SEC. 547. CLARIFICATION OF AUTHORIZED FISHER HOUSE RESIDENTS AT THE FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE.

(a) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "by patients" in subparagraph (B) and all that follows through "such patients;" and inserting "by authorized Fisher House residents;"; and

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

"Such term includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents."; and

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

"(3) The term 'authorized Fisher House residents' means the following:

"(A) With respect to a facility described in the first sentence of paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

"(i) Patients of that health care facility.

"(ii) Members of the families of such patients.

"(iii) Others providing the equivalent of familial support for such patients.

"(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, the following persons:

"(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

"(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

"(iii) An escort of a family member described in clause (i) or (ii).".

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking "health care" each place it appears.

(c) REPEAL OF FISCAL YEAR 2012 PROVISION.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1466) is repealed.

Section-by-Section Analysis

This proposal would clarify the type of authorized users of the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, donated by the Fisher House Foundation, and codify in title 10 the designation of this facility as a Fisher House that resulted from the enactment of Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81). While Section 643 designated this facility at Dover Air Force Base as a Fisher House, it did not clarify that the types of authorized users for the Fisher House at Dover Air Force Base will be different from the authorized users of all the other Fisher Houses that are focused or patients and families of patients being cared for in nearby military health care faculties. The facility at Dover will be used by family members of Service personnel who die while serving overseas. The family members would be housed in the facility while awaiting the return and transfer of remains. This amendment would not result in a designation of a new Fisher House, or a new authority, but rather would just clarify the nature of the users of the Fisher House at Dover Air Force Base that was designated as such last year through the enactment of Section 643.

Budget Implications: This proposal does not seek additional appropriations.

The Department of Defense has estimated the cost of this proposal as follows:

RESOURCE REQUIREMENTS (MILLIONS) REFLECTED IN PRESIDENT'S BUDGET								
	FY	**FY**	**FY**	**FY**	**FY**	**Appropriation**	**Budget**	**Dash-1**

	2013	2014	2015	2016	2017	From	Activity	Line Item
OM	$0K	$0K	$0K	$0K	$0K	O&M AF	BA-04	21Z
Total	$0K	$0K	$0K	$0K	$0K			

NUMBER OF PERSONNEL AFFECTED								
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	Appropriation From	Budget Activity	Dash-1 Line Item
Army	1050	1050	1050	1050	1050	O&M AF	BA-04	21Z
Navy	20	20	20	20	20	O&M AF	BA-04	21Z
Marine Corps	340	340	340	340	340	O&M AF	BA-04	21Z
Coast Guard	0	0	0	0	0	O&M AF	BA-04	21Z
Air Force	80	80	80	80	80	O&M AF	BA-04	21Z
Total	1490	1490	1490	1490	1490			
* Figures are projections based actual authorized patrons for FY11 adjusted to 1 year averages. Numbers are impossible to predict accurately and will fluctuate based on actual casualty incidents; however, since Dover Fisher House opened in Nov 10, it has operated steadily at / near capacity.								

COST METHODOLOGY: The proposal will result in no cost change.

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

TITLE 10, UNITED STATES CODE:

§ 2493. Fisher Houses: administration as nonappropriated fund instrumentality

(a) FISHER HOUSES AND SUITES DEFINED.—In this section:

(1) The term "Fisher House" means a housing facility that—

(A) is located in proximity to a health care facility of the Army, the Air Force, or the Navy;

(B) is available for residential use on a temporary basis by ~~patients of that health care facility, members of the families of such patients, and others providing the equivalent of familial support for such patients~~ **authorized Fisher House residents**; and

(C) is constructed and donated by—

(i) the Zachary and Elizabeth M. Fisher Armed Services Foundation; or

(ii) another source, if the Secretary of the military department concerned designates the housing facility as a Fisher House.

Such term includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.

(2) The term "Fisher Suite" means one or more rooms that—

(A) meet the requirements of subparagraphs (A) and (B) of paragraph (1);

(B) are constructed, altered, or repaired and donated by a source described in subparagraph (C) of that paragraph; and

(C) are designated by the Secretary of the military department concerned as a Fisher Suite.

(3) The term "authorized Fisher House residents" means the following:

(A) With respect to a facility described in the first sentence of paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

(i) Patients of that health care facility.

(ii) Members of the families of such patients.

(iii) Others providing the equivalent of familial support for such patients.

(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, the following persons:

(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

(iii) An escort of a family member described in clause (i) or (ii).

(b) NONAPPROPRIATED FUND INSTRUMENTALITY.—The Secretary of each military department shall administer all Fisher Houses and Fisher Suites associated with ~~health care~~ facilities of that military department as a nonappropriated fund instrumentality of the United States.

(c) GOVERNANCE.—The Secretary of each military department shall establish a system for the governance of the nonappropriated fund instrumentality required by subsection (b) for that military department.

(d) CENTRAL FUND.—The Secretary of each military department shall establish a single fund as the source of funding for the operation, maintenance, and improvement of all Fisher Houses and Fisher Suites of the nonappropriated fund instrumentality required by subsection (b) for that military department.

(e) ACCEPTANCE OF CONTRIBUTIONS; IMPOSITION OF FEES.—(1) The Secretary of a military department may—

(A) accept money, property, and services donated for the support of a Fisher House or Fisher Suite associated with ~~health care~~ facilities of that military department; and

(B) may impose fees relating to the use of such Fisher Houses and Fisher Suites.

(2) All monetary donations, and the proceeds of the disposal of any other donated property, accepted by the Secretary of a military department under this subsection shall be credited to the fund established under subsection (d) for the Fisher Houses and Fisher Suites associated with ~~health care~~ facilities of that military department and shall be available to that Secretary to support all such Fisher Houses and Fisher Suites.

(f) BASE OPERATING SUPPORT.— The Secretary of a military department may provide base operating support for Fisher Houses associated with ~~health care~~ facilities of that military department.

(g) ANNUAL REPORT.— Not later than January 15 of each year, the Secretary of each military department shall submit to Congress a report describing the operation of Fisher Houses and Fisher Suites associated with ~~health care~~ facilities of that military department. The report shall include, at a minimum, the following:

(1) The amount in the fund established by that Secretary under subsection (d) as of October 1 of the previous year.

(2) The operation of the fund during the preceding fiscal year, including—

(A) all gifts, fees, and interest credited to the fund; and

(B) all disbursements from the fund.

(3) The budget for the operation of the Fisher Houses and Fisher Suites for the fiscal year in which the report is submitted.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

~~SEC. 643. DESIGNATION OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION, DOVER AIR FORCE BASE, DELAWARE, AS A FISHER HOUSE.~~

~~The Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, is hereby designated as a Fisher House for purposes of section 2493 of title 10, United States Code.~~