SEC. 1202. ONE-YEAR EXTENSION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM AND EXTENSION OF DUE DATE FOR QUARTERLY REPORTS TO CONGRESS.

(a) ONE-YEAR EXTENSION OF CERP AUTHORITY.—

(1) AUTHORITY FOR FISCAL YEAR 2012.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3455), as most recently amended by section 1212 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4389), is amended—

(A) in the subsection heading, by striking "FISCAL YEAR 2011" and inserting "FISCAL YEAR 2012";

(B) by striking "fiscal year 2011, from" and inserting "fiscal year 2012";

(C) by striking "operation and maintenance" and all that follows and inserting "operation and maintenance, not to exceed $425 million, may be used by the Secretary of Defense to provide funds for the Commanders' Emergency Response Program in Iraq and Afghanistan.".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2011.

(b) EXTENSION OF DUE DATE FOR QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended by striking "30 days" and inserting "45 days".

(c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—Such section is further amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

"(i) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept cash contributions from any person, foreign government, or international organization for the purposes specified in subsection (a). Funds received by the Secretary may be credited to the operation and maintenance account from which funds are made available to carry out the authority in subsection (a), to remain available until expended, and may be used for such purposes in addition to the funds specified in that subsection".

Section-by-Section Analysis

This proposal would authorize $425 million for the Commander's Emergency Response Program (CERP) in fiscal year (FY) 2012, to remain available for obligation until September 30, 2012. This proposal would allow the Secretary of Defense to allocate resources for the CERP between Iraq and Afghanistan as required. This proposal also would authorize the Secretary of Army to submit the quarterly CERP reports to Congress within 45 days from the end of the quarter, rather than the 30 days presently reflected in the FY 2011 NDAA. The steps involved, the complexity, and the review and coordination processes for the CERP Quarterly Report preclude the Department of Defense from meeting the present 30-days' requirement. Changing the requirement to allow 45 days would provide a more realistic due date for the Department to meet. This proposal also would allow the Department to accept contributions from people, foreign governments, or international organizations to be used on CERP projects.

Budget Implications: This proposal would be funded from within Overseas Contingency Operations appropriations requested in the Administration's FY 2012 request. The cost is reflected in the following table:

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2012	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
CERP	425	-	-	-	-	O&M, Army	01	136
Total	425	-	-	-	-	O&M, Army	01	136

Changes to Existing Law: This proposal would make the following changes to section 1202 of the National Defense Authorization Act for Fiscal Year 2006, as amended:

SEC. 1202. COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) AUTHORITY FOR FISCAL YEAR 2012 ~~FISCAL YEAR 2011~~.—During ~~fiscal year 2011, from~~ fiscal year 2012 funds made available to the Department of Defense for operation and maintenance, not to exceed $425 million, may be used by the Secretary of Defense to provide funds for the Commanders' Emergency Response Program in Iraq and Afghanistan.—

~~(1) not to exceed $100,000,000 may be used by the Secretary of Defense in such fiscal year to provide funds for the Commanders' Emergency Response Program in Iraq; and~~

~~(2) not to exceed $400,000,000 may be used by the Secretary of Defense in such fiscal year to provide funds for the Commanders' Emergency Response Program in Afghanistan.~~

(b) QUARTERLY REPORTS AND BRIEFINGS.—

(1) IN GENERAL.—Not later than ~~30 days~~ 45 days after the end of each fiscal-year quarter of any fiscal year during which the authority under subsection (a) is in effect, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

(2) ADDITIONAL MATTERS TO BE INCLUDED.— * * *

* * * * * * *

(i) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept cash contributions from any person, foreign government, or international organization for the purposes specified in subsection (a). Funds received by the Secretary may be credited to the operation and maintenance account from which funds are made available to carry out the authority in subsection (a), to remain available until expended, and may be used for such purposes in addition to the funds specified in that subsection.

~~(i)~~ (j) COMMANDERS' EMERGENCY RESPONSE PROGRAM DEFINED.—***