

**TITLE IV—MILITARY PERSONNEL  
AUTHORIZATIONS**

**Subtitle A—Active Forces**

**End strengths for active forces (sec. 401)**

The committee recommends a provision that would authorize active-duty end strengths for fiscal year 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army .....	490,000	475,000	475,000	0	– 15,000
Navy .....	323,600	329,200	329,200	0	+5,600
Marine Corps .....	184,100	184,000	184,000	0	– 100
Air Force .....	312,980	317,000	317,000	0	+4,020
DOD Total .....	1,310,680	1,305,200	1,305,200	0	– 5,480

**Enhancement of authority for management of end strengths  
for military personnel (sec. 402)**

The committee recommends a provision that would repeal section 691 of title 10, United States Code. The provision would also amend section 115 of title 10, United States Code, to provide the Secretary of Defense and the service secretaries authority to vary military personnel end strengths below those authorized in title IV of this Act.

**Subtitle B—Reserve Forces**

**End strengths for Selected Reserve (sec. 411)**

The committee recommends a provision that would authorize Selected Reserve end strengths for fiscal year 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army National Guard .....	350,200	342,000	342,000	0	– 8,200
Army Reserve .....	202,000	198,000	198,000	0	– 4,000
Navy Reserve .....	57,300	57,400	57,400	0	+100
Marine Corps Reserve .....	39,200	38,900	38,900	0	– 300
Air National Guard .....	105,000	105,500	105,500	0	+500
Air Force Reserve .....	67,100	69,200	69,200	0	+2,100
DOD Total .....	820,800	811,000	811,000	0	– 9,800
Coast Guard Reserve .....	9,000	7,000	7,000	0	– 2,000

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

The committee recommends a provision that would authorize full-time support end strengths for fiscal year 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army National Guard .....	31,385	30,770	30,770	0	-615
Army Reserve .....	16,261	16,261	16,261	0	0
Navy Reserve .....	9,973	9,934	9,934	0	-39
Marine Corps Reserve .....	2,261	2,260	2,260	0	-1
Air National Guard .....	14,704	14,748	14,748	0	+44
Air Force Reserve .....	2,830	3,032	3,032	0	+202
DOD Total .....	77,414	77,005	77,005	0	-409

The provision also expresses the sense of Senate that the National Guard Bureau should account for States that routinely recruit and retain members of the National Guard in excess of State authorizations when allocating full-time duty personnel. The committee further recommends that the Chief of the National Guard Bureau shall take into account the actual number of members of the Army National Guard of the United States serving in each State as of September 20 each year when allocating full-time duty personnel in the Army National Guard of the United States.

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

The committee recommends a provision that would establish the minimum number of military technicians (dual status) for the reserve components of the Army and Air Force as of the last day of fiscal year 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army National Guard .....	27,210	26,099	26,099	0	-1,111
Army Reserve .....	7,895	7,395	7,395	0	-500
Air National Guard .....	21,792	22,104	22,104	0	+312
Air Force Reserve .....	9,789	9,814	9,814	0	+25
DOD Total .....	66,686	65,412	65,412	0	-1,274

**Fiscal year 2016 limitation on number of non-dual status technicians (sec. 414)**

The committee recommends a provision that would establish limits on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army National Guard .....	1,600	1,600	1,600	0	0

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Air National Guard .....	350	350	350	0	0
Army Reserve .....	595	595	595	0	0
Air Force Reserve .....	90	90	90	0	0
DOD Total .....	2,635	2,635	2,635	0	0

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

The committee recommends a provision that would establish limits on the number of reserve personnel authorized to be on active duty for operational support under section 115(b) of title 10, United States Code, as of September 30, 2016, as shown below:

Service	FY 2015 authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 request	FY 2015 authorized
Army National Guard .....	17,000	17,000	17,000	0	0
Army Reserve .....	13,000	13,000	13,000	0	0
Navy Reserve .....	6,200	6,200	6,200	0	0
Marine Corps Reserve .....	3,000	3,000	3,000	0	0
Air National Guard .....	16,000	16,000	16,000	0	0
Air Force Reserve .....	14,000	14,000	14,000	0	0
DOD Total .....	69,200	69,200	69,200	0	0

**Chief of the National Guard Bureau authority in increase certain end strengths applicable to the Army National Guard (sec. 416)**

The committee recommends a provision that would provide the Chief of the National Guard Bureau with the authority to increase the fiscal year 2016 end strength of the Selected Reserve personnel of the Army National Guard as specified in section 411(a)(1) by up to 3,000 members, the end strength of the Reserves serving on full-time duty for the Army National Guard as specified in section 412(1) by 615 Reserves, and military technicians (dual status) for the Army National Guard as specified in section 413(1) by 1,111. The provision contains a limitation stating that the Chief of the National Guard Bureau may only increase an end strength using the authority contained in this section if such increase is paid for entirely out of the readiness funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

**Subtitle C—Authorization of Appropriations**

**Military personnel (sec. 421)**

The committee recommends a provision that would authorize appropriations for military personnel at the levels identified in section 4401 of division D of this Act.

**Budget Items****Military personnel funding changes**

The amount authorized to be appropriated for military personnel programs include the following changes from the budget request:

(Changes in millions of dollars)

Military Personnel Underexecution .....	- 987.2
Additional support for the National Guard's Operation Phalanx ..	+21.7
Reduction for anticipated cost of TRICARE consolidation .....	- 85.0
TRICARE program improvement initiatives .....	+15.0
Financial literacy improvement .....	+85.0
Foreign currency fluctuation adjustment .....	- 304.0
Total .....	- 1,254.5

The committee recommends a total reduction in the Military Personnel (MILPERS) appropriation of \$1,254.5 million. This amount includes: (1) A reduction of \$987.2 million to reflect the Government Accountability Office's most recent assessment of the average annual MILPERS underexecution; (2) An increase of \$21.7 million to fund increased support for the National Guard's Operation Phalanx mission in support of the United States-Mexico border; (3) A reduction of \$85.0 million to reflect costs avoided by the Department of Defense relative to its proposal to consolidate the TRICARE program; (4) An increase of \$15 million to improve access to care, quality of care, health outcomes, and the experience of care for military beneficiaries under the TRICARE program; (5) An increase of \$85.0 million to reflect the additional financial literacy training recommended by the Military Compensation and Retirement Modernization Commission; and (6) An adjustment of \$304 million to reflect the foreign currency fluctuation.

## **TITLE V—MILITARY PERSONNEL POLICY**

### **Subtitle A—Officer Personnel Policy**

#### **Authority of promotion boards to recommend officers of particular merit be placed at the top of the promotion list (sec. 501)**

The committee recommends a provision that would amend section 616 of title 10, United States Code, to authorize an officer promotion board to recommend officers of particular merit to be placed at the top of the promotion list.

#### **Minimum grades for certain corps and related positions in the Army, Navy, and Air Force (sec. 502)**

The committee recommends a provision that would amend various provisions of title 10, United States Code, to revise general or flag officer grades in the Army, Navy and Air Force.

The provision would amend section 3023(a) of title 10, United States Code, to require that the Army Chief of Legislative Affairs be an officer in a grade above the grade of colonel.

The provision would amend section 3039(b) of title 10, United States Code, to require that the Army Assistant Surgeon General be an officer in a grade above the grade of colonel.

The provision would amend section 3069(b) of title 10, United States Code, to require that the Army Chief of the Nurse Corps be an officer in a grade above the grade of colonel.

The provision would amend section 3084 of title 10, United States Code, to require that the Army Chief of the Veterinary Corps be an officer in a grade above the grade of lieutenant colonel.

The provision would amend section 5027(a) of title 10, United States Code, to require that the Navy Chief of Legislative Affairs be an officer in a grade above the grade of captain.

The provision would amend section 5138 of title 10, United States Code, to require that the Navy Chief of the Dental Corps be an officer in a grade above the grade of captain. The provision would also remove the authority in section 5138(b) that entitles the Navy Chief of the Dental Corps to the same privileges of retirement as provided for chiefs of bureaus in section 5133 of title 10, United States Code.

The provision would amend section 5150(c) of title 10, United States Code, to require that the Navy Directors of Medical Corps be officers in a grade above the grade of captain.

The provision would amend section 8023(a) of title 10, United States Code, to require that the Air Force Chief of Legislative Liaison be an officer in a grade above the grade of colonel.

The provision would amend section 8069(b) of title 10, United States Code, to require that the Air Force Chief of the Nurse Corps be an officer in a grade above the grade of colonel.

The provision would amend section 8081 of title 10, United States Code, to require that the Air Force Assistant Surgeon General for Dental Services be an officer in a grade above the grade of colonel.

The provision would provide that in the case of an officer who on the date of enactment of the Act is serving in a position that is covered by this provision, the continued service of that officer in such position after the date of enactment of the Act shall not be affected by the provision.

**Enhancement of military personnel authorities in connection with the defense acquisition workforce (sec. 503)**

The committee recommends a provision that would improve the management of the military acquisition workforce and enhance the quality and effectiveness of military acquisition personnel. The committee is concerned that in the years since the passage of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433) the Department of Defense senior leadership's focus on the importance of the military acquisition workforce has declined. This provision is designed to increase the attractiveness of acquisition functions to skilled military officers and enlisted personnel and would: (1) provide for credit for joint duty assignments for acquisition related assignments in order to broaden the promotion preference and career opportunities of military acquisition professionals; (2) provide for an enhanced dual track career path in combat arms and a functional secondary career in acquisition to more closely align military operational requirements and acquisition; (3) include business and commercial training as joint professional military education; and (4) require an annual report to Congress on promotion rates for officers in acquisition positions.

**Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge (sec. 504)**

The committee recommends a provision that would amend section 638(a) of title 10, United States Code, relating to the authority for selective early retirement and early discharges. The provision would eliminate the restriction that the number of officers recommended for discharge by a selection board may not be more than 30 percent of the number of officers in each grade, year group, or specialty (or combination thereof) in each competitive category. The provision would impose the same restriction that applies to boards to select officers for early retirement, which provides that the number of officers recommended for retirement may not be more than 30 percent of the number of officers considered.

**Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy or Air Force (sec. 505)**

The committee recommends a provision that would amend section 1253 of title 10, United States Code, to authorize service secretaries to defer the retirement of general and flag officers serving as the Chief or Deputy Chief of Chaplains in their respective Services to age 68. Section 1251 of title 10, United States Code, allows for the deferred retirement of regular officers serving as chaplains in grades below general and flag officer grades to age 68. However, no provision is contained in section 1253 of title 10, United States Code, to authorize regular officers serving as chaplains in flag or general officer grades, the grades associated with service as the Chief or Deputy Chief of Chaplains, to serve beyond age 64.

**Reinstatement of enhanced authority for selective early discharge of warrant officers (sec. 506)**

The committee recommends a provision that would amend section 508a of title 10, United States Code, to reinstate authority for the service secretaries to convene, if necessary, selection boards to consider regular warrant officers on the Active-Duty list for involuntary discharge. The authority to selectively discharge regular warrant officers pursuant to section 580a expired on October 1, 1999. The proposal would authorize such boards during the period October 1, 2015, through September 30, 2019.

**Authority to conduct warrant officer retired grade determinations (sec. 507)**

The committee recommends a provision that would amend section 1371 of title 10, United States Code, to authorize a service secretary to retire warrant officers in the highest grade in which they served satisfactorily before retirement.

**Subtitle B—Reserve Component Management**

**Authority to designate certain Reserve officers as not to be considered for selection for promotion (sec. 511)**

The committee recommends a provision that would modify section 14301 of title 10, United States Code, to authorize the secretaries of the military departments to defer promotion consideration for reserve component officers in a non-participatory (membership points only) status. Currently, section 14301 of title 10, United States Code, requires servicemembers identified on the Reserve Active Status List to be considered for promotion to the next higher grade. This includes certain categories of reservists on the Reserve Active Status List who, by Department of Defense guidance, are in the Individual Ready Reserve and the Standby Reserve and who remain eligible for promotion consideration, but are not actively participating in Reserve duty because they are in a status in which they are receiving membership only points for Reserve credit. Under current law, some individuals assigned to the Individual Ready Reserve may be discharged from the reserve component upon their second deferral for promotion because they are consid-

ered to have twice failed for promotion. This provision would provide the reserve component flexibility to remove individuals from promotion consideration during a period when they are least competitive for promotion, and would allow the services to retain servicemembers with significant military training as well as civilian technical and professional skills that could contribute to their desirability for selection to be promoted should the individual elect to return to military service.

**Clarification of purpose of reserve component special selection boards as limited to correction of error at a mandatory promotion board (sec. 512)**

The committee recommends a provision that would modify section 14502(b) of title 10, United States Code, to conform the authority for convening special selection boards for Reserve officers with the authority for Active-Duty officers in cases in which an officer is considered by a mandatory promotion board, but is not selected due to a material error of fact, material administrative error, or the board did not have before it material information for its consideration.

**Reconciliation of contradictory provisions relating to citizenship qualifications for enlistment in the reserve components of the Armed Forces (sec. 513)**

The committee recommends a provision that would amend section 12102(b) of title 10, United States Code, to align the citizenship or residency requirements for enlistment in the reserve components of the Armed Forces with the citizenship requirements for the active components.

**Authority for certain Air Force reserve component personnel to provide training and instruction regarding pilot instructor training (sec. 514)**

The committee recommends a provision that would authorize the Secretary of the Air Force to utilize, during fiscal year 2016, up to 50 Active, Guard, and Reserve (AGR) members and dual status military technicians to provide training and instruction to active duty and foreign military personnel in excess of what is currently authorized by the AGR and military technician statutes. The provision would also require the Secretary, by no later than 180 days after the date of enactment of this Act, to provide the Committees on Armed Services of the Senate and House of Representatives a report setting forth a plan to eliminate pilot instructor shortages within the Air Force using authorities available to the Secretary under current law.

**Subtitle C—General Service Authorities**

**Duty required for eligibility for pre-separation counseling for members being discharged or released from active duty (sec. 521)**

The committee recommends a provision that would amend section 1142 of title 10, United States Code, to require the Secretary concerned to provide pre-separation counseling to all Active-Duty

servicemembers and all reserve component servicemembers called or ordered to Active Duty or full-time operational support after completion of their first 180 continuous days of service whose discharge or release from Active Duty is anticipated as of a specific date.

**Expansion of pilot programs on career flexibility to enhance retention of members of the Armed Forces (sec. 522)**

The committee recommends a provision that would modify section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) to remove the prohibition for participation by members of the Armed Forces serving under an agreement upon entry, or members receiving a critical military skill retention bonus under section 355 of title 37, United States Code, from participating in pilot programs on career flexibility to enhance retention. The provision would also remove the restriction that limits the number of participants in the program to 20 officers and 20 enlisted members who may be selected to participate in the pilot program during a calendar year.

**Sense of Senate on development of gender-neutral occupational standards for occupational assignments in the Armed Forces (sec. 523)**

The committee recommends a provision that would express the sense of the Senate that: (1) the development of gender-neutral occupational standards is vital in determining the occupational assignments of all members of the Armed Forces; (2) studies being conducted by the Armed Forces are important to the development of these standards and should incorporate the best scientific practices available; and (3) the Armed Forces should consider these studies carefully to ensure they do not result in unnecessary barriers to service and that decisions on occupational assignments be based on objective analysis and not negatively impact combat effectiveness, including units whose primary mission is to engage in direct ground combat at the tactical level.

**Subtitle D—Member Education and Training**

**Part I—Educational Assistance Reform**

**Limitation on tuition assistance for off-duty training or education (sec. 531)**

The committee recommends a provision that would direct the Secretary concerned to determine that off-duty training or education through the tuition assistance program is likely to contribute to the professional development of a servicemember. The committee notes that this provision was recommended in the final report of the Military Compensation and Retirement Modernization Commission. The committee strongly recommends good stewardship of the tuition assistance program.

**Termination of program of educational assistance for reserve component members supporting contingency operations and other operations (sec. 532)**

The committee recommends a provision that would sunset the program of educational assistance for reserve component members supporting contingency operations and other operations in 4 years after the date of enactment of this Act. The committee agrees with the finding of the Military Compensation and Retirement Modernization Commission that this program is duplicative with the Post-9/11 GI Bill, which provides a more robust benefit for service members.

**Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces (sec. 533)**

The committee recommends a provision that would require an annual report by each Secretary concerned on the educational levels attained by members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces and separated from the Armed Forces during the preceding year. The provision was recommended by the Military Compensation and Retirement Modernization Commission.

**Sense of Congress on transferability of unused education benefits to family members (sec. 534)**

The committee recommends a provision that would express a sense of Congress that each Secretary concerned should exercise the authority to be more selective in permitting the transferability of unused education benefits to family members in a manner that encourages the retention of individuals in the Armed Forces.

**No entitlement to unemployment insurance while receiving Post-9/11 Education Assistance (sec. 535)**

The committee recommends a provision that would clarify that individuals receiving Post-9/11 Education Assistance may not also receive unemployment insurance while receiving the post-9/11 education benefit.

**Part II—Other Matters**

**Repeal of statutory specification of minimum duration of in-resident instruction for courses of instruction offered as part of Phase II Joint Professional Military Education (sec. 536)**

The committee recommends a provision that would amend section 2154 of title 10, United States Code to remove the statutory minimum residency requirements for Joint Professional Military Education Phase II courses taught at the Joint Forces Staff College. The provision would also repeal section 2156 of title 10, United States Code, to repeal the requirement that the duration of the principal course of instruction offered at the Joint Forces Staff College may not be less than 10 weeks of resident instruction, and allow the Secretary of Defense or the Chairman of the Joint Chiefs

of Staff to designate and certify various curricula and delivery methods that adhere to joint curricula content, student acculturation, and faculty requirements.

**Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces (sec. 537)**

The committee recommends a provision that would amend section 2015 of title 10, United States Code, as amended by section 551 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) to require the Secretaries of the military departments to ensure the accreditation provided for servicemembers meet recognized national and international standards.

The committee believes that the Department of Defense must ensure that accrediting bodies meet certain recognized standards in order to allow service members to receive credentials that will have credibility as they seek employment in the private sector. The committee believes the Secretary is in the best position to determine these standards, but urges the Secretary to first review applicable national and international standards, such as the International Organization for Standardization (ISO/IEC) Standard 17024:2012, pertaining to general requirements for bodies operating certification programs.

**Support for athletic programs of the United States Military Academy (sec. 538)**

The committee recommends a provision that would add a new section 4362 to title 10, United States Code, that would authorize the Secretary of the Army to:

- (1) Enter into contracts and cooperative agreements with the Army West Point Athletic Association (Association) for the purpose of supporting the athletic and physical fitness programs of the United States Military Academy (Academy);
- (2) Establish financial controls to account for resources of the Academy and the Association, in accordance with accepted accounting principles;
- (3) Enter into leases or licenses for the purpose of supporting the athletic and physical fitness programs of the Academy;
- (4) Provide support services to the Association;
- (5) Accept from the Association funds, supplies, and services to support the athletic and physical fitness programs of the Academy;
- (6) Enter into contracts and cooperative agreements with the Association. This provision would also authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademark and service marks identifying the Academy, subject to the approval of the Secretary of the Army.

**Online access to the higher education component of the transition assistance program (sec. 539)**

The committee recommends a provision that would authorize the Secretary of Veterans Affairs to notify service members, veterans,

or dependents of the availability of the higher education component of the Transition Assistance Program on the Transition GPS Stand-alone Training Internet web site of the Department of Defense. The provision would also direct the Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, to assess the feasibility of providing access for veterans and dependents to the higher education component of the Transition Assistance Program on the eBenefits Internet website of the Department of Veterans Affairs and tracking the completion of that component through that Internet web site.

The Secretary of Defense shall submit to Congress a report setting forth a description of the cost and length of time required to provide access and begin tracking completion of the higher education component of the Transition Assistance Program.

### **Subtitle E—Military Justice**

#### **Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission (sec. 546)**

The committee recommends a provision that would amend Rule 304(c) of the Military Rules of Evidence to provide that a confession by an accused may be considered as evidence against the accused only if independent evidence, direct or circumstantial, has been admitted into evidence that would tend to establish the trustworthiness of the confession.

#### **Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel (sec. 547)**

The committee recommends a provision that would require Rule 104(b) of the Rules for Courts-Martial be modified within 180 days after the date of enactment to prohibit giving a less favorable rating to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which such Counsel represented a victim.

#### **Right of victims of offenses under the Uniform Code of Military Justice to timely disclosure of certain materials and information in connection with prosecution of offenses (sec. 548)**

The provision would amend section section 806b(a) of title 10, United States Code, (Article 6b(a), UCMJ) to require timely disclosure by the trial counsel to a Special Victims' Counsel, if the victim is so represented, to charges and specifications related to any offenses, motions filed by trial or defense counsel, statements of the accused, statements of the victim in connection with the offense, portions of the government investigation relating to the victim, and the advice, if any, by a staff judge advocate recommending any charge or specification not be referred to trial.

**Enforcement of certain crime victims' rights by the Court of Criminal Appeals (sec. 549)**

The committee recommends a provision that would amend section 806b of title 10, United States Code, (Article 6b, Uniform Code of Military Justice (UCMJ)), to allow an interlocutory appeal by a victim based on assertion that the victim's rights at an Article 32, UCMJ investigation were violated.

**Release to victims upon request of complete record of proceedings and testimony of courts-martial in cases in which sentences adjudged could include punitive discharge (sec. 550)**

The committee recommends a provision that would amend section 854(e) of title 10, United States Code (article 54(e), UCMJ), to expand the circumstances under which an alleged victim must be provided a copy of all prepared records of the proceedings of a court-martial.

**Representation and assistance of victims by Special Victims' Counsel in questioning by military criminal investigators (sec. 551)**

The committee recommends a provision that would amend section 1044e(f) of title 10, United States Code, to require a military criminal investigator seeking to question an individual eligible for assistance of Special Victims' Counsel (SVC) to inform the victim of the right to be represented by a SVC in connection with such questioning. If a victim invokes the right then the SVC shall assist the victim during questioning, the investigator shall only contact the victim through the SVC, and the military criminal investigations may not question the victim without consent of the SVC.

**Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various government proceedings (sec. 552)**

The committee recommends a provision that would modify section 1044e(b) of title 10, United States Code, to authorize Special Victims' Counsel to provide legal consultation and assistance to victims of an alleged sex-related offense, in connection with inspector general and equal opportunity complaints, requests for information under the Freedom of Information Act, and communications with Congress.

**Enhancement of confidentiality of restricted reporting of sexual assault in the military (sec. 553)**

The committee recommends a provision that would amend subsection (b) of section 1565b of title 10, United States Code, to provide that federal law protecting the privacy of victims who are servicemembers or adult military dependents and who file restricted reports of sexual assault would preempt any State laws that require mandatory reporting made to a sexual assault response coordinator, a sexual assault victim advocate, or healthcare personnel providing assistance to a military sexual assault victim under section 1525b of title 10, United States Code, except when

reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.

**Establishment of Office of Complex Investigations within the National Guard Bureau (sec. 554)**

The committee recommends a provision that would add a new section to Chapter 1101 of title 10, United States Code, that would establish an Office of Complex Investigations within the National Guard Bureau (NGB), with authority to assist the States in administrative investigations of sexual assault involving members of the National Guard, and circumstances involving members of the Guard where States have limited jurisdiction or authority and such other circumstances as the Chief of the NGB directs. It also allows individual investigators established under this provision to request information from any Federal, State or local government.

**Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (sec. 555)**

The committee recommends a provision that would amend section 546(a)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) to require the Secretary of Defense to establish the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces not later than 90 days after enactment of this Act.

**Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve (sec. 556)**

The committee recommends a provision that would require the Comptroller General of the United States to submit a report of the extent to which the Army National Guard and Army Reserve have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard and Army Reserve, and provide medical and mental health services to members of the Army National Guard and Army Reserve following a sexual assault, and to identify whether service in the Army National Guard or Army Reserve pose challenges to the prevention of or response to sexual assault. The Comptroller General will provide the initial report Congress not later than April 1, 2016.

**Sense of Congress on the service of military families and on sentencing retirement eligible members of the Armed Forces (sec. 557)**

The committee recommends a provision that would express the sense of Congress that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of family members, that family members of retirement-eligible members should not be adversely affected by the loss of the member’s military benefits as a result of a court-martial conviction, and welcoming the opportunity to work with the Department of Defense to develop authori-

ties to improve the military justice system and protect benefits that military families have helped earn.

**Subtitle F—Defense Dependents’ Education and Military Family Readiness Matters**

**Continuation of authority to assist local educational agencies that benefit dependents of members of the armed forces and Department of Defense civilian employees (sec. 561)**

The committee recommends a provision that would authorize \$25.0 million in Operation and Maintenance, Defense-wide, for continuation of the Department of Defense (DOD) assistance program to local educational agencies that are impacted by enrollment of dependent children of military members and DOD civilian employees.

**Impact aid for children with severe disabilities (sec. 562)**

The committee recommends a provision that would authorize \$5.0 million in Operation and Maintenance, Defense-wide, for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), for continuation of Department of Defense assistance to local educational agencies that benefit eligible dependents with severe disabilities.

**Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States (sec. 563)**

The committee recommends a provision that would amend section 2243 of title 10, United States Code, to authorize the use of appropriated funds to support student meal programs in domestic defense dependents’ schools located outside of the United States.

**Biennial surveys of military dependents on military family readiness matters (sec. 564)**

The committee recommends a provision that would require the Director of the Office of Family Policy of the Department of Defense to conduct biennial surveys of adult dependents of members of the Armed Forces on matters of military family readiness.

**Subtitle G—Miscellaneous Reporting Requirements**

**Extension of semiannual reports on the involuntary separation of members of the Armed Forces (sec. 571)**

The committee recommends a provision that would amend section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) to extend the requirement for semiannual reports on involuntary separation of members of the Armed Forces through calendar year 2017.

**Remotely piloted aircraft career field manning shortfalls  
(sec. 572)**

The committee recommends a provision that would limit the availability of more than 85 percent of fiscal year 2016 operation and maintenance funds for the Office of the Secretary of the Air Force until the Secretary submits a report, not later than 60 days after enactment of this Act, on remotely piloted aircraft career field manning policies and actions the Air Force will take to rectify personnel shortfalls. Such actions should include a description and associated timeline of actions the Air Force will take to increase remotely piloted aircraft career field manpower authorizations and manning levels to at least the equal of the normative levels of manning and readiness of all other combat aircraft career fields, and also recruitment/retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards as well as ensuring the school house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

The committee is concerned that the remotely piloted aircraft career field is under severe strain because of increased combatant commander requirements, consistently insufficient Air Force personnel policy actions to improve manning levels, and is compounded by the Air Force losing more remotely piloted aircraft pilots than it is training. The increased demand has resulted in lower crew ratios, longer duty days, and longer time-on-station assignments for affected personnel, and ultimately less capability than required by the combatant commanders.

The Air Force has been playing catch-up in fielding sufficient crews to support the number of medium altitude intelligence, surveillance, and reconnaissance (ISR) combat air patrols (CAPs) required to support combatant commander requirements. In 2009, the Air Force was tasked to support 50 CAPs. Air Force plans in 2009 showed that the Air Force would be able to support 50 CAPs with sufficient crews by 2011, and have sufficient crews to support 65 CAPs by fiscal year 2016. Subsequently, the Department increased the demand to 65 CAPs. Last year, the 65-CAP goal was reduced to 55 CAPs, but, even with the reduction, Air Force capabilities have not lived up to the demand or achieved its own projections.

The Air Force still faces a projected annual shortfall in fiscal year 2016 of nearly 400 MQ-1/9 aircraft pilots to sustain the regular Air Force requirement of 1,200 pilots. The Air Force's fiscal year 2016 budget request would increase the number of MQ-9 combat air patrols from 55 to 60, and maintain five combat air patrols for MQ-1. The Air Force indicated in its budget submission that it intends to add 434 personnel authorizations to the MQ-9 force structure, but increased authorizations do not necessarily equate to additional personnel and sufficient manning levels in squadrons. Had the Air Force realized its own proposed manpower authorization increases to the RPA community planned in 2009, we would not be experiencing the current manning shortfalls still plaguing the career field.

**Subtitle H—Other Matters****Part I—Financial Literacy and Preparedness of Members of the Armed Forces****Improvement of financial literacy and preparedness of members of the Armed Forces (sec. 581)**

The committee recommends a provision that would require servicemember financial literacy training upon arrival at the first duty station and upon arrival at each subsequent duty station for servicemembers below the pay grade of E-5 in the case of enlisted personnel and below the pay grade of O-4 in the case of officers. The provision would further require financial literacy training for each servicemember at various career and life milestones. The provision would also direct the Department of Defense to include a financial literacy and preparedness survey in the status of forces survey. This provision was recommended by the Military Compensation and Retirement Modernization Commission.

**Financial literacy training with respect to certain financial services for members of the uniformed services (sec. 582)**

The committee recommends a provision that would direct the Secretary concerned to provide financial literacy training to members of the uniformed services under the jurisdiction of such Secretary commencing not later than 6 months after the date of the enactment of this Act. The provision is based on the final report of the Military Compensation and Retirement Modernization Commission.

**Sense of Congress on financial literacy and preparedness of members of the Armed Forces (sec. 583)**

The committee recommends a provision that would express the sense of the Congress that the Secretary of Defense should work with other departments, agencies, and nonprofit organizations to improve financial literacy and preparedness with support from the Joint Chiefs of Staff and service secretaries.

**Part II—Other Matters****Authority for applications for correction of military records to be initiated by the Secretary concerned (sec. 586)**

The committee recommends a provision that would amend section 1552(b) of title 10, United States Code, to authorize the service secretaries to apply for a correction to military records on behalf of an individual.

**Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due (sec. 587)**

The committee recommends a provision that would provide statutory authority for the long-established practice of the Department of Defense (DOD) of obligating bonus and special and incentive pay installment payments at the time payment is due and payable.

This provision is in response to a recent U.S. Government Accountability Office opinion, Comp. Gen. B-325526—“Obligation of Bonuses under Military Service Agreements,” July 16, 2014, which concluded that DOD cedes fiscal exposure to servicemembers when it enters into such agreements and should change its obligational practices to obligate the entire bonus amount when the agreement is signed.

**Enhancements to Yellow Ribbon Reintegration Program (sec. 588)**

The committee recommends a provision that would amend section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) to enhance and improve the Yellow Ribbon Reintegration Program for National Guard and Reserve members and their families. The provision would provide flexibility to deliver events and activities through alternate methods, and would eliminate redundancy by reducing the number of required events and activities to a minimum of four during a servicemember’s deployment cycle. The provision would continue strong support for suicide prevention efforts and outreach programs led by the states.

**Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces (sec. 589)**

The committee recommends a provision that would require the Secretary of Defense to consult with the Secretary of Homeland Security to afford a priority in the processing of applications for a Transportation Worker Identification Credential (TWIC) submitted by members of the Armed Forces who are undergoing separation, discharge, or release from the Armed Forces under honorable conditions. The provision would also require the Secretary of Defense and the Secretary of Homeland Security to jointly submit a report on the implementation requirements of this provision not later than 1 year after the date of enactment of this Act.

**Issuance of Recognition of Service ID cards to certain members separating from the Armed Forces (sec. 590)**

The committee recommends a provision that would require Secretary of Defense to issue an identification card that identifies individuals as veterans, personalized with name and photo of the individual. The Secretary of Defense would be authorized to work with retailers for reduced prices on services, consumer products, and pharmaceuticals. Cards would be issued prospectively from 1 year after effective date of the Act.

**Revised policy on network services for military services (sec. 591)**

The committee recommends a provision that would generally prohibit the use of uniformed military personnel in the provision of network services for military installations in the United States.

The committee notes that the current budget environment has forced the Services to significantly reduce end strength. However, the Services now have increasing requirements and demands which require additional people. The committee believes that the Services

must transfer responsibility for certain missions, such as network services, away from military personnel and instead acquire these services as a commodity.

The provision would generally prohibit the use of military personnel to provide network services such as email, voice, file sharing, and directory and Internet services in the United States 2 years after the date of enactment of this Act. The committee believes this will give the Department of Defense (DOD) time to begin a transition plan.

The provision includes both an exception and a waiver to this policy for network services in support of combatant commands, special operations, the intelligence community, or Cyber Command. Further, the Secretary of Defense or Chief Information Officer may waive this provision for safety reasons or combat operations.

The bill provision further requires a report from DOD, which also requires validation from the Director of Cost Assessment and Program Evaluation (CAPE) on the potential savings in both resources and military personnel that could be achieved with this section.

**Increase in number of days of Active Duty required to be performed by reserve component members for duty to be considered federal service for purposes of unemployment compensation for ex-servicemembers (sec. 592)**

The committee recommends a provision that would increase from 90 to 180 days the number of continuous days of Active Duty required to be performed by reserve component members for that duty to be considered satisfactory federal service for purposes of unemployment compensation for ex-servicemembers.

**Items of Special Interest**

**Assessment on Servicemembers lacking post-transition housing**

The committee commends the Departments of Defense and Veterans Affairs in coordinating efforts to combat veteran homelessness. The committee supports the collaboration between the Department of Defense and the Department of Veterans Affairs to assist servicemembers during the transition process, particularly the program that identifies servicemembers during the Transition Assistance Program who may lack post-transition housing, and who may therefore be at greater risk for becoming homeless.

The committee directs the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, to submit to the Committees on Armed Services of the Senate and House of Representatives, by no later than December 1, 2015, a report on the number of servicemembers who have indicated a lack of post-transition housing during the Transition Assistance process, broken down by fiscal year, gender, location, and who were therefore referred to the Department of Veterans Affairs. The report required shall include an analysis of what steps may be taken to lessen the number of servicemembers with no post-transition housing.

### **Availability of Special Victims' Counsel as Individual Military Counsel**

In section 1716 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), Congress required each military department to provide Special Victims' Counsel to provide legal representation to survivors of alleged sex-related offenses.

Special Victims' Counsel form an attorney-client relationship when representing these survivors throughout the military justice process, where they actively advise the survivors, protect their legal rights, and help them to navigate the military's criminal justice system.

In some cases, survivors also face criminal charges or disciplinary action. Some survivors have expressed a desire to be represented in criminal and adverse administrative actions by their Special Victims Counsel with whom they already have an attorney-client relationship and who understands their personal situation. The committee believes that when survivors become the accused they should, to the maximum extent possible, have a choice over which attorney will represent and advise them.

Article 38(b), Uniform Code of Military Justice (UCMJ)(10 U.S.C. 838), authorizes an accused to be represented by military counsel of his or her own selection if that counsel is determined to be reasonably available under applicable regulations. It is the committee's intent that nothing should preclude a survivor from requesting his or her Special Victims' Counsel as individual military counsel, and that the Special Victims' Counsel should be authorized to represent the survivor in trials by courts-martial, at non-judicial punishment proceedings under Article 15 of the UCMJ (10 U.S.C. 815), and in connection with adverse administrative actions when the counsel is reasonably available. It is the committee's expectation that survivors be provided with a choice of counsel to the maximum extent possible.

### **Changes to the Joint Travel Regulation**

On November 1, 2014, the Department of Defense (DOD) revised Joint Travel Regulations were implemented resulting in a flat rate per diem for travelers performing temporary duty travel (TDY) for more than 30 days in one location. Depending on the duration of the travel, the authorized flat rate was adjusted to reflect 75 percent and 55 percent of the locality rate for long-term TDY with the DOD reimbursing travelers for actual lodging and government meal rates if suitable lodging at the reduced rate is not available.

The committee wants to ensure that the current policy does not discourage some DOD personnel—including civilian workers at shipyards and depots—from volunteering for important TDY assignments.

The committee supports the DOD's initiatives to achieve efficiencies, including in the area of temporary duty travel costs. However, the committee expects the DOD to monitor closely the effect of this new policy to avoid unintended disincentives and ensure that those who volunteer for mission essential travel are fully supported and encouraged.

**Comptroller General of the United States assessment of Department of Defense personnel strategies for unmanned aerial systems**

The committee directs the Comptroller General of the United States to submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a study, conducted by the Comptroller General for the purposes of the report, due no later than March 1, 2016, to examine the Department of Defense's personnel strategies for unmanned aerial systems (UAS). The report shall include an examination of how the services have done the following: (1) Analyzed the personnel requirements for positions required to fly UAS including the existing and future critical skills and competencies needed; (2) examined alternative populations, such as civilians and contractors, that could be assigned to UAS units; (3) coordinated their strategies to recruit and retain personnel to operate UAS; and (4) conducted a cost benefit analysis to determine the risks and advantages of the varying personnel assignment strategies they are pursuing for UAS operators.

**Comptroller General report on Department of Defense credentialing and licensing programs**

In section 551 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), the committee directed the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, to carry out a credentialing program that would allow servicemembers to obtain professional credentials related to their military training that were acquired during service in the Armed Forces. The purpose of this program is to ensure that servicemembers receive professional recognition of skills acquired during military service that translate into civilian life. The committee expects that successful implementation of this program will reduce veteran unemployment and related unemployment costs borne by the military services. The committee is concerned that this program is implemented in a timely fashion, and meets the needs of servicemembers as veteran unemployment and attendant costs remain high. Accordingly, the committee directs the Comptroller General of the United States to review DOD's credentialing and licensing programs, and to provide a briefing on preliminary results by no later than May 1, 2016, to the Committees on Armed Services of the Senate and House of Representatives with a report to follow on a date agreed to at the time of the briefing. The review should address, at a minimum, the following: (1) The extent to which DOD has successfully implemented the credentialing program required by section 551 of the National Defense Authorization Act for Fiscal Year 2015; (2) the challenges that still exist with respect to full implementation; (3) the steps the Department has taken to ensure quality control over the credentialing process with respect to third-party credentialing entities; (4) challenges DOD is encountering regarding compatibility between their credentialing programs with federal, state, and local credentialing requirements; and (5) existing gaps in law and policy with respect to meeting the program's goal of providing professional credentials to

servicemembers, on the basis of their military education and training, before they transition to civilian life.

#### **Cyber security training, testing and certification**

The committee continues to encourage the Department of Defense (DOD) to enhance its ongoing efforts related to providing certifications to personnel pursuant to Department of Defense Directive (DODD) 8570.01. While DODD 8570.01 is highly effective, this program is limited to coverage to only DOD personnel with information assurance (IA) job responsibilities. The committee believes in addition to these IA functions, technical support and network infrastructure oversight remain critical areas for network defense. Ensuring these positions receive training, testing, and industry-recognized certification would enhance the security of DOD networks and ensure members of the Armed Forces receive the same credentials recognized in the civilian workforce. By instituting testing after training, DOD can ensure that cyber security and IT skills are retained. Therefore, the committee urges DOD to include them in DODD 8570.01 and any successor directives.

#### **Disability pilot program feasibility report**

Department of Defense (DOD) civilians with disabilities and servicemembers who have been wounded or injured in the line of duty serve honorably, meet certain standards required for their positions, and contribute to the national security of the United States.

In recognition of the dedicated service of the DOD's disabled civilian employees and servicemembers, and in order to evaluate opportunities to employ the full range of abilities that they may contribute to certain military specialties, the committee directs the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the feasibility of a pilot program to determine whether civilians with certain medical conditions that are currently grounds for rejection for military service under Department of Defense Instruction 6130.03 may be appointed, enlisted or inducted in the military services.

The committee directs the Secretary of Defense to prepare the report through the Accession Medical Standards Working Group (AWSWG) that convened in February 2015.

The report should specifically describe a plan to conduct a pilot program that would evaluate conditions necessary to appoint, enlist, or induct, at a minimum, persons with deafness or hearing impairment, amblyopia or partial visual impairment, a lost or missing limb or limbs, paraplegia, a history of surgical procedures, or a history of asthma. The feasibility report should consider whether individuals with certain medical conditions might be more suited to certain jobs than able-bodied individuals, as could be the case with a deaf individual working in high-noise environments.

The report should address validity of assumptions contained in Department of Defense Instruction 6130.03 that result in individuals with designated medical conditions being rejected for military service while currently serving military members with the same or a similar disability may be allowed to continue to serve. The report

should assess the feasibility of including currently-serving military members of DOD and civilians with similar disabilities who are not DOD military members or civilians as participants in a pilot program. The report should identify, at a minimum, the potential size of the cohort (by specific disability); the disabilities that are amenable to objective evaluation through a pilot program; the optimal duration of the potential pilot program; applicability of human subject research requirements to a pilot program; considerations for determining the status of individuals selected to participate in the pilot program when the pilot program is completed; and the likely cost.

The committee notes that Senate Report 113–211, which accompanied H.R. 4870, directed the Department of the Air Force to study the feasibility and advisability of permitting individuals with auditory impairment, including deafness, to access as officers in the Armed Forces.

While this reporting requirement is broader in scope than the report required in Senate Report 113–211, the committee expects the department to coordinate with the Air Force to benefit from their analysis and to avoid duplicative work.

The committee directs that the feasibility report be submitted to the Committees on Armed Services of the Senate and the House of Representatives no later than March 1, 2016.

#### **Extending Special Victims' Counsel eligibility for civilian sexual assault survivors**

The statute requiring the military services to provide Special Victims' Counsel (SVC) to certain victims of alleged sex-related offenses identifies the following individuals as eligible for this assistance: (1) Active duty servicemembers and their dependents; (2) Reserve and National Guard members when on active duty or inactive duty and their dependents; (3) retired servicemembers and their dependents; and (4) certain civilians overseas. Initial reports indicate this novel program that provides victims with their own attorney to represent them during the investigation and prosecution of sexual offenses is well-received by survivors of sexual assaults.

In its initial report, the Judicial Proceedings Panel (JPP), established by section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) to conduct an independent review and assessment of judicial proceedings conducted under the Uniform Code of Military Justice, expressed the following initial observation: “The JPP is concerned that the statutory basis creating eligibility for SVC services is tied to eligibility for legal assistance services. This requirement precludes the program from supporting all victims of sexual assault perpetrated by Servicemembers, because many such individuals are not eligible for legal assistance under the statute.” The committee agrees with this observation. Many civilian survivors of a sexual assault perpetrated by a servicemember are not familiar with the military. Navigating the military justice system is especially confusing for civilians unaccustomed to military culture and procedure. Further, this lack of familiarity is compounded by fact that many survivors are young and financially disadvantaged.

The committee directs the Secretary of Defense to assess the feasibility of providing Special Victims' Counsel to civilian survivors of sexual assaults by a servicemember who are not otherwise eligible for legal assistance services from the military and to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than August 31, 2015. The assessment should address the impact on the current SVC program of extending SVC eligibility to civilian survivors; views of civilian bar associations on providing legal representation to civilians not entitled to legal assistance; and the feasibility of a pilot program in which National Guard and Reserve judge advocates provide military justice and victim advocacy training to civilian attorneys serving military communities.

### **Forensic Experiential Trauma Interview**

The U.S. Army Military Police School is training the next generation of Army criminal investigators and judge advocates in the Forensic Experiential Trauma Interview (FETI), a technique that utilizes the latest information about the parts of the brain that experience trauma, including sexual assault trauma. Because stress and trauma routinely interrupt the memory process, FETI techniques are an important investigatory tool that reduces the inaccuracy of the information obtained from trauma victims, increases the confidence of assault survivors to participate in the criminal justice system, and increases the likelihood of successful criminal convictions without revictimizing survivors in the way that traditional interviews can. The FETI technique also enhances the questioning of suspects, who frequently provide more useful information than would be obtained using traditional interrogation techniques. Bringing the latest science to the fight against sexual assault provides criminal investigators a better way to relate to the survivors' experience, to identify sex offenders, and to hold them accountable.

In light of the demonstrated value of FETI, the committee directs the service secretaries to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than August 31, 2015, that describes how widely FETI training has been provided to criminal investigators and judge advocates of that Service and plans for future training. If any service is not utilizing FETI training, the report should include an explanation of the Service's decision to not employ FETI and a description of the alternative training and techniques used by that Service.

The committee believes that the U.S. Army is a leader in effective interviewing techniques of sexual assault survivors and recommends that the U.S. Army Military Police School, upon the request of other federal agencies, facilitate FETI training of members of that agency whenever possible.

Finally, the Department of Defense's Sexual Assault Prevention and Response Office (SAPRO) has demonstrated sustained effort to eliminate sexual assault in the Armed Forces. The committee encourages SAPRO to incorporate FETI best practices on how to deal appropriately with sexual assault survivors into all levels of SAPRO's sexual assault prevention and response training.

**Increase in number of persons from U.S. Pacific Command area of operations who receive instruction at military academies**

Each service secretary is authorized to permit up to 60 persons from foreign countries to receive instruction at the military academy of that Service. The committee encourages service secretaries to promote the Asia-Pacific rebalance by increasing, among the 60-persons authorized, the percentage of persons from countries in the U.S. Pacific Command area of operations who receive instruction at the military academies.

**Increasing the transparency of the military justice system**

Making the results of courts-martial public is important to instill public confidence in the administration of justice in the military.

The committee is aware of the current practices of the military services to make the results of general and special courts-martial available to the general public. The Air Force publishes sexual assault courts-martial convictions periodically on the Air Force Judge Advocate General's Corps website. The Marine Corps posts information on courts-martial actions monthly on the Marine Corps homepage. The Army and Navy both publicly release service-wide summaries of courts-martial actions, the results of which are routinely published in military magazines.

The committee believes that transparency of the military justice system would be improved by a more consistent practice by all services to make the results of court-martial available to the public. Therefore, the committee directs the Secretary of Defense to examine the various reporting methods being used and to prescribe a consistent and regular method of making public the results of general and special courts-martial by all the services. The committee believes that the public has an interest in knowing, at a minimum, the date, location, level of courts-martial, name of the accused if convicted, charges, verdict and, if applicable, the sentence adjudged.

**Leadership reorganization of the United States Air Force Judge Advocate General's Corps**

The committee is concerned that the organizational leadership of the United States Air Force Judge Advocate General's Corps has become adversely impacted by the loss of three general officer billets. Former Secretary of Defense Gates directed, in 2011, reductions in flag and general officer billets in the Armed Forces in an initiative to streamline headquarters. That reduction resulted in the loss of several senior officer billets in the Air Force Judge Advocate General's Corps. None of the other military services' judge advocates general corps were similarly affected. The committee commends the intent of the Gates' initiative to make needed and long overdue reductions in the number of flag and general officers in the Armed Forces and is not directing nor does it support an increase in the number of general or flag officers authorized. The impact of the Gates' initiative to the Air Force Judge Advocate General's Corps, however, was to eliminate important professional and career development opportunities for senior judge advocates who form the body of qualified officers from which the Air Force would

select the Judge Advocate General. The loss of these billets occurred during a period of unprecedented growth in the important role of judge advocates in key mission support areas while our Nation is at war. At the same time, senior judge advocates are the key advisers to the Secretary of the Air Force and Chief of Staff of the Air Force to implement congressionally-mandated military justice reforms and new initiatives to combat sexual assault and sexual harassment in the Armed Forces. The essential role for senior judge advocates is expected to continue. Elsewhere in this Act, the committee has directed significant acquisition reforms which would increase the responsibilities of the service chiefs for execution of acquisition of major defense acquisition programs. The Air Force is unique among the military departments in the use of judge advocates in acquisition programs while, as a result of the Gates' initiative, it was required to give up the senior judge advocate general officer billet responsible to lead and supervise the Air Force Judge Advocate General's uniformed acquisition attorneys. Accordingly, the committee directs the Secretary of the Air Force, with advice from the Judge Advocate General of the Air Force, to determine the impact of the elimination of those three general officer positions on the legal leadership for the Department of the Air Force and to report any actions that will be implemented by the Air Force to address this leadership shortfall, and to provide recommendations of any legislative relief necessary to address such impact, to the Committees on Armed Services of the Senate and the House of Representatives no later than September 1, 2015.

#### **National Guard and Reserve headquarters**

The committee notes that the reserve component, both the National Guard and Reserves, are key components of the Department of Defense's (DOD) organizational structure and strategic capability. Reserve components comprise approximately 50 percent of the Army's total end strength, while reserve components comprise about 30 percent of the Air Force's total end strength. The committee notes that the Government Accountability Office (GAO) found in 2013 that amid the DOD's efforts to trim budgets by finding efficiencies and reducing overhead, some reserve component headquarters have grown. In its report, the GAO found the processes intended to efficiently size and oversee reserve component headquarters have not been consistently applied.

The committee is interested in determining whether DOD has taken steps to eliminate overlapping, fragmented, or duplicative functions within the National Guard and Reserve headquarters could lead to greater efficiencies and cost reductions within the reserve components.

Accordingly, the committee directs the Comptroller General of the United States to evaluate the extent to which the National Guard and Reserves have taken steps to eliminate or consolidate overlapping, fragmented, or duplicative functions, and whether the National Guard reviewed its Joint Force Headquarters for greater efficiencies by consolidating roles that are filled by both Army and Air National Guard members.

The committee directs the Comptroller General to submit a report to the Committees on Armed Services of the Senate and the House of Representatives no later than March 15, 2016.

#### **Public Schools on Department of Defense Installations**

The committee is aware that there are more than 150 public schools located on Department of Defense installations, serving a significant number of military dependent children. Although these schools are on-base, these schools are run by the local public school districts, but do not receive DODEA funds. Recognizing that many of these schools have severe overcrowding or are in deteriorating physical condition, in fiscal year 2011, the Department of Defense Office of Economic Adjustment was provided authority to evaluate the condition and capacity of such schools, and approved a Priority List in July 2011. The committee recognizes that the Department of Defense has since provided grants to renovate, repair, or expand such public schools on military installations, focusing on the schools with the most severe overcrowding or facilities needs in priority order. Since 2011, many schools on the list may have had changes in enrollment due to military activity, and may have experienced changes in physical condition. Therefore, the committee directs the Department of Defense to provide the congressional defense committees, by September 1, 2016, with an updated assessment and priority list on the condition and capacity of public schools on military installations not already included in bands 1–6 of the July 2011 Priority List.

#### **Punishment for collateral misconduct revealed by reports of sexual misconduct**

The committee agrees with military leaders that a culture of prevention, accountability, dignity, and respect must exist throughout the ranks. Toward that end, any barriers that deter servicemembers from reporting sexual misconduct must be eliminated, and all who courageously report these crimes must be encouraged and staunchly supported.

Surveys indicate that the fear of being punished for minor misconduct serves as a deterrent to the reporting of sexual assault. The larger goal of ensuring that the Armed Forces are cohesive and effective, and that the honor and trust that sustains our Armed Forces is preserved, dictates that the elimination of sexual assault is more important than the punishment of minor misconduct.

The committee encourages military leaders to refrain from punishing servicemembers who report sexual misconduct for minor collateral misconduct, such as underage drinking, fraternization, and adultery when the underlying minor crimes would not have come to the chain of command's attention but for the servicemember's report of sexual misconduct.

#### **Religious freedom and role of military chaplains**

The committee continues to encourage the Department of Defense and Armed Forces to support servicemembers' right to express their sincerely held religious and moral beliefs. Individual expressions of religious and moral beliefs in the military will be accommodated unless it is determined that such individual actions

could have an adverse impact on military readiness, unit cohesion, and good order and discipline. The committee recognizes the vital role of religious beliefs and the expression of faith for many servicemembers and their families. Preserving a military culture that protects the freedom of expression, including the freedom not to believe, is important to the morale and to recruiting and retention in the Armed Forces.

The committee further recognizes that a military chaplain is a certified religious military professional of a qualified religious organization who has satisfied the professional religious education and ecclesiastical qualifications of his or her endorsing agency and is appointed a commissioned officer in an Armed Service's chaplain corps. The chaplain remains a representative of and accountable to the endorsing faith group for the religious ministry he or she provides to members of the Armed Services and to their families. The committee expects that commanders will ensure a chaplain's right to religious expression and to provide religious exercise and guidance that accurately represent the chaplain's faith are protected, respected, and unencumbered by any means contrary to section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) as amended by section 532 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66).

The committee recognizes the role of the military chaplain in the Armed Forces to care for the spiritual well-being of servicemembers and their families. As part of their service, many chaplains play a critical function in providing for the mental health and emotional needs of servicemembers and their families by helping them to deal with the unique pressures and stresses associated with military service. This includes, but is not limited to, suicide prevention, coping with post-traumatic stress disorder (PTSD), depression, sexual assault, providing marriage and family counseling, and providing religious and moral guidance. The committee encourages the Department of Defense to continue efforts to integrate military chaplains into the programming for mental health and well-being and to provide clear guidance for addressing formations and groups where attendance by service members is required.

The committee also notes the results of a RAND Corporation survey of Army chaplains published on April 7, 2015 which concluded that 44 percent of chaplains and 57 percent of chaplain assistants believe they need more training in suicide prevention treatment. No later than 180 days after the enactment of this Act, the Department of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a report on shortfalls in suicide prevention training for the chaplain corps in each service branch and a strategy to address these shortfalls.

**Report on review of petitions for review of discharge or dismissal from the Armed Forces of veterans with mental health issues connected with post-traumatic stress disorder or traumatic brain injury**

Section 521 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) requires that any medical advisory opinion issued to a

board for correction of military records regarding a servicemember or former servicemember who was diagnosed while serving in the military as experiencing a mental health disorder include the opinion of a clinical psychologist or psychiatrist if the individual's request for correction of records relates to a mental health disorder. This section also requires that boards for review of discharge or dismissal include, as a member of the board, a clinical psychologist or psychiatrist, or a physician with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury, when the board considers a request for review of a discharge or dismissal by a former servicemember (1) who was diagnosed as experiencing post-traumatic stress disorder or traumatic brain injury as a consequence of a deployment in support of a contingency operation, or (2) who was diagnosed while serving in the military as experiencing a mental health disorder.

In addition, on September 3, 2014, the Secretary of Defense issued supplemental guidance to Military Boards for Correction of Military/Naval Records considering discharge upgrade requests by veterans claiming post-traumatic stress disorder (PTSD). The Secretary directed the boards to give liberal consideration to documentation of one or more symptoms which meet the diagnostic criteria of PTSD or related conditions, giving special consideration to Department of Veterans Affairs' determinations which document PTSD or PTSD-related conditions connected to military service.

The committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than August 31, 2015, on the implementation of these authorities. In addition to describing the implementation of these authorities, the report should include the number of applications submitted to which these authorities apply, and the number of cases in which relief was granted as a result of these new authorities.

#### **Report on Secretary of Defense and Chairman of the Joint Chiefs of Staff decisions on combat integration**

The committee remains interested in the process and results of the military services' and United State Special Operations Command's (SOCOM) implementation of the January 24, 2013, letter from the Secretary of Defense and Chairman of the Joint Chiefs of Staff rescinding the direct ground combat exclusion and assignment rule and directing the services and SOCOM to open all closed positions to service by women by January 1, 2016, or to request an exception to policy prior to that date to keep occupations closed. According to the letter, "exceptions must be narrowly tailored, and based on a rigorous analysis of factual data regarding the knowledge, skills, and abilities needed for the position."

The committee directs the Secretary and Chairman to provide to the Committees on Armed Services of the Senate and House of Representatives by no later than March 1, 2016, a report describing the conclusions reached by the Secretary and Chairman with respect to decisions to open closed occupations to service by women, and the reasons behind such conclusions, with particular reference to the "rigorous analysis of factual data" used in reaching these conclusions.

**Social Security Number Use Reduction Plan**

The committee recognizes that service members are increasingly vulnerable to identify theft, in part because of overly frequent use of Social Security numbers (SSN) in the military for identification purposes. The committee commends the Department of Defense for establishing the SSN Use Reduction Plan in Department of Defense Instruction 1000.30, dated August 1, 2012. The SSN Use Reduction Plan directs that the collection and use of SSNs be reduced or eliminated where possible and requires justification for any continued collection and use of SSNs. The plan identifies the Department of Defense Identification Number as a suitable replacement for SSNs in most processes and business needs and directs that Department of Defense Identification Numbers replace the SSN as the Geneva Conventions Serial Number on Department of Defense identification cards. The committee remains concerned that the collection and use of SSNs remains prolific in Department of Defense systems and forms, including record of service forms, travel and permanent change of station orders, evaluations, and others. The Department of Defense's continued widespread, unnecessary use of SSNs for identification purposes exposes service members to heightened and unacceptable risk of identity theft. Therefore, the committee strongly encourages the Department of Defense to eliminate the use of SSNs as a method of identifying service members.

**Support for military families impacted by grief, behavioral health disorders, or substance abuse**

The committee applauds the Services for their recognition of military family readiness and resilience as vital elements of maintaining an effective fighting force. Ready families require knowledge, skills, and support necessary to respond with resilience to the challenges of military life, including chronic stressors and traumatic events.

Children of members of the Armed Forces experience unique stressors, such as prolonged separation, permanent changes of station, and higher rates of parental alcohol and prescription drug abuse. The committee is aware that childhood and adolescence are particularly important periods for investing in resilience, and research shows the single most influential factor in promoting resilience in children is the presence of supportive relationships, especially parents, but also with adults outside the home. Evidence suggests that providing children and adolescents with opportunities to develop supportive relationships and coping strategies outside the home in environments that provide both warmth and structure contribute positively to resilience building. Accordingly, the committee urges the Secretary of Defense to review and evaluate materials, resources, and programs available to children of members of the Armed Forces dealing with bereavement or a parent, guardian, or sibling who suffers from a behavioral health disorder or substance abuse and to continue to support partnerships with non-governmental organizations to address any identified gaps in support.