

diesel), and non-liquid fuels (including hydrogen and electricity) for use in all military air, ground, and sea systems.

*Limitation on the expenditure of funds for initial flight screening at Pueblo Memorial Airport*

The House bill contained a provision (sec. 368) that would prohibit the expenditure of funds for initial flight screening at Pueblo Memorial Airport in Pueblo, Colorado, until the Air Force and the City of Pueblo have developed a plan to meet the Air Force crash, fire, and rescue requirements to support Air Force flight training operations.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that the Air Force has reached an agreement with the Pueblo Memorial Airport that establishes responsibilities and proportional sharing of costs for the operation and maintenance of the flying facilities jointly used by military and non-military aircraft. The conferees expect that the Air Force will sign this agreement without delay.

## TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

### 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, 2008: Army, 525,400; Navy, 329,098; Marine Corps, 189,000; and Air Force, 329,651. The House provision included increases of 36,000 and 9,000 for the Army and Marine Corps, respectively, to support those services' growth in ground forces. The House provision also included increases of 489 Navy personnel to restore a reduction in end strength in Navy medicine, and it restored 209 and 963 military positions in the Navy and Air Force, respectively, for military-to-civilian conversions programmed for fiscal year 2008 by the Department of Defense.

The Senate amendment contained a similar provision (sec. 401) that would authorize active-duty end strengths of 328,400 for the Navy and 328,600 for the Air Force, and identical end strengths for the Army and Marine Corps.

The Senate recedes with an amendment that would authorize an end strength of 329,563 for the Air Force.

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

Service	FY 2007 authorized	FY 2008		Change from	
		Request	Conferee recommendation	FY 2008 request	FY 2007 authorized
Army .....	512,400	489,400	525,400	36,000	13,000
Navy .....	340,700	328,400	329,098	698	-11,602
Marine Corps .....	180,000	180,000	189,000	9,000	9,000
Air Force .....	334,200	328,600	329,563	963	-4,637

Service	FY 2007 authorized	FY 2008		Change from	
		Request	Conferee recommendation	FY 2008 request	FY 2007 authorized
DOD Total .....	1,367,300	1,326,400	1,373,061	46,661	-5,761

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

The House bill contained a provision (sec. 402) that would establish the following minimum end strengths for active-duty personnel as of September 30, 2008: Army, 525,400; Navy, 329,098; Marine Corps, 189,000; and Air Force, 329,563.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish minimum end strengths for active-duty personnel of 328,400 and 328,600 for the Navy and the Air Force, respectively.

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

Service	FY 2007 authorized	FY 2008	Change from
		Conferee rec- ommendation	FY 2007
Army .....	502,400	525,400	23,000
Navy .....	340,700	328,400	-12,300
Marine Corps .....	180,000	189,000	9,000
Air Force .....	334,200	328,600	-5,600
DOD Total .....	1,357,300	1,371,400	14,100

*Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2009 and 2010 (sec. 403)*

The House bill contained a provision (sec. 403) that would authorize additional active-duty end strength for the Army and the Marine Corps in fiscal years 2009 and 2010 above the strengths authorized for those services in fiscal year 2008. Over the 2-year period, the Army and Marine Corps would be authorized to increase active-duty end strength above their fiscal year 2008 authorizations by 22,000 and 13,000, respectively.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Increase in authorized strengths for Army officers on active duty in the grade of major (sec. 404)*

The House bill contained a provision (sec. 404) that would amend section 523(a)(1) of title 10, United States Code, to increase the number of Army officers authorized to serve in the grade of major.

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

The Senate recedes.

*Increase in authorized strengths for Navy officers on active duty in the grades of lieutenant commander, commander, and captain (sec. 405)*

The House bill contained a provision (sec. 405) that would amend the table in section 523(a)(2) of title 10, United States Code, to increase the number of Navy officers authorized to serve on active duty in the grades of lieutenant commander, commander, and captain.

The Senate amendment contained a similar provision (sec. 502).

The Senate recedes with a technical amendment.

*Increase in authorized daily average of number of members in pay grade E-9 (sec. 406)*

The Senate amendment contained a provision (sec. 521) that would amend section 517(a) of title 10, United States Code, to authorize an increase from 1 percent to 1.25 percent on the upper limit of the authorized daily average of active-duty enlisted members in pay grade E-9.

The House bill contained no similar provision.

The House recedes with a technical amendment.

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, 2008: the Army National Guard of the United States, 351,300; the Army Reserve, 205,000; the Navy Reserve, 67,800; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,700; the Air Force Reserve, 67,500; and the Coast Guard Reserve, 10,000.

The Senate amendment contained a similar provision (sec. 411).

The Senate recedes with a technical amendment.

The conferees recommend end strength levels for the Selected Reserve for fiscal year 2008 as set forth in the following table:

Service	FY 2007 authorized	FY 2008		Change from	
		Request	Conferee recommendation	FY 2008 request	FY 2007 authorized
Army National Guard .....	350,000	351,300	351,300	0	1,300
Army Reserve .....	200,000	205,000	205,000	0	5,000
Navy Reserve .....	71,300	67,800	67,800	0	-3,500
Marine Corps Reserve .....	39,600	39,600	39,600	0	0
Air National Guard .....	107,000	106,700	106,700	0	-300
Air Force Reserve .....	74,900	67,500	67,500	0	-7,400
DOD Total .....	842,800	837,900	837,900	0	-4,900
Coast Guard Reserve .....	10,000	10,000	10,000	0	0

*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, 2008: the Army National Guard of the United States, 29,240; the Army Reserve, 15,870; the Navy Reserve, 11,579; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 13,944; and the Air Force Reserve, 2,721.

The Senate amendment contained a similar provision (sec. 412) that would authorize end strengths of 29,204 for the Army National Guard of the United States; 13,936 for the Air National Guard of the United States; and identical end strengths for the other services.

The House recedes.

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 2007 authorized	FY 2008		Change from	
		Request	Conferee recommendation	FY 2008 request	FY 2007 authorized
Army National Guard .....	27,441	29,204	29,204	0	1,763
Army Reserve .....	15,416	15,870	15,870	0	454
Navy Reserve .....	12,564	11,579	11,579	0	- 985
Marine Corps Reserve .....	2,261	2,261	2,261	0	0
Air National Guard .....	13,291	13,936	13,936	0	645
Air Force Reserve .....	2,707	2,721	2,721	0	14
DOD Total .....	73,680	75,571	75,571	0	1,891

*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, 2008: the Army Reserve, 8,249; the Army National Guard of the United States, 26,502; the Air Force Reserve, 9,909; the Air National Guard of the United States, 22,553.

The Senate amendment contained an identical provision (sec. 413).

The conference agreement includes this provision.

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

Service	FY 2007 authorized	FY 2008		Change from	
		Request	Conferee recommendation	FY 2008 request	FY 2007 authorized
Army Reserve .....	7,912	8,249	8,249	0	337
Army National Guard .....	26,050	26,502	26,502	0	452
Air Force Reserve .....	10,124	9,909	9,909	0	- 215
Air National Guard .....	23,255	22,553	22,553	0	- 702
DOD Total .....	67,341	67,213	67,213	0	- 128

*Fiscal year 2008 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, 2008.

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 2008 to provide operational support.

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

The conference agreement includes this provision.

*Future authorizations and accounting for certain reserve component personnel authorized to be on active duty or full-time National Guard duty to provide operational support (sec. 416)*

The House bill contained a provision (sec. 416) that would require the Secretary of Defense to review the long-term operational support missions performed by reserve component personnel under section 115(b) of title 10, United States Code, and to submit the results of that review to the congressional defense committees by March 1, 2008. The provision would also require that future budget justification materials provided to the Congress include data regarding the numbers of reservists projected to be on active-duty or full-time National Guard duty for operational support under section 115(b) and a summary of the missions they would be performing.

The Senate amendment contained no similar provision.

The Senate recesses.

*Revision of variances authorized for Selected Reserve end strengths (sec. 417)*

The House bill contained a provision (sec. 417) that would amend section 115(f)(3) of title 10, United States Code, to authorize the Secretary of Defense to vary the end strength for a fiscal year for the Selected Reserve of any of the reserve components by a number equal to not more than 3 percent of that end strength.

The Senate amendment contained a similar provision (sec. 416).

The Senate recesses.

### Subtitle C—Authorization of Appropriations

*Military personnel (sec. 421)*

The House bill contained a provision (sec. 421) that would provide an overall limit on the amounts authorized to be appropriated

for the military personnel accounts of the Department of Defense for fiscal year 2008.

The Senate amendment contained a similar provision (sec. 421).

The conference agreement includes this provision.

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

[Additions in millions of dollars]	
Increased military pay raise .....	308.6
Reimburse travel expenses for specialty care .....	1.0
Presumption of service-connected disabilities .....	17.0
Increased retiree health care costs .....	6.0
Increased accrual payments/increased retirements .....	2.0
Enhanced disability severance pay .....	30.0
Transitional assistance .....	5.0
Restore Navy medical personnel cut of 498 .....	45.8
Restore mil. to civ. medical conversions—Navy .....	45.5
Restore mil. to civ. medical conversions—Air Force .....	67.7
Control grade officers .....	75.0
Increase in monthly rate of Hardship Duty Pay .....	79.0
Travel allowance for inactive-duty training .....	108.0
Health Professional Scholarship accession bonus .....	15.0
Loan repayment for reserves .....	1.0
Accumulated leave carryover .....	5.0
Total .....	811.5

#### LEGISLATIVE PROVISION NOT ADOPTED

#### *Offsetting transfers from the National Defense Stockpile Transaction Fund*

The House bill contained a provision (sec. 423) that would require the Secretary of Defense to transfer funds from the National Defense Stockpile Transaction Fund.

The Senate amendment contained no similar provision.

The House recedes.

### TITLE V—MILITARY PERSONNEL POLICY

#### Subtitle A—Officer Personnel Policy

#### *Assignment of officers to designated positions of importance and responsibility (sec. 501)*

The House bill contained a provision (sec. 501) that would amend section 601(b) of title 10, United States Code, to authorize officers serving in the grades of lieutenant general or vice admiral and general or admiral to continue for up to 60 days to hold those grades following reassignment from positions authorized for those grades, unless sooner placed under orders to another position authorized for those grades.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

#### *Enhanced authority for reserve general and flag officers to serve on active duty (sec. 502)*

The Senate amendment contained a provision (sec. 508) that would amend section 526(d) of title 10, United States Code, to ex-

clude from the limitations on the number of general and flag officers on active duty certain reserve general and flag officers serving on active duty for not more than 365 days. The total number of these officers could not exceed 10 percent of the number of reserve component general and flag officers authorized to be in an active status under section 12004 of title 10, United States Code.

The House bill contained no similar provision.

The House recesses.

*Increase in years of commissioned service threshold for discharge of probationary officers and for use of force shaping authority (sec. 503)*

The House bill contained a provision (sec. 502) that would amend sections 630, 647, and 14503 of title 10, United States Code, to provide that the secretaries of the military departments, under regulations prescribed by the Secretary of Defense, may discharge active or reserve component officers who have less than 6 years of active commissioned service or service in an active-status as a commissioned officer. The provision would also authorize discharge or transfer to the reserve active-status list for force restructuring purposes of officers with less than 6 years of service.

The Senate amendment contained no similar provision.

The Senate recesses.

*Mandatory retirement age for active-duty general and flag officers continued on active duty (sec. 504)*

The Senate amendment contained a provision (sec. 504) that would amend section 637(b)(3) of title 10, United States Code, relating to deferral of retirement and continuation on active duty of regular flag and general officers to conform with recently enacted extended age limits for mandatory retirement of general and flag officers serving on active duty that were included in section 502 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364).

The House bill contained no similar provision.

The House recesses with a technical amendment.

*Authority for reduced mandatory service obligation for initial appointments of officers in critically short health professional specialties (sec. 505)*

The House bill contained a provision (sec. 531) that would amend section 651 of title 10, United States Code, to authorize the Secretary of Defense to reduce the 8-year minimum service obligation to 2 years for initial appointment of a commissioned officer in a critically short health professional specialty.

The Senate amendment contained a similar provision (sec. 505) that would provide that the minimum period of service under such a waiver would be the greater of 2 years or the period of obligated service associated with receipt of an accession bonus or special pay.

The House recesses with a clarifying amendment.

*Expansion of authority for reenlistment of officers in their former enlisted grade (sec. 506)*

The House bill contained a provision (sec. 532) that would amend sections 3258 and 8258 of title 10, United States Code, to authorize Regular Army and Air Force officers to reenlist in their former enlisted grade when separation as an officer is under honorable conditions and the officer is otherwise qualified for reenlistment.

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

The House recedes.

*Increase in authorized number of permanent professors at the United States Military Academy (sec. 507)*

The Senate amendment contained a provision (sec. 506) that would amend section 4331(b) of title 10, United States Code, to increase from 22 to 28 the authorized number of permanent professors at the United States Military Academy.

The House bill contained no similar provision.

The House recedes.

*Promotion of career military professors of the Navy (sec. 508)*

The House bill contained a provision (sec. 503) that would amend section 641 of title 10, United States Code, to authorize the promotion of an officer of the Navy or Marine Corps serving as a permanent professor at the Naval Academy in the grade of commander or lieutenant colonel to the grade of captain or colonel upon completion of 6 years of service as a permanent military professor or career military professor.

The Senate amendment contained a provision (sec. 509) that would amend chapter 603 of title 10, United States Code, to authorize promotion of career military professors of the Navy to the grade of captain or colonel not earlier than 3 years after selection as a permanent professor, pursuant to regulations prescribed by the Secretary of the Navy, which must include a competitive selection board process.

The House recedes with an amendment that would require the Secretary of Defense to conduct an assessment of the effectiveness of the promotion system established by this section and report the results of the assessment to the congressional defense committees no later than December 31, 2009, and that would require the Secretary of the Navy to submit a report regarding the need for any additional grade limitation exemptions by March 31, 2008.

Subtitle B—Reserve Component Management

*Retention of military technicians who lose dual status in the Selected Reserve due to combat-related disability (sec. 511)*

The House bill contained a provision (sec. 514) that would amend section 10216 of title 10, United States Code, to authorize: (1) a military technician (dual status) to continue employment as a military technician when the technician loses military status as a result of a combat-related disability; (2) the secretary concerned to waive temporarily the requirement that a military technician

maintain membership in the Selected Reserve to fill the position of a military technician (dual status) while that position is vacant as a result of the mobilization of the technician normally assigned to that position; and (3) the secretary concerned to defer mandatory separation of a military technician (dual status) until the technician attains eligibility for an unreduced annuity, but not beyond age 62.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize retention until age 60 of a military technician (dual status) as a military technician if the technician loses dual status as the result of a combat-related disability and is otherwise qualified for the position.

*Constructive service credit upon original appointment of reserve officers in certain health care professions (sec. 512)*

The House bill contained a provision (sec. 512) that would amend section 12207(b) of title 10, United States Code, to authorize the granting of sufficient constructive service credit to persons receiving original appointments as reserve officers in critically short health care professions to be appointed in the grade of captain, or in the Navy Reserve, lieutenant.

The Senate amendment contained no similar provision.

The Senate recedes.

*Mandatory separation of reserve officers in the grade of lieutenant general or vice admiral after completion of 38 years of commissioned service (sec. 513)*

The House bill contained a provision (sec. 511) that would amend section 14508 of title 10, United States Code, to require separation from active status of reserve component officers serving in the grades of lieutenant general or vice admiral 30 days after completion of 38 years of commissioned service.

The Senate amendment contained a similar provision (sec. 534) that would also require separation from active status of these officers on the fifth anniversary of the date of an officer's appointment in the grade of lieutenant general or vice admiral, whichever is later.

The Senate recedes with an amendment that would require separation from active status of these officers upon completion of 5 years of service in grade or 30 days after completion of 38 years of commissioned service, whichever is later.

*Maximum period of temporary federal recognition of person as Army National Guard officer or Air National Guard officer (sec. 514)*

The House bill contained a provision (sec. 513) that would amend section 308(a) of title 32, United States Code, to extend the period that members of the National Guard may be granted temporary federal recognition from 6 months to 1 year.

The Senate amendment contained a similar provision (sec. 535).

The Senate recedes with a technical amendment.

*Advance notice to members of reserve components of deployment in support of contingency operations (sec. 515)*

The House bill contained a provision (sec. 517) that would require a minimum of 30 days advance notice, with a goal of 90 days advance notice, to a member of a reserve component called or ordered to active duty for a period of more than 30 days in support of a contingency operation.

The Senate amendment contained no similar provision.

The Senate recesses with a clarifying amendment.

*Report on relief from professional licensure and certification requirements for reserve component members on long-term active duty (sec. 516)*

The Senate amendment contained a provision (sec. 536) that would amend sections 1819(b)(5) and 1919(b)(5) of the Social Security Act to allow certain National Guard and reserve nurse aides who are called to active duty extra time, beginning July 1, 2007 and ending on September 30, 2008, to complete training and competency evaluations required by law. In addition, the provision would require the Secretary of Defense to report on the need for legislation to provide for the exemption of professional or other licensure or certification requirements for National Guard and reserve members who are placed on active duty for an extended period of time.

The House bill contained no similar provision.

The House recesses with an amendment that would delete the authorization for additional time for certification as required by the Social Security Act. The amendment would require a study by the Comptroller General of the United States to: (1) identify the number and type of licensure or certification requirements that could be impacted by extended periods of active duty; and (2) determine means to provide relief from such requirements if necessary.

#### Subtitle C—Education and Training

*Revisions to authority to pay tuition for off-duty training or education (sec. 521)*

The House bill contained a provision (sec. 523) that would authorize the secretaries of the military services, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, to pay tuition and related expenses to certain members of the Ready Reserve.

The Senate amendment contained a similar provision (sec. 671).

The Senate recesses with a technical amendment.

*Reduction or elimination of service obligation in an Army Reserve or Army National Guard troop program unit for certain persons selected as medical students at Uniformed Services University of the Health Sciences (sec. 522)*

The House bill contained a provision (sec. 521) that would amend section 2107a(b) of title 10, United States Code, to authorize the Secretary of the Army to modify agreements entered into by cadets in the Reserve Officers' Training Scholarship Program who are

selected to be medical students at the Uniformed Services University of the Health Sciences or to participate in the Armed Forces Health Professions Scholarship and Financial Assistance program. Under this provision, the Secretary would be authorized to reduce or eliminate troop program unit service obligations and to establish, in lieu of that obligation, an active-duty service obligation upon a determination that it is in the best interests of the United States to modify the agreement and with the consent of the member involved.

The Senate amendment contained no similar provision.

The Senate recesses.

*Repeal of annual limit on number of ROTC scholarships under Army Reserve and Army National Guard financial assistance program (sec. 523)*

The House bill contained a provision (sec. 522) that would amend section 2107a(h) of title 10, United States Code, to increase from 416 to 424 the limit on the number of Reserve Officer Training Corps (ROTC) scholarships that may be awarded to cadets who agree to serve in the reserve components of the Army.

The Senate amendment contained a similar provision (sec. 557) that would amend section 2107a(h) of title 10, United States Code, to repeal the limit on the number of ROTC scholarships that may be awarded to cadets who agree to serve in the reserve components of the Army.

The House recesses.

*Treatment of prior active service of members in uniformed medical accession programs (sec. 524)*

The Senate amendment contained a provision (sec. 551) that would amend sections 2114(b) and 2121(c) of title 10, United States Code, to require that medical students at the Uniformed Services University of the Health Sciences and persons participating in the armed forces Health Professions Scholarship and Financial Assistance Programs who have prior commissioned service, serve, while on active duty, in pay grade O-1, or in pay grade O-2 if they meet specified promotion criteria prescribed by the service secretary. The provision would also amend section 2004a of title 10, United States Code, to impose the same limitations regarding the pay grade and service credit exclusion on officers on active duty with prior commissioned service who are detailed as students at medical schools under section 2004a.

The House bill contained no similar provision.

The House recesses with an amendment that would provide that medical students at the Uniformed Services University of the Health Sciences and persons participating in the armed forces Health Professions Scholarship and Financial Assistance Programs with prior active service would continue to receive basic pay based on their former grade and years of service if that pay would be greater than the rate of basic pay for regular officers in the grade of second lieutenant or ensign. The provision would also amend section 2004a of title 10, United States Code, to provide that any officer detailed under this section to attend medical school would be

required to revert to the grade of ensign or second lieutenant while receiving pay based on their prior grade or years of service.

*Repeal of post-2007–2008 academic year prohibition on phased increase in cadet strength limit at the United States Military Academy (sec. 525)*

The Senate amendment contained a provision (sec. 553) that would amend section 4342 of title 10, United States Code, to extend the authority of the Secretary of the Army to increase by up to 100 cadets per year the size of the Corps of Cadets at the United States Military Academy to a maximum of 4,400 cadets.

The House bill contained no similar provision.

The House recesses.

*National Defense University master's degree programs (sec. 526)*

The House bill contained a provision (sec. 524) that would amend section 2163 of title 10, United States Code, to authorize the President of the National Defense University to award a master of arts degree in strategic security studies to graduates of the School for National Security Executive Education.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

*Authority of the Air University to confer degree of master of science in flight test engineering (sec. 527)*

The Senate amendment contained a provision (sec. 555) that would amend section 9317(a) of title 10, United States Code, to authorize the commander of the Air University to confer the degree of doctor of philosophy in strategic studies upon graduates of the School of Advanced Airpower Studies; the degree of master of air, space, and cyberspace studies upon graduates of Air University; and the degree of master of flight test engineering science upon graduates of the Air Force Test Pilot School.

The House bill contained no similar provision.

The House recesses with an amendment that would authorize the commander of the Air University to confer the degree of master of science in flight test engineering upon graduates of the Air Force Test Pilot School.

*Enhancement of education benefits for certain members of reserve components (sec. 528)*

The Senate amendment contained a provision (sec. 674) that would authorize an accelerated payment program for the educational benefits in chapters 1606 and 1607 of title 10, United States Code. The provision would also expand the eligibility criteria for attaining the maximum benefit for the education benefit under chapter 1607 of title 10, United States Code to 3 cumulative years of active service. Finally, the provision would create a buy-up program for service members eligible for the education benefit under chapter 1607 of title 10, United States Code.

The House bill contained no similar provision.

The House recesses with a technical amendment.

*Extension of period of entitlement to educational assistance for certain members of the Selected Reserve affected by force shaping initiatives (sec. 529)*

The Senate amendment contained a provision (sec. 675) that would eliminate the service requirement for continued eligibility for education benefits under chapter 1606 of title 10, United States Code, for service members who have been affected by base realignment and closure or other force shaping initiatives.

The House bill contained no similar provision.  
The House recesses.

*Time limit for use of educational assistance benefit for certain members of reserve components and resumption of benefit (sec. 530)*

The House bill contained a provision (sec. 530) that would express the sense of Congress that the time limitation for use of education benefits under chapter 1607 of title 10, United States Code, should be extended to allow an individual entitled to such benefits to use those benefits for 10 years following separation from a reserve component.

The Senate amendment contained a similar provision (sec. 676) that would authorize a service member entitled to education benefits under chapter 1607 of title 10, United States Code, to use those benefits for 10 years after separation from a reserve component.

The House recesses with an amendment that would allow service members separated from a reserve component, who prior to separation were eligible for benefits under chapter 1607 of title 10, United States Code, to reclaim eligibility for those benefits upon rejoining a reserve component and to use those benefits for 10 years following any subsequent separation.

*Secretary of Defense evaluation of the adequacy of the degree-granting authorities of certain military universities and educational institutions (sec. 531)*

The House bill contained a provision (sec. 526) that would require the Secretary of Defense to evaluate the degree-granting authorities of certain military universities and educational institutions to assess whether the current process remains adequate, appropriate, and responsive to meet emerging military service education requirements. The Secretary would be required to submit a report on the evaluation to the Committees on Armed Services of the Senate and the House of Representatives no later than April 1, 2008.

The Senate amendment contained no similar provision.  
The Senate recesses.

The conferees direct the Secretary of Defense, as part of the evaluation and report required under this section, to thoroughly review various proposals by the United States Air Force for expanded authority for the Commander of the Air University to grant degrees to attendees of the schools of the Air University. These proposals include, among others, authority to allow the Commander of the Air University to grant bachelor's and master's of arts degrees, and the degree of doctor of philosophy in strategic studies. The conferees believe that these Air Force initiatives raise important questions about the role of the services in providing advanced education

and that the Department must be more proactive in providing timely guidance and coordination in this key area affecting retention and career progression for both officer and enlisted personnel. The Secretary should provide an assessment of these proposals and recommendations for legislation, if required.

*Report on success of Army National Guard and Reserve Senior Reserve Officers' Training Corps financial assistance program (sec. 532)*

The House bill contained a provision (sec. 529) that would require the Secretary of Defense to ensure that Senior Reserve Officer's Training Corps (SROTC) scholarships are available to students attending historically Black colleges and universities, minority institutions, and Hispanic-serving institutions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of the Army to submit a report to the Committees on Armed Services of the Senate and House of Representatives on the success of the financial assistance program of the SROTC in securing the appointment of second lieutenants in the Army Reserve and the Army National Guard. The report would include detailed information on the appointment of cadets enrolled in historically Black colleges or universities, minority institutions, and Hispanic-serving institutions and address efforts to increase awareness of the availability and advantages of appointment in the SROTC at these institutions and to increase the number of cadets at these institutions.

The conferees encourage the Secretary of the Army to expand the Army's outreach program to students attending historically Black colleges or universities, minority institutions, and Hispanic-serving institutions, and to ensure that SROTC scholarships are available to qualified students at these institutions.

*Report on utilization of tuition assistance by members of the armed forces (sec. 533)*

The Senate amendment contained a provision (sec. 673) that would require the secretary of each of the military departments to submit to the congressional defense committees by April 1, 2008 a report on the utilization of tuition assistance by members of the armed forces, both in the regular and reserve components, during fiscal year 2007.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Navy Junior Reserve Officers' Training Corps unit for Southold, Mattituck, and Greenport High Schools (sec. 534)*

The House bill contained a provision (sec. 527) that would authorize the Southold, Mattituck, and Greenport High Schools, located in Southold, New York, to be treated as a single institution for the purposes of maintaining a Navy Junior Reserve Officers' Training Corps unit.

The Senate amendment contained a similar provision (sec. 554).

The Senate recedes with a technical amendment.

*Report on transfer of administration of certain educational assistance programs for members of the reserve components (sec. 535)*

The House bill contained a provision (sec. 525) that would recodify the reserve educational assistance programs in chapters 1606 and 1607 of title 10, United States Code, from title 10 to title 38, United States Code, and transfer administration of those programs to the Department of Veterans Affairs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense, in cooperation with the Secretary of Veterans Affairs, to submit to the congressional defense and veterans affairs committees a report on the feasibility and merits of transferring the administration of the educational assistance programs for members of the reserve components contained in chapters 1606 and 1607 of title 10, United States Code, from the Department of Defense to the Department of Veterans Affairs, no later than September 1, 2008. The provision would further require both the Defense Business Board, in cooperation with the Reserve Forces Policy Board, and the Veterans Affairs Advisory Committee on Education to review the report, and provide their independent reviews. The provision would also require the Comptroller General of the United States to assess the study and to report to the congressional defense and veterans affairs committees the results of that assessment by November 1, 2008.

Subtitle D—Military Justice and Legal Assistance Matters

*Authority to designate civilian employees of the Federal Government and dependents of deceased members as eligible for legal assistance from Department of Defense legal staff resources (sec. 541)*

The House bill contained a provision (sec. 541) that would amend section 1044(a) of title 10, United States Code, to authorize the provision of legal assistance to certain civilian employees of the Federal Government serving with, or preparing to serve with, an armed force in support of a contingency operation.

The Senate amendment contained a similar provision (sec. 572) that would clarify the authority of the service secretaries to provide legal assistance to civilian employees of the Department of Defense in locations where legal assistance from non-military legal assistance providers is not reasonably available.

The Senate recedes with an amendment that would authorize the provision of legal assistance to survivors of deceased members or former members who were dependents of the member or former member at the time of the member's death and to civilian employees of the Federal Government serving in locations where legal assistance from non-military legal assistance providers is not reasonably available.

*Authority of judges of the United States Court of Appeals for the Armed Forces to administer oaths (sec. 542)*

The Senate amendment contained a provision (sec. 571) that would amend section 936 of title 10, United States Code, to authorize judges of the United States Court of Appeals for the Armed Forces to administer oaths.

The House bill contained no similar provision.  
The House recedes with a technical amendment.

*Modification of authorities on senior members of the Judge Advocate Generals' Corps (sec. 543)*

The Senate amendment contained a provision (sec. 573) that would require that the Judge Advocates General of the Army, Navy, and Air Force serve in the grade of lieutenant general or vice admiral, and would exclude them from the authorized number of officers serving in grades above major general or rear admiral. The provision would also authorize the position of Legal Counsel to the Chairman of the Joint Chiefs of Staff, and would require that the officer appointed to this position serve in the grade of brigadier general or rear admiral (lower half) and be recommended by a board of officers convened by the Secretary of Defense.

The House bill contained no similar amendment.

The House recedes with an amendment that would amend section 525(b) of title 10, United States Code, to increase from 15.7 to 16.3 the percentage of general officers or admirals in a military service that may be appointed above the grade of major general or rear admiral. The House amendment would also require the Secretary of Defense to develop a strategic plan linking the missions and requirements of the Department of Defense for general and flag officers to the statutory limits on the numbers of general and flag officers, and current assignment, promotion, and joint officer development policies for general and flag officers.

*Prohibition against members of the armed forces participating in criminal street gangs (sec. 544)*

The House bill contained a provision (sec. 579) that would require the Secretary of Defense to revise Department of Defense Directive 1325.6 to include membership in a criminal street gang among the list of prohibited activities by members of the armed forces.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to prescribe regulations to prohibit the active participation by members of the armed forces in a criminal street gang.

Subtitle E—Military Leave

*Temporary enhancement of carryover of accumulated leave for members of the armed forces (sec. 551)*

The Senate amendment contained a provision (sec. 591) that would increase for all service members the number of days of accumulated leave they may carry over from 1 fiscal year to the next from 60 to 90 days. The provision would also increase by 1 year the length of time available to use leave accumulated under the special leave accrual provisions of section 701(f) of title 10, United States Code. Finally, the provision would amend section 501(b) of title 37, United States Code, to authorize enlisted service members who have accumulated more than 120 days of leave under section 701(f)

of title 10, United States Code, to sell back, on a one-time basis, up to 30 days of such leave in excess of 120 days.

The House bill contained no similar provision.

The House recedes with an amendment that would reduce the enhanced leave carryover provision from 90 to 75 days, and would terminate this authority after December 31, 2010.

*Enhancement of rest and recuperation leave (sec. 552)*

The Senate amendment contained a provision (sec. 594) that would authorize an additional 5 days of rest and recuperation leave under section 705(b) of title 10, United States Code, for certain service members whose overseas tours of duty last longer than 12 months.

The House bill contained no similar provision.

The House recedes.

Subtitle F—Decorations and Awards

*Authorization and request for award of Medal of Honor to Leslie H. Sabo, Jr., for acts of valor during the Vietnam War (sec. 561)*

The House bill contained a provision (sec. 551) that would authorize the President to award the Medal of Honor to Leslie H. Sabo, Jr., who served in the U.S. Army during the Vietnam War.

The Senate amendment contained a similar provision (sec. 593(c)).

The Senate recedes.

*Authorization and request for award of Medal of Honor to Henry Svehla for acts of valor during the Korean War (sec. 562)*

The House bill contained a provision (sec. 552) that would authorize the President to award the Medal of Honor to Henry Svehla who served in the U.S. Army during the Korean War.

The Senate amendment contained a similar provision (sec. 593(e)).

The Senate recedes.

*Authorization and request for award of Medal of Honor to Woodrow W. Keeble for acts of valor during the Korean War (sec. 563)*

The House bill contained a provision (sec. 553) that would authorize the President to award the Medal of Honor to Woodrow W. Keeble who served in the U.S. Army during the Korean War.

The Senate amendment contained a similar provision (sec. 593(b)).

The Senate recedes.

*Authorization and request for award of Medal of Honor to Private Philip G. Shadrach for acts of valor as one of Andrews' Raiders during the Civil War (sec. 564)*

The House bill contained a provision (sec. 554) that would authorize the President to award the Medal of Honor to Private Philip G. Shadrach, who served in the U.S. Army during the Civil War.

The Senate amendment contained a similar provision (sec. 593(d)).

The Senate recedes with a technical amendment.

*Authorization and request for award of Medal of Honor to Private George D. Wilson for acts of valor as one of Andrews' Raiders during the Civil War (sec. 565)*

The House bill contained a provision (sec. 555) that would authorize the President to award the Medal of Honor to Private George D. Wilson, who served in the U.S. Army during the Civil War.

The Senate amendment contained a similar provision (sec. 593(f)).

The Senate recedes with a technical amendment.

Subtitle G—Impact Aid and Defense Dependents Education System

*Continuation of authority to assist local educational agencies that benefit dependents of members of the armed forces and Department of Defense civilian employees (sec. 571)*

The House bill contained a provision (sec. 562) that would authorize \$50.0 million for continuation of the Department of Defense (DOD) assistance program to local agencies that are impacted by enrollment of dependent children of military members and civilian employees of the Department of Defense. This provision would also authorize \$15.0 million for assistance to local educational agencies with significant changes in enrollment of military and civilian school-aged dependent children due to base closures, force structure changes, or force relocations.

The Senate amendment contained a similar provision (sec. 561) that would authorize \$35.0 million and \$10.0 million for each assistance program, respectively.

The Senate recedes with an amendment that would authorize \$30.0 million for continuation of assistance to agencies impacted by enrollment of DOD military and civilian employee dependents, and \$10.0 million for assistance to agencies with significant changes in enrollment of children due to base closures, force structure changes, or force relocations.

*Impact aid for children with severe disabilities (sec. 572)*

The Senate amendment contained a provision (sec. 562) that would authorize \$5.0 million for impact aid payments for children with disabilities for continuation of the Department of Defense's assistance to local educational agencies that benefit dependents with severe disabilities.

The House bill contained no similar provision.

The House recedes.

*Inclusion of dependents of non-Department of Defense employees employed on Federal property in plan relating to force structure changes, relocation of military units, or base closures and realignments (sec. 573)*

The Senate amendment contained a provision (sec. 563) that would amend section 574(e)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) to include dependents of personnel who work on federal property but are not members of the armed forces or civilian employees of the Department of Defense in the plan and annual reports required

to identify and assist local educational agencies experiencing growth in enrollment due to force structure changes, relocation of military units, or base closure and realignments. The provision would make the definition of “military dependent students” consistent with the definition used for purposes of computation of payments under the Federal Impact Aid program authorized in section 7703 of title 20, United States Code.

The House bill contained no similar provision.

The House recesses.

*Payment of private boarding school tuition for military dependents in overseas areas not served by Defense Dependents' Education System schools (sec. 574)*

The House bill contained a provision (sec. 561) that would amend section 1407(b)(1) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926(b)(1)) to authorize the Secretary of Defense to pay tuition for attendance at private boarding schools in the United States for military dependents in overseas areas not served by Department of Defense schools.

The Senate amendment contained a similar provision (sec. 564).

The House recesses with a clarifying amendment.

Subtitle H—Military Families

*Department of Defense Military Family Readiness Council and policy and plans for military family readiness (sec. 581)*

The Senate amendment contained a provision (sec. 581) that would amend chapter 88 of title 10, United States Code, to establish a Department of Defense Military Family Readiness Council to review and make recommendations on Department of Defense policy requirements for the support of military family readiness; to monitor requirements for the support of military family readiness; and to evaluate and assess the effectiveness of military family readiness programs and activities of the Department of Defense.

The Senate amendment contained another provision (sec. 582) that would amend chapter 88 of title 10, United States Code, to require the Secretary of Defense to develop a policy and plans for the support of military family readiness.

The House bill contained no similar provisions.

The House recesses with a clarifying amendment that would combine the Senate provisions and include the senior enlisted advisors of the Army, Navy, Marine Corps, and Air Force, or the spouse of a senior enlisted member from each service as a member of the Department of Defense Military Family Readiness Council.

The conferees expect the council to meet not less often than twice each year, and that not more than one of these meetings will be in the National Capitol Region.

*Yellow Ribbon Reintegration Program (sec. 582)*

The House bill contained a provision (sec. 515) that would establish a Department of Defense working group to identify and assess the reintegration needs of members of the reserve components who return from overseas operational deployment.

The House bill also contained a provision (sec. 516) that would require the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, to establish a national combat veteran reintegration program, to be known as the Yellow Ribbon Reintegration Program, to provide National Guard members and their families with sufficient information, services, referral, and proactive approach opportunities throughout the entire deployment cycle. The provision would designate the National Guard Bureau as the executive agent for this program, and would require establishment of a Center of Excellence for Reintegration Programs, appointment of an Advisory Board, and employment of personnel to implement the Yellow Ribbon program at the State level.

The Senate amendment contained a similar provision (sec. 683) that would require a Yellow Ribbon Reintegration Program to serve both National Guard and reserve members and their families, and would designate the Office of the Secretary of Defense for Personnel and Readiness as the executive agent.

The Senate amendment also contained a provision (sec. 587) that would require the Secretary of Defense to carry out a pilot program, to be known as the National Military Family Readiness and Servicemember Reintegration Outreach Program, to assess the feasibility and advisability of providing assistance and support to the Adjutant General of a State or territory for the purpose of creating comprehensive soldier and family preparedness and reintegration outreach programs.

The House recedes with an amendment that would authorize the Secretary to create State Deployment Cycle Support Teams to administer the Yellow Ribbon Reintegration Program at the State level and would authorize outreach programs to educate service members and their families about the Yellow Ribbon Reintegration Program.

The conferees acknowledge that the reserve component has changed from a strategic reserve to an operational reserve, fully engaged in the global war on terror, and that reserve component members face challenges that are inherently different from their counterparts in the active component. One such challenge is reintegration to civilian life. The Department of Defense has recognized the need for programs that address similar challenges for service members in active components returning from combat and has instituted such programs.

The conference outcome will ensure that members of the reserve components returning to their hometowns following demobilization have access to improved services and resources that allow them to successfully reintegrate back into society.

*Study to enhance and improve support services and programs for families of members of regular and reserve components undergoing deployment (sec. 583)*

The House bill contained a series of provisions that would address support to families of deployed service members:

The House bill contained a provision (sec. 580) that would require the Secretary of Defense to carry out a study to evaluate the feasibility and advisability of establishing a pilot program on fam-

ily-to-family support for families of members of the National Guard and reserves undergoing deployment.

The House bill contained a provision (sec. 581) that would require the Secretary of Defense to conduct a study to evaluate the feasibility and advisability of contracting with a private sector entity with expertise in the health and well-being of families and children, infants, and toddlers to enhance and develop support services for children of members of the National Guard and reserve who are deployed.

The House bill contained a provision (sec. 1034) that would require the Secretary of Defense to submit a report to Congress no later than 180 days after enactment of this Act regarding the impact on military family members of multiple deployments as part of Operation Iraqi Freedom and Operation Enduring Freedom.

The Senate amendment also contained a series of provisions that would address support to families of deployed military personnel:

The Senate amendment contained a provision (sec. 583) that would require the Secretary of Defense to enhance and improve current programs of the Department of Defense to provide family support for families of deployed members of the armed forces, including deployed members of the National Guard and reserve, before, during, and after their deployment cycle.

The Senate amendment contained a provision (sec. 584) that would require the Secretary of Defense to provide information to parents and other caretakers of children, including infants and toddlers, to assist the parents and caretakers in responding to the adverse implications of the deployment of a service member, including the death or injury of the service member, and to develop programs and activities to increase awareness in military and civilian communities of the adverse implications of deployment of service members.

The Senate amendment contained a provision (sec. 585) that would require the Secretary of Defense to conduct a study to evaluate the feasibility and advisability of contracting with a private sector entity with expertise in the health and well-being of families and children, infants, and toddlers to enhance and develop support services for children of deployed members of the active and reserve components.

The Senate amendment contained a provision (sec. 586) that would require the Secretary of Defense to carry out a study to evaluate the feasibility and advisability of establishing a pilot program on family-to-family support for families of deployed members of the active and reserve components.

The Senate recedes with an amendment that would combine the House and Senate provisions to require a study to determine the most effective means to enhance and improve family support programs for families of the regular and reserve components of the armed forces before, during, and after deployment.

In a separate provision contained elsewhere in this conference report, the conferees would require the establishment of a national combat veteran reintegration program, to be known as the Yellow Ribbon Reintegration Program, to provide families of deployed

service members with information, services, referrals, and proactive outreach throughout the entire deployment cycle.

The conferees are concerned about the adequacy of support available to families of deployed service members, particularly the support available to families of National Guard and reserve personnel who are not located in the vicinity of a military installation with extensive family support programs. The conferees strongly encourage the Secretary of Defense to expeditiously implement and improve programs that will enhance the support available to these families.

*Protection of child custody arrangements for parents who are members of the armed forces deployed in support of a contingency operation (sec. 584)*

The House bill contained a provision (sec. 577) that would amend title II of the Servicemembers Civil Relief Act (SCRA) (50 U.S.C. App. 521 et seq.) to limit the authority of a court to modify or amend a previous order or judgment regarding custody of a child of a service member while the service member is deployed in support of a contingency operation. The provision would also bar courts from considering the absence of the service member by reason of deployment in determining the best interests of a child.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify sections 201 and 202 of the SCRA to clarify that the act applies to child custody proceedings.

The conferees recognize that service members who have been awarded custody of minor children but who are required to deploy or be absent from their children as a result of their military duties are vulnerable to litigation initiated by non-custodial parents. The procedural protections of the SCRA apply in child custody cases and, in most cases, should prevent adverse judgments until members can be present to defend their interests. The modifications to the SCRA included in this provision underscore the importance of SCRA protections in child custody cases. While the facts in child custody disputes are central to determinations of the best interests of minor children, the conferees would urge judges who must decide such cases not to consider the mere absence of a service member who is performing military duty to constitute the sole or even a major factor in a court's determination about what is in the best interests of a child.

*Family leave in connection with injured members of the Armed Forces (sec. 585)*

The House bill contained a provision (sec. 675) that would amend the Family and Medical Leave Act (FMLA) of 1993 (29 U.S.C. 2611) to provide leave to an eligible employee in the case of any qualifying exigency, as determined in regulation by the Secretary of Labor, arising from the fact that the spouse, child, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.

The Senate amendment contained a provision (sec. 1093) that would authorize the Office of Personnel Management to establish

a program under which federal civilian employees designated as caregivers could use leave for the purpose of caring for a family member of a member of the armed forces serving on active duty in support of a contingency operation. The provision would authorize the Secretary of Labor to establish a similar voluntary private sector leave program.

The Senate recedes with an amendment that would also extend the FMLA to provide leave to eligible employees, including federal civilian employees, who are the spouse, son, daughter, parent, or next of kin of a seriously injured service member, in order to care for the service member. The amendment would also extend the amount of leave time available for caregivers of seriously injured service members from 12 workweeks to 26 workweeks.

The conferees note that this extension of the FMLA to cover caregivers of injured service members conforms with the recommendation made by The President's Commission on Care for America's Returning Wounded Warriors to allow up to 26 workweeks of leave to an eligible family member of a service member who has a combat-related injury.

*Family care plans and deferment of deployment of single parent or dual military couples with minor dependents (sec. 586)*

The House bill contained a provision (sec. 578) that would authorize a service member to request deferment from deployment to an area for which imminent danger pay is authorized if the member has minor dependents and a spouse who is a service member deployed to an area for which imminent danger pay is authorized.

The Senate amendment contained a provision (sec. 1072) that would express the sense of Congress that single parents who are members of the armed forces with minor dependents, and dual-military couples with minor dependents, should develop and maintain effective family care plans, and that the Secretary of Defense should establish procedures to ensure that if a single parent and both spouses in a dual-military couple are required to deploy to an area for which imminent danger pay is authorized, requests for deferment from deployment due to unforeseen circumstances are rapidly evaluated and that appropriate steps are taken to ensure adequate care for minor dependents.

The House recedes with an amendment that would require the Secretary of Defense to establish appropriate procedures to ensure that an adequate family care plan is in place for a member of the armed forces with minor dependents who is a single parent or whose spouse is also a member of the armed forces when the member may be deployed in an area for which imminent danger pay is authorized. The procedures should allow the member to request a deferment of deployment due to unforeseen circumstances, and the request should be considered and responded to promptly.

*Education and treatment services for military dependent children with autism (sec. 587)*

The Senate amendment contained a provision (sec. 595) that would require the Secretary of Defense to conduct one or more demonstration projects to evaluate improved approaches to the provision of education and treatment services to military dependent

children with autism. The amendment would also require the assignment of case managers for both medical and educational services and the voluntary development of individualized autism services plans.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to conduct a comprehensive assessment of the availability of federal, State, and local education and treatment services on and in the vicinity of certain military installations for children of service members who are diagnosed with autism. The amendment would also require the service secretaries to ensure that, whenever practicable, eligible members are assigned only in geographic areas with educational services and facilities available on or in the vicinity of the military installation that provide special education and related services consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.). The amendment would authorize one or more demonstration projects to evaluate the provision of educational services and treatment services to eligible dependents.

*Commendation of efforts of Project Compassion in paying tribute to members of the armed forces who have fallen in the service of the United States (sec. 588)*

The Senate amendment contained a provision (sec. 1077) that would express the sense of the Senate commending Kaziah M. Hancock, other Project Compassion volunteer professional portrait artists, and the entire Project Compassion organization for their tireless work in paying tribute to members of the armed forces who have fallen in the service of the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would express a sense of Congress that the people of the United States owe the deepest gratitude to Kaziah M. Hancock and the members of Project Compassion.

#### Subtitle I—Other Matters

*Uniform performance policies for military bands and other musical units (sec. 590)*

The House bill contained a provision (sec. 572) that would amend chapter 49 of title 10, United States Code, to provide uniform policy for Department of Defense bands and musical units regarding when public performances are permitted, the conditions under which band members may perform in their personal capacities, and recording of music for distribution to the public.

The Senate amendment contained a similar provision (sec. 592).

The Senate recedes with a clarifying amendment.

*Transportation of remains of deceased members of the armed forces and certain other persons (sec. 591)*

The House bill contained a provision (sec. 1454) that would require the secretaries of the military services to provide for the delivery of the remains of deceased service members 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, to the commercial, general aviation, or military airport, when air transportation is utilized, nearest to the place selected by the person designated to direct the disposition of the remains.

The Senate amendment contained a similar provision (sec. 657).

The Senate recesses.

*Expansion of number of academies supportable in any State under STARBASE program (sec. 592)*

The House bill contained a provision (sec. 573) that would amend section 2193b of title 10, United States Code, to repeal the limitation on the number of STARBASE academies in each State.

The Senate amendment contained a provision (sec. 552) that would increase from two to four the maximum number of STARBASE academies in a State that could be supported with Department of Defense funds.

The House recesses with a technical amendment.

*Gift acceptance authority (sec. 593)*

The House bill contained a provision (sec. 571) that would amend section 2601(b)(4) of title 10, United States Code, to extend from December 31, 2007 to December 31, 2010, the authority for the Secretary of Defense to accept gifts for the benefit of members of the armed forces, civilian employees of the Department of Defense (DOD), and dependents of such members or employees.

The Senate amendment contained a similar provision (sec. 1025) that would make this gift acceptance authority permanent and require the Secretary of Defense to prescribe regulations prohibiting the solicitation of any gift by any DOD employee if the nature or circumstances of the solicitation would compromise the integrity or the appearance of integrity of any DOD program or official.

The House recesses.

*Conduct by members of the Armed Forces and veterans out of uniform during hoisting, lowering, or passing of United States flag (sec. 594)*

The Senate amendment contained a provision (sec. 1073) that would amend section 9 of title 4, United States Code, to authorize members of the armed forces and veterans not wearing a uniform to render a salute during the ceremony of hoisting or lowering the flag, or when the flag is passing in a parade or in review.

The House bill contained no similar provision.

The House recesses with a technical amendment.

*Annual report on cases reviewed by National Committee for Employer Support of the Guard and Reserve (sec. 595)*

The Senate amendment contained a provision (sec. 1044) that would amend section 4332 of title 38, United States Code, to require the Secretary of Veterans Affairs to include in an annual report to Congress the number of cases regarding veterans' employ-

ment or reemployment rights reviewed by the Secretary of Defense under the National Committee for Employer Support of the Guard and Reserve of the Department of Defense during the fiscal year for which the report is made.

The House bill contained no similar provision.

The House recesses.

*Modification of Certificate of Release or Discharge from Active Duty (DD Form 214) (sec. 596)*

The Senate amendment contained a provision (sec. 596) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to permit a service member, upon discharge or release from active duty, to elect that the DD 214 be forwarded to the Central Office of the Department of Veterans Affairs or to the appropriate office of the Department of Veterans Affairs for the State or locality where the member will reside.

The House bill contained no similar provision.

The House recesses with a technical amendment.

The conferees direct the Secretary of Defense to assess the feasibility of issuing the DD Form 214 containing only the last four digits of a service member's Social Security account number. If the Secretary determines that it is feasible, the Secretary should also determine a timeline for implementing such a change. The Secretary should submit a report of the assessment to the Committees on Armed Services of the Senate and the House of Representatives no later than 180 days after the date of enactment of this Act.

*Reports on administrative separations of members of the Armed Forces for personality disorder (sec. 597)*

The Senate amendment contained a provision (sec. 597) that would require the Secretary of Defense to report to the congressional defense committees by April 1, 2008 on all cases of administrative separation from the armed forces of any service member who had served in Iraq or Afghanistan since October 2001 for personality disorder. Additionally, the provision would prohibit the administrative separation of any such service member until such time as the Secretary of Defense submits that report, unless a clinical review is first conducted in the office of the surgeon general of the military department concerned. The provision would also require the Comptroller General of the United States to report to the congressional defense committees by June 1, 2008 on the policies and procedures of the Department of Defense and the military departments relating to the separation of members of the armed forces for personality disorder.

The House bill contained no similar provision.

The House recesses with an amendment that would eliminate the prohibition against administrative separation for personality disorder without a review, but would retain the reports required of the Secretary of Defense and the Comptroller General.

*Program to commemorate 50th anniversary of the Vietnam War  
(sec. 598)*

The House bill included a provision (sec. 576) that would require the Secretary of Defense to conduct a program to commemorate the 50th anniversary of the Vietnam War and to coordinate and support programs of the federal, State, and local governments, and the activities of other persons and organizations, for this purpose. This provision would authorize the establishment of a fund to be administered by the Secretary of Defense and would authorize \$3.0 million to be appropriated for deposit in the fund in fiscal year 2008. The provision would also authorize acceptance of voluntary services in support of commemoration activities and direct the program to continue through 2025 with the Secretary determining the schedule of events and priority of efforts for the duration of the program.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would authorize the Secretary to carry out such a program and to determine the duration of the commemoration, and would authorize \$1.0 million for program planning and activities. The amendment would omit provisions relating to protections to be afforded to volunteers pending further study, planning, and evaluation of the appropriate functions to be performed by volunteers and the conditions under which their services would be accepted.

*Recognition of members of the Monuments, Fine Arts, and Archives program of the Civil Affairs and Military Government Sections of the Armed Forces during and following World War II (sec. 599)*

The House bill contained a provision (sec. 575) that would recognize the men and women who served in the Monuments, Fine Arts, and Archives program under the Civil Affairs and Military Government sections of the United States armed forces for their role in the preservation, protection, and restitution of monuments, works of art, and other artifacts of cultural importance in Europe and Asia during and following World War II.

The Senate amendment contained no similar provision.

The Senate recesses.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Cold War Victory Medal*

The House bill contained a provision (sec. 556) that would require the service secretaries to issue a Cold War Victory Medal to former service members who served during the Cold War.

The Senate amendment contained no similar provision.

The House recesses.

*Combat veterans mentoring program for current members of the Armed Forces*

The House bill contained a provision (sec. 574) that would require the Secretary of Defense to establish a program that would provide combat veterans the opportunity to meet and mentor cur-

rent members of the Armed Forces before, during, and after deployments.

The Senate amendment contained no similar provision.  
The House recesses.

*Emergency assistance for local educational agencies enrolling military dependent children*

The Senate amendment contained a provision (sec. 566) that would authorize the Secretary of Defense to provide assistance to eligible local educational agencies for the additional education, counseling, and other needs of military dependent children who are affected by war-related action.

The House bill contained no similar provision.  
The Senate recesses.

*Establishment of Combat Medevac Badge*

The House bill contained a provision (sec. 557) that would amend chapter 537 of title 10, United States Code, to require the service secretaries to issue a badge to be known as the Combat Medevac Badge to service members who served in combat after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meet the requirements for the award of that badge, as prescribed by the secretary concerned.

The Senate amendment contained no similar provision.  
The House recesses.

*Expansion of exclusion of military permanent professors from strength limitations for officers below general and flag grades*

The Senate amendment contained a provision (sec. 503) that would amend section 523(b) of title 10, United States Code, to increase from 50 to 85 the number of permanent professors for each of the United States Military Academy, the United States Air Force Academy and professors of the United States Navy who are career military professors who may be excluded from the authorized number of commissioned officers who may be serving on active duty in that grade.

The House bill contained no similar provision.  
The Senate recesses.

*Heavily impacted local educational agencies*

The Senate amendment contained a provision (sec. 565) that would require the Secretary of Education to deem each local educational agency that was eligible to receive a fiscal year 2007 basic support payment for heavily impacted local educational agencies under section 8003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) as eligible to receive a basic support payment for heavily impacted local educational agencies for the fiscal year for which the determination is made.

The House bill contained no similar provision.  
The Senate recesses.

*Navy Senior Reserve Officers' Training Corps program at University of Miami, Coral Gables, Florida*

The House bill contained a provision (sec. 528) that would authorize the Secretary of the Navy to establish and maintain a Navy Senior Officers' Training Corps program at the University of Miami, Coral Gables, Florida.

The Senate amendment contained no similar provision.

The House recedes.

*Prohibition on the unauthorized use of names and images of members of the Armed Forces*

The House bill contained a provision (sec. 582) that would, except when authorized by an individual or the individual's survivor, prohibit the knowing use of the name or picture of a current or former service member in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to connect the protected individual with that individual's service in the armed forces.

The Senate amendment contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense to conduct a study on the issue of protecting the use of names and images of current and former members of the armed services, both living and deceased. This study should include an analysis of the legal issues related to the limitations placed on the use of the names and images of these current and former military personnel by non-U.S. Government entities. This study should specifically address the use of these names and images on commercial products and merchandise as well as the privacy rights of the service members and their family and next of kin in association with this use. The study should also include options and recommendations for protecting service members' names and images. The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of this study not later than 90 days after the enactment of this Act. In addition, the conferees have asked the Congressional Research Service to do a similar study in order to obtain multiple legal viewpoints on this important topic.

It is the sense of the conferees that the commercial use of names and images of deceased service members should be treated with respect and dignity, and that individuals should take into account the feelings of the family and next-of-kin of those service members when using their names and images, especially if the family members have requested that their son or daughter's name and/or image not be used.

## TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

### Subtitle A—Pay and Allowances

#### *Fiscal year 2008 increase in military basic pay (sec. 601)*

The House bill contained a provision (sec. 601) that would authorize a pay raise for the members of the uniformed services of 3.5 percent effective on January 1, 2008. This across-the-board pay raise is 0.5 percent above the budget request.

The Senate amendment contained a similar provision (sec. 601).

The House recedes.

#### *Basic allowance for housing for reserve component members without dependents who attend accession training while maintaining a primary residence (sec. 602)*

The House bill contained a provision (sec. 602) that would authorize unmarried reserve component members without dependents to receive basic allowance for housing while attending initial training following accession, provided that the member maintains a permanent residence.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

#### *Extension and enhancement of authority for temporary lodging expenses for members of the armed forces in areas subject to major disaster declaration or for installations experiencing sudden increase in personnel levels (sec. 603)*

The Senate amendment contained a provision (sec. 605) that would increase from 20 to 60 the maximum number of days the secretary of a military department may pay temporary lodging expenses associated with changes of permanent station involving installations located in an area subject to a declaration of major disaster or experiencing a sudden increase in personnel moving to or from that installation.

The House bill contained no similar provision.

The House recedes with a technical amendment.

#### *Income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service (sec. 604)*

The House bill contained a provision (sec. 603) that would clarify the eligibility criteria for payments under the reserve income replacement program. The provision would change the method for measuring cumulative periods of qualifying service by counting cumulative days, rather than months. The provision would also authorize the continuation of income replacement payments in the case of service members who are retained on active duty to receive authorized medical care or to be evaluated for disability.

The Senate amendment contained a similar provision (sec. 681).

The Senate recedes with a technical amendment.

*Midmonth payment of basic pay for contributions of members of the uniformed services participating in Thrift Savings Plan (sec. 605)*

The House bill contained a provision (sec. 604) that would authorize the Department of Defense to make midmonth contributions to the Thrift Savings Fund on behalf of members of the uniformed services who participate in the Thrift Savings Plan.

The Senate amendment contained a similar provision (sec. 603).

The Senate recedes with a technical amendment.

Subtitle B—Bonuses and Special and Incentive Pays

*Extension of certain bonus and special pay authorities for reserve forces (sec. 611)*

The House bill contained a provision (sec. 611) that would extend for 2 years the authority to pay the Selected Reserve reenlistment bonus; the Selected Reserve affiliation or enlistment bonus; the special pay for enlisted members assigned to certain high priority units; the Ready Reserve enlistment bonus for persons without prior service; the Ready Reserve enlistment and reenlistment bonus for persons with prior service; and the Selected Reserve enlistment bonus for persons with prior service.

The Senate amendment contained a similar provision (sec. 611) that would extend for 1 year the authority to pay the same bonus and special pay authorities.

The House recedes.

*Extension of certain bonus and special pay authorities for health care professionals (sec. 612)*

The House bill contained a provision (sec. 612) that would extend for 2 years the authority to pay the nurse officer candidate accession bonus; the repayment of education loans for certain health professionals who serve in the Selected Reserve; the accession bonus for registered nurses; incentive special pay for nurse anesthetists; special pay for Selected Reserve health professionals in critically short wartime specialties; the accession bonus for dental officers; the accession bonus for pharmacy officers; the accession bonus for medical officers in critically short wartime specialties; and the accession bonus for dental specialist officers in critically short wartime specialties.

The Senate amendment contained a similar provision (sec. 612) that would extend for 1 year the authority to pay the same bonus and special pay authorities.

The House recedes.

*Extension of special pay and bonus authorities for nuclear officers (sec. 613)*

The House bill contained a provision (sec. 613) that would extend for 2 years the authority to pay the special pay for nuclear-qualified officers extending their period of active service; the nuclear career accession bonus; and the nuclear career annual incentive bonus.

The Senate amendment contained a similar provision (sec. 613) that would extend for 1 year the authority to pay the same special pay and bonus authorities.

The House recesses.

*Extension of authorities relating to payment of other bonuses and special pays (sec. 614)*

The House bill contained a provision (sec. 614) that would extend for 2 years the authority to pay the aviation officer retention bonus; the reenlistment bonus for active members; the enlistment bonus; the retention bonus for members with critical military skills or assigned to high priority units; the accession bonus for new officers in critical skills; the incentive bonus for conversion to military occupational speciality to ease personnel shortage; the accession bonus for officer candidates; and the Army referral bonus. The provision would extend for 1 year the authority to pay the assignment incentive pay and the incentive bonus for transfer between the armed forces.

The Senate amendment contained a similar provision (sec. 614) that would extend for 1 year the authority to pay the aviation officer retention bonus; the reenlistment bonus for active members; the enlistment bonus; the retention bonus for members with critical military skills or assigned to high priority units; the accession bonus for new officers in critical skills; the incentive bonus for conversion to military occupational speciality to ease personnel shortage; and the accession bonus for officer candidates. The Senate extended for 1 year the authority to pay the Army referral bonus in a separate provision (sec. 622).

The House recesses with an amendment that would extend for 1 year the prohibition against requiring certain injured service members to pay for meals provided by military treatment facilities.

*Increase in incentive special pay and multiyear retention bonus for medical officers (sec. 615)*

The House bill contained a provision (sec. 615) that would increase the maximum annual rate of incentive special pay and the multiyear retention bonus for medical officers from \$50,000 to \$75,000.

The Senate amendment contained a similar provision (sec. 615).

The Senate recesses with a technical amendment.

*Increase in dental officer additional special pay (sec. 616)*

The House bill contained a provision (sec. 616) that would increase the maximum annual amounts of additional special pay for dental officers to \$10,000 for officers with less than 3 years of creditable service and \$12,000 for officers with more than 3 but less than 10 years of creditable service.

The Senate amendment contained a similar provision (sec. 616).

The House recesses with a technical amendment.

*Increase in maximum monthly rate of hardship duty pay and authority to provide hardship duty pay in a lump sum (sec. 617)*

The House bill contained a provision (sec. 624) that would raise the maximum monthly amount of hardship duty pay to \$1500. The provision would also authorize the payment of hardship duty pay in a lump sum.

The Senate amendment contained a similar provision (sec. 617).

The House recedes with a technical amendment.

*Definition of sea duty for career sea pay to include service as off-cycle crewmembers of multi-crew ships (sec. 618)*

The House bill contained a provision (sec. 617) that would authorize off-cycle crewmembers of multi-crewed ships to be eligible for career sea pay.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes with a technical amendment.

*Reenlistment bonus for members of the Selected Reserve (sec. 619)*

The House bill contained a provision (sec. 618) that would provide the Department of Defense with more flexibility in administering the reenlistment bonus. The provision would eliminate the 3- and 6-year options currently in law and require only that the period of reenlistment be at least 3 years. Similarly, the provision would eliminate the tiered bonus structure and require only that the bonus not exceed \$15,000.

The Senate amendment contained a similar provision (sec. 619).

The Senate recedes with a technical amendment.

*Availability of Selected Reserve accession bonus for persons who previously served in the armed forces for a short period (sec. 620)*

The House bill contained a provision (sec. 619) that would authorize payment of a Selected Reserve enlistment bonus to persons who had enlisted previously, but were unable to complete basic training requirements due to circumstances beyond their control and were separated under conditions characterized as either honorable or uncharacterized.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees believe that the Department of Defense should limit its use of this authority to cases where the former service member was separated from the military through no fault of his or her own, such as an injury, family medical emergency, or other case of hardship that forced the service member to separate prematurely.

*Availability of nuclear officer continuation pay for officers with more than 26 years of commissioned service (sec. 621)*

The House bill contained a provision (sec. 620) that would extend eligibility for nuclear officer continuation pay from 26 to 30 years of commissioned service.

The Senate amendment contained a similar provision (sec. 620).

The Senate recedes with an amendment that would authorize revision of agreements for nuclear officer continuation pay that were entered into before the date of the enactment of this Act.

*Waiver of years-of-service limitation on receipt of critical skills retention bonus (sec. 622)*

The House bill contained a provision (sec. 621) that would authorize the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, to waive the 25-year service limitation on eligibility to receive the retention bonus for certain members with designated critical military skills.

The Senate amendment contained a similar provision (sec. 621).

The Senate recedes.

*Accession bonus for participants in the Armed Forces Health Professions Scholarship and Financial Assistance Program (sec. 623)*

The House bill contained a provision (sec. 622) that would authorize the Secretary of Defense to pay an accession bonus of not more than \$20,000 to participants in the Armed Forces Health Professions Scholarship and Financial Assistance Program (HPSP).

The Senate amendment contained a similar provision (sec. 624).

The House recedes with a technical amendment.

The conferees direct the Comptroller General of the United States to report to the congressional defense committees by April 1, 2008 on the number of HPSP participants who do not enter onto active duty following completion of the program of studies for which they were enrolled under HPSP, including the extent to which the military departments have sought and received reimbursement for stipends paid under section 2121(d) of title 10, United States Code, or annual grants paid for specialized training under section 2127(e) of title 10, United States Code.

*Payment of assignment incentive pay for reserve members serving in combat zone for more than 22 months (sec. 624)*

The House bill contained a provision (sec. 623) that would authorize the secretaries of the military departments to pay \$1,000 per month in assignment incentive pay to members of the reserve components serving in combat zones associated with Operations Enduring Freedom and Iraqi Freedom once the member exceeds 22 cumulative months of service on active duty under either a voluntary mobilization authority, the presidential Selected Reserve call-up authority, or the partial mobilization authority. Qualifying service under this provision would include cumulative mobilized service during the period beginning on January 1, 2003 through the end of the member's most recent period of mobilization to active duty beginning before January 19, 2007.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle C—Travel and Transportation Allowances

*Payment of inactive duty training travel costs for certain Selected Reserve members (sec. 631)*

The House bill contained a provision (sec. 635) that would authorize the secretary of a military service to reimburse members of the Selected Reserve who occupy a specialty designated by the secretary concerned for travel expenses while performing inactive duty training outside the commuting limits of the member's station. The maximum rate would not exceed \$300.

The Senate amendment contained a similar provision (sec. 604) that would authorize reimbursement for travel expenses to an inactive duty training location outside of normal commuting distances for members of the Selected Reserve who are (1) qualified in a skill designated as critically short; (2) assigned to a unit of the Selected Reserve, or in a pay grade, with a critical manpower shortage; or (3) assigned to a unit or position that is disestablished or relocated as a result of defense base closure or realignment or other force structure allocation.

The House recedes with a technical amendment.

*Survivors of deceased members eligible for transportation to attend burial ceremonies (sec. 632)*

The Senate amendment contained a provision (sec. 656) that would extend the travel and transportation allowance to attend burial ceremonies of deceased service members under section 411f of title 37, United States Code, to minor siblings of deceased service members and the person who directs the disposition of the remains of the deceased service member.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the travel and transportation allowance to the child or children of the deceased member and to the sibling or siblings of the deceased service member, regardless of age.

*Allowance for participation of reserves in electronic screening (sec. 633)*

The House bill contained a provision (sec. 631) that would authorize the secretaries of the military services to pay a member of the Individual Ready Reserve a stipend for participation in electronic screening performed pursuant to the continuous screening required by section 10149 of title 10, United States Code. The aggregate amount of the stipend paid to a member may not exceed \$50 in any calendar year.

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

The House recedes.

*Allowance for civilian clothing for members of the armed forces traveling in connection with medical evacuation (sec. 634)*

The House bill contained a provision (sec. 632) that would authorize service members to use some or all of the civilian clothing allowance authorized by section 1047 of title 10, United States

Code, to purchase luggage at government expense when traveling in connection with a medical evacuation.

The Senate amendment contained no similar provision.  
The Senate recesses.

*Payment of moving expenses for Junior Reserve Officers' Training Corps instructors in hard-to-fill positions (sec. 635)*

The House bill contained a provision (sec. 633) that would authorize the secretary of a military department to reimburse educational institutions for moving expenses paid to Junior Reserve Officers' Training Corps instructors when the secretary concerned determines the position is hard-to-fill for geographic or economic reasons, and the instructor agrees to serve in the position for 2 years.

The Senate amendment contained a similar provision (sec. 642).

The House recesses with a technical amendment.

Subtitle D—Retired Pay and Survivor Benefits

*Expansion of combat-related special compensation eligibility (sec. 641)*

The House bill contained a provision (sec. 645) that would authorize disabled military retirees with fewer than 20 years of service to receive combat-related special compensation under section 1413a of title 10, United States Code, provided they served a minimum of 15 years of creditable service and have a disability rated at least 60 percent disabling.

The Senate amendment contained a similar provision (sec. 653) that would expand eligibility of combat-related special compensation to all service members eligible for retirement pay who have a combat-related disability, including service members who were retired under chapter 61 of title 10, United States Code.

The House recesses with a technical amendment.

*Inclusion of veterans with service-connected disabilities rated as total by reason of unemployability under termination of phase-in of concurrent receipt of retired pay and veterans' disability compensation (sec. 642)*

The Senate amendment contained a provision (sec. 660) that would authorize veterans with service-connected disabilities rated as total due to unemployability to receive concurrent receipt of retired pay and veterans' disability compensation as of December 31, 2004.

The House bill contained no similar provision.

The House recesses with an amendment that would restrict payments under this provision until October 1, 2008.

*Recoupment of annuity amounts previously paid, but subject to offset for Dependency and Indemnity Compensation (sec. 643)*

The House bill contained a provision (sec. 643) that would require that any Survivor Benefit Plan (SBP) payments previously paid to a surviving spouse or former spouse that are subject to the mandatory offset associated with payments of Dependency and In-

demnity Compensation by the Department of Veterans Affairs be recouped only to the extent that the amount exceeds any SBP premiums to be refunded by the Department of Defense. In addition, the provision would specify a series of actions to protect the interests of surviving spouses who are subject to the offset, including: (1) a single written notice of the net amount to be recouped; (2) a written explanation of the statutory requirements for recoupment; (3) a detailed accounting of the calculations used to determine the amount to be recouped; and (4) contact information for a person who can provide information and respond to questions regarding the recoupment action.

The Senate amendment contained no similar provision.

The Senate recesses.

*Special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for Dependency and Indemnity Compensation (sec. 644)*

The House bill contained a provision (sec. 644) that would authorize a survivor indemnity allowance to surviving spouses or former spouses of deceased service members who are denied the full amount of their annuity under the Survivor Benefit Plan (SBP) due to the offset required by the receipt of Dependency and Indemnity Compensation (DIC) from the Department of Veterans Affairs. The provision would authorize monthly payments equal to the lesser amount of \$40 or the amount of the SBP annuity subject to the DIC offset. The House provision would take effect October 1, 2008.

The Senate amendment contained a provision (sec. 658) that would eliminate the offset of the SBP annuity by the amount of DIC.

The Senate recesses with an amendment that would limit the survivor indemnity allowance to survivors of service members who were entitled to retired pay, or would be entitled to reserve component retired pay but for the fact they were not yet 60 years of age, would increase the monthly allowance for fiscal year 2009 to \$50, and would increase the monthly allowance by \$10 every year through fiscal year 2013.

*Modification of authority of members of the armed forces to designate recipients for payment of death gratuity (sec. 645)*

The House bill contained a provision (sec. 642) that would amend section 1477 of title 10, United States Code, to allow a service member to designate any individual to receive up to 50 percent of the death gratuity benefit in 10 percent increments.

The Senate amendment contained a provision (sec. 651) that would allow a service member to designate in writing any individual to receive the death gratuity benefit. In the absence of such a designation, the death gratuity would be paid in accordance with the succession set forth in section 1970 of title 38, United States Code, relating to Servicemembers' Group Life Insurance (SGLI).

The House recesses with an amendment that would make the provision effective no later than July 1, 2008; provide for spousal notification if an election were made under this authority that would exclude a current spouse from any portion of the death gratuity benefit; provide for partial designations in 10 percent incre-

ments; and provide that elections made under section 1477 of title 10, United States Code, before the enactment of this provision, or before enactment of the amendments to that section by section 1316 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), would remain lawful and effectual.

The conferees believe that service members have the duty and should have the discretion to designate beneficiaries of their choosing for receipt of the death gratuity. The conferees view the SGLI and its statutory basis, as set forth in section 1970 of title 38, United States Code, as the appropriate model for the administration of the death gratuity benefit. The conferees expect the Department of Defense and the services to implement these changes swiftly and to use all appropriate measures to ensure that service members are informed about this important survivor benefit and receive the assistance necessary to make this important designation.

*Clarification of application of retired pay multiplier percentage to members of the uniformed services with over 30 years of service (sec. 646)*

The Senate amendment contained a provision (sec. 654) that would authorize, in the case of an individual who became a member of the armed services prior to September 8, 1980, and who was recalled to active duty for a period of more than 2 years, recomputation of that member's retired pay according to the provisions of section 1409 of title 10, United States Code. The provision would also amend section 6333 of title 10, United States Code, to conform that section to the provisions of section 1409 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Commencement of receipt of non-regular service retired pay by members of the Ready Reserve on active federal status or active duty for significant periods (sec. 647)*

The Senate amendment contained a provision (sec. 655) that would reduce the age at which a member of the Ready Reserve could draw retired pay below the age of 60 by 3 months for every aggregate 90 days of active duty performed since September 11, 2001 under certain mobilization authorities. Under this provision, a member of the Ready Reserve could not reduce the age at which they draw retired pay below the age of 50.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the applicability of the provision to service performed after the date of enactment of this Act.

*Computation of years of service for purposes of retired pay for non-regular service (sec. 648)*

The Senate amendment contained a provision (sec. 661) that would increase to 130 the annual number of inactive duty points that may be credited toward the computation of retired pay for non-regular service.

The House bill contained no similar provision.

The House recesses.

Subtitle E—Commissary and Nonappropriated Fund  
Instrumentality Benefits

*Authority to continue commissary and exchange benefits for certain involuntarily separated members of the armed forces (sec. 651)*

The House bill contained a provision (sec. 652) that would authorize members involuntarily separated from active duty or the Selected Reserve to continue to use commissary and exchange stores for 2 years after separation. This authority would expire on December 31, 2012.

The Senate amendment contained no similar provision.

The Senate recesses.

*Authorization of installment deductions from pay of employees of nonappropriated fund instrumentalities to collect indebtedness to the United States (sec. 652)*

The House bill contained a provision (sec. 653) that would clarify that executive branch instrumentalities have the same access to procedures for collection of debts from federal civilian employees as do judicial and legislative branch instrumentalities under section 5514 of title 5, United States Code.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would clarify that nonappropriated fund instrumentalities have access to the debt collection procedures of section 5514 of title 5, United States Code, and that employees of nonappropriated fund instrumentalities are subject to those provisions.

Subtitle F—Consolidation of Special Pay, Incentive Pay, and Bonus  
Authorities

*Consolidation of special pay, incentive pay, and bonus authorities of the uniformed services (sec. 661)*

The House bill contained a provision (sec. 661) that would reform and consolidate over 60 special pays and incentive pays into the following eight categories: (1) bonuses for enlisted members; (2) bonuses for officers; (3) bonuses and incentive pays for nuclear officers; (4) bonuses and incentive pays for aviation officers; (5) bonuses and incentive pays for officers in health professions; (6) hazardous duty pays; (7) assignment pays and special duty pays; and (8) skill incentive pays and proficiency bonuses. The provision would also retain separate authorities for 15-year career status bonuses, critical skill retention bonuses, and the continuation of combat zone-related pays and allowances for members hospitalized as a result of combat-related wounds, injuries, or illnesses.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would set expiration dates of December 31, 2009 for all the new categories of pays and would clarify the maximum amounts allowable for the various pays under the new authority.

*Transitional provisions (sec. 662)*

The House bill contained a provision (sec. 662) that would require the Secretary of Defense to develop, in coordination with the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Commerce, a plan to implement the consolidation of special pays, incentive pays, and bonus authorities and to submit the plan to the congressional defense committees within 1 year of the date of enactment of this Act. The provision would also provide for an orderly transfer to the new authorities that would be implemented on a pace set by the Secretary of Defense with full implementation required within 10 years after the date of enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the Secretary of Defense to submit to the congressional defense committees a notice of the implementation of any new authority at least 30 days before the new authority is first used.

#### Subtitle G—Other Matters

*Referral bonus authorities (sec. 671)*

The House bill contained a provision (sec. 605) that would authorize an Army referral bonus to be paid to a service member or civilian employee of the Department of the Army who refers an officer candidate who is later appointed as an officer in a health profession designated by the Secretary of the Army.

The Senate amendment contained similar provisions (secs. 622 and 623) that would authorize the service secretaries to approve a referral bonus for officer candidates in the health professions for all the military services, codify existing authority for the Army to pay a referral bonus to a service member or civilian employee who refers a person to the Army who enlists in a regular or reserve component, and extend the authority to pay this bonus through December 31, 2008.

The House recesses with an amendment that would give the Secretary of Defense discretionary authority to approve payment by the Army, Navy, or Air Force of a bonus to encourage Department of Defense personnel to refer persons for appointment as officers to serve in a health profession.

*Expansion of education loan repayment program for members of the Selected Reserve (sec. 672)*

The House bill contained a provision (sec. 671) that would include additional types of loans incurred for educational purposes by members of the Selected Reserve that would be eligible for repayment by the Department of Defense. The provision would also make both officer and enlisted personnel eligible for loan repayment under this program.

The Senate amendment contained a similar provision (sec. 672).

The Senate recesses.

*Ensuring entry into United States after time abroad for permanent resident alien military spouses and children (sec. 673)*

The House bill contained a provision (sec. 672) that would allow permanent resident alien spouses and children of service members stationed abroad under official orders to gain readmission to the United States without their time overseas being treated under the Immigration and Nationality Act as abandonment or relinquishment of lawful permanent resident status or as an absence for the purposes of establishing citizenship.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

*Overseas naturalization for military spouses and children (sec. 674)*

The House bill contained a provision (sec. 673) that would allow certain permanent-resident spouses and children of members of the armed forces who reside in foreign countries to be naturalized. Under the provision, upon compliance with other requirements of the Immigration and Nationality Act, the spouse or child's physical presence in a foreign country while accompanying the member would be treated as residence in the United States or any State for the purpose of satisfying the continuous presence requirements of the Act.

The Senate amendment contained a similar provision (sec. 682).

The Senate recesses with a technical amendment.

*Modification of amount of back pay for members of Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II to take into account changes in Consumer Price Index (sec. 675)*

The Senate amendment contained a provision (sec. 686) that would amend section 667 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398) to modify the method by which the Secretary of the Navy calculates back pay owed to former service members who by reason of being interned as prisoners of war were unable to accept a promotion for which they had been selected. The provision would require the calculation to account for changes in the Consumer Price Index.

The House bill contained no similar amendment.

The House recesses.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Access to defense commissary and exchange system by surviving spouse and dependents of certain disabled veterans*

The House bill contained a provision (sec. 651) that would require the Secretary of Defense to revise regulations to ensure access to the defense commissary and exchange system by the surviving spouse and dependents of a veteran who had a service-connected disability rated at 100 percent or total, although the disability rating was awarded posthumously.

The Senate amendment contained no similar provision.

The House recesses.

The conferees believe that the change in the regulations needed to appropriately recognize surviving spouses and dependents of veterans who are posthumously determined to have service-connected disabilities rated at 100 percent can be accomplished without legislation. Accordingly, the conferees direct the Secretary of Defense to revise the Department of Defense regulations to provide such family members access to the defense commissary and exchange system.

*Annuities for guardians or caretakers of dependent children under Survivor Benefit Plan*

The Senate amendment contained a provision (sec. 652) that would allow an unmarried service member with a dependent child or children to elect, at the time of retirement, a guardian or caretaker of that dependent child or children as the beneficiary of the service member's Survivor Benefit Plan annuity.

The House bill contained no similar provision.

The Senate recesses.

*Disregarding periods of confinement of member in determining benefits for dependents who are victims of abuse by the member*

The House bill contained a provision (sec. 641) that would amend section 1408 of title 10, United States Code, to require the secretary concerned to consider as credible service for purposes of determining retirement eligibility any periods of confinement served by a member before convening authority action on a record of trial regarding the member's conviction of an offense involving abuse of a spouse or dependent child

The Senate amendment contained no similar provision.

The House recesses.

*Effective date of paid-up coverage under Survivor Benefit Plan*

The Senate amendment contained a provision (sec. 659) that would amend section 1452(j) of title 10, United States Code, to change the effective date for paid-up coverage under the Survivor Benefit Plan from October 1, 2008 to October 1, 2007.

The House bill contained no similar provision.

The Senate recesses.

*Guaranteed pay increase for members of the armed forces of one-half of one percentage point higher than Employment Cost Index*

The House bill contained a provision (sec. 606) that would mandate that pay raises for all service members during fiscal years 2009 through 2012 be one-half of 1 percent higher than the annual rise in the Employment Cost Index.

The Senate amendment contained no similar provision.

The House recesses.

*Payment of expenses of travel to the United States for obstetrical purposes of dependents located in very remote locations outside the United States*

The Senate amendment contained a provision (sec. 641) that would authorize the Secretary of Defense to pay travel expenses for

purposes of childbirth to a location in the United States of a pregnant dependent of a service member assigned to a very remote location outside the United States.

The House bill contained no similar provision.

The Senate recesses.

The conferees direct the Secretary of Defense to conduct a review, in consultation with the Chairman of the Joint Chiefs and the combatant commanders, of the quality of life challenges confronted by military families at remote overseas locations. The review should include a review of current policies and procedures regarding the delivery of obstetrical care provided to medical beneficiaries. In particular, the Secretary should compare and contrast the current policy of transporting pregnant women to centrally located government medical facilities with a policy of providing women the opportunity to return to the United States to give birth. The Secretary should report the findings and recommendations to the Committees on Armed Services of the Senate and the House of Representatives not later than June 30, 2008.

*Postal benefits program for members of the armed forces serving in Iraq or Afghanistan*

The House bill contained a provision (sec. 674) that would require the Secretary of Defense, in consultation with the United States Postal Service, to provide a postal benefits program to service members serving in Iraq or Afghanistan, or who are hospitalized in a Department of Defense facility as a result of service in Iraq or Afghanistan.

The Senate amendment contained no similar provision.

The House recesses.

*Transportation of additional motor vehicle of members on change of permanent station to or from nonforeign areas outside the continental United States*

The House bill contained a provision (sec. 634) that would authorize service members with at least one dependent of driving age to ship two privately owned vehicles during permanent change of station moves to nonforeign duty locations outside the continental United States.

The Senate amendment contained no similar provision.

The House recesses.

## TITLE VII—HEALTH CARE PROVISIONS

### Subtitle A—Improvements to Military Health Benefits

*One-year extension of prohibition on increases in certain health care costs for members of the uniformed services (sec. 701)*

The House bill contained a provision (sec. 701) that would extend the prohibition established by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) on the Department of Defense from increasing the premium, deductible, and copayment for TRICARE Prime; the charge for inpatient care for TRICARE Standard; and the premium for TRICARE Reserve Select and TRICARE Standard for members of the Se-

lected Reserve during the period from October 1, 2007, to September 30, 2008.

The Senate amendment contained a similar provision (sec. 713).

The House recedes with a technical amendment.

The conferees believe that the Department of Defense and the Nation have an obligation to provide health care benefits to active duty, National Guard, reserve, and retired members of the uniformed services and their families, disabled eligibles, and survivors. Additionally, the Department has options to constrain the growth of health care spending in ways that do not disadvantage retired members of the uniformed services who have faithfully fulfilled the demands of 20 to 30 year careers.

The conferees urge the Department to continue to identify opportunities to improve the quality and effectiveness of the military health care system through improved performance and health care outcomes. The conferees believe that any increase in TRICARE program cost sharing should be made only after implementation of improvements in the health care program, after consideration of the comprehensive reports mandated by Congress in sections 711 and 713 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), and following consultation with military beneficiary advocates.

*Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program (sec. 702)*

The House bill contained a provision (sec. 702) that would limit the cost sharing requirements for drugs provided through the TRICARE retail pharmacy program to amounts not more than \$3 for generic drugs, \$9 for formulary drugs, and \$22 for non-formulary drugs during fiscal year 2008.

The Senate amendment contained an identical provision (sec. 714). The conference agreement includes this provision.

*Inclusion of TRICARE retail pharmacy program in federal procurement of pharmaceuticals (sec. 703)*

The House bill contained a provision (sec. 703) that would authorize the Secretary of Defense to exclude from the pharmacy benefits program any pharmaceutical agent that is not priced consistent with the pricing set forth under section 8126 of title 38, United States Code.

The Senate amendment contained a provision (sec. 701) that would require that any prescription filled on or after October 1, 2007 through the TRICARE retail pharmacy network will be covered by the federal pricing limits applicable to covered drugs under section 8126 of title 38, United States Code.

The House recedes with an amendment that would change the implementation date from October 1, 2007 to the date of enactment of this Act.

*Stipend for members of reserve components for health care for certain dependents (sec. 704)*

The House bill contained a provision (sec. 708) that would authorize the Secretary of Defense to pay a stipend for continuing

health care coverage to reserve members called to active duty with a dependent possessing a special health care need that would best be met by remaining in the member's civilian health plan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the program to be implemented pursuant to regulations issued by the Secretary.

The conferees intend that the stipend should be available to eligible dependents regardless of whether their civilian health plan is provided by private employers or the Federal Government.

*Authority for expansion of persons eligible for continued health benefits coverage (sec. 705)*

The Senate amendment contained a provision (sec. 706) that would authorize the Secretary of Defense to expand eligibility for continued health benefits coverage authorized in section 1078a of title 10, United States Code, for additional persons specified in regulations by the Secretary for not more than 36 months after such persons lose entitlement to Department of Defense health care benefits.

The House bill contained no similar provision.

The House recedes.

*Continuation of eligibility for TRICARE Standard coverage for certain members of the Selected Reserve (sec. 706)*

The Senate amendment contained a provision (sec. 707) that would allow federal employees already enrolled in TRICARE Reserve Select under an existing program to remain in TRICARE Reserve Select through the enrollment period for which they qualified under the program as in effect on October 16, 2006.

The House bill contained no similar provision.

The House recedes.

*Extension of pilot program for health care delivery (sec. 707)*

The House bill contained a provision (sec. 707) that would extend the pilot program established by the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to test initiatives that build cooperative health care arrangements and agreements between military installations and local, regional non-military health care systems.

The Senate amendment contained no similar provision.

The Senate recedes.

Two sites were selected to test the pilot program, the installations at Fort Drum, New York, and Yuma, Arizona. The Department of Defense provided the Committees on Armed Services of the Senate and the House of Representatives with an interim report on the status of these programs. The conferees are pleased that the results of the report are favorable and indicate that the collaborative relationships created through the pilots are benefitting both military and civilian health care beneficiaries and providers. The conferees expect the Department to share the lessons learned from these collaborative efforts with other installations and expand such programs where appropriate.

*Inclusion of mental health care in definition of health care and report on mental health care services (sec. 708)*

The Senate amendment contained a provision (sec. 708) that would clarify the Secretary of Defense's authority to determine the appropriate payment amounts for mental health services under the TRICARE program. This provision would also require the Secretary to report to the Committees on Armed Services of the Senate and the House of Representatives on the adequacy of access to mental health services under the TRICARE program.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that mental health care is in the definition of health care under section 1072 of title 10, United States Code.

The conferees intend that the Secretary will carefully examine the adequacy of mental health payments under contracts for care so as to ensure that TRICARE payment rates are not a barrier to access to mental health services for eligible Department of Defense beneficiaries.

Subtitle B—Studies and Reports

*Surveys on continued viability of TRICARE Standard and TRICARE Extra (sec. 711)*

The Senate amendment contained a provision (sec. 702) that would extend through 2011 the requirement for the Secretary of Defense to conduct surveys to determine health care and mental health care provider acceptance of the TRICARE Standard and TRICARE Extra benefit. The provision would require surveys of beneficiaries in addition to surveys of providers and would require the Secretary to establish benchmarks for primary and specialty care providers, to determine the adequacy of providers available. The provision would also require the Comptroller General of the United States to review the processes, procedures, and analyses used by the Department of Defense to determine the adequacy of the number of health care and mental health care providers available to beneficiaries, and to report on the results of this review to the Committees on Armed Services of the Senate and the House of Representatives on a biannual basis.

The House bill contained no similar provision.

The House recedes with an amendment that would delete the requirement for a supervising official to be designated to oversee the adequacy and accessibility of the TRICARE Standard and TRICARE Extra programs. The amendment would also require the Comptroller General to give a high priority to studying areas with high concentrations of members of the Selected Reserve.

The conferees note that TRICARE Regional Offices (TRO) are responsible for overseeing the adequacy and accessibility of health care and mental health care services to TRICARE beneficiaries in their areas. The conferees expect the TROs to perform these oversight duties, paying specific attention to the needs of beneficiaries in TRICARE Standard and TRICARE Reserve Select.

*Report on training in preservation of remains under combat or combat-related conditions (sec. 712)*

The House bill contained a provision (sec. 710) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the training in preservation of remains in combat or combat-related conditions required by section 567 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The Senate amendment contained no similar provision.

The Senate recesses.

*Report on patient satisfaction surveys (sec. 713)*

The Senate amendment contained a provision (sec. 703) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the ongoing patient satisfaction surveys taking place in inpatient and outpatient settings at military treatment facilities.

The House bill contained no similar provision.

The House recesses with a technical amendment.

*Report on medical physical examinations of members of the armed forces before their deployment (sec. 714)*

The Senate amendment contained a provision (sec. 712) that would require the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives by April 1, 2008, on: (1) the results of a study of the frequency of medical examinations conducted by the armed forces prior to deployment; (2) a comparison of policies among the military departments of such medical examinations; and (3) a business case analysis for a single pre-deployment physical and single system for tracking medical examinations.

The House bill contained no similar provision.

The House recesses with an amendment that would delete the requirement to report on the frequency of medical examinations. The amendment would require an assessment of current policies and the feasibility of implementing a single examination and tracking system.

*Report and study on multiple vaccinations of members of the armed forces (sec. 715)*

The House bill contained a provision (sec. 713) that would require the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives on the Department's policies for administering and evaluating multiple vaccinations of members of the armed forces in a 24-hour period, including an assessment of procedures to provide current information on such immunizations to State Adjutants General. The provision would also require the Secretary to study the safety and efficacy of administering multiple vaccinations within a 24-hour period.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delete the requirement for the Secretary to conduct a safety and efficacy study.

*Review of gender- and ethnic group-specific mental health services and treatment for members of the armed forces (sec. 716)*

The Senate amendment contained a provision (sec. 1634) that would require the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a comprehensive review of: (1) the need for mental health treatment and services for female members of the armed forces and veterans; and (2) the efficacy and adequacy of existing mental health treatment programs and services for female members of the armed forces and veterans.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to conduct a comprehensive review of: (1) the need for gender- and ethnic group-specific mental health treatment and services for members of the armed forces; and (2) the efficacy and adequacy of existing gender- and ethnic group-specific mental health treatment programs and services for members of the armed forces.

*Licensed mental health counselors and the TRICARE program (sec. 717)*

The House bill contained a provision (sec. 706) that would amend section 1079 of title 10, United States Code, to authorize licensed or certified mental health counselors to be reimbursed for services provided to TRICARE beneficiaries without prior physician referral or supervision.

The Senate amendment contained a provision (sec. 704) that would require the Secretary of Defense to enter into a contract with the Institute of Medicine of the National Academy of Sciences or a similar organization to conduct an independent study of individuals practicing as licensed mental health counselors, social workers, and marriage and family therapists under the TRICARE program and make recommendations for permitting such professionals to practice independently under the TRICARE program.

The Senate recedes with an amendment that would require a study of the credentials, preparation, and training of individuals practicing as licensed mental health counselors and would require the Secretary of Defense to establish criteria that licensed or certified mental health counselors would have to meet in order to be able to independently provide care to TRICARE beneficiaries and receive payment under the TRICARE program for such services.

The conferees are aware that mental health counselors, in contrast to the licensing practices of other health care disciplines, have multiple routes to licensure. While the conferees encourage the profession to work toward a single certifying body or joint certification agreement, the conference outcome would allow the Department of Defense to create opportunities for the independent practice of licensed mental health professionals who meet criteria established by the Department in order to meet the immediate mental health needs of service members and their families.

*Report on funding of the Department of Defense for health care (sec. 718)*

The Senate amendment contained a provision (sec. 1008) that would require the President to submit a report to Congress in any year that the armed forces are involved in a major conflict if the budget for the Department of Defense for health care is less than the amount provided by Congress for the preceding fiscal year or if the allocation from the Defense Health Program to any military department is less than the allocation in the preceding fiscal year. The report would include the reason for the lesser amount or allocation and the anticipated effects of the reduction.

The House bill contained no similar provision.

The House recedes with an amendment that would terminate this provision on December 31, 2017 and would remove the condition that the armed forces be involved in a major conflict.

Subtitle C—Other Matters

*Prohibition on conversion of military medical and dental positions to civilian medical and dental positions (sec. 721)*

The House bill contained a provision (sec. 704) that would establish a permanent prohibition on the secretaries of the military departments from converting any military medical or dental position to a civilian medical or dental position on or after October 1, 2007. This provision would also require a report to the congressional defense committees on such conversions made during fiscal year 2007.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the prohibition to end on September 30, 2012. The amendment would also require that any military medical or dental position that has been converted to a civilian medical or dental position from October 1, 2004 through September 30, 2008 be restored to a military medical or dental position if the position is not filled by a civilian by September 30, 2008.

The conferees are concerned that the military departments have not fully addressed the certification requirements contained in section 724 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), and thus lack assurance that planned conversions will not increase costs, decrease access to care, decrease quality of care, or negatively impact recruitment and retention of military personnel.

In addition, the conferees have learned that military to civilian conversions have had a negative impact on the ability of the military health system to provide health care to service members and their families, have compounded the impact of multiple deployments on military medical personnel, and could impact adequate staffing of wounded warrior transition units. The conferees are concerned that, despite these concerns, the military departments have continued to convert military medical positions to civilian medical positions. Therefore, the conferees prohibit the conversion of military medical positions to civilian positions until September 30, 2012.

*Establishment of Joint Pathology Center (sec. 722)*

The House bill contained a provision (sec. 709) that would require the Secretary of Defense to establish a Joint Pathology Center located on the National Naval Medical Center in Bethesda, Maryland. The center would function as the reference center in pathology for the Department of Defense and the Department of Veterans Affairs, providing services in: diagnostic pathology consultation in medicine, dentistry, and veterinary sciences; pathology education, to include graduate medical education, including residency and fellowship programs, and continuing medical education; and diagnostic pathology research.

The Senate amendment contained a similar provision (sec. 1095) that would allow the Secretary to establish a Joint Pathology Center, to the extent that establishing such a center is consistent with the recommendations of the 2005 Defense Base Closure and Realignment Commission.

The Senate recesses with an amendment that would require the President to establish a Joint Pathology Center.

The conferees believe that having a Joint Pathology Center performing second opinion consults is integral to pathology education and residency programs and that the Federal Government should continue to perform this essential mission.

The conferees find that the recommendations of the 2005 Defense Base Closure and Realignment Commission Final Report provide the flexibility to establish a Joint Pathology Center as a Department of Defense or federal entity. The President would be required to make a determination as to whether to establish the Joint Pathology Center inside the Department of Defense or in another agency such as the Department of Health and Human Services. The conferees expect the President to consider, in making his determination, whether establishing the center within the Department of Defense is consistent with the recommendations of the 2005 Defense Base Closure and Realignment Commission.

## LEGISLATIVE PROVISIONS NOT ADOPTED

*Establishment of nurse practitioner program*

The House bill contained a provision (sec. 705) that would require the Secretary of Defense to establish a graduate education program for advanced-practice nursing at the Uniformed Services University of the Health Sciences.

The Senate amendment contained no similar provision.

The House recesses.

*Sense of Congress on fees and adjustments under the TRICARE program*

The Senate amendment contained a provision (sec. 715) that would state the sense of Congress on fees and adjustments under the TRICARE program.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that portions of this provision have been included elsewhere in this report.

*Implementation of recommendations of Department of Defense Mental Health Task Force*

The Senate amendment contained a provision (sec. 709) that would require the Secretary of Defense to implement the recommendations of the Department of Defense Task Force on Mental Health (Task Force) as soon as practicable, but not later than May 31, 2008.

The House bill contained no similar provision.

The Senate recedes.

The conferees understand that the Secretary of Defense intends to implement nearly all of the 95 recommendations of the Task Force for improvements in the psychological health of members of the armed forces and their families.

The conferees will closely monitor the Department's efforts to implement these recommendations, especially those focused on access to mental health services for deployed members and their families and on ensuring an adequate supply of highly qualified uniformed mental health care providers.

The conferees direct the Secretary of Defense to submit to the congressional defense committees not later than March 1, 2008, a report on the implementation of each recommendation. The report will include: (1) the expected date of implementation of each recommendation that will be fully implemented; (2) a description of and reason for any modification of a recommendation and the expected date of implementation of the modified recommendation; and (3) the reason for not implementing any recommendation that will not be implemented.

## TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

### *Short title (sec. 800)*

The conferees agree to a provision that would provide that this title may be cited as the "Acquisition Improvement and Accountability Act of 2007".

### Subtitle A—Acquisition Policy and Management

#### *Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies (sec.801)*

The House bill contained a provision (sec. 803) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to issue guidelines on the use of interagency contracting by the Department of Defense.

The Senate amendment contained a provision (sec. 846) that would require inspector general reviews to determine whether procurements conducted by certain non-defense agencies on behalf of the Department have been conducted in compliance with defense procurement requirements.

The Senate recedes with an amendment that would combine the requirements of the two provisions.