SEC. 1019. AUTHORIZATION FOR DEPARTMENT OF DEFENSE TO CARRY OUT PERSONNEL RECOVERY REINTEGRATION AND POST-ISOLATION SUPPORT ACTIVITIES.

(a) AUTHORITY.—

(1) The Secretary of Defense may carry out—

(A) reintegration activities for recovered Department of Defense personnel; and

(B) post-isolation support activities on behalf of any other recovered person who is a United States Government, allied, or coalition person or a private United States or foreign national citizen.

(2) As part of such activities, the Secretary may—

(A) provide food, clothing, and essential sundry items for the recovered person;

(B) pursuant to section 411j(d) of title 37, United States Code, provide transportation of not more than 3 family members or designated individuals, as determined by the attending physician or the commander or head of the military medical facility, to be appropriate for reintegration decompression of the recovered person and whose presence may contribute to the health and welfare of the recovered person; and

(C) provide funding for the recovered person's attendance at events or functions determined by the attending physician or the commander or head of the military medical facility to contribute to the recovered person's psychological health.

(3) The Secretary shall ensure that expenditure for activities under this section are in the best interest of the Government.

(b) DEFINITIONS.—For the purposes of this section:

(1) RECOVERED PERSON.—The term "recovered person" means an individual returned alive who was separated (as an individual or group) while participating in a United States-sponsored military activity or mission and who was in a situation of isolation, detention, or captivity by a hostile entity.

(2) REINTEGRATION.—The term "reintegration" means the process carried out by the Department of Defense with respect to any recovered Department of Defense personnel immediately following the termination of an isolating event to—

(A) debrief the recovered person;

(B) decompress the recovered person;

(C) provide for the physical and mental health of the recovered person; and

(D) return the recovered person to duty as expeditiously as possible.

(3) POST-ISOLATION SUPPORT.—The term "post-isolation support" means support provided by the Department of Defense to a recovered non-Department person immediately following the termination of an isolating event to—

(A) debrief the recovered person;

(B) decompress the recovered person;

(C) provide for the physical and mental health of the recovered person; and

1 (D) return the recovered person to the person's normal life as

2 expeditiously as possible.

Section-by-Section Analysis

This proposal would authorize the Secretary of Defense to carry out reintegration and post-isolation support activities on behalf of recovered isolated personnel.

Reintegration and post-isolation support is a process and effort that enables the physical and mental healing of recovered personnel following their isolation. This process allows the Department of Defense (DoD) to debrief recovered personnel to discover information of tactical, operational, or strategic value and specifically for information concerning the whereabouts of other missing U.S. persons.

The Secretary will establish policy governing reintegration and post-isolation support activities and ensure that funds expended for such purposes are expended in the best interest of DoD and the U. S. Government.

This proposal would define reintegration as the process carried out for recovered DoD personnel immediately following an isolating event to debrief, decompress, provide for their physical and mental health, and return them to duty as expeditiously as possible.

This proposal would define post-isolation support as DoD support to recovered non-DoD personnel immediately following an isolating event to debrief, decompress, provide for their physical and mental health, and return them to their normal life as expeditiously as possible.

Reintegration and post-isolation support activities commence following the recovery of personnel who were illegally detained, held hostage, or otherwise missing and isolated from friendly control. Although reintegration activities involve a deliberate and well-defined process for DoD personnel only, post-isolation support refers to a similar effort that DoD provides for non-DoD persons when requested, and when it is in the interest of DoD to do so.

Recovered personnel have various essential needs that include food, water, clothing, medical, shelter, transportation, security, and other sundry requirements. Additionally, recovered personnel have more complex needs that may require assistance from the mental health community and the recovered person's family and/or other sources of support.

It is in the best interest of DoD that recovered personnel and persons receive the best possible care following their isolation in order to ensure those persons are returned to duty or their normal life as expeditiously as possible, and that DoD has an opportunity to debrief those personnel for information of tactical, operational, or strategic value and specifically for information concerning the whereabouts of other missing U.S. persons.

Current law limits the purchase of food, clothing, accommodation, and sundry items for

recovered persons, particularly if those persons are DoD contractors or non-DoD personnel. Buying food for individual employees – at least those who are not away from their official duty station on travel status – generally does not materially contribute to an agency's mission performance. As a result, food is generally considered a personal expense. Statute-based exceptions include: (1) Basic Allowance for Subsistence, 37 U.S.C. 402; (2) Formal Meetings and Conferences, 5 U.S.C. 4110; (3) Training under 5 U.S.C. 4109 (applicable to civilian employees) and 10 U.S.C. 4301 and 10 U.S.C. 9301 (applicable to service members), (the government may provide meals when it is "necessary to achieve the objectives of a training program."); and (4) Award Ceremonies (for Civilian Incentive Awards), 5 U.S.C. 4503-4504 (civilian employees incentive awards). Buying clothing for individual employees generally does not materially contribute to an agency's mission performance. Therefore, clothing is generally considered a personal expense unless a statute provides to the contrary. Statute- based exceptions include: (1) 5 U.S.C. 7903 (authorizing purchase of special clothing, for personnel, which protects them against hazards in the performance of their duties); (2) 10 U.S.C. 1593 (authorizing DoD to pay an allowance or provide a uniform to a civilian employee who is required by law or regulation to wear a prescribed uniform while performing official duties); and (3) 29 U.S.C. 668 (requiring federal agencies to provide certain protective equipment and clothing pursuant to OSHA).

Current law, specifically section 631 of the National Defense Authorization Act for Fiscal Year 2006, also limits the transportation of family members and significant others of the recovered person, which greatly aids reintegration decompression. Lastly, many planned and necessary expenses designed to transition a recovered person back into society such as dining events are prohibited by laws that do not currently account for the complex emotional trauma caused by an isolating event. Statutory-based exceptions are not adequate to provide for necessary expenses for reintegration and/or post-isolation support activities.

Budget Implications: On average, DoD conducts two reintegration or post-isolation support activities annually.

ESTIMATED REINTEGRATION AND POST ISOLATION SUPPORT RESOURCE REQUIREMENTS ($MILLIONS) APPLICABLE TO PROPOSED LEGISLATION								
	FY 2012	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**Appropriation From**	**Budget Activity**	**Sub Activity Group**
Army	.050	.050	.050	.050	.050	O&M, A	04	434
Navy	.010	.010	.010	.010	.010	O&M, N	01	1C6C
Air Force	.010	.010	.010	.010	.010	O&M, AF	01	11Z
Marines	.020	.020	.020	.020	.020	O&M, MC	04	4A4G
NORTHCOM	0	0	0	0	0	O&M, AF	01	15A
SOUTHCOM	.020	.020	.020	.020	.020	O&M, A	01	138
CENTCOM	.040	.040	.040	.040	.040	O&M, AF	01	15A
EUCOM	.040	.040	.040	.040	.040	O&M, A	01	138

AFRICOM	.010	.010	.010	.010	.010	O&M, A	01	138
PACOM	.010	.010	.010	.010	.010	O&M, N	01	1CCM
Total	.210	.210	.210	.210	.210			

Changes to Existing Law: This proposal would not change the text of existing provisions of law.