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

Additional exception to prohibition on contractor performance of firefighting functions

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

The House bill contained no similar provision.

The Senate recedes.

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

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

The House bill contained no similar provision.

The Senate recedes.

Joint Advertising, Market Research, and Studies Program

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

The House bill contained no similar provision.

The Senate recedes.

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

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

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

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

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

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2006 authorized</th>
<th>FY 2007</th>
<th>Change from FY 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>512,400</td>
<td>512,400</td>
<td>0</td>
</tr>
<tr>
<td>Navy</td>
<td>352,700</td>
<td>352,700</td>
<td>0</td>
</tr>
<tr>
<td>Air Force</td>
<td>357,400</td>
<td>357,400</td>
<td>0</td>
</tr>
<tr>
<td>DoD Total</td>
<td>1,222,500</td>
<td>1,222,500</td>
<td>0</td>
</tr>
</tbody>
</table>

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

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

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2007: the Army National Guard of the United States, 350,000; the Army Reserve, 200,000; the Navy Reserve, 71,300; the Marine Corps Reserve, 39,000; the Air National Guard of the United States, 107,000; the Air Force Reserve, 74,900; and the Coast Guard Reserve, 10,000.

The Senate amendment contained an identical provision (sec. 411). The conference agreement includes this provision. The conference recommends end strength levels for the Selected Reserve for fiscal year 2007 as set forth in the following table:

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2006 authorized</th>
<th>FY 2007</th>
<th>Change from FY 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>350,000</td>
<td>350,000</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>200,000</td>
<td>200,000</td>
<td>0</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>71,300</td>
<td>71,300</td>
<td>0</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>39,000</td>
<td>39,000</td>
<td>0</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>107,000</td>
<td>107,000</td>
<td>0</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>74,900</td>
<td>74,900</td>
<td>0</td>
</tr>
<tr>
<td>DoD Total</td>
<td>684,100</td>
<td>684,100</td>
<td>0</td>
</tr>
</tbody>
</table>

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

Although agreeing to reduce Army Reserve end strength for fiscal year 2007 to 200,000, as requested in the President’s budget, the conferees are concerned that this end strength authorization is not adequate to sustain the combat support and combat service support structure that the Army Reserve will be required to provide to the Army’s future modular force.

Notwithstanding this end strength reduction, the conferees note that the Secretary of Defense is authorized under section 115 of title 10, United States Code, to vary, by not
more than 2 percent, the end strength authorized for a fiscal year for the Selected Reserve of any of the reserve components and would expect such authority to be granted to increase the Army Reserve end strength during fiscal year 2007, if required.

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

The House bill contained a provision (sec. 422) that would authorize $54.8 million to be appropriated for the Armed Forces Retirement Home for the fiscal year 2007, and identical end strengths for the other services.

The Senate recedes with an amendment that would authorize end strengths of 27,441 for the Army National Guard of the United States, 13,206 for the Air National Guard of the United States, and identical end strengths for the other services.

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

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

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

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2006 authorized</th>
<th>FY 2007 Request</th>
<th>FY 2007 Conference recommendation</th>
<th>Change from FY 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>25,561</td>
<td>26,050</td>
<td>26,050</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>7,512</td>
<td>7,858</td>
<td>7,858</td>
<td>346</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>12,251</td>
<td>12,251</td>
<td>12,251</td>
<td>0</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>22,971</td>
<td>23,255</td>
<td>23,255</td>
<td>284</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>9,853</td>
<td>10,124</td>
<td>10,124</td>
<td>272</td>
</tr>
<tr>
<td>DoD Total</td>
<td>75,392</td>
<td>77,341</td>
<td>77,341</td>
<td>1,949</td>
</tr>
</tbody>
</table>

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

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

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

The conference agreement includes this provision.

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

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

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

The conference agreement includes this provision.

Subtitle C—Authorization of Appropriations

Military personnel (sec. 421)

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

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

The Senate recedes with an amendment that would authorize $110,098.6 million to be appropriated to the Department of Defense in fiscal year 2007 for military personnel.

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2006 authorized</th>
<th>FY 2007 Request</th>
<th>FY 2007 Conference recommendation</th>
<th>Change from FY 2006</th>
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</thead>
<tbody>
<tr>
<td>Army National Guard</td>
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<td>26,050</td>
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<td>Army Reserve</td>
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<td>7,858</td>
<td>7,858</td>
<td>346</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>12,251</td>
<td>12,251</td>
<td>12,251</td>
<td>0</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>22,971</td>
<td>23,255</td>
<td>23,255</td>
<td>284</td>
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<td>Air Force Reserve</td>
<td>9,853</td>
<td>10,124</td>
<td>10,124</td>
<td>272</td>
</tr>
<tr>
<td>DoD Total</td>
<td>75,392</td>
<td>77,341</td>
<td>77,341</td>
<td>1,949</td>
</tr>
</tbody>
</table>

The Senate amendment contained a similar provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2007: the Army National Guard of the United States, 27,615; the Army Reserve, 7,912; the Air National Guard of the United States, 25,255; and the Air Force Reserve, 10,124.

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2006 authorized</th>
<th>FY 2007 Request</th>
<th>FY 2007 Conference recommendation</th>
<th>Change from FY 2006</th>
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</thead>
<tbody>
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<td>Army National Guard</td>
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<td>Marine Corps Reserve</td>
<td>12,251</td>
<td>12,251</td>
<td>12,251</td>
<td>0</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>22,971</td>
<td>23,255</td>
<td>23,255</td>
<td>284</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>9,853</td>
<td>10,124</td>
<td>10,124</td>
<td>272</td>
</tr>
<tr>
<td>DoD Total</td>
<td>75,392</td>
<td>77,341</td>
<td>77,341</td>
<td>1,949</td>
</tr>
</tbody>
</table>

In addition to the budget request, the end strengths recommended by the conference would include an additional 85. Reserves on active duty in support of the reserve components as of September 30, 2007.

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

The Senate recedes with an amendment that would authorize end strengths of 27,441 for the Army National Guard of the United States, 13,206 for the Air National Guard of the United States, and identical end strengths for the other services.
TITLE V—MILITARY PERSONNEL POLICY

ITEM OF SPECIAL INTEREST

Department of Defense oversight of recruiter misconduct

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

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

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Officer Personnel Policy

PART I—OFFICER PERSONNEL POLICY—GENERALLY

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

The House bill contained a provision (sec. 509) that would clarify the status of flag and general officers assigned to certain positions in the Office of the Director of National Intelligence and the Central Intelligence Agency. The conference would protect the officers and organizations concerned from perceptions of organizational conflicts of interest or inactivity.

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

The Senate recedes with a technical amendment.

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

The Senate amendment contained a provision (sec. 503) that would amend section 625 of title 10, United States Code, to increase the age for mandatory retirement for general and flag officers serving in grades above major general and rear admiral to age 68. The conference contained authority for the Secretary of Defense to defer retirement of officers serving in grades above major general and rear admiral to age 66 and the President to defer retirement for such officers until age 68. The provision would also eliminate the numerical limit on the number of deferments of retirement that may be in effect at any one time.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would amend section 625 and add a new section 1253 to chapter 63 of title 10, United States Code.

Increased mandatory retirement ages for reserve components (sec. 508)

The Senate amendment contained a provision (sec. 508) that would increase the mandatory retirement age for reserve component officers in the grade of O-8 from 62 to 64 years; for officers in the grade of O-7 from 50 to 62 years; and for officers in grades below O-7 from 50 to 54 years. The provision would also increase the mandatory retirement age of officers holding certain offices, such as the Chief of the National Guard Bureau, Chiefs of Reserve of the services, Directors of the Army and Air National Guard, and the adjutants general of the States, from 64 to 66 years.

The House bill contained no similar provision.

The House recedes.

Management of chief warrant officers (sec. 505)

The House bill contained a provision (sec. 503) that would amend section 580 of title 10, United States Code, to require that the officer serving as the Assistant Surgeon General for Dental Services in the Air Force be appointed by the President by and with the advice and consent of the Senate.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of grade for mandatory retirement for active-duty general and flag officers (sec. 506)

The House bill contained a provision (sec. 504) that would standardize grade of senior dental officer of the Air Force with that of senior dental officer of the Army (sec. 504).

The House bill contained a provision (sec. 502) that would amend section 5081 of title 10, United States Code, to require that the officer serving as the Assistant Surgeon General for Dental Services in the Air Force be appointed by the President by and with the advice and consent of the Senate.

The Senate amendment contained no similar provision.

The Senate recedes.

Management of chief warrant officers (sec. 505)

The House bill contained a provision (sec. 503) that would amend section 580 of title 10, United States Code, to eliminate the requirement for Senate confirmation in the case of chief warrant officers, W-4, who have twice failed to be selected for promotion and allow service secretaries in their discretion to promote warrant officers on active duty. The provision would also modify section 1365 of title 10, United States Code, to increase the years of service from 24 to 30 that a warrant officer may serve on active duty before mandatory retirement.

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

The Senate recedes with an amendment that would specify that chief warrant officers retained who were not selected upon retesting for all positions would be eligible for promotion while remaining on active duty.

Extension of temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty enlisted and officer personnel (part II, sections 513 through 517)

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

The Senate amendment contained a provision (sec. 502) that would extend the existing authority for promotion for these officers from October 1, 2005, through October 1, 2006.

The House bill contained a provision (sec. 503) that would add section 619(c) and 14108(b) of title 10, United States Code, to require that an officer has not fulfilled the requirements for promotion unless a majority of the members of the board, after consideration by all the board members of any adverse information that may be material to the decision on whether or not to appoint based on a determination that an officer has not fulfilled the requirements for promotion for commanding officers and those in positions of authority.

The House bill contained no similar provision.

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

The House bill contained no similar provision.

PART II—OFFICER PROMOTION POLICY

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

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

The House bill contained no similar provision.

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

The House bill contained no similar provision.

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

The House bill contained no similar provision.

The House recedes with an amendment that would specify that a promotion list that requires Senate confirmation shall be treated as being established for purposes of chapter 38 of title 10 on the date the list is received by the Senate for consideration; and would require the Secretary of Defense, not later than March 1, 2008, to prescribe regulations controlling delays in appointment following Senate confirmation under sections 624 and 14311. The provision would also clarify that delays in appointment to higher grade are warranted by the need to review substantial and adverse information that may be material to the decision on whether or not to appoint based on a determination that an officer has not fulfilled the requirements for promotion for commanding officers and those in positions of authority.
The House recedes with an amendment that would clarify the definition of the term joint matters to mean matters related to the achievement of unified action by multiple military forces and operations conducted across domains such as land, sea, or air, in space, or in the information environment. The amendment would specify that the definition of joint duty does not include duty as a student or trainee for joint training and education. Under the definition of critical occupational specialty, the amendment would clarify that the Secretary designates as critical occupational specialties any military occupational specialties within combat arms (or the equivalent) that the Secretary determines are experiencing severe shortages of trained officers.

Subtitle B-Reserve Component Matters

PART I—RESERVE COMPONENT MANAGEMENT

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

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

The Senate amendment contained no similar provision.

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

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

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

The Senate amendment contained no similar provision.

The Senate recedes.

PART II—AUTHORITIES RELATING TO GUARD AND RESERVE DUTY

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

The House bill contained a provision (sec. 510) that would authorize establishment of a new definition of "Active Guard and Reserve" in title 10, United States Code, and also limit the requirement to convene specialty boards only to officers under consideration for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve specialty boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recedes with a technical amendment.

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

The Senate amendment contained no similar amendment.

The House amendment contained a provision (sec. 519) that would amend sections 628 and 6502 of title 10, United States Code, to limit the conduct of special selection boards to officers under consideration for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve specialty boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recedes with a technical amendment.

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

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

The House bill contained no similar provision.

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

PART III—JOINT OFFICER MANAGEMENT REQUIREMENTS

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

The Senate amendment contained a provision (sec. 526) that would amend section 661 of title 10, United States Code, to restructure the system for designation and management of officers who are joint qualified. The provision would implement the recommendation made by the Department of Defense in its strategic plan to link joint officer development to overall missions and goals of the Department of Defense, as required by section 551 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375).

The House bill contained no similar provision.

The Senate amendment contained a provision (sec. 517) that would amend sections 618 and 14001 of title 10, United States Code, to authorize the Secretary of Defense and the Deputy Secretary of Defense, in addition to the President, to remove the name of an officer from the report of a selection board with respect to officers being recommended for promotion to grades below brigadier general and rear admiral (lower half).

The Senate recedes with an amendment (sec. 527) that would amend section 668 of title 10, United States Code, to restate the requirement for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve specialty boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recedes with a technical amendment.

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

The Senate amendment contained a provision (sec. 527) that would amend section 662(a) of title 10, United States Code, to restate the requirement for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve specialty boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recedes.

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

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

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

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

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

The House bill contained no similar provision.
Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel.

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

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

The Senate recedes with a clarifying amendment.

Government's authority to order members to Active Guard and Reserve duty.

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

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

The Senate recedes with a clarifying amendment.

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

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

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

The Senate recedes with a clarifying amendment.

The conferences note that WMD-CSTs are a limited resource, and as such, their employment, other than for training and preparation, should be limited to situations recommended by this section should consider the following: (1) whether the resources of local governments and other State resources may be used to address the scale of the actual disaster; or (2) whether other State, local, and first-responder technical equipment and capabilities will be or are adequate to address the potential threat.

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

The House bill contained a provision (sec. 594(a)) that would amend section 513 of the Ronald W. Reagan National Defense Authorization Act Fiscal Year 2005 (Public Law 108-375) to extend the deadline by 6 months for submission of a final report by the Commission on the National Guard and Reserves. The Senate amendment contained a similar provision (sec. 533) that would extend the commission's deadline for submission of a final report from 12 to 18 months after its first meeting. The Senate also authorized the chairman of the commission to exercise the same waiver authority regarding eligibility byannuits for pay as would be available to the Director of the Office of Personnel Management under sections 8344(k)(1) and 8466(f)(1) of title 5, United States Code.

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

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

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

The Senate amendment contained provisions (sec. 951-953) that would make the National Guard Bureau a joint activity of the Department; make the Chief of the National Guard Bureau the principal advisor to the Secretary of the Air Force and the Chairman of the Joint Chiefs of Staff on National Guard matters; elevate the grade of the Chief of the National Guard Bureau to general; require the Chief of the National Guard Bureau to identify gaps between Federal and State capabilities to prepare for and respond to emergencies and make recommendations to the Secretary of Defense on the provision of military assistance to civil authorities; and require that the position of Deputy Commander of the National Guard Bureau be filled by a member of the reserve components, the Director of the Army National Guard and Air National Guard, and the Director of the Air National Guard.

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

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

Subtitle C—Education and Training

PART I—SERVICE ACADEMIES

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

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

The Senate amendment contained no similar provision.

The Senate recedes.

The conferences do not intend that the additional funding from other than appropriated funds to support cultural immersion, regional awareness, or foreign language training opportunities in connection with the exchange program.
The Senate recedes.  

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

The Senate recedes.  

The Senate amendment contained a proviso (sec. 567) that would change the frequency of the service academy sexual assault surveys from annual to biennial, and extend the period for the surveys and reports from 2008 to 2010, to clarify that the subject of the required survey is sexual assault and sexual violence, and to detail up to 25 commissioned officers each year as students at accredited medical schools or schools of osteopathy. To be eligible, an officer must agree to serve on active duty for 2 years for each year of medical training.

The House bill contained no similar proviso.

The House recedes with an amendment that would allow an officer to serve their full active duty obligation, or to complete a portion of their obligation in the Selected Reserve, if required by the Secretary of Defense.

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

The Senate amendment contained a proviso (sec. 563) that would establish an increase in the amount an officer can receive for obligated service, and require that officers assigned to the Selected Reserve serve 3 years in the Selected Reserve.

The House bill contained no similar proviso.

The Senate recedes with a technical amendment.

The House bill contained no similar proviso.

The Senate amendment contained a provision (sec. 568) that would require the Secretary of Defense to prescribe a policy by no later than July 1, 2007, on whether to authorize and have service academies and Reserve Officers’ Training Corps graduates participate in professional sports before completion of their active-duty service obligations.

The House bill contained no similar provision.

The House recedes.

PART II—SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS

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

The Senate amendment contained a proviso (sec. 569) that would authorize the Secretary of the Army to modify agreements entered into by cadets in the Reserve Officers’ Training Corps to participate in the Guaranteed Reserve Forces Duty Scholarship Program, to participate in the health professions scholarship program and serve on active duty.

The House bill contained no similar provision.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate recedes.  

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

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

The House bill contained no similar proviso.

The House recedes with an amendment that would allow an officer to serve their full active duty obligation, or to complete a portion of their obligation in the Selected Reserve, if required by the Secretary of Defense.

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The House bill contained no similar proviso.

The Senate recedes with a technical amendment.

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The Senate amendment contained a provision (sec. 568) that would require the Secretary of Defense to prescribe a policy by no later than July 1, 2007, on whether to authorize and have service academies and Reserve Officers’ Training Corps graduates participate in professional sports before completion of their active-duty service obligations.

The House bill contained no similar provision.

The House recedes.

PART II—SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS

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The House bill contained no similar provision.

The Senate amendment contained no similar provision.

The Senate recedes.

Expansion of members eligible to be employed to provide Junior Reserve Officers’ Training Corps (JROTC) instruction (sec. 541)

The Senate amendment contained an identical proviso (sec. 569).
The conference agreement includes this provision.

PART IV—OTHER EDUCATION AND TRAINING PROGRAMS

Expanded eligibility for enlisted members for instruction at Naval Postgraduate School (sec. 545)

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

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the plans and rationale of the Navy to provide enlisted members of the Navy with opportunities to pursue graduate degree programs either through Navy schools or through civilian postgraduate institutions paid for in return for additional service obligation. The amendment would also require the Secretary of the Navy and the Secretary of the Air Force to submit a joint report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the manner by which each Secretary in consideration of the joint report of the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT) (sec. 546).

The House bill contained a provision (sec. 531) that would extend the naval graduate degree program for enlisted members with graduate degrees.

The Senate amendment contained a provision (sec. 557) that would require the Secretary of Education to administer a test program under the Duty of Technology to meet the overall requirements of the services for enlisted members with graduate degrees.

Subtitle D—General Service Authorities

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

The House bill contained a provision (sec. 51) that would require the Secretary of Defense to administer a test program under the Duty of Technology to enhance the utility of commercially-available test preparation guides and education programs to assist recruit candidates in achieving improved scores on military recruit qualification tests. The Secretary would be required to identify 2,000 recruit candidates to receive test preparation assistance and 2,000 recruit candidates to participate in a control group to allow comparisons of test performance and subsequent duty performance in training and unit settings following active-duty entry. The test would be required to administer tests over a 1-year period from the start of the test and assess duty performance for each participant for 18 months following entry on active duty.

The House recedes with a clarifying amendment.

The Senate amendment contained no similar provision.

The Senate recedes.

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

The House bill contained a provision (sec. 552) that would clarify the nondisclosure requirements and deliberations of military selection boards. The provision would specify that discussions and deliberations of selection boards, including any written or documentary materials thereon, are immune from legal process; may not be admitted as evidence; and may not be used for any purpose other than for purposes of judicial or administrative proceedings without the consent of the Secretary of the military department.

The Senate amendment contained a similar provision (sec. 558).

The Senate recedes with a technical amendment.

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

The House bill contained a provision (sec. 533) that would require the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2007, on the plans and rationale of the Navy to provide enlisted members of the Navy with opportunities to pursue graduate degree programs either through Navy schools or through civilian postgraduate institutions paid for in return for additional service obligation. The amendment would also require the Secretary of the Navy and the Secretary of the Air Force to submit a joint report to the Committees on Armed Services of the Senate and the House of Representatives, no later than March 30, 2007, to prescribe regulations, or amend current regulations, consistent with article 2 of the Uniform Code of Military Justice (UCMJ) to provide that military personnel who are ordered to perform inactive duty for training at overseas locations shall be subject to jurisdiction under the Uniform Code of Military Justice during the period that the orders are in effect.

The House bill contained no similar provision.

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

Subtitle E—Military Justice Matters

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

The Senate amendment contained a provision (sec. 551) that would require the Secretary of Defense to define the term “over persons serving with or accompanying an armed force in the field applies both in peacetime and wartime” and “seconded” to the military departments for the purposes of the Uniform Code of Military Justice (UCMJ).

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

The House bill contained no similar provision.

The Senate recedes.

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

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

The House bill contained no similar provision.

The Senate recedes.

Subtitle F—Decorations and Awards

Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients (sec. 555)

The House bill contained a provision (sec. 555) that would amend sections 7755, 7855, and 8755 of title 10, United States Code, and section 565 of title 14, United States Code, to authorize the President to present a Medal of Honor Flag to living Medal of Honor recipients (sec. 555).

The House bill contained a provision (sec. 555) that would amend sections 7755, 7855, and 8755 of title 10, United States Code, to authorize the President to present a Medal of Honor Flag to living Medal of Honor recipients (sec. 555).

The Senate amendment contained a similar provision (sec. 584) that would require the Secretary of Defense to prescribe regulations regarding the designation of the primary living next of kin.

The House recedes with a clarifying amendment.

The House amendment contained a provision (sec. 555) that would add additional circumstances to be considered by the President in making his determination regarding the posthumous award of the Purple Heart to former prisoners of war.

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

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

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

The Senate amendment contained no similar provision.

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

Subtitle G—Matters Relating to Casualties

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

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

The Senate amendment contained a similar provision (sec. 567).

The House recedes with a clarifying amendment.

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

The House bill contained a provision (sec. 563) that would prescribe conditions for the transportation by air of the remains of members of the Armed Forces who die in a combat theater of operations and whose remains...
The Senate recedes with an amendment (sec. 564) that would authorize the Secretary of Defense to enroll on a space-required, tuition-free basis a limited number of dependents of military personnel who are assigned to the Supreme Headquarters Allied Powers, Europe, in the Defense Dependents’ Education System in Mons, Belgium.

The Senate amendment contained a provision (sec. 566) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate amendment contained additional elements of policy on casualty assistance and the Department’s policy relating to casualty assistance to survivors of military decedents.

The Senate amendment contained an amendment (sec. 567) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate recedes with a clarifying amendment stating that the additional elements reported on would address capabilities and standards employed in combat theaters that could preserve the remains of deceased personnel and expedite the return of those remains to the United States in a nondecomposed state.

The Senate recedes with an amendment (sec. 568) that would require the Secretary of Defense to define regulations for the administration of this provision. The amendment would also require that transportation of one or more sets of military remains by military aircraft or military-contracted aircraft be the aircraft’s primary mission and clarify the conditions of the honor guard escort. The effective date for this provision would be not later than January 1, 2007.

The Senate recedes with an amendment (sec. 569) that would authorize the Secretary of Defense to require the transfer of sets of military remains by military aircraft, or military-contracted aircraft, under combat or combat-related conditions.

The Senate amendment contained an amendment (sec. 570) that would authorize the Secretary of Defense to conduct a comprehensive review of the Department’s policy relating to casualty assistance to survivors of military decedents. The provision would require that the new policy address the process by which the Department, upon request, briefs survivors of military decedents on the cause of, and any suspicion of, the death of such military decedents and on the disposition and transportation of their remains.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment (sec. 571) that would authorize the Secretary of Defense to establish a center to augment and support programs operated by the military departments for services to severely wounded or injured service members and their families. The provision would also require establishment of a central database for the tracking of such beneficiaries.

The Senate amendment contained a provision (sec. 564) that would require the Secretary of Defense to establish a center to augment and support programs operated by the military departments for services to severely wounded or injured service members and their families. The provision would also require establishment of a central database for the tracking of such beneficiaries.

The Senate amendment contained a provision (sec. 566) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment containing an additional element in the Department’s policy relating to casualty assistance to survivors of military decedents.

The Senate recedes with a clarifying amendment stating that the additional elements reported on would address capabilities and standards employed in combat theaters that could preserve the remains of deceased personnel and expedite the return of those remains to the United States in a nondecomposed state.

The Senate recedes with an amendment (sec. 564) that would require the Secretary of Defense to establish a center to augment and support programs operated by the military departments for services to severely wounded or injured service members and their families. The provision would also require establishment of a central database for the tracking of such beneficiaries.

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The Senate recedes with an amendment (sec. 569) that would authorize the Secretary of Defense to enroll on a space-required, tuition-free basis a limited number of dependents of military personnel who are assigned to the Supreme Headquarters Allied Powers, Europe, in the Defense Dependents’ Education System in Mons, Belgium.

The Senate amendment contained a provision (sec. 566) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate recedes with an amendment (sec. 568) that would require the Secretary of Defense to define regulations for the administration of this provision. The amendment would also require that transportation of one or more sets of military remains by military aircraft, or military-contracted aircraft, be the aircraft’s primary mission and clarify the conditions of the honor guard escort. The effective date for this provision would be not later than January 1, 2007.

The Senate recedes with an amendment (sec. 569) that would authorize the Secretary of Defense to conduct a comprehensive review of the Department’s policy relating to casualty assistance to survivors of military decedents. The provision would require that the new policy address the process by which the Department, upon request, briefs survivors of military decedents on the cause of, and any suspicion of, the death of such military decedents and on the disposition and transportation of their remains.

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The Senate recedes with an amendment containing an additional element in the Department’s policy relating to casualty assistance to survivors of military decedents.
Pilot program on parent education to promote early childhood education for dependent children affected by military deployment or relocation of military units (sec. 575) 

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

The House bill contained no similar provision.

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

Subtitle J—Reports 

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

The House bill contained a provision (sec. 581) that would require the Secretary of Defense to submit a report, not later than 90 days after the date of the enactment of this Act, on personnel requirements and shortfalls for airborne assets identified as low-density, high-demand airborne assets based on combatant commander requirements to conduct and sustain operations for the global war on terrorism.

The Senate amendment contained no similar provision.

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

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

The House bill contained a provision (sec. 582) that would require the Secretary of Defense to submit a report by June 1, 2007, on the feasibility of establishing a Military Entrance Processing Command station on Guam for new recruits who are drawn from the western Pacific region.

The Senate amendment contained no similar provision.

The Senate recedes.

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


The Senate amendment contained no similar provision.

The Senate recedes.

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

The Senate amendment contained a provision (sec. 584) that would require the Secretary of Defense, not later than 120 days after the date of the enactment of this Act, to submit a report on the viability of providing an electronic copy of military records (including all military service, medical, and other military records) to members of the Armed Forces serving as a member of the Armed Forces on active duty in the overall direction, operation, and management of the home.

The Senate recedes.

Report on provision of electronic copy of military records on discharge or release of members from the Armed Forces (sec. 585) 

The Senate amendment contained a provision (sec. 585) that would require the Secretary of Defense to submit a report, not later than 180 days after the date of the enactment of this Act, assessing the feasibility of using military identification cards, which do not contain, display, or exhibit social security account numbers.

The House bill contained no similar provision.

The House recedes with a technical amendment.

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

The House bill contained a provision (sec. 589) that would amend sections 1111, 1115, and 1116 of title 10, United States Code, to change the formula by which the Secretary of Defense makes annual contributions to the Medicare-Eligible Retiree Health Care Fund. The provision would reduce the annual government contribution to the fund by changing the formula for calculating that contribution by: (1) excluding the cadets and midshipmen at the service academies; (2) excluding members of the Ready Reserve who are not counted against active component end strength under section 115(1) of title 10, United States Code; and (3) basing the calculation on Selected Reserve member strength, not the end strength of the larger Ready Reserve. The provision would also prohibit any funds authorized or appropriated to the Department of Defense from being used to make any payment to the Medicare-Eligible Retiree Health Care Fund.
The Senate amendment contained a similar provision (sec. 641(b)-(c)).

The Senate recedes with an amendment that would omit changes to section 115 regarding payments in the Medicare-Eligible Retiree Health Care Fund. The amendment would also modify section 1111(a) of title 10, United States Code, to clarify that any moneys to be used shall be used to finance the liabilities of the uniformed services under retiree health care programs for medicare-eligible beneficiaries.

**Dental Corps of the Navy Bureau of Medicine and Surgery (sec. 593)**

The House bill contained a provision (sec. 598) that would eliminate the requirement for a separate dental division within the Navy Bureau of Medicine and Surgery, and establish a Dental Corps, which would be integrated within the Navy Bureau of Medicine and Surgery.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that provides for the appointment and training of staff, operating procedures, and consistency and timeliness of board decisions, and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years.

The Senate amendment contained no similar provision.

**The Senate recedes with a clarifying amendment.**

The Senate recedes with an amendment that would require the Secretary of Defense to continue the Interim provision (sec. 583) that would require the United States Code.

**PERSONAL VOTING MATTERS (SEC. 596)**

**Military voting matters (sec. 596)**

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make permanent the authority in section 2261 of title 10, United States Code, to clarify that the fund sources devoted to this function are sufficient to determine whether the manning and resources devoted to this function are sufficient and recommend that the service Inspectors General make the performance of a disability evaluation system item of special interest.

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

The Senate amendment contained a provision (sec. 598) that would require the Secretaries of the military departments to issue a permanent military ID card to a permanently disabled dependent of a military retiree.

The Senate recedes with an amendment that would authorize the President to appoint members of the Marine Band and the Marine Drum and Bugle Corps to the grades of captain and below and to delegate that authority to the Secretary of Defense. Additionally, the provision would authorize the President to appoint officers in the Marine Band and the Marine Drum and Bugle Corps in the grades of major and below, and with the advice and consent of the Senate.

**Authority for United States Military Academy and United States Air Force Academy personnel and United States military academy personnel, to include specific Commission positions while on periods of sabbatical**

The Senate amendment contained a provision (sec. 523) that would require the Secretary of the Air Force to report on post-mobilization private-sector employment impacts on members of the reserve components.

The Senate amendment contained no similar provision.

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

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that provides for the appointment and training of staff, operating procedures, and consistency and timeliness of board decisions, and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would require the Secretary of Defense to continue the Interim provision (sec. 583) that would require the United States Code.

**Department of Army**

**Physical evaluation boards (sec. 597)**

The House bill contained a provision (sec. 597) that would add a new section to title 10, United States Code, that would require: (1) the service secretaries to ensure that documents announcing decisions of physical evaluation boards (PEB) convey the findings and medical advice and consent of the Senate.

**Congressional Record — House**

September 29, 2006
Defense to prescribe regulations under which the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict may award to an eligible person a fellowship leading to a doctoral or masters degree in a discipline determined by the Assistant Secretary.

The Senate amendment contained no similar provision.

The House recedes.

Condition on appointment of commissioned officers to position of Director of National Intelligence

The Senate amendment contained a provision (sec. 530) that would amend chapters 22 and 63 of title 10, United States Code, to add new sections 2201 and 6353. The provision would require that the Secretary of the Army, as a condition of appointment to the position of Director of National Intelligence or Director of the National Geospatial-Intelligence Agency, have at least 5 years of military service with at least 3 years of active duty service.

The Senate amendment contained no similar provision.

The House recedes.

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

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

The House bill contained no similar provision.

The Senate recedes.

The Senate amendment contained a provision (sec. 535) that would amend section 635 of title 10, United States Code, to authorize the Secretary of the Army to submit a report on any plans, benefits, and drawbacks regarding shorter deployments and the results of any surveys of soldiers and their dependents, in connection with proposals to reduce the length of operational deployments.

The Senate amendment contained no similar provision.

The House recedes.

National Guard officers authority to command

The House bill contained a provision (sec. 544) that would permit, with presidential authorization, the Commander in Chief of the Army National Guard to temporarily assign any National Guard officer to the position of Director of National Guard Bureau.

The Senate recedes.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 543) that would express the sense of Congress that the Secretary of the Army should continue to evaluate and consider the potential benefits and impacts of 6-month overseas deployments for soldiers in connection with Operation Enduring Freedom and Operation Iraqi Freedom. The provision would require the Secretary of the Army to submit a report on any plans, benefits, and drawbacks regarding the feasibility of further expanding the authority of National Guard officers to serve in both federal status and State status under title 10, United States Code, as a means of achieving unity of command of units that are composed of both active-duty members and National Guard personnel.

The Senate amendment contained no similar provision.

The House recedes.

Cold War Victory Medal

The House recedes.

The Senate amendment contained a provision (sec. 551) that would amend section 1407 of title 10, United States Code, concerning the Cold War Victory Medal to eligible personnel. The Senate recedes.

The Senate amendment contained no similar provision.

The House recedes.

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

The House bill contained a provision (sec. 554) that would amend section 6118 of title 10, United States Code, to require the Secretary of the Navy to administer the Cold War Victory Medal to eligible personnel.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 555) that would require, as a condition of appointment to the position of Director of National Intelligence or Director of the National Geospatial-Intelligence Agency, any National Guard officer to retain military status for a period of 10 years from the date of separation.

The Senate amendment contained no similar provision.

The House recedes.

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

The Senate amendment contained a provision (sec. 570A) that would require, as a condition of appointment to the position of Director of National Intelligence or Director of the National Geospatial-Intelligence Agency, any National Guard officer to retain military status for a period of 10 years from the date of separation.

The Senate recedes.

Postal benefits program for members of the Armed Forces

The House bill contained a provision (sec. 575) that would require the Secretary of Defense to administer a postal benefit program for members of the Selected Reserve who are serving in Iraq or Afghanistan, or who are hospitalized at a military medical facility as a result of disease or injury incurred while serving in Iraq or Afghanistan.

The Senate recedes.

The Senate amendment contained no similar provision.

The House recedes.

Funding

The House bill contained a provision (sec. 576) that would require the Secretary of the Army to fund the operation of the postal benefit program for members of the Selected Reserve who are serving in Iraq or Afghanistan.

The Senate recedes.

The Senate amendment contained no similar provision.

The House recedes.

Duration

The House bill contained a provision (sec. 577) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

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

The Senate amendment contained a provision (sec. 578) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 579) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 580) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 581) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 582) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 583) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.

The Senate amendment contained a provision (sec. 584) that would require, with respect to mail carried during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense, such regulations to be issued not later than 180 days from the date of enactment.

The Senate amendment contained no similar provision.

The House recedes.
Department of Labor Transitional Assistance Program

The House bill contained a provision (sec. 579) that would amend section 1144 of title 10, United States Code, to require participation by certain members of reserve components in the transition assistance program (TAP) provided by the Secretary of Labor, and encourage participation by certain members who had previously participated in such programs. The provision would also require the service secretaries to update the content of transition materials used by the National Veterans Employment Council of each Department of Labor on a continuing basis.

The Senate amendment contained no similar provision.

The House recedes.

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

The conferees are encouraged by the new approach to the TAP for members of the Guard and Reserve and their families described in the Report to Congress on Transition Assistance and Disabled Transition Assistance Programs dated May 2006. The combination of a transition assistance orientation, a new web-based transition assistance portal, and an around-the-clock call center will address the full spectrum of needs and concerns of mobilizing Guard and Reserve personnel by providing the assistance whenever needed and unnecessarily delaying the members’ return to their homes following deployments. The conferees encourage the expedited implementation of this new approach.

Military chaplains

The Senate amendment contained a provision (sec. 590) that would amend sections 3547, 3548, 6031, 8547, and 9337 of title 10, United States Code, to prescribe that military chaplains shall have the prerogative to pray according to the dictates of their conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.

The Senate amendment contained no similar provision.

The House recedes.

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

Entrepreneurial service members empowerment task force

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

The Senate amendment contained no similar provision.

The House recedes.

Funeral ceremonies for veterans

The Senate amendment contained a provision (sec. 593) that would amend section 1483 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or recipients of an additional family member of former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The House bill contained no similar provision.

The Senate recedes.

The conferees hope that greater effort is needed by the Department of Defense to identify appropriate means to support veterans organization partners in fulfilling this commitment. The conferees also believe that reasonable steps should be taken to notify members of veterans organizations who render funeral honors or by loaning M-1 rifles under the authority of section 4893. The conferees further believe that an annual report to the Committees on Armed Services of the Senate and the House of Representatives within 90 days of the date of the enactment of this Act should contain data on the number of M-1 rifles that have been loaned to members of veterans organizations who render funeral honors or by loaning M-1 rifles under the authority of section 4893.

The Senate recedes.

The Senate amendment contained no provision (sec. 594).

The House amendment contained a provision (sec. 595) that would amend section 4683 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or recipients of an additional family member of former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The House bill contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

Funeral ceremonies for veterans

The Senate amendment contained a provision (sec. 596) that would amend section 1483 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or recipients of an additional family member of former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The House bill contained no similar provision.

The Senate recedes.

Funeral ceremonies for veterans

The Senate amendment contained a provision (sec. 597) that would amend section 1483 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or recipients of an additional family member of former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The Senate recedes.