

this section during such fiscal year, including information concerning—

(1) the respective organizations (as referred to in subsection (a)) to and from which any employee was assigned under this section;

(2) the positions those employees held while they were so assigned;

(3) a description of the tasks they performed while they were so assigned; and

(4) a discussion of any actions that might be taken to improve the effectiveness of the program under this section, including any proposed changes in law.

(j) **REPEAL OF SUPERSEDED SECTION.**—Section 1109 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 358) is repealed, except that—

(1) nothing in this subsection shall, in the case of any assignment commencing under such section 1109 on or before the date of the enactment of this Act, affect—

(A) the duration of such assignment or the authority to extend such assignment in accordance with subsection (d) of such section 1109, as last in effect; or

(B) the terms or conditions of the agreement governing such assignment, including with respect to any service obligation under subsection (b) thereof; and

(2) any employee whose assignment is allowed to continue by virtue of paragraph (1) shall be taken into account for purposes of—

(A) the numerical limitation under subsection (h); and

(B) the reporting requirement under subsection (i).

SEC. 1111. AVAILABILITY OF FUNDS FOR COMPENSATION OF CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) **AVAILABILITY OF FUNDS.**—Funds authorized to be appropriated for the Department of Defense that are available for the purchase of contract services to meet a requirement that is anticipated to continue for five years or more shall be available to provide compensation for civilian employees of the Department to meet the same requirement.

(b) **REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prescribe regulations implementing the authority in subsection (a). Such regulations—

(1) shall ensure that the authority in subsection (a) is utilized to build government capabilities that are needed to perform inherently governmental functions, functions closely associated with inherently governmental functions, and other critical functions;

(2) shall include a mechanism to ensure that follow-on funding to provide compensation for civilian employees of the Department to perform functions described in paragraph (1) is provided from appropriate accounts; and

(3) may establish additional criteria and levels of approval within the Department for the utilization of funds to provide compensation for civilian employees of the Department pursuant to subsection (a).

(c) **ANNUAL REPORT.**—Not later than 60 days after the end of each fiscal year for which the authority in subsection (a) is in effect,

the Secretary shall submit to the congressional defense committees a report on the use of such authority. Each report shall cover the preceding fiscal year and shall identify, at a minimum, the following:

- (1) The amount of funds used under the authority in subsection (a) to provide compensation for civilian employees.
- (2) The source or sources of the funds so used.
- (3) The number of civilian employees employed through the use of such funds.
- (4) The actions taken by the Secretary to ensure that follow-on funding for such civilian employees is provided through appropriate accounts.

(d) **TEMPORARY AUTHORITY.**—The authority in subsection (a) shall apply to funds authorized to be appropriated for the Department of Defense for fiscal years 2010 through 2019.

SEC. 1112. DEPARTMENT OF DEFENSE CIVILIAN LEADERSHIP PROGRAM.

(a) **LEADERSHIP PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a program of leadership recruitment and development for civilian employees of the Department of Defense, to be known as the “Department of Defense Civilian Leadership Program” (in this section referred to as the “program”).

(2) **OBJECTIVES.**—The objectives of the program shall be as follows:

(A) To develop a new generation of civilian leaders for the Department of Defense.

(B) To recruit individuals with the academic merit, work experience, and demonstrated leadership skills to meet the future needs of the Department.

(C) To offer rapid advancement, competitive compensation, and leadership opportunities to highly qualified civilian employees of the Department.

(3) **AVAILABLE AUTHORITIES.**—In carrying out the program, the Secretary may exercise any authority available to the Office of Personnel Management under section 4703 of title 5, United States Code, except that the Secretary shall not be bound by the limitations in subsection (d) of such section. Nothing in this section shall be construed to authorize the waiver of any part of chapter 71 of title 5, United States Code, or any regulation implementing such chapter, in the carrying out of the program.

(b) **ELIGIBLE INDIVIDUALS.**—

(1) **IN GENERAL.**—The following individuals shall be eligible to participate in the program:

(A) Current employees of the Department of Defense.

(B) Appropriate individuals in the private sector.

(2) **LIMITATION ON NUMBER OF PARTICIPANTS IN PROGRAM.**—The total number of individuals who may participate in the program in any fiscal year may not exceed 5,000.

(3) **LIMITATION ON PERIOD OF PARTICIPATION IN PROGRAM.**—The maximum period of time that an individual may participate in the program is three years.

(c) **ELEMENTS OF PROGRAM.**—