.

21 (7) Section 352(g), relating to assignment pay
22 or special duty pay.

23 (8) Section 353(i), relating to skill incentive
24 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

1 **SEC. 615 [Log 50355]. ONE-YEAR EXTENSION OF AUTHORI-**
2 **TIES RELATING TO PAYMENT OF OTHER**
3 **TITLE 37 BONUSES AND SPECIAL PAYS.**

4 The following sections of title 37, United States
5 Code, are amended by striking “December 31, 2013” and
6 inserting “December 31, 2014”:

7 (1) Section 301b(a), relating to aviation officer
8 retention bonus.

9 (2) Section 307a(g), relating to assignment in-
10 centive pay.

11 (3) Section 308(g), relating to reenlistment
12 bonus for active members.

13 (4) Section 309(e), relating to enlistment
14 bonus.

15 (5) Section 324(g), relating to accession bonus
16 for new officers in critical skills.

17 (6) Section 326(g), relating to incentive bonus
18 for conversion to military occupational specialty to
19 ease personnel shortage.

20 (7) Section 327(h), relating to incentive bonus
21 for transfer between armed forces.

22 (8) Section 330(f), relating to accession bonus
23 for officer candidates.

1 **Subtitle C—Disability, Retired Pay,**
2 **Survivor, and Transitional Benefits**

3 **SEC. 621 [Log 50770]. TRANSITIONAL COMPENSATION AND**
4 **OTHER BENEFITS FOR DEPENDENTS OF CER-**
5 **TAIN MEMBERS SEPARATED FOR VIOLATION**
6 **OF THE UNIFORM CODE OF MILITARY JUS-**
7 **TICE.**

8 (a) IN GENERAL.—Chapter 53 of title 10, United
9 States Code, is amended by inserting after section 1059
10 the following new section:

11 **“§ 1059a. Dependents of certain members separated**
12 **for Uniform Code of Military Justice of-**
13 **fenses: transitional compensation; com-**
14 **missary and exchange benefits**

15 “(a) AUTHORITY TO PAY COMPENSATION.—The Sec-
16 retary of Defense, with respect to the armed forces (other
17 than the Coast Guard when it is not operating as a service
18 in the Navy), and the Secretary of Homeland Security,
19 with respect to the Coast Guard when it is not operating
20 as a service in the Navy, may each establish a program
21 under which the Secretary may pay monthly transitional
22 compensation in accordance with this section to depend-
23 ents or former dependents of a member of the armed
24 forces described in subsection (b) who is under the juris-
25 diction of the Secretary.

1 “(b) MEMBERS AND PUNITIVE ACTIONS COVERED.—

2 This section applies in the case of a member of the armed
3 forces who, after completing more than 20 years of active
4 service or more than 20 years of service computed under
5 section 12732 of this title—

6 “(1) is convicted by court-martial of an offense
7 under chapter 47 of this title (the Uniform Code of
8 Military Justice);

9 “(2) is separated from active duty pursuant to
10 the sentence of the court-martial; and

11 “(3) forfeits all pay and allowances pursuant to
12 the sentence of the court-martial.

13 “(c) RECIPIENT OF PAYMENTS.—(1) In the case of
14 a member of the armed forces described in subsection (b),
15 the Secretary may pay compensation under this section
16 to dependents or former dependents of the member as fol-
17 lows:

18 “(A) If the member was married at the time of
19 the commission of the offense resulting in separation
20 from the armed forces, such compensation may be
21 paid to the spouse or former spouse to whom the
22 member was married at that time, including an
23 amount for each, if any, dependent child of the
24 member who resides in the same household as that
25 spouse or former spouse.

1 “(B) If there is a spouse or former spouse who
2 is or, but for subsection (d)(2), would be eligible for
3 compensation under this section and if there is a de-
4 pendent child of the member who does not reside in
5 the same household as that spouse or former spouse,
6 compensation under this section may be paid to each
7 such dependent child of the member who does not
8 reside in that household.

9 “(C) If there is no spouse or former spouse who
10 is or, but for subsection (d)(2), would be eligible
11 under this section, compensation under this section
12 may be paid to the dependent children of the mem-
13 ber.

14 “(2) A dependent or former dependent of a member
15 described in subsection (b) is not eligible for transitional
16 compensation under this section if the Secretary con-
17 cerned determines (under regulations prescribed under
18 subsection (g)) that the dependent or former dependent
19 was an active participant in the conduct constituting the
20 offense under chapter 47 of this title (the Uniform Code
21 of Military Justice) for which the member was convicted
22 and separated from the armed forces.

23 “(d) COMMENCEMENT AND DURATION OF PAY-
24 MENT.—(1) If provided under this section, the payment

1 of transitional compensation under this section shall com-
2 mence—

3 “(A) as of the date the court-martial sen-
4 tence is adjudged if the sentence, as adjudged,
5 includes—

6 “(i) a dismissal, dishonorable dis-
7 charge, or bad conduct discharge; and

8 “(ii) forfeiture of all pay and allow-
9 ances; or

10 “(B) if there is a pretrial agreement that
11 provides for disapproval or suspension of the
12 dismissal, dishonorable discharge, bad conduct
13 discharge, or forfeiture of all pay and allow-
14 ances, as of the date of the approval of the
15 court-martial sentence by the person acting
16 under section 860(c) of this title (article 60(c)
17 of the Uniform Code of Military Justice) if the
18 sentence, as approved, includes—

19 “(i) an unsuspended dismissal, dis-
20 honorable discharge, or bad conduct dis-
21 charge; and

22 “(ii) forfeiture of all pay and allow-
23 ances.

24 “(2) Paragraphs (2) and (3) of subsection (e), para-
25 graphs (1) and (2) of subsection (g), and subsections (f)

1 and (h) of section 1059 of this title shall apply in deter-
2 mining—

3 “(A) the amount of transitional compensation
4 to be paid under this section;

5 “(B) the period for which such compensation
6 may be paid; and

7 “(C) the circumstances under which the pay-
8 ment of such compensation may or will cease.

9 “(e) COMMISSARY AND EXCHANGE BENEFITS.—A
10 dependent or former dependent who receives transitional
11 compensation under this section shall, while receiving such
12 payments, be entitled to use commissary and exchange
13 stores in the same manner as provided in subsection (j)
14 of section 1059 of this title.

15 “(f) COORDINATION OF BENEFITS.—The Secretary
16 concerned may not make payments to a spouse or former
17 spouse under both this section and section 1059 or
18 1408(h)(1) of this title. In the case of a spouse or former
19 spouse for whom a court order provides for payments by
20 the Secretary pursuant to section 1408(h)(1) of this title
21 and to whom the Secretary offers payments under this sec-
22 tion or section 1059, the spouse or former spouse shall
23 elect which payments to receive.

24 “(g) REGULATIONS.—If the Secretary of Defense (or
25 the Secretary of Homeland Security with respect to the

1 Coast Guard when it is not operating as a service in the
2 Navy) establishes a program to provide transitional com-
3 pensation under this section, that Secretary shall prescribe
4 regulations to carry out the program.

5 “(h) DEPENDENT CHILD DEFINED.—In this section,
6 the term ‘dependent child’, with respect to a member or
7 former member of the armed forces referred to in sub-
8 section (b), has the meaning given such term in subsection
9 (l) of section 1059 of this title, except that status as a
10 ‘dependent child’ shall be determined as of the date on
11 which the member described in subsection (b) is convicted
12 of the offense concerned.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 53 of such title is amended
15 by inserting after the item relating to section 1059 the
16 following new item:

“1059a. Dependents of certain members separated for Uniform Code of Military
Justice offenses: transitional compensation; commissary and
exchange benefits.”.

17 (c) CONFORMING AMENDMENT.—Subsection (i) of
18 section 1059 of title 10, United States Code, is amended
19 to read as follows:

20 “(i) COORDINATION OF BENEFITS.—The Secretary
21 concerned may not make payments to a spouse or former
22 spouse under both this section and section 1059a or
23 1408(h)(1) of this title. In the case of a spouse or former
24 spouse for whom a court order provides for payments by

1 the Secretary pursuant to section 1408(h)(1) of this title
2 and to whom the Secretary offers payments under this sec-
3 tion or section 1059a, the spouse or former spouse shall
4 elect which payments to receive.”.

1 **SEC. 622 [Log 50761]. PREVENTION OF RETIRED PAY INVER-**
2 **SION FOR MEMBERS WHOSE RETIRED PAY IS**
3 **COMPUTED USING HIGH-THREE AVERAGE.**

4 (a) CLARIFICATION OF RULE FOR MEMBERS WHO
5 BECAME MEMBERS ON OR AFTER SEPTEMBER 8, 1980.—
6 Section 1401a(f)(1) of title 10, United States Code, is
7 amended—

8 (1) by striking “Notwithstanding any other pro-
9 vision of law, the monthly retired pay of a member
10 or a former member of an armed force” and insert-
11 ing the following:

12 “(A) MEMBERS WITH RETIRED PAY COM-
13 PUTED USING FINAL BASIC PAY.—The monthly
14 retired pay of a member or former member of
15 an armed force who first became a member of
16 a uniformed service before September 8, 1980,
17 and”; and

18 (2) by adding at the end the following new sub-
19 paragraph:

20 “(B) MEMBERS WITH RETIRED PAY COM-
21 PUTED USING HIGH-THREE.—Subject to sub-
22 sections (d) and (e), the monthly retired pay of
23 a member or former member of an armed force
24 who first became a member of a uniformed
25 service on or after September 8, 1980, may not
26 be less, on the date on which the member or

1 former member initially becomes entitled to
2 such pay, than the monthly retired pay to which
3 the member or former member would be enti-
4 tled on that date if the member or former mem-
5 ber had become entitled to retired pay on an
6 earlier date, adjusted to reflect any applicable
7 increases in such pay under this section. How-
8 ever, in the case of a member or former mem-
9 ber whose retired pay is computed subject to
10 section 1407(f) of this title, subparagraph (A)
11 (rather than the preceding sentence) shall apply
12 in the same manner as if the member or former
13 member first became a member of a uniformed
14 service before September 8, 1980, but only with
15 respect to a calculation as of the date on which
16 the member or former member first became en-
17 titled to retired pay.”.

18 (b) APPLICABILITY.—Subparagraph (B) of section
19 1401a(f)(1) of title 10, United States Code, as added by
20 subsection (a)(2), applies to the computation of retired
21 pay or retainer pay of any member or former member of
22 an Armed Force who first became a member of a uni-
23 formed service on or after September 8, 1980, regardless
24 of the date on which the member first becomes entitled
25 to retired or retainer pay.

1 **Subtitle D—Commissary and Non-**
2 **appropriated Fund Instrumen-**
3 **tality Benefits and Operations**

4 **SEC. 631 [Log 50729]. EXPANSION OF PROTECTION OF EM-**
5 **PLOYEES OF NONAPPROPRIATED FUND IN-**
6 **STRUMENTALITIES FROM REPRISALS.**

7 Section 1587(b) of title 10, United States Code, is
8 amended by striking “take or fail to take” and inserting
9 “take, threaten to take, or fail to take”.

1 **SEC. 632 [Log 50837]. PURCHASE OF SUSTAINABLE PROD-**
2 **UCTS, LOCAL FOOD PRODUCTS, AND RECY-**
3 **CLABLE MATERIALS FOR RESALE IN COM-**
4 **MISSARY AND EXCHANGE STORE SYSTEMS.**

5 (a) IMPROVED PURCHASING EFFORTS.—Section
6 2481(c) of title 10, United States Code, is amended by
7 adding at the end the following new paragraph:

8 “(3)(A) The governing body established pursuant to
9 paragraph (2) shall endeavor to increase the purchase for
10 resale at commissary stores and exchange stores of sus-
11 tainable products, local food products, and recyclable ma-
12 terials.

13 “(B) As part of its efforts under subparagraph (A),
14 the governing body shall develop—

15 “(i) guidelines for the identification of fresh
16 meat, poultry, seafood, and fish, fresh produce, and
17 other products raised or produced through sustain-
18 able methods; and

19 “(ii) goals, applicable to all commissary stores
20 and exchange stores world-wide, to maximize, to the
21 maximum extent practical, the purchase of sustain-
22 able products, local food products, and recyclable
23 materials by September 30, 2018.”.

24 (b) DEADLINE FOR ESTABLISHMENT AND GUIDE-
25 LINES.—The initial guidelines required by paragraph
26 (3)(B)(i) of section 2481(c) of title 10, United States

- 1 Code, as added by subsection (a), shall be issued not later
- 2 than two years after the date of the enactment of this Act.

1 **SEC. 633 [Log 50374]. CORRECTION OF OBSOLETE REF-**
2 **ERENCES TO CERTAIN NONAPPROPRIATED**
3 **FUND INSTRUMENTALITIES.**

4 Section 2105(c) of title 5, United States Code, is
5 amended by striking “Army and Air Force Motion Picture
6 Service, Navy Ship’s Stores Ashore” and inserting “Navy
7 Ships Stores Program”.

1 **Subtitle E—Other Matters**

2 **SEC. 641 [Log 50769]. AUTHORITY TO PROVIDE CERTAIN EX-**
3 **PENSES FOR CARE AND DISPOSITION OF**
4 **HUMAN REMAINS RETAINED BY THE DEPART-**
5 **MENT OF DEFENSE FOR FORENSIC PATHOL-**
6 **OGY INVESTIGATION.**

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

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

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

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

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

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

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

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

1 (b) CLARIFICATION OF COVERAGE OF INURNMENT.—

2 Section 1482(a)(9) of such title is amended by inserting

3 “or inurnment” after “Interment”.

4 (c) TECHNICAL AMENDMENT.—Section 1482(f) of

5 such title is amended in the third sentence by striking

6 “this subsection” and inserting “this section”.



1 **Subtitle A—Improvements to**
2 **Health Benefits**

3 **SEC. 701. [Log 50994] MENTAL HEALTH ASSESSMENTS FOR**
4 **MEMBERS OF THE ARMED FORCES.**

5 (a) IN GENERAL.—Section 1074m of title 10, United
6 States Code, is amended—

7 (1) in subsection (a)(1)—

8 (A) by redesignating subparagraph (B)
9 and (C) as subparagraph (C) and (D), respec-
10 tively; and

11 (B) by inserting after subparagraph (A)
12 the following:

13 “(B) Once during each 180-day period
14 during which a member is deployed.”; and

15 (2) in subsection (c)(1)(A)—

16 (A) in clause (i), by striking “; and” and
17 inserting a semicolon;

18 (B) by redesignating clause (ii) as clause
19 (iii); and

20 (C) by inserting after clause (i) the fol-
21 lowing:

22 “(ii) by personnel in deployed units
23 whose responsibilities include providing
24 unit health care services if such personnel
25 are available and the use of such personnel

1 for the assessments would not impair the
2 capacity of such personnel to perform
3 higher priority tasks; and”.

4 (b) CONFORMING AMENDMENT.—Section
5 1074m(a)(2) of title 10, United States Code, is amended
6 by striking “subparagraph (B) and (C)” and inserting
7 “subparagraph (C) and (D)”.

1 **SEC. 712. [Log 50532] COOPERATIVE HEALTH CARE AGREE-**
2 **MENTS BETWEEN THE MILITARY DEPART-**
3 **MENTS AND NON-MILITARY HEALTH CARE**
4 **ENTITIES.**

5 Section 713 of the National Defense Authorization
6 Act of 2010 (Public Law 111–84; 10 U.S.C. 1073 note)
7 is amended—

8 (1) in subsection (a), by striking “Secretary of
9 Defense” and inserting “Secretary concerned”;

10 (2) in subsection (b)—

11 (A) by striking “Secretary shall” and in-
12 serting “Secretary concerned shall”;

13 (B) in paragraph (1)(A), by inserting “if
14 the Secretary establishing such agreement is
15 the Secretary of Defense” before the semicolon;
16 and

17 (C) in paragraph (3), by inserting “or the
18 military department concerned” after “the De-
19 partment of Defense”; and

20 (3) by adding at the end the following new sub-
21 section:

22 “(e) SECRETARY CONCERNED DEFINED.—In this
23 section, the term ‘Secretary concerned’ means—

24 “(1) the Secretary of a military department; or

25 “(2) the Secretary of Defense.”.

1 **SEC. 713. [Log 50924] LIMITATION ON AVAILABILITY OF**
2 **FUNDS FOR INTEGRATED ELECTRONIC**
3 **HEALTH RECORD PROGRAM.**

4 (a) **LIMITATION.**— Of the funds authorized to be ap-
5 propriated by this Act or otherwise made available for fis-
6 cal year 2014 for procurement or research, development,
7 test, and evaluation for the Department of Defense for
8 the integrated electronic health record program, not more
9 than 75 percent may be obligated or expended until a pe-
10 riod of 30 days has elapsed following the date on which
11 the Secretary of Defense submits to the congressional de-
12 fense committees a report detailing an analysis of alter-
13 natives for the plan of the Secretary to proceed with such
14 program.

15 (b) **MATTERS INCLUDED.**—The report under sub-
16 section (a) shall include the following:

17 (1) A description of the key performance re-
18 quirements for the integrated electronic health
19 record program capability.

20 (2) An analysis of alternatives for how to ac-
21 quire and implement an integrated electronic health
22 record capability that meets such requirements.

23 (3) An assessment of the budgetary resources
24 and timeline required for each of the evaluated alter-
25 natives.

- 1 (4) A recommendation by the Secretary with re-
- 2 spect to the alternative preferred by the Secretary.

1 **SEC. 714. [Log 50939] PILOT PROGRAM ON INCREASED**
2 **THIRD-PARTY COLLECTION REIMBURSE-**
3 **MENTS IN MILITARY MEDICAL TREATMENT**
4 **FACILITIES.**

5 (a) PILOT PROGRAM.—

6 (1) IN GENERAL.—The Secretary of Defense, in
7 coordination with the Secretaries of the military de-
8 partments, shall carry out a pilot program to dem-
9 onstrate and assess the feasibility of implementing
10 processes described in paragraph (2) to increase the
11 amounts collected under section 1095 of title 10,
12 United States Code, from a third-party payer for
13 charges for health care services incurred by the
14 United States at a military medical treatment facil-
15 ity.

16 (2) PROCESSES DESCRIBED.—The processes de-
17 scribed in this paragraph are revenue-cycle manage-
18 ment processes, including cash-flow management
19 and accounts-receivable processes.

20 (b) REQUIREMENTS.—In carrying out the pilot pro-
21 gram under subsection (a)(1), the Secretary shall—

22 (1) identify and analyze the best practice op-
23 tion, including commercial best practices, with re-
24 spect to the processes described in subsection (a)(2)
25 that are used in nonmilitary health care facilities;
26 and

1 (2) conduct a cost-benefit analysis to assess
2 measurable results of the pilot program, including
3 an analysis of—

4 (A) the different processes used in the
5 pilot program;

6 (B) the amount of third-party collections
7 that resulted from such processes;

8 (C) the cost to implement and sustain such
9 processes; and

10 (D) any other factors the Secretary deter-
11 mines appropriate to assess the pilot program.

12 (c) LOCATIONS.—The Secretary shall carry out the
13 pilot program under subsection (a)(1)—

14 (1) at military installations that have a military
15 medical treatment facility with inpatient and out-
16 patient capabilities;

17 (2) at a number of such installations at dif-
18 ferent military departments that the Secretary deter-
19 mines sufficient to fully assess the results of the
20 pilot program.

21 (d) DURATION.—The Secretary shall commence the
22 pilot program under subsection (a)(1) by not later than
23 270 days after the date of the enactment of this Act and
24 shall carry out such program for three years.

1 (e) REPORT.—Not later than 180 days after com-
2 pleting the pilot program under subsection (a)(1), the Sec-
3 retary shall submit to the congressional defense commit-
4 tees a report describing the results of the program, includ-
5 ing—

6 (1) a comparison of—

7 (A) the processes described in subsection
8 (a)(2) that were used in the military medical
9 treatment facilities participating in the pro-
10 gram; and

11 (B) the third-party collection processes
12 used by military medical treatment facilities not
13 included in the program;

14 (2) a cost analysis of implementing the proc-
15 esses described in subsection (a)(2) for third-party
16 collections at military medical treatment facilities;
17 and

18 (3) an assessment of the program, including
19 any recommendations to improve third-party collec-
20 tions.

1 **Subtitle C—Other Matters**

2 **SEC. 721. [Log 50125] DISPLAY OF BUDGET INFORMATION**
3 **FOR EMBEDDED MENTAL HEALTH PRO-**
4 **VIDERS OF THE RESERVE COMPONENTS.**

5 (a) IN GENERAL.—Chapter 9 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 236. Embedded mental health providers of the re-**
9 **serve components: display of budget in-**
10 **formation**

11 “The Secretary of Defense shall submit to Congress,
12 as a part of the documentation that supports the Presi-
13 dent’s annual budget for the Department of Defense, a
14 budget justification display with respect to embedded men-
15 tal health providers within each reserve component, in-
16 cluding the amount requested for each such component.”.

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

 “236. Embedded mental health providers of the reserve components: display of
 budget information.”.

1 **SEC. 722. [Log 51042] AUTHORITY OF UNIFORMED SERV-**
2 **ICES UNIVERSITY OF HEALTH SCIENCES TO**
3 **ENTER INTO CONTRACTS AND AGREEMENTS**
4 **AND MAKE GRANTS TO OTHER NONPROFIT**
5 **ENTITIES.**

6 Section 2113(g)(1) of title 10, United States Code,
7 is amended—

8 (1) in subparagraph (B)—

9 (A) by inserting “, or any other nonprofit
10 entity” after “Military Medicine”; and

11 (B) by inserting “, or nonprofit entity,”
12 after “such Foundation”; and

13 (2) in subparagraph (C)—

14 (A) by inserting “, or any other nonprofit
15 entity,” after “Military Medicine”; and

16 (B) by inserting “, or nonprofit entity,”
17 after “such foundation”.

1 **Subtitle C—Other Matters**

2 **SEC. 1421 [Log 50842]. AUTHORITY FOR TRANSFER OF**
3 **FUNDS TO JOINT DEPARTMENT OF DEFENSE-**
4 **DEPARTMENT OF VETERANS AFFAIRS MED-**
5 **ICAL FACILITY DEMONSTRATION FUND FOR**
6 **CAPTAIN JAMES A. LOVELL HEALTH CARE**
7 **CENTER, ILLINOIS.**

8 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the
9 funds authorized to be appropriated for section 507 and
10 available for the Defense Health Program for operation
11 and maintenance, \$143,087,000 may be transferred by the
12 Secretary of Defense to the Joint Department of Defense—
13 Department of Veterans Affairs Medical Facility Dem-
14 onstration Fund established by subsection (a)(1) of sec-
15 tion 1704 of the National Defense Authorization Act for
16 Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571).
17 For purposes of subsection (a)(2) of such section 1704,
18 any funds so transferred shall be treated as amounts au-
19 thorized and appropriated specifically for the purpose of
20 such a transfer.

21 (b) **USE OF TRANSFERRED FUNDS.**—For the pur-
22 poses of subsection (b) of such section 1704, facility oper-
23 ations for which funds transferred under subsection (a)
24 may be used are operations of the Captain James A.
25 Lovell Federal Health Care Center, consisting of the

1 North Chicago Veterans Affairs Medical Center, the Navy
2 Ambulatory Care Center, and supporting facilities des-
3 igned as a combined Federal medical facility under an
4 operational agreement covered by section 706 of the Dun-
5 can Hunter National Defense Authorization Act for Fiscal
6 Year 2009 (Public Law 110-417; 122 Stat. 4500).

1 **SEC. 1422 [Log 50776]. AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR ARMED FORCES RETIREMENT**
3 **HOME.**

4 There is hereby authorized to be appropriated for fis-
5 cal year 2014 from the Armed Forces Retirement Home
6 Trust Fund the sum of \$67,800,000 for the operation of
7 the Armed Forces Retirement Home.

Directive Report Language

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE V—MILITARY PERSONNEL POLICY

ITEMS OF SPECIAL INTEREST

Assessing the Trend in Costs of General and Flag Officers on Active Duty

While the committee understands efforts are underway in the Department of Defense, the Joint Staff, and the military services to control the numbers of general and flag officers on Active Duty, the committee is concerned about the costs associated with sustaining that general and flag officer population as the size of the military forces decreases. According to the Department of Defense, there were 917 general and flag officers on Active Duty in fiscal year 2013. To better understand the costs of maintaining a sizable senior military officer population, the committee directs the Comptroller General of the United States to assess the trends in costs from fiscal year 2001 through fiscal year 2013 of the general and flag officers of the Armed Forces on Active Duty for each fiscal year. The Comptroller General shall provide the assessment to the Senate Committee on Armed Services and the House Committee on Armed Services no later than April 15, 2014.

In making this assessment, the Comptroller General shall, as a minimum, assess both the direct and support costs associated with general and flag officers. In assessing the direct costs, the Comptroller General shall include basic pay, basic allowance for subsistence, basic allowance for housing and, to the extent practicable, the tax advantage associated with those allowances; and, all other compensation paid to general or flag officers as reflected on military leave and earnings statements; the travel and per diem costs of such officers; the official entertainment and representation expenditures of such officers; and, other direct costs the Comptroller General, in coordination with the committee, determines to be appropriate. For support costs, the assessment shall include the direct costs, as described above, of all officer and enlisted aides assigned to or supporting general or flag officers; the travel and per diem costs of such aides; the annual expenditures for military housing provided the general and flag officers; and other support costs the Comptroller General, in coordination with the committee, determines to be appropriate.

Clarification of Conferees Statement on the Assignments of Military Officers as Academic Instructors at Military Service Academies as Joint Duty Assignments

The committee recognizes that the conferee statement contained in Sense of Senate on inclusion of assignments as academic instructors at the military service academies as joint duty assignments, on page 758 of the conference report (H. Rept. 112-705) accompanying the National Defense Authorization Act for Fiscal Year

2013, is contrary to section 668 of title 10, United States Code. The committee recognizes that the Secretary of Defense must adhere to the requirements in law and that the law takes precedence over directive report language contained in a conference report. Therefore, the committee seeks to clarify for the Secretary of Defense that he must comply with section 668 of title 10, United States Code, when determining joint duty assignment designations in accordance with section 661 of title 10, United States Code.

The committee recognizes that the directive report language in the conference report stemmed from concern that Naval officers with expertise in military science and humanities may be deterred from service on the faculty of the United States Naval Academy (USNA) due to their inability to obtain promotion opportunities and joint duty credit requirements in the course of their career. To ensure that the USNA continues to attract and retain mature and skilled instructors with successful Navy careers, the committee directs the Secretary of the Navy to assess the barriers faced by instructors at the USNA and to develop a plan to mitigate those challenges, including ways to achieve expanded promotion opportunities and joint duty assignments. This plan shall include assignment policies to ensure the highest quality Naval officers who seek assignments as USNA instructors remain competitive for promotion and that the Navy has a method for ensuring the quality of instructors assigned to the academy is not degraded. The committee directs the Secretary of the Navy to submit the findings and plan to the Committees on Armed Services of the Senate and the House of Representatives by April 1, 2014.

Comptroller General Review of Recommendations to Prevent Sexual Misconduct at Lackland Air Force Base and Other Basic and Technical Training Facilities

The sexual misconduct by Military Training Instructors (MTIs) at Lackland Air Force Base, San Antonio, Texas has been one largest sexual misconduct investigations within the military with nearly 60 victims from basic and technical training. To date, over 32 MTIs have been investigated and 18 have been convicted. While the cases continue to be prosecuted, the Air Force undertook a significant effort to understand the circumstances that lead to this environment, and what steps needed to be taken to correct the situation and prevent such assaults from occurring in the future. A Command-Directed Investigation led to 46 recommendations, of which the Air Force proposed to implement 45. In addition, the Air Force conducted an investigation focused on senior leadership and organization actions in response to the delayed reporting of sexual assault allegations. The committee remains focused on efforts to ensure that such sexual misconduct does not occur at basic military training or technical training bases across the Department of Defense. Therefore, the committee directs the Comptroller General of the United States to review the actions taken by the Air Force as a result of the investigations in order to provide a status of the recommendations; to assess the effectiveness of the implemented recommendations; and to conduct an assessment

of best practices from among the services that can be shared to prevent sexual misconduct at basic and technical training. The review should also identify challenges and other potential improvements or recommendations for services to review to prevent sexual misconduct from occurring at basic and technical training bases. The Comptroller General of the United States shall submit the results of the review by April 1, 2014, to the Committees on Armed Services of the Senate and the House of Representatives.

Fully Burdened Life Cycle Cost of Military Personnel

The committee applauds the Department of Defense's efforts to standardize costing models for Active Duty and civilian personnel across the Department. The committee understands the Secretary of Defense is finalizing a Department of Defense Instruction to formalize the policy, as well as implement a costing tool, Full Cost of Manpower (FCoM), to reduce the myriad of calculations required under current guidelines and reduce errors in costing of Active Duty and civilian personnel. The committee is encouraged by the Department's effort to expand this model to include the full cost of reserve manpower as well. As fiscal pressures become the focus in operational planning and force structure development, it is crucial to understand the cost of the total force in order for leaders to make informed decisions to fulfill combatant commander requirements, as well as homeland defense and natural disaster response. The committee encourages the Secretary to include as many comparable factors between the Active Duty and Reserve Component in the FCoM tool as possible to ensure the most efficient use of resources and manpower.

The committee directs the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives no later than 180 days after implementation of the reserve costing model. The report shall include an explanation of the elements required in the costing model; the criteria used to determine the elements; how the reserve model compares to the model used for Active Duty; and a comparison of the cost of a similar Active and Reserve unit for each of the services, including the training and mobilization costs of the Reserve unit, with the assumption that an operational Reserve unit will mobilize and deploy once every 5 years, and an Active Duty unit will mobilize and deploy once every 3 years as required by current policy.

Relocation Assistance Program Resource Access Review

The committee is concerned with the availability and access to resources provided by the Department of Defense's relocation assistance program to members of the Armed Forces. Acknowledging that some of these services are inherently governmental, the committee, in light of the constrained current and future budgets, directs the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives on the current relocation services provided by the Department, and how those services are fulfilling the

provision under section 1056 of title 10, United States Code. Included in this report should be an evaluation of whether the present system, including a review of applicable Federal regulations, is utilizing the best practices from both governmental and nongovernmental agencies, and incorporating innovative ideas that allow for the most current, easily accessible, and accurate local area information and services to be provided to service members and their families in the most cost effective manner. The report should be provided to the Committees on Armed Services of the Senate and the House of Representatives within 120 days after the date of the enactment of this Act.

Suicides and Military Families

Over a decade of conflict has contributed to an increase in suicides among military members. Efforts by the Department of Defense to combat suicide among military members continue; however, what is less known is the impact on military families. The committee is concerned that there may be a corresponding increase in suicides among immediate family members. Currently, the Department of the Army is the only service that attempts to track the number of military dependents that commit suicide. Yet, such collection and validation remains a challenge for the Army. Suicide among the force has a direct impact on military readiness, and suicide among dependents can have a direct impact on individual readiness. Therefore, the committee directs the Secretary of Defense to review the ability of the services to collect information and perform analysis on suicide among immediate family members as part of their suicide information retention and analysis. The Secretary shall submit a report on the feasibility, including the potential costs, of collecting and retaining such data to the Committees on Armed Services of the Senate and the House of Representatives by April 1, 2014.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Additional Therapeutic Treatment Activities Available Under Exceptional Care Health Option

The committee directs the Secretary of Defense to explore the possibility of providing additional rehabilitative therapies pursuant to subsection (a)(17) of section 1077 of title 10, United States Code, or through inclusion within the Exceptional Care Health Option (ECHO) program to expand the utilization of non-traditional modalities, including a horse, balance board, ball, bolster, and bench. The Secretary is required to brief the Committees on Armed Services of the Senate and the House of Representatives by April 1, 2014, on the results of his review to expand additional therapeutic treatment activities.

Administration of Blood Products On-board U.S. Medical Evacuation Aircraft

The committee recognizes the major advances in military medicine that have significantly reduced the mortality rate among combat wounded personnel. The most critical time to respond to battlefield casualties remains the first hour after injury, the so-called golden hour. The committee recognizes that the military services have committed tremendous resources and training in order to provide service members the best possible treatment at the point of injury. The committee is aware of a recent demonstration project conducted by a limited number of Army MEDEVAC aviation components in the Islamic Republic of Afghanistan to administer blood products to injured soldiers during the soldiers' en-route medical care and movement to a medical facility. Preliminary data suggest that these in-flight blood transfusions have greatly increased the probability of survival for injured soldiers. The committee understands the Army as a result has expanded this capability across MEDEVAC units in the operational area. The committee is interested in understanding the underpinning analysis that was conducted to support this change. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services within 180 days after the date of the enactment of this Act on the program, including the timeline toward outfitting MEDEVAC aviation units with blood products to improve en-route patient care.

Efforts to Advance Lower Extremity Prosthetics and Orthotics

Improvised Explosive Devices (IEDs) have been the number one threat to the men and women who have served and are currently serving in contingency operations in the Middle East. The committee understands that the incidence of significant traumatic injuries to lower extremities as a result of IED blasts has led to innovative and improved care of these injuries. Recognizing that lower extremity injuries often require long-term and continuous care, the committee encourages the Secretary of Defense to continue looking for new and innovative prosthetic and orthopedic technologies to assist service members adapting to these significant injuries. The committee directs the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to report to the Committees on Armed Services of the Senate and the House of Representatives on the Department of Defense's effort to advance lower extremity prosthetics and orthotics, and the process by which such advancements are made available to members of the Armed Forces in a timely manner. This report should also include information on research efforts and funding for powered prosthetics and orthotics for service members with a lower extremity amputation or other lower extremity injuries with limb salvage. The Secretary of Defense shall submit the report within 120 days after the date of the enactment of this Act.

Military Health System Governance Reform Report

The committee received the March 2013 report of the Department of Defense on the Military Health System governance reform implementation plan as required by the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). That public law required that the report provide detailed goals that were to be achieved while carrying out reforms. Those reforms included improving clinical and business practices and reducing costs, infrastructure, and personnel. The report also required a detailed schedule for meeting the goals. While the goals for the reform of the Military Health System included in the report address the statutory requirements, the report does not clearly describe the linkage of the goals to the responsibilities of the newly established Defense Health Agency. In addition, the report neither provides the information to understand how the Department developed its goals, nor did the report provide a detailed schedule as required. The establishment of a Defense Health Agency is a major transformation, and its success is dependent upon greater system integration. The committee remains concerned that the Defense Health Agency could result in greater costs and personnel expenditures if the goals are not clearly linked to the roles and responsibilities of the Agency, and if a complete schedule is not clearly linked to the goals. Therefore, the committee directs the Secretary of Defense to address the shortcomings identified above with the required elements of the report that is due not later than June 30, 2013, or by separate letter to the committee within 30 days of the latter suspense.