

One Hundred Thirteenth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday,
the third day of January, two thousand and thirteen*

An Act

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

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2014”.

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

(a) DIVISIONS.—This Act is organized into four divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.
- (4) Division D—Funding Tables.

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

- Sec. 1. Short title.
- Sec. 2. Organization of Act into divisions; table of contents.
- Sec. 3. Congressional defense committees.
- Sec. 4. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.

Sec. 112. Study on multiyear, multivehicle procurement authority for tactical vehicles.

Subtitle C—Navy Programs

Sec. 121. CVN-78 class aircraft carrier program.

Sec. 122. Repeal of requirements relating to procurement of future surface combatants.

Sec. 123. Multiyear procurement authority for E-2D aircraft program.

Sec. 124. Limitation on availability of funds for Littoral Combat Ship.

Subtitle D—Air Force Programs

Sec. 131. Repeal of requirement for maintenance of certain retired KC-135E aircraft.

Sec. 132. Multiyear procurement authority for C-130J aircraft.

(1) REVISION OF MEMBERS COMPENSATION.—Section 365(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1705) is amended—

(A) by striking “shall be compensated” and inserting “may be compensated”;

(B) by striking “equal to” and inserting “not to exceed”;

and

(C) by inserting “of \$155,400” after “annual rate”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to compensation for a duty performed on or after April 2, 2013.

(b) MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.—

(1) SCOPE OF MILITARY COMPENSATION SYSTEM.—Section 671(c)(5) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1788) is amended by inserting before the period the following “, and includes any other laws, policies, or practices of the Federal Government that result in any direct payment of authorized or appropriated funds to the persons specified in subsection (b)(1)(A)”.

(2) COMMISSION AUTHORITIES.—Section 673 of such Act (126 Stat. 1790) is amended by adding at the end the following new subsections:

“(g) USE OF GOVERNMENT INFORMATION.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out its duties. Upon such request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

“(h) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

“(i) AUTHORITY TO ACCEPT GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority in this subsection does not extend to gifts of money.

“(j) PERSONAL SERVICES.—

“(1) AUTHORITY TO PROCURE.—The Commission may—

“(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

“(B) pay in connection with such services travel expenses of individuals, including transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

“(2) LIMITATION.—The total number of experts or consultants procured pursuant to paragraph (1) may not exceed five experts or consultants.

“(3) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.”.

(3) COMMISSION REPORT AND RECOMMENDATIONS.—Section 674(f) of such Act (126 Stat. 1792) is amended—

(A) in paragraph (1)—

(i) by striking “15 months” and inserting “24 months”; and

(ii) by inserting “and recommendations for administrative actions” after “legislative language”; and

(B) in paragraph (6), by inserting “, and shall publish a copy of that report on an Internet website available to the public,” after “its report to Congress”.

(4) PRESIDENTIAL CONSIDERATION OF COMMISSION RECOMMENDATIONS.—Section 675 of such Act (126 Stat. 1793) is amended by striking subsection (d).

(5) COMMISSION STAFF.—

(A) DETAILEES RECEIVING MILITARY RETIRED PAY.—Subsection (b)(3) of section 677 of such Act (126 Stat. 1794) is amended—

(i) in the paragraph heading, by striking “ELIGIBLE FOR” and inserting “RECEIVING”; and

(ii) by striking “eligible for or receiving military retired pay” and inserting “who are receiving military retired pay or who, but for being under the eligibility age applicable under section 12731 of title 10, United States Code, would be eligible to receive retired pay”.

(B) PERFORMANCE REVIEWS.—Subsection (c) of such section is amended—

(i) in the matter preceding paragraph (1), by inserting “other than a member of the uniformed services or officer or employee who is detailed to the Commission,” after “executive branch department;” and

(ii) in paragraph (2), by inserting “(other than for administrative accuracy)” before the semicolon.

(6) TERMINATION OF COMMISSION.—Section 679 of such Act (126 Stat. 1795) is amended by striking “26 months” and inserting “35 months”.

(7) FUNDING.—Section 680 of such Act (126 Stat. 1795) is amended—

(A) by striking “\$10,000,000” and inserting “\$15,000,000”; and

(B) by adding at the end the following new sentence: “Amounts made available under this section after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014 shall be derived from fiscal year 2013 balances that remain available for obligation on that date.”.

SEC. 1096. STRATEGY FOR FUTURE MILITARY INFORMATION OPERATIONS CAPABILITIES.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall develop and implement a strategy for developing and sustaining through fiscal year 2020 information operations capabilities for future contingencies. The Secretary shall submit such strategy to the congressional defense committees by not later than 180 days after the date of the enactment of this Act.