

1 fense Authorization Act for Fiscal Year 2012, immediately  
2 after the enactment of that Act.

3 **SEC. 323. RATING CHAINS FOR SYSTEM PROGRAM MAN-**  
4 **AGERS.**

5 The Secretary of the Air Force, in managing system  
6 program management responsibilities for sustainment pro-  
7 grams not assigned to a program executive officer or a  
8 direct reporting program manager, shall comply with the  
9 Department of Defense Instructions regarding assignment  
10 of program responsibility.

11 **Subtitle D—Readiness**

12 **SEC. 331. INTERGOVERNMENTAL SUPPORT AGREEMENTS**  
13 **WITH STATE AND LOCAL GOVERNMENTS.**

14 (a) AGREEMENTS AUTHORIZED.—Chapter 137 of  
15 title 10, United States Code, is amended by adding at the  
16 end the following new section:

17 **“§ 2336. Intergovernmental support agreements with**  
18 **State and local governments**

19 “(a) IN GENERAL.—(1) The Secretary concerned  
20 may enter into an intergovernmental support agreement  
21 with a State or local government to provide, receive, or  
22 share installation-support services if the Secretary deter-  
23 mines that the agreement will serve the best interests of  
24 the department by enhancing mission effectiveness or cre-

1 ating efficiencies or economies of scale, including by reduc-  
2 ing costs.

3 “(2) Notwithstanding any other provision of law, an  
4 intergovernmental support agreement under paragraph  
5 (1)—

6 “(A) may be entered into on a sole-source basis;

7 “(B) may be for a term not to exceed five  
8 years; and

9 “(C) may use, for installation-support services  
10 provided by a State or local government, wage  
11 grades normally paid by that State or local govern-  
12 ment.

13 “(3) An intergovernmental support agreement under  
14 paragraph (1) may only be used when the Secretary con-  
15 cerned or the State or local government, as the case may  
16 be, providing the installation-support services already pro-  
17 vides such services for its own use.

18 “(b) EFFECT ON FIRST RESPONDER ARRANGE-  
19 MENTS.—The authority provided by this section and limi-  
20 tations on the use of that authority are not intended to  
21 revoke, preclude, or otherwise interfere with existing or  
22 proposed mutual-aid agreements relating to police or fire  
23 protection services or other similar first responder agree-  
24 ments or arrangements.

1       “(c) AVAILABILITY OF FUNDS.—Funds available to  
2 the Secretary concerned for operation and maintenance  
3 may be used to pay for such installation-support services.  
4 The costs of agreements under this section for any fiscal  
5 year may be paid using annual appropriations made avail-  
6 able for that year. Funds received by the Secretary as re-  
7 imbursement for providing installation-support services  
8 pursuant to such an agreement shall be credited to the  
9 appropriation or account charged with providing installa-  
10 tion support.

11       “(d) EFFECT ON OMB CIRCULAR A-76.— The Sec-  
12 retary concerned shall ensure that intergovernmental sup-  
13 port agreements authorized by this section are not used  
14 to circumvent the requirements of Office of Management  
15 and Budget Circular A-76 regarding public-private com-  
16 petitions.

17       “(e) DEFINITIONS.—In this section:

18               “(1) The term ‘installation-support services’  
19 means those services, supplies, resources, and sup-  
20 port typically provided by a local government for its  
21 own needs and without regard to whether such serv-  
22 ices, supplies, resources, and support are provided to  
23 its residents generally, except that the term does not  
24 include security guard or fire-fighting functions.

