TITLE XVI—REDUCTION IN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS

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Subtitle A—Repeal of Existing Report Requirements

SEC. 1601. REPEAL OF REPORTING REQUIREMENTS UNDER TITLE 10, UNITED STATES CODE.

Title 10, United States Code, is amended as follows:

(1) Section 113 is amended—

(A) by striking subsection (j); and

(B) by striking subsection (m).

(2) Section 116 is repealed, and the table of sections at the beginning of chapter 2 is amended by striking the item relating to that section.

(3) Section 117 is amended by striking subsection (e).

(4) Section 127 is amended by striking subsection (d).

(5) Section 127a(a) is amended by striking paragraph (3).

(6) Section 129 is amended by striking subsection (f).

(7) Section 153 is amended by striking subsection (c).

(8) Section 184 is amended by striking subsection (h).

(9) Section 427 is repealed, and the table of sections at the beginning of subchapter I of chapter 21 is amended by striking the item relating to that section.

(10) Section 437 is amended by striking subsection (c).

(11) Section 483 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(12) Section 484 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(13) Section 485 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(14) Section 486 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(15) Section 487 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(16) Section 489 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(17) Section 490 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(18) Section 652 is repealed, and the table of sections at the beginning of chapter 37 is amended by striking the item relating to that section.

(19) Section 983(e)(1) is amended—

(A) by striking the comma after “Secretary of Education” and inserting “and”; and

(B) by striking “, and to Congress”.

(20) Section 1130 by striking subsection (b).

(21) Section 1178 is amended—

(A) by striking “(a) REQUIREMENT TO ESTABLISH SYSTEM.—”; and

(B) by striking subsection (b).

(22) Section 1557 is amended by striking subsection (e).

(23) Section 1563 is repealed, and the table of sections at the beginning of chapter 80 is amended by striking the item relating to that section.

(24) Section 1597 is amended by striking subsections (c), (d), and (e).

(25) Section 1781b is amended by striking subsection (d).

(26) Section 2010 is amended by striking subsection (b).

(27) Section 2216 is amended by striking subsection (i).

(28) Section 2244a(c) is amended by striking the second sentence.

(29) Section 2281 is amended by striking subsection (d).

(30) Section 2282 is repealed, and the table of sections at the beginning of chapter 136 is amended by striking the item relating to that section.

(31) Section 2350a(g) is amended by striking paragraph (3).

(32) Section 2350b is amended by striking subsection (d).

(33) Section 2350j is amended by striking subsection (e).

(34) Section 2350m is amended by striking subsection (e).

(35) Section 2352 is repealed, and the table of sections at the beginning of chapter 139 is amended by striking the item relating to that section.

(36) Section 2410i(c) is amended by striking the last sentence.

(37) Section 2410m is amended by striking subsection (c).

(38) Section 2461 is amended by striking subsection (c).

(39) Section 2475 is repealed, and the table of sections at the beginning of chapter 146 is amended by striking the item relating to that section.

(40) Section 2493 is amended by striking subsection (g).

(41) Section 2504 is repealed, and the table of sections at the beginning of subchapter II of chapter 148 is amended by striking the item relating to that section.

(42) Section 2515 is amended by striking subsection (d).

(43) Section 2582 is repealed, and the table of sections at the beginning of chapter 153 is amended by striking the item relating to that section.

(44) Section 2684a is amended by striking subsection (g).

(45) Section 2688 is amended—

(A) by striking subsections (a)(2) and (f); and

(B) in subsection (h), by striking the last sentence.

(46) Section 2706 is repealed, and the table of sections at the beginning of chapter 160 is amended by striking the item relating to that section.

(47) Section 2815 is repealed, and the table of sections at the beginning of subchapter I of chapter 169 is amended by striking the item relating to that section.

(48) Section 2825(c)(1) is amended—

(A) by inserting “and” at the end of subparagraph (A);

(B) by striking the semicolon at the end of subparagraph (B) and inserting a period; and

(C) by striking subparagraphs (C) and (D).

(49) Section 2826 is amended—

(A) by striking “(a) LOCAL COMPARABILITY.—”; and

(B) by striking subsection (b).

(50) Section 2827 is amended—

(A) by striking “(a) Subject to subsection (b), the Secretary” and inserting “The Secretary”; and

(B) by striking subsection (b).

(51) Section 2828 is amended by striking subsection (f).

(52) Section 2835 is amended—

(A) in subsection (a), by striking “Subject to subsection (b), the Secretary” and inserting “The Secretary”;

(B) by striking subsection (b); and

(C) by striking subsection (g).

(53) Section 2836 is amended—

(A) in subsection (a), by striking “Subject to subsection (b), the Secretary” and inserting "The Secretary";

(B) by striking subsection (b); and

(C) by striking subsection (f).

(54) Section 2837 is amended—

(A) in subsection (c)—

(i) by striking "(1)" after “OPPORTUNITIES.—”; and

(ii) by striking paragraph (2); and

(B) by striking subsection (f).

(55) Section 2853(c) is amended by striking “by the Secretary concerned and—” and all that follows and inserting “by the Secretary concerned.”.

(56) Section 2854a is amended by striking subsection (c).

(57) Section 2861 is amended by striking subsection (d).

(58) Section 2866(c) is amended—

(A) by striking “(1)” before “The Secretary”; and

(B) by striking paragraph (2).

(59) Section 2875 is amended by striking subsection (e).

(60)(A) Section 2884 is amended—

(i) by striking subsection (b); and

(ii) in subsection (a)—

(I) by striking “PROJECT REPORTS.—(1)” and inserting “REPORTS.—;

(II) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(III) by striking “(2) For each” and inserting “(b) CONTENT OF REPORTS.—(1) For each”.

(B) Such section is further amended—

(i) by redesignating paragraphs (3) and (4) of subsection (b) of such section (as designated by subparagraph (A)(ii)(III)) as paragraphs (2) and (3), respectively; and

(ii) in paragraph (2) of subsection (b), as so redesignated, by striking "contract described in paragraph (1)" and inserting "contract described in subsection (a)".

(C)(i) The heading of such section is amended to read as follows:

"**§ 2884. Project reports**".

(ii) The item relating to that section in the table of sections at the beginning of subchapter IV of chapter 169 is amended to read as follows:

"2884. Project reports.".

(61) Section 2916 is amended by striking subsection (c).

(62) Section 7296 is repealed, and the table of sections at the beginning of chapter 633 is amended by striking the item relating to that section.

(63) Section 7310 is amended by striking subsection (c).

(64) Section 9356 is amended—

(A) in subsection (a), by striking "Subject to subsection (c), the Secretary" and inserting "The Secretary"; and

(B) by striking subsection (c).

(65) Section 10504 is repealed, and the table of sections at the beginning of chapter 1011 is amended by striking the item relating to that section.

(66) Section 12302(b) is amended by striking the last sentence.

(67) Section 16137 is repealed, and the table of sections at the beginning of chapter 1606 is amended by striking the item relating to that section.

SEC. 1602. REPEAL OF REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.

(a) FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) is amended as follows:

(1) Section 225 (124 Stat. 4170; 10 U.S.C. 223 note) is amended by striking subsection (d).

(2) Section 892 (124 Stat. 4310; 10 U.S.C. 2306a note) is repealed.

(b) FISCAL YEAR 2010.—The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) is amended as follows:

(1) Section 219 (123 Stat. 2228) is amended by striking subsection (c).

(2) Section 1113(e)(1) (123 Stat. 2502) is amended by striking “, which information shall be” and all that follows through “semiannual basis”.

(3) Section 1232 (123 Stat. 2531) is repealed.

(4) Section 1245 (123 Stat. 2542) is repealed.

(c) FISCAL YEAR 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) is amended as follows:

(1) Section 354 (122 Stat. 4426; 10 U.S.C. 221 note) is repealed.

(2) Section 1504 (10 U.S.C. 2358 note) is amended by striking subsection (c).

(d) FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) is amended as follows:

(1) Section 885 (10 U.S.C. 2304 note) is amended—

(A) in subsection (a), by striking the last sentence of paragraph (2); and

(B) in subsection (b), by striking "the date of the enactment of this Act" both places it appears and inserting "January 28, 2008".

(2) Section 911 (10 U.S.C. 2271 note) is amended by striking paragraph (2) of subsection (f).

(3) Section 2864 (10 U.S.C. 2911 note) is repealed.

(e) FISCAL YEAR 2007.—The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) is amended as follows:

(1) Section 347 (10 U.S.C. 221 note) is repealed.

(2) Section 731 (10 U.S.C. 1095c note) is amended by striking subsection (d).

(3) Section 732 (10 U.S.C. 1073 note) is amended by striking subsection (d).

(4) Section 1104 (10 U.S.C. note prec. 711) is amended—

(A) by striking subsection (a); and

(B) in subsection (c), by striking "(a) or".

(5) Section 1231 (22 U.S.C. 2776a) is repealed.

(6) Section 1402 (10 U.S.C. 113 note) is repealed.

(7) Section 2405 (120 Stat. 2460) is amended by striking subsection (d).

(f) FISCAL YEAR 2006.—Section 716 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 1073 note) is amended by striking subsection (b).

(g) FISCAL YEAR 2005.—The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) is amended as follows:

(1) Section 731 (10 U.S.C. 1074 note) is amended by striking subsection (c).

(2) Section 1041 (118 Stat. 2048; 10 U.S.C. 229 note) is repealed.

(h) FISCAL YEAR 2004.—The National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) is amended as follows:

(1) Section 812 (117 Stat. 1542) is amended by striking subsection (c).

(2) Section 1601 (10 U.S.C. 2358 note) is amended by striking paragraph (5) of subsection (d).

(i) FISCAL YEAR 2003.—The Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) is amended as follows:

(1) Section 221 (10 U.S.C. 2431 note) is repealed.

(2) Section 817 (10 U.S.C. 2306a note) is amended by striking subsections (d) and (e)(2).

(j) FISCAL YEAR 2002.—The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107) is amended as follows:

(1) Section 232 (10 U.S.C. 2431 note) is amended—

(A) by striking subsection (c);

(B) by striking subsection (d); and

(C) by striking paragraph (3) of subsection (h).

(2) Section 1008 (10 U.S.C. 113 note) is amended by striking subsection (a).

(k) FISCAL YEAR 2001.—The Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398) is amended as follows:

(1) Section 374 (10 U.S.C. 2851 note) is repealed.

(2) Section 1212 (114 Stat. 1654A-326) is amended—

(A) by striking subsection (c); and

(B) by striking subsection (d).

(3) Section 1213 (114 Stat. 1654A-327) is repealed.

(4) Section 1308 (22 U.S.C. 5959) is amended by striking paragraph (7) of subsection (c).

(l) FISCAL YEAR 2000.—The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) is amended as follows:

(1) Section 1025 (10 U.S.C. 113 note) is repealed.

(2) Section 1035 (113 Stat. 753), as amended by section 1211 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-325), is repealed.

(3) Section 1201 (10 U.S.C. 168 note) is amended by striking subsection (d).

(m) FISCAL YEAR 1999.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 5 U.S.C. 3104 note) is amended by striking subsection (g).

(n) FISCAL YEAR 1998.—The National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) is amended as follows:

(1) Section 234 (50 U.S.C. 2367) is repealed.

(2) Section 349 (10 U.S.C. 2702 note) is amended by striking subsection (e).

(o) FISCAL YEARS 1992 and 1993.—Section 2868 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 10 U.S.C. 2802 note) is repealed.

(p) FISCAL YEAR 1991.—The National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510) is amended as follows:

(1) Section 831 (10 U.S.C. 2302 note) is amended by striking subsection (l).

(2) Section 2921 (10 U.S.C. 2687 note) is amended—

(A) by striking subsections (e) and (f); and

(B) in subsection (g)—

(i) by striking paragraph (2); and

(ii) in paragraph (3), by striking "or (2)".

(3) Section 4004(d) (10 U.S.C. 2391 note) is amended—

(A) by inserting "and" at the end of paragraph (1);

(B) by striking "; and" at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3).

SEC. 1603. REPEAL OF REPORTING REQUIREMENTS UNDER OTHER LAWS.

(a) DEFENSE ACQUISITION IMPROVEMENT ACT OF 1986.—Section 908 of the Defense Acquisition Improvement Act of 1986 (as contained in section 101(c) of Public Law 99-500 and identically enacted in section 101(c) of Public Law 99-591 and title IX of Public Law 99-661) (10 U.S.C. 2326 note) is amended by striking subsection (b).

(b) ARMED FORCES RETIREMENT HOME ACT OF 1991.—Section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) is amended by striking subsection (h).

(c) TITLE 37, UNITED STATES CODE.—Section 402a of title 37, United States Code, is amended by striking subsection (f).

(d) TITLE 38, UNITED STATES CODE.—Section 3020 of title 38, United States Code, is amended by striking subsection (l).

(e) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 3002(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435c(c)) is amended by striking paragraph (4).

(f) IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007.—The Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) is amended as follows:

(1) Section 804 (42 U.S.C. 2000ee-3) is repealed.

(2) Section 1821 (50 U.S.C. 2911) is amended by striking paragraphs (2) and (3) of subsection (b).

(g) SMALL BUSINESS ACT.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended by striking paragraph (5).

(h) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 is amended as follows:

(1) Section 516(f)(1) (22 U.S.C. 2321j(f)(1)) is amended by striking "excess defense articles that are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or".

(2) Section 656 (22 U.S.C. 2416) is repealed.

(i) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2002.—Section 8159(c) of the Department of Defense Appropriations Act, 2002 (division A of Public Law 107-117; 115 Stat. 2284), is amended by striking paragraph (7).

Subtitle B—Modifications to Existing Report Requirements

SEC. 1611. MODIFICATION TO REPORTING REQUIREMENTS UNDER TITLE 10, UNITED STATES CODE.

Title 10, United States Code, is amended as follows:

(1)(A) Section 115b is amended—

(i) in subsection (a)—

(I) by striking "ANNUAL" and inserting "BIENNIAL"; and

(II) by striking "on an annual basis" and inserting "in every even-numbered year"; and

(ii) in subsection (b)(1)(A), by striking "during the seven-year period following the year in which the plan is submitted" and inserting "during the five-year period corresponding to the ongoing Future-Years Defense Plan".

(B)(i) The heading of such section is amended to read as follows:

"§ 115b. Biennial strategic workforce plan".

(ii) The item relating to that section in the table of sections at the beginning of chapter 2 is amended to read as follows:

"115b. Biennial strategic workforce plan.".

(2) Section 127b(f) is amended by striking "December 1" and inserting "February 1".

(3) Section 138c(e)(4) is amended by striking "Not later than 10 days" and all that follows through "title 31," and inserting "Not later than March 31 in any year,".

(4) Section 408(f) is amended to read as follows:

"(f) CONGRESSIONAL OVERSIGHT.—Whenever the Secretary of Defense provides assistance to a foreign country under this section, the Secretary shall submit to the congressional defense committees a report on the assistance provided. Each such report shall identify the country to which the assistance was provided and shall include a description of the type and amount of the assistance provided.".

(5) Section 2401(h) is amended—

(A) by striking “only if—” and all that follows through “of the proposed” and inserting “only if the Secretary has notified the congressional defense committees of the proposed”;

(B) by striking paragraph (2);

(C) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and realigning those paragraphs so as to be indented two ems from the left margin; and

(D) by striking “; and” at the end of paragraph (3), as so redesignated, and inserting a period.

(6) Section 2482(d)(1) is amended by inserting “in the United States” after “commissary store”.

(7) Section 2645(d) is amended by striking “$1,000,000” and inserting “$10,000,000”.

(8) Section 2803(b) is amended by striking “21-day period” and inserting “seven-day period”.

(9) Section 2804(b) is amended by striking “14-day” and inserting “seven-day”.

(10) Section 2811(d) is amended by striking “$7,500,000” and inserting “$10,000,000”.

(11) Section 2885(a)(3) is amended by striking “If a project” and inserting “In the case of a project for new construction, if the project”.

(12) Section 9514(c) is amended by striking “$1,000,000” and inserting “$10,000,000”.

(13) Section 10541(a) is amended by striking “February 15” and inserting “April 15”.

(14) Section 10543(c)(3) is amended by striking “not later than 15 days” and inserting “not later than 90 days”.

SEC. 1612. MODIFICATION TO REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.

(a) FISCAL YEAR 2010.—Section 121(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2212) is amended by striking paragraph (5).

(b) FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) is amended as follows:

(1) Section 958 (122 Stat. 297) is amended—

(A) in subsection (a), by striking “240 days after the date of the enactment of this Act” and inserting “June 30, 2012”; and

(B) in subsection (d), by striking “December 31, 2013” and inserting “June 30, 2014”.

(2) Section 1074(b)(6) (10 U.S.C. 113 note) is amended—

(A) in subparagraph (A), by striking “The Secretary” and inserting “Except as provided in subparagraph (D), the Secretary”; and

(B) by adding at the end the following new subparagraph:

“(D) EXCEPTIONS.—Subparagraph (A) does not apply in the case of—

“(i) an individual described in paragraph (2)(C) who is otherwise sponsored by the Secretary of Defense, the Deputy Secretary of Defense,

the Chairman of the Joint Chiefs of Staff, or the Vice Chairman of the Joint Chiefs of Staff; or

"(ii) an individual described in paragraph (2)(E).".

(3) Section 1107 (10 U.S.C. 2358 note) is amended—

(A) in subsection (d)—

(i) by striking "beginning with March 1, 2008,"; and

(ii) by inserting "a report containing" after "to Congress"; and

(B) in subsection (e)—

(i) in paragraph (1), by striking "Not later than" and all that follows through "the information" and inserting "The Secretary shall include in each report under subsection (d) the information"; and

(ii) in paragraph (2), by striking "under this subsection" and inserting "under subsection (d)".

(4) Section 1674(c) (122 Stat. 483) is amended—

(A) by striking "After submission" and all the follows through "that patients," and inserting "Patients,"; and

(B) by striking "have not been moved or disestablished until" and inserting "may not be moved or disestablished until the Secretary of Defense has certified to the congressional defense committees that".

(c) FISCAL YEAR 2002.—Section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 10 U.S.C. 113 note), as amended by section 1302, is further amended—

(1) by redesignating subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e), respectively; and

(2) in subsection (c), as so redesignated, by striking "(b) or (c)" and inserting "(a) or (b)".

SEC. 1613. MODIFICATION TO REPORTING REQUIREMENTS UNDER OTHER LAWS.

(a) TITLE 32, UNITED STATES CODE.—Section 908(a) of title 32, United States Code, is amended by striking "After the end of each fiscal year," and inserting "After the end of any fiscal year during which any assistance was provided or activities were carried out under this chapter,".

(b) TITLE 37, UNITED STATES CODE.—Section 316a(f) of title 37, United States Code, is amended by striking "January 1, 2010" and inserting "April 1, 2012".

(c) DEFENSE BASE CLOSURE AND REALIGNMENT ACT OF 1990.—The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended as follows:

(1) Section 2906(c) is amended by striking paragraph (1).

(2) Section 2907 is amended—

(A) in subsection (a), by striking "fiscal year 2016" and inserting "fiscal year 2012"; and

(B) in subsection (b), by striking "fiscal year 2014" and inserting "fiscal year 2012".

(d) UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—The Uniformed and Overseas Citizens Absentee Voting Act is amended as follows:

(1) Section 102(c) (42 U.S.C. 1973ff-1(c)) is amended by striking "Election Assistance Commission (established under the Help America Vote Act of 2002)" and inserting "Presidential designee".

(2) Section 105A(b) (42 U.S.C. 1973ff-4a(b)) is amended—

(A) in the subsection heading, by striking "ANNUAL REPORT" and inserting "BIENNIAL REPORT";

(B) in the matter preceding paragraph (1)—

(i) by striking "March 31 of each year" and inserting "September 30 of each odd-numbered year"; and

(ii) by striking "the following information" and inserting "the following information with respect to the Federal election held during the preceding calendar year"; and

(C) in paragraph (3), by striking "In the case of" and all that follows through "a description" and inserting "A description".

(e) HELP AMERICA VOTE ACT.—The Help America Vote Act (42 U.S.C. 15301 et seq.) is amended as follows:

(1) Section 241 (42 U.S.C. 15381) is amended—

(A) in subsection (a)(1), by striking "members of the uniformed services and overseas voters,"; and

(B) in subsection (b)—

(i) by striking paragraph (16) and redesignating paragraphs (17), (18), and (19) as paragraphs (16), (17), and (18), respectively; and

(ii) in paragraph (18), as redesignated by clause (i), by striking the period at the end and inserting "but not to include matters specifically focused on uniformed services and overseas voters.".

(2) Section 703 (42 U.S.C. 1973ff-1 note) is amended by striking subsection (b).

(f) ARMS EXPORT CONTROL ACT.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) by striking "end of each quarter" in the matter preceding paragraph (1) and inserting "end of each fiscal year";

(2) by striking "during the fiscal year in which" in paragraphs (2) and (3) and inserting "during the fiscal year for which";

(3) by striking "in the quarter of the fiscal year immediately following the quarter" in paragraph (5) and inserting "in the fiscal year ";

(4) by striking paragraph (6); and

(5) by striking "quarter" each place it appears in paragraphs (8), (9), and (10) and inserting "fiscal year".

Subtitle C—Other Report-Related Provisions to Further Efficient Management of the Department of Defense

SEC. 1621. BIENNIAL AUTHORITY FOR SECRETARY OF DEFENSE TO TERMINATE DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS DETERMINED BY THE SECRETARY TO BE UNNECESSARY OR INCOMPATIBLE WITH EFFICIENT MANAGEMENT OF THE DEPARTMENT OF DEFENSE.

(a) TERMINATION OF REPORT REQUIREMENTS.—Unless otherwise provided by a law enacted after the date of the enactment of this Act, each provision of law requiring the submittal to Congress (or any committee of Congress) of any report specified in a list submitted under subsection (b) shall, with respect to that requirement, cease to be effective on the date that is two years after the date on which the list is submitted.

(b) PREPARATION OF LIST OF REPORTS TO BE TERMINATED.—

(1) AUTHORITY TO SUBMIT LIST.—The Secretary of Defense may, as provided in subsection (c), submit to Congress a list of each provision of law that, as of the date on with the list is submitted, imposes upon the Secretary of Defense (or any other officer of the Department of Defense) a reporting requirement described in paragraph (2). The list of provisions of law shall include a statement or description of the report required under each such provision of law.

(2) STANDARD FOR INCLUSION OF REPORTS ON LIST.—Paragraph (1) applies to a requirement imposed by law to submit to Congress (or specified committees of Congress) a report on a recurring basis, or upon the occurrence of specified events, if the Secretary determines that the continued requirement to submit that report is unnecessary or incompatible with the efficient management of the Department of Defense.

(3) EXPLANATION.—The Secretary shall submit with the list an explanation, for each report specified in the list, of the reasons why the Secretary considers the continued requirement to submit the report to be unnecessary or incompatible with the efficient management of the Department of Defense.

(c) BIENNIAL SUBMISSION OF LIST.—The Secretary may submit a list under subsection (a) once in every odd-numbered year. Any such report shall be submitted not later than March 1 of the year in which submitted.

(d) SCOPE OF SECTION.—For purposes of this section, the term "report" includes a certification, notification, or other characterization of a written communication.

(e) INTERPRETATION OF SECTION.—This section does not require the Secretary of Defense to review each report required of the Department of Defense by law.

(f) INITIAL SUBMISSION.—The first submission of a list under this section may not be made sooner than two years after the date of the enactment of this Act.

SEC. 1622. IMPROVED MANAGEMENT OF CONGRESSIONAL REPORTING REQUIREMENTS APPLICABLE TO DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after section 480 the following new section:

"§ 480a. Reports to Congress: termination of statutory requirements after three years

"(a) TERMINATION.—Subject to subsection (b), any provision of law enacted after the date of the enactment of this section that requires the Secretary of Defense (or any other officer or employee of the Department of Defense) to submit to Congress (or any committee of Congress) a periodic report shall cease to be effective, with respect to that requirement, three years after the date of the enactment of that provision of law.

"(b) EXCEPTIONS.—Subsection (a) does not apply to a provision of law containing a requirement for the submittal of a periodic report if that provision of law—

"(1) expressly states that the requirement is indefinite in nature; or

"(2) specifies a number of years (in excess of three) for which the report is required or states a specific termination date for the report requirement.

"(c) PERIODIC REPORT DEFINED.—In this section, the term 'periodic report' means a report required to be submitted on an annual, semiannual, or other regular periodic basis.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 480 the following new item:

"480a. Reports to Congress: termination of statutory requirements after three years.

TITLE XVII—REDUCTION IN DEPARTMENT OF ENERGY-RELATED REPORTING REQUIREMENTS

Sec. 1701. Consolidated reporting requirements relating to nuclear stockpile stewardship.
Sec. 1702. Repeal of requirement for annual report on the security vulnerabilities of the computers of certain national laboratories of the Department of Energy.

SEC. 1701. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP.

(a) PURPOSE.—The purpose of this section is to assemble together statutory requirements for plans and reports concerned with different aspects of United States nuclear stockpile stewardship and management efforts by the Department of Energy National Security Programs in order to consolidate and organize those provisions of law into a single integrated plan to be submitted to Congress, to be submitted as specified in the amendment made by subsection (d).

(b) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 USC 2523A) is repealed.

(c) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).

(d) CONSOLIDATED PLAN FOR STEWARDSHIP, MANAGEMENT, AND CERTIFICATION OF WARHEADS IN THE NUCLEAR WEAPONS STOCKPILE.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:

"SEC. 4203. ANNUAL AND BIENNIAL REQUIREMENTS FOR A STOCKPILE STEWARDSHIP AND MANAGEMENT PLAN.

"(a) PLAN REQUIREMENT.—The Secretary of Energy, acting through the Administrator for the National Nuclear Security Administration and in consultation with other appropriate officials of the executive branch, shall develop a plan for maintaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, and program direction and shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

"(b) SUBMISSION TO CONGRESS: ANNUAL PLAN SUMMARY; BIENNIAL DETAILED PLAN.—The Secretary of Energy shall submit to Congress a summary of the plan developed under subsection (a) not later than March 15 of each year. In each even-number year, but not later than March 15, the Secretary shall submit to Congress a detailed plan developed under subsection (d), in addition to the summary of the plan developed under subsection (c). The detailed plan shall be submitted in both classified and unclassified form. The summary of the plan may be submitted in either classified or unclassified form, as necessary.

"(c) ELEMENTS OF ANNUAL PLAN SUMMARY.—The summary of the plan submitted annually under subsection (b) shall set forth the following:

"(1) A summary of the current status of United States nuclear security strategy and the impact of that strategy on United States stockpile stewardship and management plans.

"(2) A summary description of the United States nuclear stockpile and the present status of that stockpile.

"(3) A summary of the information needed to determine that the nuclear weapons stockpile is safe and reliable and the relationship of the science-base tools to the collection of that information.

"(4) A summary description of the nuclear security enterprise, including current status, plans for modernization, and associated budgets and schedules.

"(d) ELEMENTS OF DETAILED BIENNIAL PLAN.—The detailed plan and each biennial update under subsection (b) shall set forth the following:

"(1) The number of warheads (including active and inactive warheads) for each warhead type in the nuclear weapons stockpile.

"(2) The current age of each warhead type, and any plans for stockpile lifetime extensions and modifications or replacement of each warhead type.

"(3) The process by which the Secretary of Energy is assessing the lifetime and requirements for lifetime extension or replacement of the nuclear and nonnuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile.

"(4) The process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile.

"(5) Any concerns which would affect the ability of the Secretary of Energy to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads).

"(6) Mechanisms to provide for the manufacture, maintenance, and modernization of each weapon design in the nuclear stockpile, as needed.

"(7) Mechanisms to expedite the collection of information necessary for carrying out the program, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

"(8) Mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and production plant of the Department of Energy, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

"(9) Mechanisms to ensure that each national laboratory of the National Nuclear Security Administration has full and complete access to all weapons data to enable a rigorous peer review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205.

"(10) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

"(11) An identification of the funds needed, in the fiscal year in which the plan is developed and in each of the following five fiscal years, to carry out the program.

"(12) A description of the information needed to determine that the nuclear weapons stockpile is safe and reliable and the relationship of the science-based tools to the collection of that information.

"(13) A description of any updates to the criteria required by section 4202(a) to the extent they have been developed as of the date of the submission of the report.

"(14) For each science-based tool to collect information needed to determine that the nuclear weapons stockpile is safe, secure, and reliable that is developed or modified by the Department of Energy during the relevant period described in paragraph (13)—

"(A) a description of the relationship of the science-based tool to the collection of such information; and

"(B) a description of criteria for assessing the effectiveness of the science-based tool in collecting such information.

"(15) An assessment of the Stockpile Stewardship Program conducted by the Administrator in consultation with the directors of the national security laboratories, which shall set forth the following:

"(A) An identification and description of—

"(i) any key technical challenges to the Stockpile Stewardship Program; and

"(ii) the strategies to address such challenges without the use of nuclear testing.

"(B) A strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.

"(C) An assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools

expected to exist during the period covered by the future-years nuclear security program.

"(D) An assessment of the core scientific and technical competencies required to achieve the objectives of the Stockpile Stewardship Program and other weapons activities and weapons-related activities of the Department of Energy, including—

"(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and

"(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.

"(16) A description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements of the National Security Strategy of the United States or the most recent Quadrennial Defense Review, whichever is applicable, and the Nuclear Posture Review.

"(17) A schedule for implementing those measures determined necessary under the National Security Strategy of the United States during the 10 years following the date of the plan.

"(18) The estimated levels of annual funds the Administrator determines necessary to carry out the program, including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.

"(19) For the due date of the plan and projected for 5, 10, 15, and 20 years after that date—

"(A) the number of nuclear weapons of each type in the active and reserve stockpiles; and

"(B) the past and projected future total direct lifecycle cost to the Administration of each type of nuclear weapon.

"(20) A year-by-year resource plan that shall cover a prospective 20-year span, beginning with the fiscal year for which the plan is submitted and extending through a fiscal year 20 years into the future for stockpile reduction, cost savings, and how achievement of such milestones aligns with long-term nuclear weapons complex transformation goals (specifically identifying the cost impacts of alternative strategies). This resource plan shall include a summary of dismantlement progress, against quantities committed to in the most recently submitted report to Congress.

"(e) DEFINITIONS.—In this section:

"(1) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of—

"(A) the national security laboratories;

"(B) the Pantex Plant;

"(C) the Y-12 National Security Complex;

"(D) the Kansas City Plant;

"(E) the Savannah River Site; and

"(F) the Nevada National Security Site.

"(2) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

"(3) The term 'nuclear security budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.

"(4) The term 'Quadrennial Defense Review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.

"(5) The term 'future-years nuclear security program' means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

"(6) The term 'national security laboratory' has the meaning given such term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

"(7) The term 'weapons activities' means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.

"(8) The term 'weapons-related activities' means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—

"(A) nuclear nonproliferation;

"(B) nuclear forensics;

"(C) nuclear intelligence;

"(D) nuclear safety; and

"(E) nuclear incident response.".

(e) REPEAL OF REQUIREMENT FOR ANNUAL UPDATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(1) by striking subsections (c) and (d); and

(2) by redesignating subsection (e) as subsection (c).

SEC. 1702. REPEAL OF REQUIREMENT FOR ANNUAL REPORT ON THE SECURITY VULNERABILITIES OF THE COMPUTERS OF CERTAIN NATIONAL LABORATORIES OF THE DEPARTMENT OF ENERGY.

Section 3153 of the National Defense Authorization Act for Fiscal Year 2000 (50 U.S.C. 2659) is repealed.

Section-by-Section Analysis

TITLE XVI—DEPARTMENT OF DEFENSE REPORTS

The Department of Defense has begun a careful examination of the numerous recurring reports required by the Congress under title 10, United States Code, annual defense authorization Acts, and other laws. This proposal represents the Department's initial effort to reduce the burden these reporting requirements place on the Department while ensuring that the Congress continues to receive the information it requires.

Subtitles A and B of this proposal would repeal or modify various unnecessary and obsolete recurring reports required by the Congress. These proposed repeals and modifications would allow the Department to employ its finite resources more efficiently and would improve Congress's ability to conduct effective oversight by focusing that effort on reports of substantial importance and utility. The Department will provide specific information regarding each reporting requirement in a separate document.

Subtitle C of the proposal consists of two sections that are intended to further enhance efficient management of the Department.

Section 1621 of this proposal is intended to facilitate a periodic biennial review of statutory recurring reporting requirements by the Department of Defense, so that the Secretary can periodically transmit to the Congress a request to repeal reporting requirements that are not efficient uses of the Department's resources for Congressional oversight. Once the Secretary has transmitted this list to the Congress, it would have two years to review this list and accede to its individual report repeal provisions in whole or in part. By this process the Congress and the Department could ensure that its list of recurring reports due to the Congress remain up to date and of value to Congressional Members.

Since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (P.L. 99-433) twenty-five years ago, including its section 602 ("Reduction of Reporting Requirements"), there have been not less than ten statutory initiatives undertaken by

the Congress or sponsored by the Department, to both winnow out reduce the number of reporting requirements assigned to DoD. What has been lacking is a systemic approach to delete those requirements, in a methodical way, that have been sponsored by Congressional Members or Staff who are no longer serving in the Congress or reports that have simply been in law for a lengthy enough period of time after which they have become anachronistic or of limited informational value.

Instead, every two or three years on average the Congress mandates or the Department requests ad hoc comprehensive reviews of all reporting requirements distributed through Acts, Public Laws, and the U.S. Code which all share one result in common: in a few years the exercise has to be repeated with questionable results. At the same time, Congressional Members complain that the reports that the Department transmit are habitually late and mostly of questionable utility in assisting the Congress to exercise its Constitutional oversight authority.

In order to improve the Department's Congressional report process, and provide the Congress reporting materials that they are Constitutionally entitled to, this proposal would provide a structured, periodic process of ensuring that currently required recurring reports are an efficient use of the DoD's resources to produce reports that are both timely and contain information that Members will find useful in executing their oversight responsibilities.

This proposal is modeled on the previously enacted section 1151 of the NDAA for FY 1994 (P.L. 103-16), Nov. 30, 1993, entitled "Termination of Department of Defense Reporting Requirements Determined by Secretary of Defense to be Unnecessary or Incompatible With Efficient Management of the Department of Defense".

Section 1622 of this proposal would provide a sunset for various reporting requirements. Currently, there are numerous reporting requirements that are not limited in duration and require reporting long after the original purpose was achieved. Under this section periodic reporting requirements would expire after three years unless the report is required by a public law that states the reporting requirement is indefinite or the report is required by a public law that provides for a specific number of years. Other reports would only be submitted for the period Congress specifically indicated it wanted the report to be submitted.

TITLE XVII—DEPARTMENT OF ENERGY-RELATED REPORTS

The legislative proposal set forth in section 1701 would consolidate several existing statutory requirements for plans and reports concerned with different aspects of U.S. nuclear stockpile stewardship and management efforts.

The Department of Energy is currently required by statute to provide Congress with a biennial plan and budget assessment on the modernization and refurbishment of the nuclear security complex; a report on stockpile stewardship criteria; a plan for stewardship, management, and certification of warheads in the nuclear weapons stockpile; and a plan and annual updates on the stockpile management program. Each of these plans and reports is required under separate statutes, and the statutes specify different plan elements that overlap and different submission due dates.

The proposal would establish a single statutory requirement for a Stockpile Stewardship and Management Plan which would consolidate all of the existing plan and report elements into one integrated plan due to Congress on a single date each year. The Department would be required to submit to Congress a complete, detailed plan biennially on even numbered years, as well as an annual summary of the plan. This consolidated plan would improve communication between the Department of Energy and Congress on those weapons activities which comprise the U.S. nuclear stockpile stewardship and management effort.

The legislative proposal set forth in section 1702 would repeal section 3153 of the Fiscal Year 2000 National Defense Authorization Act (NDAA), which requires "red team" evaluations of computer security to be conducted at one or more of the three nuclear weapons laboratories of the Department of Energy (DOE or Department): Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories. The FY 2000 NDAA also established the National Nuclear Security Administration (NNSA) to manage and secure nuclear weapons activities within the Department. A great deal of attention has been given to cyber security matters over the decade since this requirement was enacted, both within the Department and across the government, and the DOE/NNSA cyber security programs have matured within that context.

Section 3153 of the FY 2000 NDAA requires the National Counterintelligence Policy Board (NACIPB to establish a so called "red team" of cyber experts, drawn from the National Security Agency (NSA), the Department of Defense (DoD), the Central Intelligence Agency, (CIA) the Federal Bureau of Investigation, (FBI) and other agencies to perform an annual "operational evaluation" of computer security and to document the results in a report provided to the Secretary of Energy and the Director of the FBI. The FBI Director and the DOE Secretary, in turn, are required to separately provide copies of the report to the Armed Services and Intelligence committees of the House and Senate, along with any comments they may have.

In consideration of the internal advances DOE has made, as well as the partnerships the Department has established with NSA, the Department of Homeland Security (DHS), and others, the relative value provided by the annual reviews established a decade ago has been considerably diminished. In fact, they may actually now be counterproductive, as they draw resources and effort from multiple agencies that might otherwise be devoted to developing and implementing the broader, comprehensive, integrated security regimen that is being established across the executive branch and within key components of our national security industrial base. To complement these interagency efforts DOE has established an internal Information Management Governance Council (IMGC) that meets regularly. The IMGC is composed of the Department's three Under Secretaries and Chief Information Officer, with the Director of the Office of Intelligence and Counterintelligence and the Chief Health, Safety and Security Officer as advisors.

In light of these substantive advances, all of which are subject to continuing congressional oversight, this legislative proposal would repeal section 3153 of the FY 2000 NDAA, eliminating the outdated requirement for the annual "red team" evaluation and report.

The National Counterintelligence Executive, Robert M. Bryant, (who also chairs the NACIPB) supports this proposal to repeal the statutory requirement.

Budget Implications: This proposal would reduce the cost to the Department of Defense and the Department of Energy of producing recurring reports for the Congress.

Changes to Existing Law: This proposal would amend various sections of the United States Code, annual defense authorization Acts, and other laws, as set forth in a separate document.