

The agreement does not include this provision. However, the agreement does include funding for the IWS program in title XV.

Sense of Congress regarding procurement and use of munitions

The House bill contained a provision (sec. 359) that would express the sense of Congress regarding the procurement of military munitions.

The Senate bill contained no similar provision.

The agreement does not include the provision.

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, 2009: Army, 532,400; Navy, 326,323; Marine Corps, 194,000; and Air Force, 317,050. The House provision included increases of 7,000 and 5,000 for the Army and Marine Corps, respectively, to support those services' growth in ground forces.

The Senate bill contained a similar provision (sec. 401) that would authorize active-duty end strengths of 325,300 for the Navy and 316,771 for the Air Force, and identical end strengths for the Army and Marine Corps.

The agreement includes the House provision.

The Secretary of Defense has stated that he will support the Air Force's request to maintain its active-duty end strength well above the 316,000 level previously approved in connection with its recapitalization planning. While excessive and poorly managed manpower cuts aimed primarily at saving money must be avoided, the Department of Defense must demonstrate in the next budget cycle how it intends to balance these competing, readiness-related goals. We do not oppose the Air Force's efforts to maintain a higher end strength, and expect the Department and the Air Force to work with the Congress in finding appropriate funding sources in 2009.

End strength levels for the active forces for fiscal year 2009 are set forth in the following table:

Service	FY 2009			Change from	
	FY 2008 authorized	Request	Recommendations	FY 2009 request	FY 2008 authorized
Army	525,400	532,400	532,400	0	7,000
Navy	329,098	325,300	326,323	1,023	-2,775
Marine Corps	189,000	194,000	194,000	0	5,000
Air Force	329,563	316,600	317,050	450	-12,513
DOD Total	1,373,061	1,368,300	1,369,773	1,473	-3,288

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, 2009: Army, 532,400; Navy, 326,323; Marine Corps, 194,000; and Air Force 317,050.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would establish a minimum end strength of 325,300 active-duty personnel for the Navy.

Minimum end strength levels for active forces are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from FY 2008
		Request	Conferee recommendation	
Army	525,400	532,400	532,400	7,000
Navy	328,400	325,300	325,300	- 3,100
Marine Corps	189,000	194,000	194,000	5,000
Air Force	328,600	317,050	317,050	- 11,550
DOD Total	1,371,400	1,368,750	1,368,750	- 2,650

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, 2009: the Army National Guard of the United States, 352,600; the Army Reserve, 205,000; the Navy Reserve, 66,700; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,700; the Air Force Reserve, 67,400; and the Coast Guard Reserve, 10,000.

The Senate bill contained a similar provision (sec. 411) that would authorize an end strength of 106,756 for the Air National Guard of the United States and identical end strengths for the other services.

The agreement includes the Senate provision.

End strength levels for the Selected Reserve for fiscal year 2009 are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Conferee recommendation	FY 2009 request	FY 2008 authorized
Army National Guard	351,300	352,600	352,600	0	1,300
Army Reserve	205,000	205,000	205,000	0	0
Navy Reserve	67,800	66,700	66,700	0	- 1,100
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	106,700	106,700	106,756	56	56
Air Force Reserve	67,500	67,400	67,400	0	- 100
DOD Total	837,900	838,000	838,056	0	156
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, 2009: the Army National Guard of the United States, 32,060; the Army Reserve, 17,070; the Navy Reserve, 11,099; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 14,337; and the Air Force Reserve, 2,733.

The Senate bill contained a similar provision (sec. 412) that would authorize end strengths of 29,950 for the Army National Guard of the United States; 16,170 for the Army Reserve; 14,360 for the Air National Guard of the United States; and identical end strengths for the other components.

The agreement includes the House provision with an amendment that would authorize end strengths of 16,170 for the Army Reserve and 14,360 for the Air National Guard of the United States.

End strength levels for reserves on active duty in support of the reserves are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Recommendation	FY 2009 request	FY 2008 authorized
Army National Guard	29,204	29,950	32,060	2,110	2,856
Army Reserve	15,870	16,170	16,170	0	300
Navy Reserve	11,579	11,099	11,099	0	-480
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	13,936	14,337	14,360	23	424
Air Force Reserve	2,721	2,733	2,733	0	12
DOD Total	75,571	76,550	78,683	2,133	3,112

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, 2009: the Army Reserve, 8,395; the Army National Guard of the United States, 27,210; the Air Force Reserve, 10,003; and the Air National Guard of the United States, 22,452.

The Senate bill contained a similar provision (sec. 413) that would authorize an end strength of 22,459 for the Air National Guard of the United States, and identical end strengths for the other components.

The agreement includes the House provision.

End strength levels for military technicians (dual status) are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Recommendation	FY 2009 request	FY 2008 authorized
Army Reserve	8,249	8,395	8,395	0	146
Army National Guard	26,502	27,210	27,210	0	708
Air Force Reserve	9,909	10,003	10,003	0	94
Air National Guard	22,553	22,452	22,452	0	-101
DOD Total	67,213	68,060	68,060	0	847

Fiscal year 2009 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, 2009.

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

The 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 2009 to provide operational support.

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

The agreement includes this provision.

Additional waiver authority of limitation on number of reserve component members authorized to be on active duty (sec. 416)

The House bill contained a provision (sec. 416) that would amend section 123a of title 10, United States Code, to authorize the President to waive the limitations on the number of reserve component personnel who can be on active duty for operational support to provide assistance in responding to a major disaster or emergency.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle C—Authorization of Appropriations

Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize appropriations for military personnel.

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

The agreement includes this provision.

The following are the changes from the budget request for the military personnel accounts:

[Changes in millions of dollars]	
Increase in military pay raise	324.0
Restore military to civilian conversions-Navy	26.8
Restore military to civilian conversions-Air Force	38.8
Restore military to civilian conversions-Undistributed	35.5
Increase Air National Guard end strength	3.3
Increase Army National Guard full-time support positions	85.0
Senior Leadership Diversity Commission	0.3
Permanent prohibition on charging meals at MTFs	1.0
Increase in maximum temporary lodging expenses	37.0
Second family housing allowance for dual military couples	2.0
Nurse candidate accession bonus and monthly stipend	2.0
New bonuses for psychologists and other mental health officers	13.0
Additional weight allowance for spouses	13.0
Continuation of bonuses for certain service members	1.0
Reduction of unobligated military personnel balances	- 1,038.2
 Total	 - 455.5

LEGISLATIVE PROVISION NOT ADOPTED

Increased end strengths for Reserves on active duty in support of the Army National Guard and Army Reserve and military technicians (dual status) of the Army National Guard

The Senate bill contained a provision (sec. 416) that would authorize additional Active Guard and Reserve (AGR) end strength for the Army National Guard and Army Reserve, and additional end strength for Army National Guard military technicians (dual status).

The House bill contained no similar provision.
The agreement does not include the provision.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Mandatory separation requirements for regular warrant officers for length of service (sec. 501)

The House bill contained a provision (sec. 501) that would amend section 1305 of title 10, United States Code, to provide that regular warrant officers of the Navy, Marine Corps, and Coast Guard who have at least 30 years of total active service that could be credited to the officer shall be retired 60 days after the date the warrant officer completes that service. For regular Army warrant officers, the provision would specify that only years of active service as a warrant officer should be used in calculating 30 years of active service for mandatory retirement.

The Senate bill contained a similar provision (sec. 509).
The agreement includes the House provision.

Requirements for issuance of posthumous commissions and warrants (sec. 502)

The House bill contained a provision (sec. 502) that would amend sections 1521 and 1522 of title 10, United States Code, to replace the condition for a posthumous commission or warrant that the death be in the line of duty with a requirement for a certification by the secretary concerned that, at the time of death, the member was qualified for appointment to the next higher grade.

The Senate bill contained a similar provision (sec. 510).

The agreement includes the House provision with a technical amendment.

Authorized number of general officers on active duty in the Army and Marine Corps, limited exclusion for joint duty requirements, and increase in number of officers serving in grades above major general and rear admiral (sec. 503)

The House bill contained a provision (sec. 504) that would amend sections 525 and 526 of title 10, United States Code, to allow an increase of one general officer in the rank of lieutenant general for the Marine Corps.

The Senate bill contained a provision (sec. 501) that would increase from 16.3 percent to 16.4 percent the percentage of general and flag officers in a military service that may be appointed above