SEC. ___. TWO-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Section 1603(a)(2) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as amended by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616), and by section 1107 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2488), is amended by striking "and 2011," and inserting "2011, 2012, and 2013,".

Section-by-Section Analysis

This proposal would extend for two years the discretionary authority of the head of an agency to provide to an individual employed by, or assigned or detailed to, such agency, allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980, if such individual is on official duty in Pakistan or a combat zone (as defined by section 112(c) of the Internal Revenue Code of 1986).

Budget Implications: The costing methodology for this legislative proposal is based on the number of Department of Defense civilian employees currently deployed to Pakistan or a combat zone, times the cost associated with each allowance, benefit, and gratuity under section 413 and chapter 9 of title I of the Foreign Service Act (22 U.S.C. § 3979; and § 4081 et seq.) (i.e., death gratuity equal to the employee's salary at the time of death; payment of commercial roundtrip travel for Rest and Recuperation (R&R) breaks (up to three per year for employees deployed for 12 consecutive months and home leave; and administrative leave for R&R travel). Specifically, for the death gratuity, the cost is based on an average of one deployed civilian death per service at a $130,000 cost for the death gratuity. Payment of commercial roundtrip travel for R&R is based on the estimated number of currently deployed civilians who will remain deployed for 12 consecutive months, and thus entitled to up to three R&R breaks and home leave. Estimates of the number of employees are: Army – 2,000; Navy – 140; Air Force – 4; Defense Agencies – 200. The average cost for each roundtrip travel for R&R is $18,000.

RESOURCE REQUIREMENTS ($MILLIONS) REFLECTED IN PRESIDENT'S BUDGET								
	FY 2012	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
Army	38.600	39.272	39.350	39.430	39.510		BA1	OCO-CIVPAY

Navy	1.498	1.526	1.554	1.583	1.613		BA1	OCO-CIVPAY
Air Force	0.310	0.316	0.323	0.330	0.338		BA1	OCO-CIVPAY
Defense Agencies	3.730	3.810	3.886	3.962	4.040		BA3	OCO-CIVPAY
Total	44.138	44.894	45.113	45.305	45.501			

NUMBER OF PERSONNEL AFFECTED								
	FY 2012	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**Appropriation To**	**Budget Activity**	**Dash-1 Line Item**
Army	2,267	2,311	2,358	2,406	2,454		BA1	OCO-CIVPAY
Navy	283	289	296	302	310		BA1	OCO-CIVPAY
Air Force	229	234	239	245	250		BA1	OCO-CIVPAY
Defense Agencies	297	303	310	317	324		BA3	OCO-CIVPAY
Total	2,076	3,137	3,203	3,270	3,338			

Changes to Existing Law: This proposal would make the following change to existing law:

Section 1603 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as amended

SEC. 1603. (a) IN GENERAL.—(1) During fiscal years 2006 (including the period beginning on October 1, 2005, and ending on June 15, 2006), 2007, and 2008 the head of an agency may, in the agency head's discretion, provide to an individual employed by, or assigned or detailed to, such agency allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3973; 4081 et seq.), if such individual is on official duty in Iraq or Afghanistan.

(2) During fiscal years 2009, 2010, ~~and 2011,~~ 2011, 2012, and 2013, the head of an agency may, in the agency head's discretion, provide to an individual employed by, or assigned or detailed to, such agency allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980, if such individual is on official duty in Pakistan or a combat zone (as defined by section 112(c) of the Internal Revenue Code of 1986).

(b) CONSTRUCTION.--Nothing in this section shall be construed to impair or otherwise affect the authority of the head of an agency under any other provision of law.

(c) APPLICABILITY OF CERTAIN AUTHORITIES.—Section 912(a) of the Internal Revenue Code of 1986 shall apply with respect to amounts received as allowances or otherwise under this section in the same manner as section 912 of the Internal Revenue Code of 1986 applies with respect to amounts received by members of the Foreign Service as allowances or otherwise under chapter 9 of title I of the Foreign Service Act of 1980.