

that would address each of the elements set forth in paragraphs (1) through (7) of section 357(b) for the following alternative fuels: biofuels other than biodiesel, renewable diesel, ethanol that contains less than 85 percent ethyl alcohol, cellulosic ethanol, and synthetic hydrocarbon-based fuels. The Secretary shall submit a report on the results of such a study not later than 180 days after the date of the enactment of this Act. The report may be incorporated into, or provided as an annex to, the study required by section 357(c).

Additional exception to prohibition on contractor performance of firefighting functions

The Senate amendment contained a provision (sec. 363) that would provide an exception to the prohibition on contracting for the performance of certain firefighting functions on military installations or facilities.

The House bill contained no similar provision.

The Senate recedes.

Temporary security guard services for certain work caused by realignment of military installations under the base closure laws

The Senate amendment contained a provision (sec. 364) that would allow a military department to contract for security-guard services at installations being realigned under the base closure laws.

The House bill contained no similar provision.

The Senate recedes.

Joint Advertising, Market Research, and Studies Program

The Senate amendment contained a provision (sec. 1416) that would authorize \$10.0 million in Operation and Maintenance, Defense-wide for the Joint Advertising, Market Research, and Studies program.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Defense-wide.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Active Forces

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active-duty personnel of the armed forces as of September 30, 2007: Army, 512,400; Navy, 340,700; Marine Corps, 180,000; and Air Force, 334,200.

The Senate amendment contained a similar provision (sec. 401).

The Senate recedes.

The conferees recommend end strength levels for active forces for fiscal year 2007 as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army	512,400	482,400	512,400	30,000	0
Navy	352,700	340,700	340,700	0	-12,000
Marine Corps	179,000	175,000	180,000	5,000	1,000
Air Force	357,400	334,200	334,200	0	-23,200
DoD Total	1,401,500	1,332,300	1,367,300	35,000	-34,200

Revision in permanent active duty end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would establish new minimum active duty end strengths for the Army, Navy, Marine Corps, and Air Force as of September 30, 2007.

The Senate amendment contained a provision (sec. 402) that would repeal section 691 of title 10, United States Code, which establishes permanent end strength levels necessary to support a national defense strategy to be able to conduct two nearly simultaneous major regional contingencies.

The Senate recedes with an amendment that would maintain the minimum active duty end strength level for the Army at the fiscal year 2006 level of 502,400.

The conferees recommend minimum end strength levels for active forces as set forth in the following table:

Service	FY 2006 authorized	2007		Change from	
		Conference recommendation	FY 2006		
Army	502,400	502,400			0
Navy	352,700	340,700			-12,000
Marine Corps	179,000	180,000			1,000
Air Force	357,400	334,200			-23,200
DoD Total	1,391,500	1,357,300			-34,200

Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009 (sec. 403)

The House bill contained a provision (sec. 403) that would authorize additional increases of active duty end strength for the Army and for the Marine Corps in fiscal years 2008 and 2009 above the strengths authorized for those services in fiscal year 2007. The provision would authorize an additional 20,000 troops for a total end strength of 532,400 for the Army, and an additional 4,000 troops for a total end strength of 184,000 for

the Marine Corps, during fiscal years 2008 and 2009.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2007: the Army National Guard

of the United States, 350,000; the Army Reserve, 200,000; the Navy Reserve, 71,300; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 107,000; the Air Force Reserve, 74,900; and the Coast Guard Reserve, 10,000.

The Senate amendment contained an identical provision (sec. 411).

The conference agreement includes this provision.

The conferees recommend end strength levels for the Selected Reserve for fiscal year 2007 as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army National Guard	350,000	350,000	350,000	0	0
Army Reserve	205,000	200,000	200,000	0	-5,000
Navy Reserve	73,100	71,300	71,300	0	-1,800
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	106,800	107,000	107,000	0	+200
Air Force Reserve	74,000	74,900	74,900	0	+900
DoD Total	848,500	842,800	842,800	0	-5,700
Coast Guard Reserve	10,000	10,000	10,000	0	0

Should Army National Guard end strength fall below the authorized number, the conferees direct that the unused additional funds may only be used for Army National Guard priorities, and only after the Department of Defense complies with the normal budget process that includes submitting

prior notification and a detailed justification to Congress.

Although agreeing to reduce Army Reserve end strength for fiscal year 2007 to 200,000, as requested in the President's budget, the conferees are concerned that this end strength authorization is not adequate to sustain the combat support and combat service support

structure that the Army Reserve will be required to provide to the Army's future modular force.

Notwithstanding this end strength reduction, the conferees note that the Secretary of Defense is authorized under section 115 of title 10, United States Code, to vary, by not

more than 2 percent, the end strength authorized for a fiscal year for the Selected Reserve of any of the reserve components and would expect such authority to be granted to increase the Army Reserve end strength during fiscal year 2007, if required.

Furthermore, the conferees urge the Secretary of the Army to maintain an Army Reserve end strength of 205,000 as a recruiting goal and that the President's budget for fiscal years 2008–2013 request an Army Reserve end strength of 205,000, and provide a corresponding increase in Army full-time support personnel, if the Army Reserve can recruit to that level.

End strengths for Reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize the following end strengths for Reserves on active duty in support of the reserve components as of September 30, 2007: the Army National Guard of the United States, 28,165; the Army Reserve, 15,416, the Navy Reserve, 12,564; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 13,291; and the Air Force Reserve, 2,707.

The Senate amendment contained a similar provision (sec. 412) that would authorize

end strengths of 27,441 for the Army National Guard of the United States, 13,206 for the Air National Guard of the United States, and identical end strengths for the other services.

The Senate recedes with an amendment that would authorize end strengths of 27,441 for the Army National Guard of the United States.

The conferees recommend end strength levels for Reserves on active duty in support of the reserves as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army National Guard	27,396	27,441	27,441	0	45
Army Reserve	15,270	15,416	15,416	0	146
Naval Reserve	13,392	12,564	12,564	0	-828
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	3,123	13,206	13,291	85	168
Air Force Reserve	2,290	2,707	2,707	0	417
DoD Total	73,732	73,595	73,680	85	-52

In addition to the budget request, the end strengths recommended by the conferees would include an additional 85 Reserves on active duty in support of the Air National Guard for the purpose set out in the House report accompanying H.R. 5122 (H. Rept. 109-452) of the National Defense Authorization Act for Fiscal Year 2007.

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2007: the Army National Guard of the United States, 27,615; the Army Reserve, 7,912; the Air National Guard of the United States, 23,255; and the Air Force Reserve, 10,124.

The Senate amendment contained a similar provision (sec. 413) that would authorize an end strength for military technicians (dual status) for the Army National Guard of the United States of 26,050, and identical end strengths for the other reserve components.

The House recedes.
The conferees recommend end strength levels for military technicians (dual status) as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army National Guard	25,563	26,050	26,050	0	487
Army Reserve	7,649	7,912	7,912	0	263
Air National Guard	22,971	23,255	23,255	0	284
Air Force Reserve	9,852	10,124	10,124	0	272
DoD Total	66,035	67,341	67,341	0	1,306

Fiscal year 2007 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would establish the maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2007.

The Senate amendment contained an identical provision (sec. 414).

The conference agreement includes this provision.

Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2007 to provide operational support.

The Senate amendment contained an identical provision (sec. 415).

Subtitle C—Authorization of Appropriations Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize a total of \$109,820.5 million to be appropriated to the Department of Defense in fiscal year 2007 for military personnel.

The Senate amendment contained a similar provision (sec. 421) that would authorize a total of \$111,928.5 million.

The Senate recedes with an amendment that would authorize \$110,098.6 million to be

appropriated to the Department of Defense in fiscal year 2007 for military personnel.

The conferees agree to the following changes from the budget request related to the military personnel accounts:

[In millions]	
Additional special pay for dental officers	\$ 4.0
Incentives for High-Demand, Low-Density Assignments	5.0
Commissioned Officers as Students at Medical Schools	1.0
Educational Loan Repayment for Health Professionals	4.0
Health Professions Scholarships	91.0
Recruitment Bonus for Critical Health Care Specialties	19.0
Unobligated balances, Army	-31.4
Unobligated balances, Navy	-85.0
Unobligated balances, Marine Corps	-88.1
Unobligated balances, Air Force	-248.3
Unobligated balances, Army Reserve	-66.5
Unobligated balances, Navy Reserve	-17.3
Unobligated balances, Marine Corps Reserve	-15.4
Unobligated balances, Air Force Reserve	-25.8

[In millions]—Continued	
Unobligated balances, Army National Guard	-84.5
Unobligated balances, Air National Guard	-89.9
Reserves cost avoidance, Army Reserve	-20.9
Reserves cost avoidance, Air Force Reserve	-0.8
Reserves cost avoidance, Air National Guard	-28.3
Total	-678.1

The conferees note that in addition to the amounts shown above, \$8,107.0 million was made available in title XV of this Act for the additional costs of military personnel involved in ongoing operations in Iraq and Afghanistan.

Armed Forces Retirement Home (sec. 422)

The House bill contained a provision (sec. 422) that would authorize \$54.8 million to be appropriated for fiscal year 2007 from the Armed Forces Retirement Home Trust Fund for operation of the Armed Forces Retirement Home.

The Senate amendment contained an identical provision (sec. 422).

The conference agreement includes this provision.

TITLE V—MILITARY PERSONNEL POLICY
ITEM OF SPECIAL INTEREST

Department of Defense oversight of recruiter misconduct

The conferees are concerned that military recruiter misconduct, and particularly misconduct involving criminal or otherwise improper sexual contact with recruit candidates, irreparably harms the young people involved, erodes the moral and ethical standards that are the hallmark of the U.S. Armed Forces, and damages public support for military operations and recruiting by undermining the trust and high esteem that the American people place in their military forces. The conferees believe that recruiter misconduct must not be tolerated and that the Secretary of Defense, the Secretaries of the military departments, and the uniformed leaders of the Armed Forces must take decisive action to ensure that policies and procedures effectively prevent and, when required, respond to incidents of misconduct.

The conferees direct the Secretary of Defense to review the programs designed to prevent recruiter misconduct and, when misconduct does occur, the policies and procedures needed to standardize identification and reporting throughout the Department of Defense. The conferees direct that the review also include an assessment of the "No One Alone Policy" established by the State of Indiana National Guard to limit unsupervised contact between recruiters and recruit candidates of the opposite gender to determine if the policy is suitable for Department-wide implementation. The conferees direct the Secretary of Defense to submit the results of the review, including findings, conclusions, and recommendations, by March 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Officer Personnel Policy

PART I—OFFICER PERSONNEL POLICY
GENERALLY

Military status of officers serving in certain intelligence community positions (sec. 501)

The House bill contained a provision (sec. 505) that would clarify the status of flag and general officers assigned to certain positions in the Office of the Director of National Intelligence and the Central Intelligence Agency. The provision would protect the officers and organizations concerned from perceptions of organizational conflicts of interest or inappropriate influence.

The Senate amendment contained a similar provision (sec. 501).

The Senate recedes with a technical amendment.

Extension of age for mandatory retirement for active-duty general and flag officers (sec. 502)

The Senate amendment contained a provision (sec. 503) that would amend section 1251 of title 10, United States Code, to increase the age for mandatory retirement for general and flag officers from 62 to 64. The provision would authorize the Secretary of Defense to defer retirement of officers serving in grades above major general and rear admiral to age 66 and the President to defer retirement for such officers until age 68. The provision would also eliminate the numerical limit on the number of deferments of retirement that may be in effect at any one time.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would amend section 1251 and add a new section 1253 to chapter 63 of title 10, United States Code.

Increased mandatory retirement ages for reserve officers (sec. 503)

The Senate amendment contained a provision (sec. 508) that would increase the man-

datory retirement age for reserve component officers in the grade of O-3 from 62 to 64 years; for officers in the grade of O-7 from 60 to 62 years; and for officers in grades below O-7 from 60 to 62 years. The provision would also increase the mandatory retirement age of officers holding certain offices, such as the Chief of the National Guard Bureau, Chiefs of Reserve of the services, Directors of the Army and Air National Guard, and the adjutants general of the States, from 64 to 66 years.

The House bill contained no similar provision.

The House recedes.

Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army (sec. 504)

The House bill contained a provision (sec. 502) that would amend section 8081 of title 10, United States Code, to require that the officer serving as the Assistant Surgeon General for Dental Services in the Air Force be appointed in the grade of major general.

The Senate amendment contained no similar provision.

The Senate recedes.

Management of chief warrant officers (sec. 505)

The House bill contained a provision (sec. 503) that would amend section 580 of title 10, United States Code, to eliminate the requirement for a mandatory continuation board in the case of chief warrant officers, W-4, who have twice failed to be selected for promotion and allow service secretaries in their discretion to retain such chief warrant officers on active duty. The provision would also modify section 1305 of title 10, United States Code, to increase the years of service from 24 to 30 that a warrant officer may serve on active duty before mandatory retirement.

The Senate amendment contained a similar provision (sec. 507).

The Senate recedes with an amendment that would specify that chief warrant officers retained on active duty after twice failing to be selected for promotion to the grade of W-5 would continue to be eligible for promotion while remaining on active duty.

Extension of temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty list officers in grades of first lieutenant and lieutenant (junior grade) (sec. 506)

The House bill contained a provision (sec. 504) that would amend section 619(a) of title 10, United States Code, to make permanent the authority to promote officers in the grade of first lieutenant or lieutenant (junior grade) who satisfy a time-in-grade requirement of at least 18 months.

The Senate amendment contained a provision (sec. 502) that would extend the existing authority for promotion for these officers from October 1, 2005, through October 1, 2008.

The House recedes.

Grade and exclusion from active-duty general and flag officer distribution and strength limitations of officer serving as Attending Physician to the Congress (sec. 507)

The Senate amendment contained a provision (sec. 506) that would add section 722 to chapter 41 and amend section 12210 of title 10, United States Code, to provide that an active-duty or reserve general or flag officer, while serving as the Attending Physician to the Congress, would hold the grade of major general or rear admiral and be excluded from the numerical and distribution requirements of sections 525 and 526 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Modification of qualifications for leadership of the Naval Postgraduate School (sec. 508)

The Senate amendment contained a provision (sec. 509) that would authorize a retired

officer of the Navy or Marine Corps in the grade of captain or colonel or above, respectively, to be selected by the Secretary of the Navy to serve as President of the Naval Postgraduate School so long as they meet the same qualifications required of active-duty officers, including holding a doctorate or master's degree in a field of study relevant to the mission and function of the Naval Postgraduate School.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize a civilian, including a retired officer of the Navy or Marine Corps not below the grade of captain or colonel, respectively, to be selected by the Secretary as the best qualified from among candidates for the position in accordance with specified criteria, through a process to be determined by the Secretary, and taking into consideration other factors the Secretary considers essential. Before making a selection the Secretary would be required to consult with the Board of Advisors for the Naval Postgraduate School, consider any recommendation of the leadership and faculty of the Naval Postgraduate School, and consider the recommendations of the Chief of Naval Operations and the Commandant of the Marine Corps. The amendment would further require that an individual selected as President hold a doctorate degree if the individual permanently selected as Provost and Academic Dean does not.

PART II—OFFICER PROMOTION POLICY

Revisions to authorities relating to authorized delays of officer promotions (sec. 511)

The Senate amendment contained a provision (sec. 515) that would amend sections 624 and 14311 of title 10, United States Code, relating to promotion procedures. The provision would specify that a promotion list that requires Senate confirmation shall be treated as being established for purposes of chapter 38 of title 10 on the date the list is received by the Senate for consideration; and would require the Secretary of Defense, not later than March 1, 2008, to prescribe regulations controlling delays in appointment following Senate confirmation under sections 624 and 14311. The provision would also clarify that delays in appointment to higher grade are warranted by the need to review substantiated and potentially adverse information that may be material to the decision on whether or not to appoint based on a determination that an officer has not fulfilled the requirements for exemplary conduct for commanding officers and those in positions of authority.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that a promotion list that requires Senate confirmation shall be treated as being established upon approval of a report of a selection board by the President.

Consideration of adverse information by selection boards in recommendations on officers to be promoted (sec. 512)

The Senate amendment contained a provision (sec. 516) that would amend sections 616(c) and 14108(b) of title 10, United States Code, to require that a promotion selection board may not recommend an officer for promotion unless a majority of the members of the board, after consideration by all the board members of any adverse information about the officer that is provided to the board under section 615 of title 10, United States Code, finds that the officer is among those best qualified for promotion to meet the needs of the armed force concerned consistent with the requirement of exemplary conduct set forth in sections 3583, 5947, and

8583 of title 10, United States Code. The House bill contained no similar provision.

The House recedes with a technical amendment.

Expanded authority for removal from reports of selection boards of officers recommended for promotion to grades below general and flag grades (sec. 513)

The Senate amendment contained a provision (sec. 517) that would amend sections 618(d) and 14111(b) of title 10, United States Code, to authorize the Secretary of Defense and the Deputy Secretary of Defense, in addition to the President, to remove the name of an officer from the report of a selection board with respect to officers being recommended for promotion to grades below brigadier general and rear admiral (lower half).

The House bill contained no similar provision.

The House recedes with a technical amendment.

Special selection board authorities (sec. 514)

The Senate amendment contained a provision (sec. 519) that would amend sections 628 and 14502 of title 10, United States Code, to limit the availability of special selection boards only to officers under consideration for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve selection boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Removal from promotion list of officers not promoted within 18 months of approval of list by the President (sec. 515)

The Senate amendment contained a provision (sec. 520) that would amend sections 629 and 14310 of title 10, United States Code, to clarify the conditions under which officers whose nominations require the advice and consent of the Senate for promotion or appointment and who have not received the advice and consent of the Senate would be removed from promotion lists.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a promotion eligibility period for officers beginning on the date of approval by the President of a promotion list for officers on that list and ending 18 months later. This period could be extended by the President for an additional 12 months. The amendment would require that an officer's name be removed from the promotion list as of the end of the period of promotion eligibility unless the Senate has given its advice and consent to the appointment of that officer. The provision would apply to any promotion list approved by the President after January 1, 2007.

PART III—JOINT OFFICER MANAGEMENT REQUIREMENTS

Modification and enhancement of general authorities on management of officers who are joint qualified (sec. 516)

The Senate amendment contained a provision (sec. 526) that would amend section 661 of title 10, United States Code, to restructure the system for designation and management of officers who are joint qualified. The provision would implement the recommendation made by the Department of Defense in its

strategic plan to link joint officer development to overall missions and goals of the Department of Defense, as required by section 531 of the Ronald W. Reagan National Defense Authorization Act of Fiscal Year 2005 (Public Law 108-375).

The House bill contained no similar provision.

The House recedes with an amendment that would permit the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, to designate as joint qualified those officers who successfully complete a full tour of duty in a joint assignment as well as those officers who demonstrate mastery of knowledge, skills, and abilities in joint matters as a result of their assignments and experience as determined under such regulations and policy as the Secretary may prescribe. The amendment would make this provision effective on October 1, 2007, and require the Secretary, not later than March 31, 2007, to submit a plan for its implementation. The amendment would support modifications in joint officer management that would rely on a capabilities-based system in which experience, education, and performance are evaluated in an officer's progression to higher levels of qualification.

Modification of promotion policy objectives for joint officers (sec. 517)

The Senate amendment contained a provision (sec. 527) that would amend section 662(a) of title 10, United States Code, to repeal the requirement for a separate promotion policy objective for officers who have the joint specialty or who are designated as joint qualified. The provision would require the Secretary of Defense to ensure that officers who are serving in or have served in joint duty assignments, including those officers who previously have been designated as joint specialty officers and are determined to be joint qualified under the changes to section 661 of title 10, United States Code, included in this Act, are expected, as a group, to be promoted to the next higher grade at a rate not less than the rate for all officers of the same armed force in the same grade and competitive category.

The House bill contained no similar provision.

The House recedes.

Applicability of joint duty assignment requirements limited to graduates of National Defense University schools (sec. 518)

The Senate amendment contained a provision (sec. 528) that would amend section 663 of title 10, United States Code, to specify that joint professional military education (JPME) schools for purposes of this section are limited to schools within the National Defense University. The provision would limit the effect of the requirement that more than 50 percent of officers completing the second phase of JPME must be assigned to joint duty assignments as those officers' next duty assignments following graduation.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Modification of certain definitions relating to jointness (sec. 519)

The Senate amendment contained a provision (sec. 529) that would amend section 668 of title 10, United States Code, to revise the definition of the term "joint matters." The provision would also modify the definition of "joint duty assignments" to broaden the assignments that may be considered and recognize the value of certain assignments within the services and to add a definition to section 668 of the term "critical occupational specialty."

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the definition of the term joint matters to mean matters related to the achievement of unified action by multiple military forces in operations conducted across domains such as land, sea, or air, in space, or in the information environment. The amendment would specify that the definition of joint duty does not include duty as a student or trainee for joint training and education. Under the definition of critical occupational specialty, the amendment would require, at a minimum, that the Secretary of Defense designate as critical occupational specialties any military occupational specialties within combat arms (or the equivalent) that the Secretary determines are experiencing severe shortages of trained officers.

Subtitle B—Reserve Component Matters

PART I—RESERVE COMPONENT MANAGEMENT

Recognition of former Representative G.V. "Sonny" Montgomery for his 30 years of service in the House of Representatives (sec. 521)

The conferees agree to include a provision that would recognize former Representative G.V. "Sonny" Montgomery (D-MS) for his 30 years of service in the House of Representatives, particularly his service as Chairman of the Committee on Veterans' Affairs and his contributions to the National Guard and Reserves.

Revisions to reserve call-up authority (sec. 522)

The House bill contained a provision (sec. 511) that would extend from 270 days to 365 days the period for which members of the Selected Reserve and Individual Ready Reserve may be involuntarily called to active duty to support operational missions other than during war or national emergency and would authorize recall of such reserve component members to provide assistance during a serious natural or manmade disaster, accident, or catastrophe.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend from 270 days to 365 days the maximum period for which such members of the reserve components may be involuntarily called to active duty.

Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001 (sec. 523)

The House bill contained a provision (sec. 512) that would authorize military retirement credit for certain members of the Army National Guard or the Air National Guard who served in a full-time state active duty status in specified counties in New Jersey in support of the federal declaration of emergency following the terrorist attacks on the United States of September 11, 2001.

The Senate amendment contained no similar provision.

The Senate recedes.

PART II—AUTHORITIES RELATING TO GUARD AND RESERVE DUTY

Title 10 definition of Active Guard and Reserve duty (sec. 524)

The House bill contained a provision (sec. 541) that would establish a new definition of "Active Guard and Reserve" in section 101 of title 10, United States Code, and would also clarify the definition of "Active Guard and Reserve duty" in the same section.

The Senate amendment contained a similar provision (sec. 531).

The Senate recedes.

Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel (sec. 525)

The House bill contained a provision (sec. 542) that would authorize reserve component personnel performing Active Guard and Reserve duty, as well as military technicians (dual status), to perform additional duties to support operations or missions assigned to, or performed by, the reserve components and to instruct or train active-duty members of the Armed Forces, foreign military forces, and Department of Defense civilian employees and contractors. The provision would authorize the performance of the specified additional duties to the extent that such duties do not interfere with the primary duties of personnel on Active Guard and Reserve duty, and military technicians (dual status), of organizing, administering, recruiting, instructing, or training the reserve components. The provision would also limit the instructional or training duty only to that conducted in the United States, its possessions, and the Commonwealth of Puerto Rico. The provision would further authorize personnel performing National Guard duty under section 502(f) of title 32, United States Code, to support operations or missions undertaken by the member's unit at the request of the President or the Secretary of Defense, and to support training operations and training missions assigned in whole or in part to the National Guard by the Secretary concerned.

The Senate amendment contained a similar provision (sec. 531).

The Senate recedes with a clarifying amendment.

Governor's authority to order members to Active Guard and Reserve duty (sec. 526)

The House bill contained a provision (sec. 543) that would authorize the governor of a State, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or the commanding general of the District of Columbia National Guard to order members of the National Guard to perform Active Guard and Reserve duty under title 32, United States Code, to support operations or missions at the request of the President or the Secretary of Defense, or to support training operations and training missions assigned in whole or in part by the Secretary concerned to the National Guard.

The Senate amendment contained a similar provision (sec. 531).

The Senate recedes with a clarifying amendment.

Expansion of operations of civil support teams (sec. 527)

The House bill contained a provision (sec. 545) that would expand the types of emergencies for which members of the reserve components who are assigned to weapons of mass destruction civil support teams (WMD-CSTs) could be deployed to include the intentional or unintentional release of nuclear, biological, radiological, toxic or poisonous chemical materials; or natural or manmade disasters that could result in the catastrophic loss of life or property.

The Senate amendment contained a similar provision (sec. 532).

The Senate recedes.

The conferees note that WMD-CSTs are a limited resource, and as such, their employment, other than for training and preparation, under the expanded authorities recommended by this section should consider the following: (1) whether the resources of local governments and other State resources may be or are overwhelmed by the scope and scale of the actual disaster; or (2) whether other State, local, and first-responder tech-

nical equipment and capabilities will be or are inadequate to address the potential threat.

Modification of authorities relating to the Commission on the National Guard and Reserves (sec. 528)

The House bill contained a provision (sec. 594(a)) that would amend section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to extend the deadline by 6 months for submission of a final report by the Commission on the National Guard and Reserves.

The Senate amendment contained a similar provision (sec. 533) that would extend the commission's deadline for submission of a final report from 12 to 18 months after its first meeting. The provision would also authorize the chairman of the commission to exercise the same waiver authority regarding eligibility by annuitants for pay as would be available to the Director of the Office of Personnel Management under sections 8344(i)(1) and 8468(f)(1) of title 5, United States Code.

The House recedes with an amendment that would require submission of the final report of the commission not later than January 31, 2008.

Additional matters to be reviewed by Commission on the National Guard and Reserves (sec. 529)

The House bill contained a provision (sec. 594(b)) that would direct the Commission on the National Guard and Reserves to study and report to Congress by March 1, 2007, on the advisability and feasibility of implementing the provisions contained in the National Defense Enhancement and National Guard Empowerment Act of 2006 (H.R. 5200); whether the Chief of the National Guard Bureau should serve in the grade of general in the performance of the current duties of that office; and whether the Department of Defense processes for defining the equipment and funding necessary for the National Guard to perform its responsibilities are adequate.

The Senate amendment contained provisions (secs. 931-933) that would make the National Guard Bureau a joint activity of the Department; make the Chief of the National Guard Bureau the principal advisor to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff on National Guard matters; elevate the grade of the Chief of the National Guard Bureau to general; require the Chief of the National Guard Bureau to identify gaps between Federal and State capabilities to prepare for and respond to emergencies and make recommendations to the Secretary of Defense on the provision of military assistance to civil authorities; and require that the position of Deputy Commander, U.S. Northern Command, be filled by a National Guard officer eligible for promotion to the grade of lieutenant general.

The Senate recedes with an amendment that would add additional matters to be referred to the commission, including a review on the advisability and feasibility of authorizing National Guard officers to serve in both Federal status under title 10, United States Code, and State status under title 32, United States Code, as a means of achieving unity of command of units that are composed of both active-duty members and National Guard personnel. The commission would be required to submit a report on the results of the review by March 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives.

The conferees note the importance of the National Guard to the national defense and the need for effective coordination of National Guard matters between the Chief of the National Guard Bureau and the Sec-

retary of Defense, Chairman of the Joint Chiefs of Staff, the Secretary of the Army, and the Secretary of the Air Force.

The conferees, therefore, direct the commission to evaluate the proposals referred to it by this section taking into consideration the following:

The impact that making the National Guard Bureau a joint activity of the Department, and authorizing the Secretary of Defense to develop the charter of the National Guard Bureau, would have on integration of the Army National Guard and Air National Guard into the Army and Air Force, respectively.

Whether authorizing the Chief of the National Guard Bureau to be the principal advisor to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff on matters relating to the National Guard would have the effect of establishing the National Guard as a separate service; and if so, the implications of that effect.

Whether authorizing the Chief of the National Guard Bureau to be a member of the Joint Chiefs of Staff is consistent with the statutory responsibilities of the service chiefs and the role of the service chiefs to provide military advice to the President, the National Security Council, and the Secretary of Defense.

How elevating the grade of the Chief of the National Guard Bureau to general would impact relationships with and the authorized grades of the other Chiefs of the reserve components, the Director of the Army National Guard, and the Director of the Air National Guard.

Whether requiring the Chief of the National Guard Bureau to identify gaps between Federal and State capabilities to prepare for and respond to emergencies and to make recommendations to the Secretary of Defense on National Guard programs for military assistance to civil authorities is an appropriate role for the Chief of the National Guard Bureau, whether the Chief of the National Guard Bureau is qualified to make such an assessment, and whether this authority impinges on the authority of Federal and State civilian officials.

Whether the scope and complexities of the duties and responsibilities of the position of Deputy Commander, U.S. Northern Command, require that they be carried out by two officers, each in the grade of O-9, one of whom would be a National Guard officer eligible for promotion to that grade.

Subtitle C—Education and Training

PART I—SERVICE ACADEMIES

Expansion of service academy exchange programs with foreign military academies (sec. 531)

The House bill contained a provision (sec. 524) that would expand from 24 to 100 the number of cadets and midshipmen at the U.S. Military Academy, Air Force Academy, and Naval Academy, respectively, who may participate in exchange programs with foreign military academies. The provision would also increase from \$120,000 to \$1.0 million the amount of appropriated funds that each service academy could expend during any fiscal year in support of the exchange program. The provision would further authorize the service academies to expend additional funds as may be available to the academy from a source other than appropriated funds to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees do not intend that the additional funding from other than appropriated

sources be used to fund exchange students in excess of the number set by this provision.

Revision and clarification of requirements with respect to surveys and reports concerning sexual harassment and sexual violence at the service academies (sec. 532)

The Senate amendment contained a provision (sec. 567) that would change the frequency of the service academy sexual assault survey and report to Congress from an annual to a biennial requirement, extend the period for the surveys and reports from 2008 to 2010, clarify that the subject of the required policy and report is sexual harassment and sexual violence, and clarify that the policy and survey are directed at cadets and midshipmen.

The House bill contained no similar provision.

The House recedes with an amendment that would codify in title 10, United States Code, the requirement for each Secretary of the military department to prescribe a policy on sexual harassment and sexual violence applicable to cadets or midshipmen and other personnel of each service academy. The amendment would require an annual assessment to determine the effectiveness of the policies, training, and procedures of the academy, and an annual report to the Committees on Armed Services of the Senate and the House of Representatives. The amendment would also require that the annual assessment be conducted by a survey of academy personnel to include cadets and midshipmen, and other academy personnel from the faculty and administration selected for such participation, if any, with respect to academy program years that begin in an odd-numbered calendar year. In any year in which a survey is not required, the Secretary concerned would be required to provide focus groups for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at that academy.

Department of Defense policy on service academy and ROTC graduates seeking to participate in professional sports before completion of their active-duty service obligations (sec. 533)

The Senate amendment contained a provision (sec. 568) that would require the Secretary of Defense to prescribe a policy, not later than July 1, 2007, on whether to authorize service academy and Reserve Officers' Training Corps graduates to participate in professional sports before completion of their active-duty service obligation, and if so, on the active-duty service obligations of such personnel. The provision would require the Secretary of each military department to prescribe regulations, or modify current regulations, to implement the policy of the Secretary of Defense by no later than December 1, 2007.

The House bill contained no similar provision.

The House recedes.

PART II—SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS

Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty (sec. 535)

The House bill contained a provision (sec. 521) that would authorize the Secretary of the Army to modify agreements entered into by cadets in the Reserve Officers' Training Corps who participate in the Guaranteed Reserve Forces Duty Scholarship Program so that a cadet or former cadet could receive assistance under the Health Professions Scholarship Program and serve on active duty.

The Senate amendment contained no similar provision.

The Senate recedes.

Detail of commissioned officers as students at medical schools (sec. 536)

The Senate amendment contained a provision (sec. 561) that would authorize the Secretary of a military department to detail up to 25 commissioned officers each year as students at accredited medical schools or schools of osteopathy. To be eligible, an officer must agree to service on active duty for 2 years for each year of medical training.

The House bill contained no similar provision.

The House recedes with an amendment that would allow an officer to serve their full service active duty obligation, or to complete a portion of their obligation in the Selected Reserve. The amendment would require that officers assigned to the Selected Reserve serve 3 years in the Selected Reserve for each year of medical training received prior to separation from active duty.

Increase in maximum amount of repayment under education loan repayment for officers in specified health professions (sec. 537)

The Senate amendment contained a provision (sec. 563) that would authorize an increase from \$22,000 to \$60,000 for each year of obligated service the amount the Secretary of a military department may repay for educational loans for a fully qualified health professional to meet identified skill shortages.

The House bill contained no similar provision.

The House recedes with a technical amendment.

The conferees are concerned that shortfalls in recruitment and retention of medical, dental, and nurse corps personnel could undermine future medical readiness. The conferees believe it is critical that the Tenth Quadrennial Review of Military Compensation include a careful examination of compensation issues pertaining to the uniformed medical personnel of the Department of Defense.

Health Professions Scholarship and Financial Assistance Program for Active Service (sec. 538)

The Senate amendment contained a provision (sec. 564) that would authorize an increase in the maximum amounts for stipends and grants under the Health Professions Scholarship Program and the Financial Assistance Program for Active Service. The amendment also contained a provision (sec. 565) that would require the Secretary of Defense to report to the congressional defense committees on the success or failure of the military departments in achieving recruiting goals under these programs during fiscal years 2000 through 2006.

The House bill contained no similar provisions.

The House recedes with an amendment that would authorize the Secretary to determine a monthly amount to be paid as a stipend in the Health Professions Scholarship Program.

The conference agreement reflects the merger of the two Senate provisions, as amended.

PART III—JUNIOR ROTC PROGRAM

Junior Reserve Officers' Training Corps instructor qualifications (sec. 539)

The Senate amendment contained a provision (sec. 570) that would establish instructor qualifications for a retired officer or non-commissioned officer to be employed as an instructor in the Junior Reserve Officers' Training Corps. The provision would require that senior military instructors be retired officers who have a professional military qualification; a baccalaureate degree; com-

pletion of secondary education teaching certification requirements; and award of an advanced certification in core content areas. Non-senior military instructors would be retired noncommissioned officers who serve as instructional leaders and teach independently of, but share program responsibilities with, senior military instructors. The provision would also require that non-senior military instructors have a professional military qualification; an associates degree within 5 years of employment; completion of secondary education teaching certification requirements; and award of an advanced certification in core content areas.

The House bill contained no similar provision.

The House recedes.

Expansion of members eligible to be employed to provide Junior Reserve Officers' Training Corps instruction (sec. 540)

The House bill contained a provision (sec. 522) that would authorize employment of reserve and National Guard officers and non-commissioned officers who would be eligible for retired pay at age 60 as Junior Reserve Officers' Training Corps instructors and allow the Secretaries of the military departments to determine the amount to reimburse the educational institution for the salary of such instructors.

The Senate amendment contained a similar provision (sec. 562).

The House recedes with a clarifying amendment.

The conferees agree that the Department of Defense would be authorized to pay an institution hiring a reserve or National Guard member who would be eligible for retired pay at age 60 an amount equal to one-half of the amount paid to the member by the institution for any period, up to a maximum of one-half the difference between the retired or retainer pay for an active-duty officer or non-commissioned officer of the same grade and years of service for that period and the active-duty pay and allowances which the member would have received for that period if on active duty.

Expansion of Junior Reserve Officers' Training Corps program (sec. 541)

The Senate amendment contained a provision (sec. 315) that would direct the Secretaries of the military departments to increase the number of Junior Reserve Officers' Training Corps units.

The House bill contained no similar provision.

The House recedes.

Review of legal status of Junior ROTC program (sec. 542)

The House bill contained a provision (sec. 525) that would require the Secretary of Defense to review the 1976 legal opinion that determined that Junior Reserve Officers' Training Corps (JROTC) instructors may be transported to a non-host school only to teach students previously enrolled in the JROTC unit at the host school, and only when it is impractical to require them to take courses at the host school. The purpose of the review would be to determine whether changes in the law since 1976 and local school redistricting would now allow for instructors from a host school to travel to and instruct JROTC students at another nearby school. The provision would also allow a host school that is currently providing for the assignment of JROTC instructors to another school with 70 or more students the authority to continue such support until 180 days following the submission of the report on the results of the review by the Secretary of Defense.

The Senate amendment contained an identical provision (sec. 569).

The conference agreement includes this provision.

PART IV—OTHER EDUCATION AND TRAINING PROGRAMS

Expanded eligibility for enlisted members for instruction at Naval Postgraduate School (sec. 543)

The Senate amendment contained a provision (sec. 566) that would authorize all enlisted members of the Armed Forces to participate in certificate programs and courses required for the performance of their duties offered by the Naval Postgraduate School, and authorize eligible enlisted members of the Armed Forces to receive graduate-level instruction at the Naval Postgraduate School in programs leading to the award of a master's degree in technical, analytical, and engineering curricula.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the plans and rationale of the Navy to provide enlisted members of the Navy with opportunities to pursue graduate degree programs either through Navy schools or through civilian postgraduate institutions paid for by the Navy in return for an additional service obligation. The amendment would also require the Secretary of the Navy and the Secretary of the Air Force to submit a joint report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the manner by which each Secretary intends to use the Naval Postgraduate School and the Air Force Institute of Technology during fiscal years 2008 through 2013 to meet the overall requirements of the Navy, Marine Corps, and Air Force for enlisted members with graduate degrees.

The conferees expect that the Under Secretary of Defense for Personnel and Readiness will exercise a significant role in overseeing the preparation of the joint report of the Secretary of the Navy and the Secretary of the Air Force on use of the Naval Postgraduate School and the Air Force Institute of Technology to meet the overall requirements of the services for enlisted members with graduate degrees.

Subtitle D—General Service Authorities

Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT) (sec. 546)

The House bill contained a provision (sec. 531) that would require the Secretary of Defense to administer a test program conducted by the Secretaries of the military departments to determine the utility of commercially-available test preparation guides and education programs to assist recruit candidates in achieving improved scores on military recruit qualification tests. The Secretary would be required to identify 2,000 recruit candidates to receive test preparation assistance and 2,000 recruit candidates to participate in a control group to allow comparisons of test performance and subsequent duty performance in training and unit settings following active-duty entry. The test would identify participants over a 1-year period from the start of the test and assess duty performance for each participant for 18 months following entry on active duty.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of nondisclosure requirements applicable to certain selection board proceedings (sec. 547)

The House bill contained a provision (sec. 532) that would clarify the nondisclosure requirements applicable to deliberations of military selection boards. The provision would specify that discussions and deliberations of selection boards, including any written or documentary records thereof, are immune from legal process; may not be admitted as evidence; and may not be used for any purpose in any action or suit, or judicial or administrative proceedings without the consent of the Secretary of the military department.

The Senate amendment contained a similar provision (sec. 518).

The Senate recedes with a technical amendment.

Report on extent of provision of timely notice of long-term deployments (sec. 548)

The House bill contained a provision (sec. 533) that would require the Secretary of Defense to report, not later than March 1, 2007, on the number of members of the Armed Forces who, since September 11, 2001, have not received at least 30-days notice prior to a deployment that was scheduled to last 180 days or more.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the reporting period to begin on January 1, 2005, and end on the date of the enactment of this Act.

Subtitle E—Military Justice Matters

Applicability of Uniform Code of Military Justice to members of the Armed Forces ordered to duty overseas in inactive duty for training status (sec. 551)

The Senate amendment contained a provision (sec. 551) that would require the service secretaries, no later than March 1, 2007, to prescribe regulations, or amend current regulations, consistent with article 2 of the Uniform Code of Military Justice (UCMJ) to provide that military personnel who are ordered to perform inactive duty for training at overseas locations shall be subject to jurisdiction under the UCMJ throughout the period that the orders are in effect.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Clarification of application of Uniform Code of Military Justice during a time of war (sec. 552)

The Senate amendment contained a provision (sec. 552) that would clarify that Uniform Code of Military Justice jurisdiction over persons serving with or accompanying an armed force in the field applies both in time of declared war and in a contingency operation.

The House bill contained no similar provision.

The House recedes.

Subtitle F—Decorations and Awards

Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients (sec. 555)

The House bill contained a provision (sec. 551) that would amend sections 3755, 6257, and 8755 of title 10, United States Code, and section 505 of title 14, United States Code, to authorize the President to present a Medal of Honor Flag to all living recipients of the Medal of Honor. The provision would authorize presentation of a Medal of Honor Flag to the primary next of kin of a deceased Medal of Honor recipient.

The Senate amendment contained a similar provision (sec. 584) that would require the

Secretary of Defense to prescribe regulations regarding the designation of the primary living next of kin.

The House recedes with a clarifying amendment.

Review of eligibility of prisoners of war for award of the Purple Heart (sec. 556)

The House bill contained a provision (sec. 553) that would require the Secretary of Defense to award the Purple Heart posthumously to a member of the Armed Forces who died while in captivity as a prisoner of war or died due to injury or illness incurred while in captivity as a prisoner of war.

The Senate amendment contained a provision (sec. 589) that would require the President, not later than March 1, 2007, to report on the advisability of modifying the criteria for the award of the Purple Heart in the case of prisoners of war who die in captivity under unknown circumstances or as a result of conditions and treatment which currently do not qualify the decedent for the award of the Purple Heart. The provision would also require the President in making his determination to take into consideration various specified factors as well as the views of the Secretary and the Joint Chiefs of Staff.

The House recedes with an amendment that would add additional circumstances to be considered by the President in making his determination regarding the posthumous award of the Purple Heart to former prisoners of war.

In view of the history and significance of the Purple Heart, and the fact that it is awarded in the name of the President as Commander in Chief to members of the Armed Forces, the conferees consider it essential that the President conduct a comprehensive review of the merits of the proposals for expansion of eligibility for the award and provide a recommendation to the Congress before legislative changes are made to the criteria for the Purple Heart.

Report on Department of Defense process for awarding decorations (sec. 557)

The House bill contained a provision (sec. 555) that would require the Secretary of Defense to review the policy, procedures, and processes of the military departments for awarding decorations to members of the Armed Forces and to submit a report on the findings and recommendations no later than 90 days after the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would establish August 1, 2007, as the due date for the required report.

Subtitle G—Matters Relating to Casualties

Authority for retention after separation from service of assistive technology and devices provided while on active duty (sec. 561)

The House bill contained a provision (sec. 562) that would authorize the Secretary of Defense to provide assistive technology, devices, and services to a member of the armed forces who has sustained a debilitating illness or injury while serving in support of a contingency operation, and also authorize the member to continue to utilize such services after separation from active duty.

The Senate amendment contained a similar provision (sec. 647).

The House recedes with a clarifying amendment.

Transportation of remains of casualties dying in a theater of combat operations (sec. 562)

The House bill contained a provision (sec. 563) that would prescribe conditions for the transportation by air of the remains of members of the Armed Forces who die in a combat theater of operations and whose remains

are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware. The provision would require the Secretary concerned to transport remains under these circumstances by military aircraft, or military-contracted aircraft, unless otherwise directed by the decedent's next of kin. The provision would also require that remains be escorted during transportation at all times by at least one service member in an appropriate grade. The provision would further require that an honor guard escort comprised of a sufficient number of military members to transfer the casket containing the remains from the aircraft or other means of transportation to a hearse for local transportation be provided.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to prescribe regulations for the administration of this provision. The amendment would also require that transportation of one or more sets of military remains by military aircraft or military-contracted aircraft be the aircraft's primary mission and clarify the composition and role of the honor guard escort. The effective date for this provision would be not later than January 1, 2007.

Annual budget display of funds for POW/MIA activities of Department of Defense (sec. 563)

The House bill contained a provision (sec. 564) that would require the Secretary of Defense to submit to Congress a consolidated budget justification display that includes prior year and future year funding for specified organizations supporting the POW/MIA activities of the Department of Defense as part of the Department's justification material that supports the President's annual budget request.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees are concerned that shortfalls in the funding of POW/MIA activities within the Department have resulted in the loss of opportunities to conduct planned field missions to locate and identify missing U.S. service members. The conferees expect that the Department will ensure that POW/MIA recovery efforts will receive the highest level of support within the Department and that the budget for POW/MIA activities will be adequately funded in order to preclude the loss of opportunities to conduct planned recovery and research missions.

Military Severely Injured Center (sec. 564)

The Senate amendment contained a provision (sec. 586) that would require the Secretary of Defense to establish a center to augment and support programs operated by the military departments for services to severely wounded or injured service members and their families. The provision would also require establishment of a central database for the purpose of tracking such members.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the role of the center in support of programs operated by the military departments which are responsible for individual case management, and ensure transparency of the central database.

Comprehensive review on procedures of the Department of Defense on mortuary affairs (sec. 565)

The Senate amendment contained a provision (sec. 590(a)-(b)) that would require the Secretary of Defense to include additional matters in the report of the Department of Defense's ongoing comprehensive review of procedures relating to mortuary affairs. The

additional elements reported on would address capabilities and standards employed in combat theaters that could preserve the remains of deceased personnel and expedite the return of remains to the United States in a nondecomposed state.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Additional elements of policy on casualty assistance to survivors of military decedents (sec. 566)

The Senate amendment contained a provision (sec. 590(c)) that would amend section 562(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to require the Secretary of Defense to include an additional element in the Department of Defense's policy relating to casualty assistance to survivors of military decedents. The provision would require that the new policy address the process by which the Department, upon request, briefs survivors of military decedents on the cause of, and any investigation into, the death of such military decedents and on the disposition and transportation of their remains.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Requirement for deploying military medical personnel to be trained in preservation of remains under combat or combat-related conditions (sec. 567)

The House bill contained a provision (sec. 722) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would establish an effective date for the required training of 90 days after the date of the enactment of this Act.

Subtitle H-Impact Aid and Defense Dependents Education System

Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe (sec. 571)

The House bill contained a provision (sec. 572) that would authorize the Secretary of Defense to enroll on a space-required, tuition-free basis a limited number of dependents of foreign military members who are assigned to the Supreme Headquarters Allied Powers, Europe, in the Defense Dependents' Education System in Mons, Belgium.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary to offer such enrollment only through the 2010-2011 school year. The amendment would require a report to Congress evaluating alternatives for a long-term plan for the education of dependents of U. S. military personnel assigned to the Supreme Headquarters Allied Powers, Europe.

Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 572)

The House bill contained a provision (sec. 571) that would authorize \$50.0 million for assistance to local educational agencies that have military dependent students comprising at least 20 percent of the students in average daily attendance. The provision would also authorize \$15.0 million for assistance to local educational agencies that experience a significant increase or decrease in

attendance of military dependent students due to military force structure changes, the relocation of military forces, and base closures and realignments.

The Senate amendment contained a provision (sec. 571) that would authorize \$30.0 million for assistance to local educational agencies with significant concentrations of military school-aged children, and \$10.0 million for special assistance to local educational agencies that experience an increase or decrease in students due to military force structure changes, relocation of military units, or base closures and realignments. The Senate amendment would also provide temporary authority for the Secretary of Defense, working with the Secretary of Education, to utilize funds appropriated for Operation and Maintenance, Defense-wide for the purpose of sharing expertise and experience of the Department of Defense Education Activity with local education agencies to assist those agencies as military students make the transition to civilian school systems as a result of base closure and realignment, global rebasing, and force restructuring.

The Senate recedes with an amendment that would authorize \$35.0 million and \$10.0 million, respectively, for assistance to local educational agencies with significant military school-aged children.

Elsewhere in this report, the conferees agree to authorize the sharing of expertise and experience of the Department of Defense Education Activity with local educational agencies that are experiencing a change in the number of military students due to base closure and realignment, global rebasing, and force restructuring, until September 30, 2011.

Impact aid for children with severe disabilities (sec. 573)

The Senate amendment contained a provision (sec. 572) that would authorize \$5.0 million in Operation and Maintenance, Defense-wide, for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

The House bill contained no similar provision.

The House recedes.

Plan and authority to assist local educational agencies experiencing growth in enrollment due to force structure changes, relocation of military units, or base closures and realignments (sec. 574)

The Senate amendment contained a provision (sec. 573) that would require the Secretary of Defense to prepare a plan to provide assistance to local educational agencies that will experience a growth in enrollment of military and Department of Defense civilian school-aged children as a result of force structure changes, the relocation of military units, and the closure or realignment of a military installation. The provision would require submission of a report on the plan to Congress by January 1, 2007, and annual updates to the plan.

The House bill contained no similar amendment.

The House recedes with an amendment that would require annual updates to the plan after March 1, 2008 be submitted to Congress along with the President's budget request. The amendment would also authorize the Secretary of Defense to share expertise and experience of the Department of Defense Education Activity with affected local educational agencies for the purpose of assisting those agencies with the transition of military dependent school-aged children through September 30, 2011.

Pilot program on parent education to promote early childhood education for dependent children affected by military deployment or relocation of military units (sec. 575)

The Senate amendment contained a provision (sec. 574) that would require the Secretary of Defense to carry out a pilot program to enhance educational support for parents of pre-school aged children, who are affected by deployments or the relocation of military units.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the requirement to conduct the pilot program would be subject to the appropriation of funds.

Subtitle I—Armed Forces Retirement Home Report on leadership and management of the Armed Forces Retirement Home (sec. 578)

The Senate amendment contained a provision (sec. 668) that would require the redesignation of the Chief Operating Officer of the Armed Forces Retirement Home as Chief Executive Officer. The provision would require the Director of each facility of the home to be a member of the Armed Forces, and the Deputy Director to be a civilian with experience as a continuing care retirement community professional. The amendment would also clarify that the senior representative of one of the chief personnel officers of the Armed Forces serving as a member of the Local Board of Trustees for each facility be a military officer serving on active duty in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half).

The House bill contained no similar provision.

The House recedes with an amendment that would require a report by the Secretary of Defense evaluating the effect of a change in the title of the Chief Operating Officer and qualifications of the Director and Deputy Director of each facility, as well as an assessment of whether or not there is a need for a greater role by members of the Armed Forces on active duty in the overall direction, operation, and management of the home.

The conferees note that the requirement for service on the Local Board of Trustees by a military officer in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half), is addressed elsewhere in this report.

The conferees are aware that the Comptroller General has not completed the assessment of the regulatory oversight and monitoring of health and nursing home services required by section 909 of the National Defense Authorization Act for 2006 (Public Law 109-163). The conferees intend that the study required by that section will help inform future legislative and policy changes regarding oversight and monitoring of health and nursing home services at the home.

Report on Local Boards of Trustees of the Armed Forces Retirement Home (sec. 579)

The Senate amendment contained a provision (sec. 1064) that would require a report on the composition and activities of the Local Boards of Trustees of the Armed Forces Retirement Home.

The House bill contained no similar provision.

The House recedes with an amendment that would require an additional report element on the feasibility and effect of including as a member of each local board a member of the Armed Forces who is serving on active duty in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half).

The conferees are concerned that failure to use the Local Boards of Trustees, as required

by law in section 416 of title 24, United States Code, is a significant management issue at the Armed Forces Retirement Home. The conferees are also concerned that additional oversight and training is needed on the handling of personnel matters involving assigned military personnel. The conferees direct that these matters be included in the report required by this section.

Subtitle J—Reports

Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets (sec. 581)

The House bill contained a provision (sec. 591) that would require the Secretary of Defense to submit a report, not later than 90 days after the date of the enactment of this Act, on personnel requirements and shortfalls for airborne assets identified as low-density, high-demand airborne assets based on combatant commander requirements to conduct and sustain operations for the global war on terrorism.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the report to be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than 120 days after the date of the enactment of this Act, and to include estimated manpower costs of personnel needed to address shortfalls.

Report on feasibility of establishment of Military Entrance Processing Command station on Guam (sec. 582)

The House bill contained a provision (sec. 584) that would require the Secretary of Defense to submit a report by June 1, 2007, on the feasibility and cost effectiveness of establishing a Military Entrance Processing Command station on Guam for new recruits who are drawn from the western Pacific region.

The Senate amendment contained no similar provision.

The Senate recedes.

Inclusion in annual Department of Defense report on sexual assaults of information on results of disciplinary actions (sec. 583)

The House bill contained a provision (sec. 595) that would amend section 577 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to require additional detail in the Department of Defense annual report on sexual assaults on the results of disciplinary action taken in substantiated cases.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Report on provision of electronic copy of military records on discharge or release of members from the Armed Forces (sec. 584)

The Senate amendment contained a provision (sec. 588) that would require the Secretary of Defense, not later than 120 days after the date of the enactment of this Act, to submit a report on the feasibility and advisability of providing an electronic copy of military records (including all military service, medical, and other military records) to members of the Armed Forces on their discharge or release from the Armed Forces.

The House bill contained no similar provision.

The House recedes.

Report on omission of social security account numbers from military identification cards (sec. 585)

The Senate amendment contained a provision (sec. 591) that would require the Secretary of Defense to submit a report, not later than 180 days after the date of the en-

actment of this Act, assessing the feasibility of using military identification cards, which do not contain, display, or exhibit social security account numbers.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Report on maintenance and protection of data held by the Secretary of Defense as part of the Department of Defense Joint Advertising, Market Research and Studies (JAMRS) program (sec. 586)

The Senate amendment contained a provision (sec. 1417) that would require the Secretary of Defense to submit a report on how the JAMRS program maintains and protects data, including social security numbers, and prevents unauthorized access or inadvertent disclosure of data that could lead to identity theft.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Comptroller General report on military conscientious objectors (sec. 587)

The House bill contained a provision (sec. 593) that would require the Comptroller General to submit to Congress, not later than 180 days after the date of the enactment of this Act, a report concerning members of the Armed Forces who have claimed the status as a military conscientious objector between January 1, 1989, and December 31, 2006.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish September 1, 2007, as the due date for the report, limit the period reported on from September 11, 2001, to December 31, 2006, and clarify the elements of the report required.

Subtitle K—Other Matters

Modification in Department of Defense contributions to Military Retirement Fund (sec. 591)

The House bill contained a provision (sec. 581) that would reduce the Department of Defense's accrual contributions to the Military Retirement Fund by requiring the Department to contribute at the lower, part-time rate for reserve component soldiers who are mobilized or on active duty for special work.

The Senate amendment contained a similar provision (sec. 641(a) and (c)). The provision would also make this section effective on October 1, 2007.

The Senate recedes with an amendment that would make this section effective on October 1, 2007.

Revision in government contributions to Medicare-Eligible Retiree Health Care Fund (sec. 592)

The House bill contained a provision (sec. 589) that would amend sections 1111, 1115, and 1116 of title 10, United States Code, to change the formula by which the government makes annual contributions to the Medicare-Eligible Retiree Health Care Fund. The provision would reduce the annual government contribution to the fund by changing the formula for calculating that contribution by: (1) excluding the cadets and midshipmen at the service academies; (2) excluding members of the reserve components who are not counted against active component end strength under section 115(i) of title 10, United States Code; and (3) basing the calculation on Selected Reserve member strength, not the end strength of the larger Ready Reserve. The provision would also prohibit any funds authorized or appropriated to the Department of Defense from being used to make any payment to the Medicare-Eligible Retiree Health Care Fund.

The Senate amendment contained a similar provision (sec. 641(b)-(c)).

The Senate recedes with an amendment that would omit changes to section 1116 regarding payments into the Medicare-Eligible Retiree Health Care Fund. The amendment would also modify section 1111(a) of title 10, United States Code, to clarify that the fund shall be used to finance the liabilities of the uniformed services under retiree health care programs for medicare-eligible beneficiaries. *Dental Corps of the Navy Bureau of Medicine and Surgery (sec. 593)*

The House bill contained a provision (sec. 582) that would eliminate the requirement for a separate dental division within the Navy Bureau of Medicine and Surgery, and establish a Dental Corps, which would be integrated within the Navy Bureau of Medicine and Surgery.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that Navy dental functions be under the direction of the Chief of the Dental Corps.

Permanent authority for presentation of recognition items for recruitment and retention purposes (sec. 594)

The House bill contained a provision (sec. 583) that would make permanent the authority in section 2261 of title 10, United States Code, to expend appropriated funds to procure recognition items of nominal or modest value for recruitment or retention purposes.

The Senate amendment contained a similar provision (sec. 585) that would authorize the presentation of recognition items during any period of war or national emergency declared by the President or Congress.

The Senate recedes.

Persons authorized to administer enlistment and appointment oaths (sec. 595)

The House bill contained a provision (sec. 585) that would amend sections 502 and 1031 of title 10, United States Code, to allow the Secretary of Defense to designate who is authorized to administer an enlistment or appointment oath and expand the number of people eligible to administer such oaths when the situation dictates.

The Senate amendment contained a similar provision (sec. 581).

The Senate recedes.

Military voting matters (sec. 596)

The House bill contained a provision (sec. 586) that would repeal section 1566(d) of title 10, United States Code, which requires the Department of Defense Inspector General to periodically conduct unannounced assessments of the compliance of Department installations with the requirements of the Uniformed and Overseas Citizens Absentee Voting Act, set forth in section 1973ff of title 42, United States Code.

The Senate amendment contained a similar provision (sec. 583) that would require the Secretary of Defense to continue the Interim Voting Assistance System (IVAS) ballot request program for the general election and all elections through December 31, 2006, and require reports from the Secretary on the implementation of IVAS in 2006 and on the Department's plans for expanding the use of electronic voting technology in the future. The provision would also require the Comptroller General to submit a report to Congress by March 1, 2007, on the programs and activities undertaken by the Department to facilitate voter registration, transmittal of ballots to absentee voters, and voting using electronic means.

The House recedes with a technical amendment.

Physical evaluation boards (sec. 597)

The House bill contained a provision (sec. 587) that would add a new section to title 10,

United States Code, that would require: (1) the service secretaries to ensure that documents announcing decisions of physical evaluation boards (PEB) convey the findings and conclusions of the board in an orderly and itemized fashion with specific attention to each issue presented by the member being evaluated; (2) the Secretary of Defense to prescribe regulations establishing requirements and training standards for PEB liaison officers and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years; and (3) the Secretary of Defense to publish regulations establishing standards and guidelines concerning PEB assignment and training of staff, operating procedures, and consistency and timeliness of board decisions, and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees are concerned about the increasing caseloads being handled within the disability evaluation systems and adverse effects on processing times and decision-making that may stem from this increased caseload. The conferees urge the services to determine whether the manning and resources devoted to this function are sufficient and recommend that the service Inspectors General make the performance of the disability evaluation system an item of special interest.

Military ID cards for retiree dependents who are permanently disabled (sec. 598)

The Senate amendment contained a provision (sec. 582) that would require the Secretaries of the military departments to issue a permanent military ID card to a permanently disabled dependent of a military retiree.

The House bill contained no similar provision.

The House recedes.

United States Marine Band and United States Marine Drum and Bugle Corps (sec. 599)

The Senate amendment contained a provision (sec. 903) that would amend section 6222 of title 10, United States Code, to authorize the Secretary of the Navy to prescribe regulations for the appointment and promotion of members of the Marine Band and the Marine Drum and Bugle Corps. The provision would authorize the President to appoint members of the Marine Band and Marine Drum and Bugle Corps to the grades of captain and below and to delegate that authority to the Secretary of Defense. Additionally, the provision would authorize the President to appoint officers in the Marine Band and the Marine Drum and Bugle Corps in the grades of major and above by and with the advice and consent of the Senate.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authorized strength of Navy Reserve flag officers

The House bill contained a provision (sec. 501) that would amend section 12004 of title 10, United States Code, to retain the authorized strength of Navy Reserve flag officers at 48 but eliminate existing limitations on their distribution and allocation.

The Senate amendment contained no similar provision.

The House recedes.

Modification of authorities on senior members of the Judge Advocate General's Corps

The Senate amendment contained a provision (sec. 504) that would raise the statutory

grades of the Judge Advocates General of the Army, Navy, and Air Force to lieutenant general or vice admiral, as appropriate. These three officers would be in addition to the numbers that would otherwise be permitted for their armed forces for officers serving on active duty in grades above major general or rear admiral, as the case may be. The provision would also change the title of the Assistant Judge Advocate General of the Army to "Deputy Judge Advocate General," as is presently the case for the corresponding officers in the Navy and Air Force.

The House bill contained no similar provision.

The Senate recedes.

Requirement for significant joint experience for officers appointed as Surgeon General of the Army, Navy, and Air Force

The Senate amendment contained a provision (sec. 505) that would add a new section 3036a and amend sections 3036, 5137, and 8036 of title 10, United States Code, to require that officers recommended for appointment as the Surgeon General of the Army, Navy, and Air Force must have significant joint experience as determined by the Chairman of the Joint Chiefs of Staff.

The House bill contained no similar provision.

The Senate recedes.

Report on private-sector promotion and constructive termination of members of the reserve components called or ordered to active service

The House bill contained a provision (sec. 513) that would require the Secretary of Defense to report on post-mobilization private-sector employment impacts on members of the reserve components.

The Senate amendment contained no similar provision.

The House recedes.

The conferees agree that the issue of whether or not members of the reserve components, called or ordered to active duty, receive promotions in due course upon their return from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, or experience constructive termination by their employers as a result of such deployment, would be reviewed by a Department of Defense working group established by this Act to review transition to civilian employment of members of the National Guard and reserve returning from deployment.

Report on joint officer promotion boards

The Senate amendment contained a provision (sec. 521) that would require the Secretary of Defense to submit a report on the desirability and feasibility of conducting joint officer promotion selection boards.

The House bill contained no similar provision.

The Senate recedes.

Authority for United States Military Academy and United States Air Force Academy permanent military professors to assume command positions while on periods of sabbatical

The House bill contained a provision (sec. 523) that would authorize the Secretary of the Army and the Secretary of the Air Force to assign military officers who are permanent professors at the United States Military Academy and the United States Air Force Academy, respectively, to command positions while such professors are serving on a sabbatical tour of duty in an Army or Air Force unit outside the academic department of the academy to which they are assigned.

The Senate amendment contained no similar provision.

The House recedes.

Special operations fellowships

The House bill contained a provision (sec. 526) that would authorize the Secretary of

Defense to prescribe regulations under which the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict may award to an eligible person a fellowship leading to a doctoral or masters degree in a discipline determined by the Assistant Secretary.

The Senate amendment contained no similar provision.

The House recesses.

Condition on appointment of commissioned officers to position of Director of National Intelligence or Director of the Central Intelligence Agency

The Senate amendment contained a provision (sec. 530) that would amend chapters 32 and 63 of title 10, United States Code, to add new sections. In chapter 32, the provision would require that a commissioned officer, as a condition of appointment to the position of Director of National Intelligence or Director of the Central Intelligence Agency, acknowledge that upon termination of an assignment to either position the officer will retire. In chapter 63, the provision would require the Secretaries of military departments to retire an officer upon termination of an assignment in either position.

The House bill contained no similar provision.

The Senate recesses.

Pilot program on reintegration of members of the National Guard into civilian life after deployment

The Senate amendment contained a provision (sec. 534) that would require the Secretary of the Army to carry out a pilot program to assess the feasibility and advisability of a voluntary program to facilitate the reintegration of members of the National Guard into civilian life upon return from an overseas deployment.

The House bill contained no similar provision.

The Senate recesses.

The conferees believe that with the heavy reliance on the men and women of the National Guard and Reserve in support of Operation Enduring Freedom and Operation Iraqi Freedom it is essential that the Department of Defense take action to improve the flexibility and adequacy of military transition assistance programs (TAP) for their benefit. TAP for reservists should facilitate the reintegration of members of the National Guard and Reserve into civilian life as soon as possible after their return from an overseas deployment. TAP for reservists should also make such programs voluntary where appropriate and respect the desire of many Guardsmen and reservists to "stand down" from their military duties for appropriate periods. Therefore, the conferees urge the Department to implement and support a reintegration pilot program in a State that has a National Guard brigade returning from an overseas deployment. In the Senate Report accompanying H.R. 5631 (S. Rept. 09-292) of the Department of Defense Appropriations Bill, 2007, the conferees note that the Senate supported funding of \$6.7 million for a reintegration initiative in connection with overseas deployment. If such a pilot program is implemented, the conferees direct the Secretary of Defense to submit a report of evaluation within 90 days of its conclusion, including a recommendation regarding the feasibility of reintegration programs for members of the National Guard and Reserve.

Report on using six-month deployments for Operation Enduring Freedom and Operation Iraqi Freedom

The House bill contained a provision (sec. 534) that would express the sense of Congress that the Secretary of the Army should continue to evaluate and consider the potential

benefits and impacts of 6-month overseas deployments for soldiers in connection with Operation Enduring Freedom and Operation Iraqi Freedom. The provision would require the Secretary of the Army to submit a report on any plans, benefits, and drawbacks regarding shorter deployments and the results of any surveys of soldiers and their dependents regarding proposals to reduce the length of operational deployments.

The Senate amendment contained no similar provision.

The House recesses.

National Guard officers authority to command

The House bill contained a provision (sec. 544) that would permit, with presidential authorization and consent of the Governor concerned, any National Guard officer to retain a State commission in the National Guard while serving on active duty. The provision would further allow such authorization and consent to be obtained in advance in order to establish succession to command.

The Senate amendment contained no similar provision.

The House recesses.

The conferees recommend that the Commission on the National Guard and Reserve review the advisability and feasibility of further expanding the authority of National Guard officers to serve in both Federal status under title 10, United States Code, and State status under title 32, United States Code, as a means of achieving unity of command of units that are composed of both active-duty members and National Guard personnel. Elsewhere in this report, the conferees agree to add this issue to the matters referred to the commission for review on a priority basis.

Cold War Victory Medal

The House bill contained a provision (sec. 552) that would require the service secretaries to issue a service medal to be known as the Cold War Victory Medal to eligible members and former members of the Armed Forces who performed active duty or inactive duty training between September 2, 1945, and December 26, 1991.

The Senate amendment contained no similar provision.

The House recesses.

Advancement on the retired list of certain decorated retired Navy and Marine Corps officers

The House bill contained a provision (sec. 554) that would require the Secretary of the Navy, upon receipt of a qualifying application, to advance to the next higher grade on the retired list officers who had been specifically commended for performance of duty in combat during World War II. The provision, which would have restored in part a retirement benefit that ended in 1959, would have no effect on compensation or benefits.

The Senate amendment contained no similar provision.

The House recesses.

Criteria for removal of member from temporary disability retired list

The House bill contained a provision (sec. 561) that would amend section 1210(e) of title 10, United States Code, to direct that a member with less than a 30 percent disability rating may not be removed from the temporary disability retired list (TDRL) and separated prior to the expiration of the maximum TDRL period allowed by law unless the disability is of a permanent nature and stable.

The Senate amendment contained no similar provision.

The House recesses.

The conferees are concerned that the absence of a standard relating to the permanent and stable nature of a disability rated at less than 30 percent under section 1210(e)

of title 10 may lead to inequitable results for members with less than 20 years of active-duty service. The conferees direct the Secretary of Defense to submit a report no later than May 1, 2007, describing the manner in which section 1210(e) is implemented in the military departments and explaining how military members with disabilities rated at less than 30 percent who are placed on the TDRL are administered. The report should include discussion of what the impact would be of a change in law requiring that such a disability be of a permanent and stable nature. The report should include recommendations for legislative changes that would ensure that members with substantial active-duty service are treated equitably.

Modification of time limit for use of entitlement to educational assistance for reserve component members supporting contingency operations and other operations

The Senate amendment contained a provision (sec. 570A) that would extend the time a member of the Selected Reserve is authorized to use the educational benefit earned for service while recalled to active duty in support of a war or national emergency for a period of 10 years from the date of separation from the Selected Reserve.

The House bill contained no similar provision.

The Senate recesses.

Postal benefits program for members of the Armed Forces

The House bill contained a provision (sec. 575) that would require the Secretary of Defense, in consultation with the United States Postal Service, to provide a program of postal benefits to military members who are serving in Iraq or Afghanistan, or who are hospitalized at a military medical facility as a result of disease or injury incurred while serving in Iraq or Afghanistan. The postal benefit would be provided using coupons or other forms of evidence indicating a mailing privilege to be used to mail letters, sound and video recordings, printed materials, or ground parcels not exceeding 15 pounds in weight at no cost.

The Senate amendment contained no similar provision.

The House recesses.

Funding

The House bill contained a provision (sec. 576) that would require the Secretary of Defense to fund the operation of the postal benefit program from contingent emergency reserve funds or emergency supplemental appropriations.

The Senate amendment contained no similar provision.

The House recesses.

Duration

The House bill contained a provision (sec. 577) that would require new postal benefits to apply with respect to mail sent during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense.

The Senate amendment contained no similar provision.

The House recesses.

Sense of Senate on notice to Congress of recognition of members of the Armed Forces for extraordinary acts of bravery, heroism, and achievement

The Senate amendment contained a provision (sec. 587) that would express the sense of the Senate that the Secretary of Defense or the service secretaries should notify the Committees on Armed Services of the Senate and the House of Representatives and applicable senators and representatives when a member of the Armed Forces receives a

medal or is otherwise commended or recognized for an act of extraordinary heroism, bravery, achievement, or other distinction.

The House bill contained no similar provision.

The Senate recesses.

Department of Labor Transitional Assistance Program

The House bill contained a provision (sec. 588) that would amend section 1144 of title 10, United States Code, to require participation by certain members of reserve components in the transition assistance program (TAP) provided by the Secretary of Labor, and encourage participation by certain members who had previously participated in such programs. The provision would also require the service secretaries to update the content of transition materials used by the National Veterans Training Institute of the Department of Labor on a continuing basis.

The Senate amendment contained no similar provision.

The House recesses.

The conferees expect the Secretary of Defense, the Secretaries of the military Departments, and the Secretary of Labor to take steps to ensure maximum participation by all eligible service members, and particularly members of the National Guard and Reserve, in pre-separation counseling and TAP. Military leaders should encourage and assist separating service members to develop personal transition plans prior to separation. TAP presentations programs should be scheduled during duty time to ensure all separating service members, including Guard and Reserve members, have full access and opportunity to attend.

The conferees are encouraged by the new approach to the TAP for members of the Guard and Reserve and their families described in the Report to Congress on Transition Assistance and Disabled Transition Assistance Programs of May 4, 2006. The combination of a transition assistance orientation, a new web-based transition assistance portal, and an around-the-clock call center will address the full spectrum of needs and concerns of demobilizing Guard and Reserve personnel by providing the assistance whenever needed without unnecessarily delaying the members' return to their homes following deployments. The conferees encourage the expedited implementation of this new approach.

Military chaplains

The House bill contained a provision (sec. 590) that would amend sections 3547, 4337, 6031, 8547, and 9337 of title 10, United States Code, to prescribe that military chaplains shall have the prerogative to pray according to the dictates of their conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.

The Senate amendment contained no similar provision.

The House recesses.

The conferees direct the Secretary of the Air Force to rescind the policy and revised interim guidelines concerning the exercise of religion in the Air Force issued on February 9, 2006, and direct the Secretary of the Air Force to reinstate the policy that was set forth in the Air Force Directive 52-1 dated July 1, 1999. The conferees further direct the Secretary of the Navy to rescind the Secretary of the Navy Instruction 1730.7C dated February 21, 2006, titled "Religious Ministry within the Department of the Navy," and direct the Secretary of the Navy to reinstate the policy that was set forth in the Secretary of the Navy Instruction 1730.7B dated October 12, 2000.

Entrepreneurial service members empowerment task force

The House bill contained a provision (sec. 592) that would require the Secretary of Defense, in coordination with the Administrator of the Small Business Administration, to establish a task force that would improve programs designed to address the economic concerns and business challenges of military member entrepreneurs and coordination of programs by Federal agencies.

The Senate amendment contained no similar provision.

The House recesses.

Funeral ceremonies for veterans

The Senate amendment contained a provision (sec. 592) that would amend section 1491 of title 10, United States Code, to authorize the service secretaries, under regulations and procedures prescribed by the Secretary of Defense, to support the conduct of funeral honors that are provided solely by members of veterans organizations for deceased veterans. The provision would also amend section 4683 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or other family relations of members or former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The House bill contained no similar provision.

The Senate recesses.

The conferees acknowledge and are deeply grateful for the voluntary contribution of time, resources, and expertise by veterans organizations and their members who provide funeral honors for deceased veterans, particularly in rural and remote areas far from military installations. Without their assistance, the rendering of appropriate funeral honors when requested by survivors to those who have served in the Armed Forces would not be possible. The conferees believe that greater effort is needed by the Department of Defense to identify appropriate means to support veterans organization partners in fulfilling this commitment. The conferees also believe that reasonable steps should be taken to support members of veterans organizations who render funeral honors by loaning M-1 rifles under the authority of section 4683. The conferees direct the Secretary of the Army to submit a report to the Committees on Armed Services of the Senate and the House of Representatives within 90 days of the date of the enactment of this Act on current policies and practices of the Army relating to limits or prohibitions being enforced by the Army on the use of M-1 rifles by members of veterans organizations who are relatives or family members of veterans but not veterans themselves.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Pay and Allowances

Fiscal year 2007 increase in military basic pay and reform of basic pay rates (sec. 601)

The House bill contained provisions (secs. 601–602) that would increase the rate of basic pay for all military members by 2.7 percent effective on January 1, 2007, and, for certain mid-career personnel, increase the rate of pay by higher percentages effective April 1, 2007.

The Senate amendment contained a provision (sec. 601) that would authorize a pay raise for members of the uniformed services of 2.2 percent effective on January 1, 2007; target pay raises for warrant officers and enlisted members serving in the E-5 to E-7 grades that would be effective on April 1,

2007; and extend the basic pay table to 40 years, providing longevity step increases for the highest officer, warrant officer, and enlisted grades.

The House recesses with a technical amendment.

Increase in maximum rate of basic pay for general and flag officer grades to conform to increase in pay cap for Senior Executive Service personnel (sec. 602)

The House bill contained a provision (sec. 603) that would amend section 203(a)(2) of title 37, United States Code, to provide that the rates of basic pay for officers in pay grades O-7 through O-10 may not exceed the monthly equivalent of the rate of pay for level II, vice III, of the Executive Schedule.

The Senate amendment contained a similar provision (sec. 602).

The House recesses with a technical amendment.

One-year extension of prohibition against requiring certain injured members to pay for meals provided by military treatment facilities (sec. 603)

The Senate amendment contained a provision (sec. 604) that would amend section 402(h)(3) of title 37, United States Code, to extend for an additional year the prohibition on requiring members who are undergoing medical recuperation or therapy, or are otherwise in the status of continuous care, including outpatient care, at a military treatment facility for injuries, illnesses, or diseases incurred or aggravated while serving on active duty in support of Operation Iraqi Freedom or Operation Enduring Freedom, or in any other operation designated by the Secretary of Defense as a combat operation or in an area designated by the Secretary as a combat zone. The provision would also require the Secretary to submit a report to the congressional defense committees by February 1, 2007, on the administration of section 402(h)(3), including an assessment of the implementation of the prohibition by the services and recommendations regarding whether this authority should be made permanent.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations (sec. 604)

The House bill contained a provision (sec. 604) that would amend section 403(g) of title 37, United States Code, to authorize service secretaries to pay a second monthly basic allowance for housing in lieu of per diem to reserve component members without dependents mobilized in support of a contingency operation.

The Senate amendment contained a similar provision (sec. 605).

The Senate recesses with an amendment that would make the provision effective on or after October 1, 2006.

Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members (sec. 605)

The House bill contained a provision (sec. 605) that would amend section 403(1) of title 37, United States Code, to provide that a member of the uniformed services, who is a spouse of a deceased member who died while serving on active duty, may continue to be paid the basic allowance for housing.

The Senate amendment contained a similar provision (sec. 606).

The Senate recesses.