

**H.R. 5515—FY19 NATIONAL DEFENSE
AUTHORIZATION BILL**

**SUBCOMMITTEE ON MILITARY
PERSONNEL**

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TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—ACTIVE FORCES

Section 401—End Strengths for Active Forces

This section would authorize the following end strengths for Active Duty personnel of the Armed Forces as of September 30, 2019:

Service	FY 2018	FY 2019		Change from	
	Authorized	Request	Committee Recommendation	FY 2019 Request	FY 2018 Authorized
Army	483,500	487,500	487,500	0	4,000
Navy	327,900	335,400	335,400	0	7,500
USMC	186,000	186,100	186,100	0	100
Air Force	325,100	329,100	329,100	0	4,000
DOD Total	1,322,500	1,338,100	1,338,100	0	15,600

Section 402—Revisions in Permanent Active Duty End Strength Minimum Levels

This section would establish new minimum Active Duty end strengths for the Army, Navy, Marine Corps, and Air Force as of September 30, 2019. The committee recommends 487,500 as the minimum Active Duty end strength for the Army, 335,400 as the minimum Active Duty end strength for the Navy, 186,100 as the minimum Active Duty end strength for the Marine Corps, and 329,100 as the minimum Active Duty end strength for the Air Force.

SUBTITLE B—RESERVE FORCES

Section 411—End Strengths for Selected Reserve

This section would authorize the following end strengths for Selected Reserve personnel, including the end strength for Reserves on Active Duty in support of the Reserves, as of September 30, 2019:

Service	FY 2018	FY 2019		Change from	
	Authorized	Request	Committee Recommendation	FY 2019 Request	FY 2018 Authorized
Army National Guard	343,500	343,500	343,500	0	0
Army Reserve	199,500	199,500	199,500	0	0
Navy Reserve	59,000	59,100	59,100	0	100
Marine Corps Reserve	38,500	38,500	38,500	0	0
Air National Guard	106,600	107,100	107,100	0	500
Air Force Reserve	69,800	70,000	70,000	0	200
DOD Total	816,900	817,700	817,700	0	800
Coast Guard Reserve	7,000	7,000	7,000	0	0

Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves

This section would authorize the following end strengths for Reserves on Active Duty in support of the Reserves as of September 30, 2019:

Service	FY 2018	FY 2019		Change from	
	Authorized	Request	Committee Recommendation	FY 2019 Request	FY 2018 Authorized
Army National Guard	30,155	30,595	30,595	0	440
Army Reserve	16,261	16,386	16,386	0	125
Navy Reserve	10,101	10,110	10,110	0	9
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	16,260	19,861	19,861	0	3,601
Air Force Reserve	3,588	3,849	3,849	0	261
DOD Total	78,626	83,062	83,062	0	4,436

Section 413—End Strengths for Military Technicians (Dual Status)

This section would authorize the following end strengths for military technicians (dual status) as of September 30, 2019:

Service	FY 2018	FY 2019		Change from	
	Authorized	Request	Committee Recommendation	FY 2019 Request	FY 2018 Authorized
Army National Guard	22,294	22,294	22,294	0	0
Army Reserve	6,492	7,495	6,492	-1,003	0
Air National Guard	19,135	18,969	18,969	0	-166
Air Force Reserve	8,880	9,908	8,880	-1,028	0
DOD Total	56,801	58,666	56,635	-2,031	-166

Section 414—Maximum Number of Reserve Personnel Authorized To Be on Active Duty for Operational Support

This section would authorize, as required by section 115(b) of title 10, United States Code, the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during fiscal year 2019 to provide operational support. The personnel authorized here do not count against the end strengths authorized by section 401 or section 412 of this Act unless the duration on Active Duty exceeds the limitations in section 115(b)(2) of title 10, United States Code.

Service	FY 2018	FY 2019		Change from	
	Authorized	Request	Committee Recommendation	FY 2019 Request	FY 2018 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

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS

SUBTITLE A—REGULAR AND RESERVE COMPONENT MANAGEMENT

Section 5xx—Codification of Lowered Grade for Retired Officers or Persons Who Committed Misconduct in a Lower Grade

This section would amend section 1370 of title 10, United States Code, to clarify that the Secretary concerned has the authority to find that an officer who committed misconduct in a lower grade has not served satisfactorily in any grade equal to or higher than that the lower grade.

Section 5xx—Authorized Strength and Distribution in Grade

This section would amend section 12011(a) and section 12012(a) of title 10, United States Code, to increase the total number of available control grade positions, which includes O-4, O-5, O-6, E-8, and E-9, authorized for the Air National Guard.

Section 5xx—Expansion of Authority to Award Constructive Service Credit for Advanced Education, Experience, or Training, upon Original Appointment as a Commissioned Officer

This section would amend sections 533 and 12207 of title 10, United States Code, to permit the Secretaries of the military departments additional discretion to determine the grade of certain individuals receiving an original appointment as a regular or reserve commissioned officer.

Section 5xx—Extension of Authority for Pilot Program on Use of Retired Senior Enlisted Members of the Army National Guard as Army National Guard Recruiters

This section would extend the authority of the pilot program on use of retired senior enlisted members of the Army National Guard as Army National Guard recruiters until 2021.

Section 5xx—Authority of Selection Boards to Recommend Officers of Particular Merit Be Placed at the Top of the Promotion List

This section would amend sections 616, 618, and 624 of title 10, United States Code, to allow officer promotion boards to recommend officers of particular merit be placed at the top of the promotion list, and to allow the Secretary of the military department concerned to re-order the promotion list accordingly.

SUBTITLE B—GENERAL SERVICE AUTHORITIES AND CORRECTION OF MILITARY
RECORDS

Section 5xx—Enlistments Vital to the National Interest

This section would modify section 504(b) of title 10, United States Code, to establish additional requirements for enlistments vital to the national interest.

Section 5xx—Criteria for Interment at Arlington National Cemetery

This section would require the Secretary of the Army to establish revised interment criteria for Arlington National Cemetery that preserve Arlington National Cemetery as an active burial ground well into the future.

Section 5xx—Modification of DD Form 214 to Include Email Addresses

This section would require the Secretary of Defense to modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more email addresses by which the member may be contacted.

Section 5xx—Standardization of Policies Related to Expedited Transfer in Cases of
Sexual Assault

This section would require the Secretary of Defense to standardize the expedited transfer procedures for service members who are the victim of sexual assault, regardless of whether their cases are handled by the Sexual Assault Prevention and Response Program or the Family Advocacy Program, and would require the Secretary to establish a transfer policy for service members whose dependent is the victim of sexual assault perpetrated by an unrelated service member.

Section 5xx—Public Availability of Reports Related to Senior Leader Misconduct

This section would require the Secretary of Defense and the Secretaries of the military departments to publish, on a public website, redacted reports of substantiated investigations of misconduct in which the subject of the investigation was an officer in the grade of O-7 and above, including officers who have been selected for promotion to O-7, or a civilian member of the Senior Executive Service.

Section 5xx—Mandatory Increase in Insurance Coverage under Servicemembers' Group Life Insurance for Members Deployed to Combat Theaters of Operations

This section would amend section 1967(a)(3) of title 38, United States Code, to mandate, in the case of a member who elects to not be insured under a Servicemembers' Group Life Insurance plan at the full \$400,000 available, the member's insurance will automatically increase to \$400,000 if they are deployed to a combat zone.

SUBTITLE C—MILITARY JUSTICE AND OTHER LEGAL ISSUES

Section 5xx—Consideration of Application for Transfer for a Student of a Military Service Academy Who Is the Victim of a Sexual Assault or Related Offense

This section would require the Secretary concerned to expedite the consideration and approval of an application for an inter-academy transfer submitted by a cadet of a military academy who has been the victim of sexual assault.

Section 5xx—Improved Crime Reporting

This section would require the Secretary of Defense to establish a consolidated tracking process that provides the Department of Defense increased visibility on the military departments' required crime report submissions to the Federal Bureau of Investigation.

Section 5xx—Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces

This section would amend section 546 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to require the Department of Defense to provide information to the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces that the panel (by majority vote) deems necessary to carry out its duties.

Section 5xx—Oversight of Registered Sex Offender Management Program

This section would require the Secretary of Defense to designate a single official or entity within the Office of the Secretary of Defense to serve as the official or entity with principal responsibility for providing oversight of the registered sex offender management program of the Department.

SUBTITLE D—MEMBER EDUCATION, TRAINING, RESILIENCE, AND TRANSITION

Section 5xx—Permanent Career Intermission Program

This section would amend chapter 40 of title 10, United States Code, by adding section 710 and removing all references to the program as a pilot program, making the Career Intermission Program a permanent authority.

Section 5xx—Direct Employment Pilot Program for Members of the Reserve Components and Veterans

This section would allow the Secretary of Defense to carry out a pilot program that provides enhanced job placement and employment assistance for members of the National Guard and Reserve.

Section 5xx—Improvements to Transition Assistance Program

This section would amend section 1142 of title 10, United States Code, to establish counseling pathways, require transmission of the Joint Service transcript, and allow transitioning service members to select a portion of the content covered during the transition assistance period of instruction.

Section 5xx—Department of Defense Education Activity Misconduct Database

This section would require the Secretary of Defense to establish a comprehensive policy and database regarding juvenile misconduct occurring in Department of Defense Education Activity schools.

SUBTITLE G—MISCELLANEOUS REPORTS AND OTHER MATTERS

Section 5xx—Limitation on Use of Funds Pending Submittal of Report on Army Marketing and Advertising Program

This section would limit the use of funds to not more than 60 percent of the amounts authorized to be appropriated by this Act for the Army Marketing and Research Group for fiscal year 2019, used for advertising and marketing activities to be obligated or expended until the Secretary of the Army submits a report to the Committees on Armed Services of the Senate and the House of Representatives on recommendations of the Army Audit Agency's audit of the Army's Marketing and Advertising Program concerning contract oversight and return on investment.

Section 5xx—Development of Oversight Plan for Implementation of Department of Defense Harassment Prevention and Response Policy

This section would require the Department of Defense to develop an oversight plan and provide a report to the Committees on Armed Services of the Senate and the House of Representatives for implementation of the Department of Defense Harassment Prevention and Response policy.

Section 5xx—Extended Duration of Availability of Military OneSource Program Services for Members of the Armed Forces upon their Separation or Retirement

This section would extend the duration of availability of Military OneSource program services for members of the military departments and their immediate family members from 180 days following their separation or retirement to at least 1 year after their separation or retirement.

Section 5xx—Additional Matters for Assessment and Report on Childcare Services of the Department of Defense

This section would add additional issues for assessment related to military family childcare under section 575 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS

SUBTITLE A—PAY AND ALLOWANCES

Section 6xx—Military Housing Privatization Initiative

This section would assure that the Basic Allowance for Housing reduction directed by section 403 of title 10, United States Code, would not take effect in fiscal year 2019, ensuring that the Military Housing Privatization Initiative (MHPI) housing recapitalization efforts are not reduced. The committee remains concerned about the reduction in BAH and its effect on the recapitalization of these housing units. The committee believes that military families must be provided with on-base housing that is safe and periodically modernized. Additionally, this section would require the Secretary of Defense to present a plan to the Committees on Armed Services of the Senate and the House of Representatives by December 1, 2018, to provide for a permanent financial solution to the long term MHPI recapitalization problem.

SUBTITLE B—BONUSES AND SPECIAL AND INCENTIVE PAYS

Section 611—One-Year Extension of Certain Expiring Bonus and Special Pay Authorities

This section would extend, through December 31, 2019, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; would extend two critical recruitment and retention incentive programs for Reserve Component health care professionals; would extend accession and retention incentives for nuclear-qualified officers; and would extend the consolidated special and incentive pay authorities added to subchapter II of chapter 5 of title 37, United States Code, by the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). Additionally, this section would extend the authority of the Secretary of Defense to prescribe a temporary increase in the rates of basic allowance for housing otherwise prescribed for a military housing area or a portion of a military housing area if the military housing area or portion thereof is located in an area covered by a declaration by the President that a major disaster exists.

SUBTITLE D—OTHER MATTERS

Section 6xx—Advisory Boards Regarding Military Commissaries and Exchanges

This section would require the Secretary of Defense to direct installation commanders to establish an advisory board to advise commanders regarding the interests of patrons and beneficiaries of military commissaries and exchanges.

TITLE VII—HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE B—HEALTH CARE ADMINISTRATION

Section 7xx—Transition of Administration by Defense Health Agency of Military Medical Treatment Facilities

This section would amend section 1073 of title 10, United States Code, by requiring the Department of Defense to transition the administration of military treatment facilities from the respective Secretary of the military departments to the Director of the Defense Health Agency not later than September 30, 2020. This section would also prohibit the Secretary of Defense from closing or limiting services in any military medical treatment facility until a transition certification process is completed.

Section 7xx—Wounded Warrior Policy Review

This section would require the Secretary of Defense to update and review policy and procedures related to wounded warrior care and include a report on the review not later than 1 year after the date of the enactment of this Act.

Section 7xx—Joint Force Medical Capabilities Development and Standardization

This section would require the Secretary of Defense to develop a process to establish joint medical capabilities that meet operational planning requirements and provide a report on this process to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2019.

Section 7xx—Improvement to Notification to Congress of Hospitalization of Combat-Wounded Members of the Armed Forces

This section would amend section 1074l(a) of title 10, United States Code, by including notification to Congress of hospitalization of combat-wounded members of the Armed Forces to every military medical treatment facility.

Section 7xx—Extension of Authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund

This section would authorize the extension of the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) and most recently amended by section 719 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

SUBTITLE C—OTHER MATTERS

Section 7xx—Sharing Information with State Prescription Drug Monitoring Programs

This section would amend section 1074g of title 10, United States Code, by requiring the Department of Defense to establish a prescription drug monitoring program and share information with State prescription drug monitoring programs.

Section 7xx—Strategic Medical Research Plan

This section would require the Secretary of Defense, in consultation with the Secretaries of the military departments, to submit to the congressional defense committees a comprehensive strategic medical research plan that is inclusive of the Congressional Directed Medical Research Plan and the Defense Health Program.

TITLE XIV—OTHER AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE C—OTHER MATTERS

Section 14xx—Authorization of Appropriations for Armed Forces Retirement Home

This section authorizes appropriations for fiscal year 2019 from the Armed Forces Retirement Home Trust Fund for the operation of the Armed Forces Retirement Home.

BILL LANGUAGE

1 **SEC. 401 [log67134 h401]. END STRENGTHS FOR ACTIVE**
2 **FORCES.**

3 The Armed Forces are authorized strengths for active
4 duty personnel as of September 30, 2019, as follows:

- 5 (1) The Army, 487,500.
- 6 (2) The Navy, 335,400.
- 7 (3) The Marine Corps, 186,100.
- 8 (4) The Air Force, 329,100.

1 **SEC. 402 [log67135 h402]. REVISIONS IN PERMANENT AC-**
2 **TIVE DUTY END STRENGTH MINIMUM LEV-**
3 **ELS.**

4 Section 691(b) of title 10, United States Code, is
5 amended by striking paragraphs (1) through (4) and in-
6 serting the following new paragraphs:

7 “(1) For the Army, 487,500.

8 “(2) For the Navy, 335,400.

9 “(3) For the Marine Corps, 186,100.

10 “(4) For the Air Force, 329,100.”.

1 **SEC. 411 [log67136 h411]. END STRENGTHS FOR SELECTED**
2 **RESERVE.**

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2019, as follows:

6 (1) The Army National Guard of the United
7 States, 343,500.

8 (2) The Army Reserve, 199,500.

9 (3) The Navy Reserve, 59,100.

10 (4) The Marine Corps Reserve, 38,500.

11 (5) The Air National Guard of the United
12 States, 107,100.

13 (6) The Air Force Reserve, 70,000.

14 (7) The Coast Guard Reserve, 7,000.

15 (b) END STRENGTH REDUCTIONS.—The end
16 strengths prescribed by subsection (a) for the Selected Re-
17 serve of any reserve component shall be proportionately
18 reduced by—

19 (1) the total authorized strength of units orga-
20 nized to serve as units of the Selected Reserve of
21 such component which are on active duty (other
22 than for training) at the end of the fiscal year; and

23 (2) the total number of individual members not
24 in units organized to serve as units of the Selected

1 Reserve of such component who are on active duty
2 (other than for training or for unsatisfactory partici-
3 pation in training) without their consent at the end
4 of the fiscal year.

5 (c) END STRENGTH INCREASES.—Whenever units or
6 individual members of the Selected Reserve of any reserve
7 component are released from active duty during any fiscal
8 year, the end strength prescribed for such fiscal year for
9 the Selected Reserve of such reserve component shall be
10 increased proportionately by the total authorized strengths
11 of such units and by the total number of such individual
12 members.

1 **SEC. 412 [log67137 h412]. END STRENGTHS FOR RESERVES**
2 **ON ACTIVE DUTY IN SUPPORT OF THE RE-**
3 **SERVES.**

4 Within the end strengths prescribed in section
5 411(a), the reserve components of the Armed Forces are
6 authorized, as of September 30, 2019, the following num-
7 ber of Reserves to be serving on full-time active duty or
8 full-time duty, in the case of members of the National
9 Guard, for the purpose of organizing, administering, re-
10 cruiting, instructing, or training the reserve components:

11 (1) The Army National Guard of the United
12 States, 30,595.

13 (2) The Army Reserve, 16,386.

14 (3) The Navy Reserve, 10,110.

15 (4) The Marine Corps Reserve, 2,261.

16 (5) The Air National Guard of the United
17 States, 19,861.

18 (6) The Air Force Reserve, 3,849.

1 **SEC. 413 [log67138 h413]. END STRENGTHS FOR MILITARY**
2 **TECHNICIANS (DUAL STATUS).**

3 The minimum number of military technicians (dual
4 status) as of the last day of fiscal year 2019 for the re-
5 serve components of the Army and the Air Force (notwith-
6 standing section 129 of title 10, United States Code) shall
7 be the following:

8 (1) For the Army National Guard of the United
9 States, 22,294.

10 (2) For the Army Reserve, 6,492.

11 (3) For the Air National Guard of the United
12 States, 18,969.

13 (4) For the Air Force Reserve, 8,880.

1 **SEC. 414 [log67140]. MAXIMUM NUMBER OF RESERVE PER-**
2 **SONNEL AUTHORIZED TO BE ON ACTIVE**
3 **DUTY FOR OPERATIONAL SUPPORT.**

4 During fiscal year 2019, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

- 9 (1) The Army National Guard of the United
10 States, 17,000.
- 11 (2) The Army Reserve, 13,000.
- 12 (3) The Navy Reserve, 6,200.
- 13 (4) The Marine Corps Reserve, 3,000.
- 14 (5) The Air National Guard of the United
15 States, 16,000.
- 16 (6) The Air Force Reserve, 14,000.

1 **SEC. 5** ____ **[log 67204]. CODIFICATION OF LOWERED GRADE**
2 **FOR RETIRED OFFICERS OR PERSONS WHO**
3 **COMMITTED MISCONDUCT IN A LOWER**
4 **GRADE.**

5 (a) IN GENERAL.—Subsection (b) of section 1370 of
6 title 10, United States Code, is amended—

7 (1) in the heading, by striking “NEXT”;

8 (2) by striking “An” and inserting “(1) An”;

9 and

10 (3) by adding at the end the following new
11 paragraph:

12 “(2) In the case of an officer or person whom the
13 Secretary concerned determines committed misconduct in
14 a lower grade, the Secretary concerned may determine the
15 officer or person has not served satisfactorily in any grade
16 equal to or higher than that lower grade.”.

17 (b) CONFORMING AMENDMENTS.—Such section is
18 amended—

19 (1) in subsection (a)(1)—

20 (A) by striking “higher” and inserting
21 “different”; and

22 (B) by striking “except as provided in
23 paragraph (2)” and inserting “subject to para-
24 graph (2) and subsection (b)”;

1 (2) in subsection (e)(1), by striking “An offi-
2 cer” and inserting “Subject to subsection (b), an of-
3 ficer”; and

4 (3) in subsection (d)(1)—

5 (A) by striking “higher” each place it ap-
6 pears and inserting “different”; and

7 (B) by inserting “, subject to subsection
8 (b),” before “shall”.

1 **SEC. 5** ____ **[log 67360]. AUTHORIZED STRENGTH AND DIS-**
 2 **TRIBUTION IN GRADE.**

3 (a) STRENGTH AND GRADE AUTHORIZATIONS.—Sec-
 4 tion 12011(a) of title 10, United States Code is amended
 5 by striking those parts of the table pertaining to the Air
 6 National Guard and inserting the following:

“Air National Guard:

	Major	Lieutenant Colonel	Colonel
10,000	763	745	333
12,000	915	923	377
14,000	1,065	1,057	402
16,000	1,211	1,185	426
18,000	1,347	1,313	450
20,000	1,463	1,440	468
22,000	1,606	1,569	494
24,000	1,739	1,697	517
26,000	1,872	1,825	539
28,000	2,005	1,954	562
30,000	2,138	2,082	585
32,000	2,271	2,210	608
34,000	2,404	2,338	630
36,000	2,537	2,466	653
38,000	2,670	2,595	676
40,000	2,803	2,723	698”.

7 (b) STRENGTH AND GRADE AUTHORIZATIONS.—Sec-
 8 tion 12012(a) of title 10, United States Code is amended
 9 by striking those parts of the table pertaining to the Air
 10 National Guard and inserting the following:

“Air National Guard:

	E-8	E-9
10,000	1,350	550
12,000	1,466	594
14,000	1,582	636
16,000	1,698	676
18,000	1,814	714
20,000	1,930	752

“Air National Guard:

	E-8	E-9
22,000	2,046	790
24,000	2,162	828
26,000	2,278	866
28,000	2,394	904
30,000	2,510	942
32,000	2,626	980
34,000	2,742	1,018
36,000	2,858	1,056
38,000	2,974	1,094
40,000	3,090	1,132”.

1 **SEC. 5** **[log 67475]. EXPANSION OF AUTHORITY TO**
2 **AWARD CONSTRUCTIVE SERVICE CREDIT**
3 **FOR ADVANCED EDUCATION, EXPERIENCE,**
4 **OR TRAINING, UPON ORIGINAL APPOINT-**
5 **MENT AS A COMMISSIONED OFFICER.**

6 (a) ACTIVE-DUTY LIST APPOINTMENTS.—Section
7 533(g) of title 10, United States Code, is amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph

10 (A)—

11 (i) by striking “with cyberspace-re-
12 lated experience or advanced education”
13 and inserting “with advanced education,
14 special experience, or special training in a
15 designated field”; and

16 (ii) by striking “critically”;

17 (B) in subparagraph (A)—

18 (i) by striking “in a particular cyber-
19 space-related field” and inserting “in such
20 designated field”; and

21 (ii) by striking “operational”; and

22 (C) in subparagraph (B)—

1 (i) by striking “in a cyberspace-re-
2 lated field” and inserting “in such des-
3 ignated field”; and

4 (ii) by striking “operational”;

5 (2) by striking paragraph (2) and inserting the
6 following:

7 “(2) The amount of constructive service credited an
8 officer under this subsection may not exceed the amount
9 required for the officer to be eligible for an original ap-
10 pointment in the grade of—

11 “(A) colonel in the Army, Air Force, or Marine
12 Corps; or

13 “(B) captain in the Navy.”; and

14 (3) by striking paragraph (4) and inserting the
15 following new paragraph:

16 “(4) In this subsection, the term ‘designated field’ in-
17 cludes the following:

18 “(A) Cyberspace.

19 “(B) Any scientific or technical field designated
20 by the Secretary of Defense.

21 “(C) Any other field designated by the Sec-
22 retary of Defense as a field—

23 “(i) that requires a high level of skill; and

24 “(ii) that an insufficient number of officers
25 possess in the military department concerned.”.

1 (b) RESERVE ACTIVE-STATUS LIST APPOINT-
2 MENTS.—Section 12207 of such title is amended—

3 (1) in subsection (a)(2), by striking “subsection
4 (b) or (e)” and inserting “subsection (b), (e), or
5 (g)”;

6 (2) in subsection (f), by striking “or (e)” and
7 inserting “(e), or (g)”;

8 (3) by redesignating subsection (g) as sub-
9 section (h); and

10 (4) by inserting after subsection (f) the fol-
11 lowing new subsection (g):

12 “(g)(1) Under regulations prescribed by the Sec-
13 retary of Defense, if the Secretary of a military depart-
14 ment determines that the number of commissioned officers
15 serving on the reserve active-status list in an armed force
16 under the jurisdiction of such Secretary with advanced
17 education, special experience, or special training in a des-
18 ignated field is below the number needed, such Secretary
19 may credit any person receiving an original appointment
20 with a period of constructive service for the following:

21 “(A) Any period of advanced education in such
22 designated field beyond the baccalaureate degree
23 level if such advanced education is directly related to
24 the needs of the armed force concerned.

1 “(B) Special experience or special training in
2 such designated field if such experience or training
3 is directly related to the needs of the armed force
4 concerned.

5 “(2) The amount of constructive service credited an
6 officer under this subsection may not exceed the amount
7 required for the officer to be eligible for an original ap-
8 pointment in the grade of—

9 “(A) colonel in the Army, Air Force, or Marine
10 Corps; or

11 “(B) captain in the Navy.

12 “(3) Constructive service credited an officer under
13 this subsection is in addition to any service credited that
14 officer under subsection (a) and shall be credited at the
15 time of the original appointment of the officer.

16 “(4) In this subsection, the term ‘designated field’
17 means any of the following:

18 “(A) Cyberspace.

19 “(B) Any scientific or technical field designated
20 by the Secretary of Defense.

21 “(C) Any other field designated by the Sec-
22 retary of Defense as a field—

23 “(i) that requires a high level of skill; and

24 “(ii) that an insufficient number of officers
25 possess in the military department concerned.”.

1 **SEC. 5** ____ **[[log 67740]. EXTENSION OF AUTHORITY FOR**
2 **PILOT PROGRAM ON USE OF RETIRED SEN-**
3 **IOR ENLISTED MEMBERS OF THE ARMY NA-**
4 **TIONAL GUARD AS ARMY NATIONAL GUARD**
5 **RECRUITERS.**

6 Section 514 of the National Defense Authorization
7 Act for Fiscal Year 2018 (Public Law 115-91) is amend-
8 ed—

9 (1) in subsection (d), by striking “2020” and
10 inserting “2021”; and

11 (2) in subsection (f), by striking “2019” and
12 inserting “2020”.

1 **SEC. 5** **[log 67424]. AUTHORITY OF SELECTION BOARDS**
2 **TO RECOMMEND OFFICERS OF PARTICULAR**
3 **MERIT BE PLACED AT THE TOP OF THE PRO-**
4 **MOTION LIST.**

5 (a) RECOMMENDATION BY SELECTION BOARD.—Sec-
6 tion 616 of title 10, United States Code, is amended by
7 adding at the end the following new subsection (g):

8 “(g)(1) A selection board may recommend an officer
9 of particular merit from among officers recommended for
10 promotion under subsection (a) to be placed at the top
11 of a promotion list established by the Secretary of the mili-
12 tary department concerned under section 624(a)(1) of this
13 title.

14 “(2) A selection board may make a recommendation
15 under this subsection only if such recommendation is ap-
16 propriate in the opinion of a majority of the members of
17 the selection board.

18 “(3) A selection board may make recommendations
19 under this subsection for no more than the number equal
20 to 20 percent of the maximum number of officers that the
21 board is authorized to recommend for promotion. If the
22 number determined under this paragraph is less than one,
23 the board may recommend one such officer.

1 “(4) A selection board that recommends under this
2 subsection that more than one officer be placed at the top
3 of a promotion list shall recommend the order in which
4 such officers should be promoted.”.

5 (b) ACTION BY SECRETARY CONCERNED ON REC-
6 OMMENDATION OF SELECTION BOARD.—Section 618(a)
7 of such title is amended—

8 (1) by striking “to law or regulation or to
9 guidelines” and inserting “to law, regulation, or
10 guidelines” each place it appears;

11 (2) by inserting “or, in the case of a rec-
12 ommendation under section 616(g) of this title, the
13 determination of the Secretary concerned” after
14 “section 615(b) of this title” each place it appears;
15 and

16 (3) in paragraph (2), by striking “law, regula-
17 tion, and such guidelines” and inserting “law, regu-
18 lation, such guidelines, and the determination of the
19 Secretary concerned,”.

20 (c) PRIORITY IN PROMOTION LIST.—Section
21 624(a)(1) of such title is amended by inserting “, subject
22 to section 616(g) of this title” after “active-duty list”.

1 **SEC. 5** ____ **[log 67202]. ENLISTMENTS VITAL TO THE NA-**
2 **TIONAL INTEREST.**

3 (a) IN GENERAL.—Section 504(b) of title 10, United
4 States Code, is amended—

5 (1) in paragraph (2)—

6 (A) by inserting “and subject to paragraph
7 (3),” after “Notwithstanding paragraph (1),”;

8 (B) by striking “enlistment is vital to the
9 national interest.” and inserting “person pos-
10 sesses a skill or expertise—”; and

11 (C) by adding at the end the following new
12 subparagraphs:

13 “(A) that is vital to the national interest; and

14 “(B) that the person will use in daily duties as
15 a member of the armed forces.”; and

16 (2) by adding at the end the following new
17 paragraph (3):

18 “(3)(A) No person who enlists under paragraph (2)
19 may report to initial training until after the Secretary con-
20 cerned has completed all required background investiga-
21 tions and security and suitability screening as determined
22 by the Secretary of Defense regarding that person.

1 “(B) A Secretary concerned may not authorize more
2 than 1,000 enlistments under paragraph (2) per military
3 department in a calendar year until after—

4 “(i) the Secretary of Defense submits to Con-
5 gress written notice of the intent of that Secretary
6 concerned to authorize more than 1,000 such enlist-
7 ments in a calendar year; and

8 “(ii) a period of 30 days has elapsed after the
9 date on which Congress receives the notice.”

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than December 31,
12 2019, and annually thereafter for each of the subse-
13 quent four years, the Secretary concerned shall sub-
14 mit a report to the Committees on Armed Services
15 and the Judiciary of the Senate and the House of
16 Representatives regarding persons who enter into
17 enlistment contracts under section 504(b)(2) of title
18 10, United States Code, as amended by subsection
19 (a).

20 (2) ELEMENTS.—Each report under this sub-
21 section shall include the following:

22 (A) The number of such persons who have
23 entered into such contracts during the pre-
24 ceding calendar year.

1 (B) How many such persons have success-
2 fully completed background investigations and
3 vetting procedures.

4 (C) How many such persons have begun
5 initial training.

6 (D) The skills that are vital to the national
7 interest that such persons possess.

1 **SEC. 5** ____ **[log 67203]. CRITERIA FOR INTERMENT AT AR-**
2 **LINGTON NATIONAL CEMETERY.**

3 (a) **CRITERIA.**—The Secretary of the Army, in con-
4 sultation with the Secretary of Defense, shall prescribe re-
5 vised criteria for interment at Arlington National Ceme-
6 tery that preserve Arlington National Cemetery as an ac-
7 tive burial ground “well into the future,” as that term is
8 used in the report submitted by the Secretary of the Army
9 to the Committees on Veterans’ Affairs and the Commit-
10 tees on Armed Services of the House of Representatives
11 and the Senate, dated February 14, 2017, and titled “The
12 Future of Arlington National Cemetery: Report on the
13 Cemetery’s Interment and Inurnment Capacity 2017”.

14 (b) **DEADLINE.**—The Secretary of the Army shall es-
15 tablish the criteria under subsection (a) not later than
16 September 30, 2019.

1 **SEC. 5** ____ **[log 67361]. MODIFICATION OF DD FORM 214 TO**
2 **INCLUDE EMAIL ADDRESSES.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall
4 modify the Certificate of Release or Discharge from Active
5 Duty (DD Form 214) by adding an entry block in which
6 a member of the Armed Forces may provide one or more
7 email addresses at which the member may be contacted
8 after separation from active duty in the Armed Forces.

9 (b) **DEADLINE.**—The Secretary shall carry out sub-
10 section (a) not later than one year after the date of the
11 enactment of this Act.

1 **SEC. 5** **[log 67612]. STANDARDIZATION OF POLICIES RE-**
2 **LATED TO EXPEDITED TRANSFER IN CASES**
3 **OF SEXUAL ASSAULT.**

4 (a) **POLICIES FOR MEMBERS.**—The Secretary of De-
5 fense shall modify all policies related to the expedited
6 transfer of a member of the Army, Navy, Air Force, or
7 Marine Corps who is the victim of sexual assault (regard-
8 less of whether the case is handled under the Sexual As-
9 sault Prevention and Response Program or Family Advoc-
10 acy Program) that the Secretary determines necessary to
11 establish a standardized expedited transfer process for
12 such members, consistent with section 673 of title 10,
13 United States Code.

14 (b) **POLICY FOR DEPENDENTS OF MEMBERS.**—The
15 Secretary of Defense shall establish a policy to allow the
16 transfer of a member of the Army, Navy, Air Force, or
17 Marine Corps whose dependent is the victim of sexual as-
18 sault perpetrated by a member of the Army, Navy, Air
19 Force, or Marine Corps who is not related to the victim.

1 **SEC. 5** ____ **[log 67626]. PUBLIC AVAILABILITY OF REPORTS**
2 **RELATED TO SENIOR LEADER MISCONDUCT.**

3 (a) **ESTABLISHMENT OF WEBSITE.**—The Secretary
4 of Defense and each Secretary of a military department
5 shall make available on a public website of the Department
6 of Defense all reports on substantiated investigations of
7 misconduct completed by the Inspectors General of the
8 Department and each military department regarding—

9 (1) an officer in the grade of O-7 or higher;

10 (2) an officer selected for promotion to grade
11 O-7; or

12 (3) a civilian member of the Senior Executive
13 Service.

14 (b) **PUBLISHED REPORTS.**—Each report under sub-
15 section (a) shall be—

16 (1) properly redacted;

17 (2) segregated from documents regarding ongo-
18 ing investigations (including announcements);

19 (3) labelled with the name of subject of the in-
20 vestigation; and

21 (4) searchable by the name of subject of the in-
22 vestigation.

1 (c) DEADLINE.—The Secretary shall carry out this
2 section not later than 90 days after the enactment of this
3 Act.

1 **SEC. 5** ____ **[log 67690]. MANDATORY INCREASE IN INSUR-**
2 **ANCE COVERAGE UNDER SERVICEMEMBERS'**
3 **GROUP LIFE INSURANCE FOR MEMBERS DE-**
4 **PLOYED TO COMBAT THEATERS OF OPER-**
5 **ATION.**

6 Section 1967(a)(3) of title 38, United States Code,
7 is amended—

8 (1) in subparagraph (A), by striking “subpara-

9 graphs (B) and (C)” and inserting “subparagraphs

10 (B), (C), and (D)”; and

11 (2) by adding at the end the following new sub-

12 paragraph:

13 “(D) In the case of a member who elects under

14 paragraph (2)(A) not to be insured under this sec-

15 tion, or who elects under subparagraph (B) to be in-

16 sured for an amount less than the maximum amount

17 provided under subparagraph (A), and who is de-

18 ployed to a combat theater of operations the mem-

19 ber—

20 “(i) shall be insured under this subchapter

21 for the maximum amount provided under sub-

22 paragraph (A) for the period of such deploy-

23 ment; and

24 “(ii) upon the end of such deployment—

1 “(I) shall be insured in the amount
2 elected by the member under subparagraph
3 (B); or
4 “(II) shall not be insured, if so elected
5 under paragraph (2)(A)”.

1 **SEC. 5** ____ **[log 67542]. CONSIDERATION OF APPLICATION**
2 **FOR TRANSFER FOR A STUDENT OF A MILI-**
3 **TARY SERVICE ACADEMY WHO IS THE VICTIM**
4 **OF A SEXUAL ASSAULT OR RELATED OF-**
5 **FENSE.**

6 (a) **MILITARY ACADEMY.**—Section 4361 of title 10,
7 United States Code, is amended by adding at the end the
8 following new subsection (e):

9 “(e) **CONSIDERATION OF APPLICATION FOR TRANS-**
10 **FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL**
11 **ASSAULT OR RELATED OFFENSE.**—(1) The Secretary of
12 the Army shall provide for timely determination and action
13 on an application for consideration of a transfer to an-
14 other military service academy submitted by a cadet who
15 was a victim of a sexual assault or other offense covered
16 by section 920, 920a, or 920c of this title (article 120,
17 120a, or 120c of the Uniform Code of Military Justice)
18 so as to reduce the possibility of retaliation against the
19 cadet for reporting the sexual assault or other offense.

20 “(2) The Secretary of the Army shall prescribe regu-
21 lations to carry out this subsection, within guidelines pro-
22 vided by the Secretary of Defense that direct the Super-
23 intendent of the Military Academy, in coordination with
24 the Superintendent of the military service academy to

1 which the cadet wishes to transfer, to approve or deny an
2 application under this subsection not later than 72 hours
3 after the submission of the application. If the Super-
4 intendent denies such an application, the cadet may re-
5 quest review of the denial by the Secretary of the Army,
6 who shall grant or deny review not later than 72 hours
7 after submission of the request for review.”.

8 (b) NAVAL ACADEMY.—Section 6980 of title 10,
9 United States Code, is amended by adding at the end the
10 following new subsection (e):

11 “(e) CONSIDERATION OF APPLICATION FOR TRANS-
12 FER FOR A MIDSHIPMAN WHO IS THE VICTIM OF A SEX-
13 UAL ASSAULT OR RELATED OFFENSE.—(1) The Sec-
14 retary of the Navy shall provide for timely determination
15 and action on an application for consideration of a trans-
16 fer to another military service academy submitted by a
17 midshipman who was a victim of a sexual assault or other
18 offense covered by section 920, 920a, or 920c of this title
19 (article 120, 120a, or 120c of the Uniform Code of Mili-
20 tary Justice) so as to reduce the possibility of retaliation
21 against the midshipman for reporting the sexual assault
22 or other offense.

23 “(2) The Secretary of the Navy shall prescribe regu-
24 lations to carry out this subsection, within guidelines pro-
25 vided by the Secretary of Defense that direct the Super-

1 intendent of the Naval Academy, in coordination with the
2 Superintendent of the military service academy to which
3 the midshipman wishes to transfer, to approve or deny an
4 application under this subsection not later than 72 hours
5 after the submission of the application. If the Super-
6 intendent denies such an application, the midshipman may
7 request review of the denial by the Secretary of the Navy,
8 who shall grant or deny review not later than 72 hours
9 after submission of the request for review.”.

10 (c) AIR FORCE ACADEMY.—Section 9361 of title 10,
11 United States Code, is amended by adding at the end the
12 following new subsection (e):

13 “(e) CONSIDERATION OF APPLICATION FOR TRANS-
14 FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL
15 ASSAULT OR RELATED OFFENSE.—(1) The Secretary of
16 the Air Force shall provide for timely determination and
17 action on an application for consideration of a transfer
18 to another military service academy submitted by a cadet
19 who was a victim of a sexual assault or other offense cov-
20 ered by section 920, 920a, or 920c of this title (article
21 120, 120a, or 120c of the Uniform Code of Military Jus-
22 tice) so as to reduce the possibility of retaliation against
23 the cadet for reporting the sexual assault or other offense.

24 “(2) The Secretary of the Air Force shall prescribe
25 regulations to carry out this subsection, within guidelines

1 provided by the Secretary of Defense that direct the Su-
2 perintendent of the Air Force Academy, in coordination
3 with the Superintendent of the military service academy
4 to which the cadet wishes to transfer, to approve or deny
5 an application under this subsection not later than 72
6 hours after the submission of the application. If the Su-
7 perintendent denies such an application, the cadet may re-
8 quest review of the denial by the Secretary of the Air
9 Force, who shall grant or deny review not later than 72
10 hours after submission of the request for review.”.

1 **SEC. 5** ____ **[log 67681]. IMPROVED CRIME REPORTING.**

2 (a) IN GENERAL.—The Secretary of Defense, in con-
3 sultation with the secretaries of the military departments,
4 shall establish a consolidated tracking process for the en-
5 tire Department of Defense to ensure increased oversight
6 of the timely submission of crime reporting data to the
7 Federal Bureau of Investigation under section 922(g) of
8 title 18, United States Code, and Department of Defense
9 Instruction 5505.11, “Fingerprint Card and Final Dis-
10 position Report Submission Requirements”. The tracking
11 process shall, to the maximum extent possible, standardize
12 and automate reporting and increase the ability of the De-
13 partment to track such submissions.

14 (b) REPORT REQUIRED.—Not later than July 1,
15 2019, the Secretary of Defense shall submit a report to
16 the Committees on Armed Services of the Senate and
17 House of Representatives that details the tracking proc-
18 ess.

1 **SEC. 5** **[log 67729]. DEFENSE ADVISORY COMMITTEE ON**
2 **INVESTIGATION, PROSECUTION, AND DE-**
3 **FENSE OF SEXUAL ASSAULT IN THE ARMED**
4 **FORCES.**

5 Section 546(c)(2) of the Carl Levin and Howard P.
6 “Buck” McKeon National Defense Authorization Act for
7 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1561
8 note) is amended by adding at the end the following new
9 sentence: “After a majority vote by the Advisory Com-
10 mittee and upon request of the Chair of the Advisory Com-
11 mittee, the Secretary of Defense shall provide to the Advi-
12 sory Committee information the Secretary determines is
13 relevant to the scope and mission of the Advisory Com-
14 mittee under this section.”.

1 **SEC. 5** ____ **[log 67842]. OVERSIGHT OF REGISTERED SEX OF-**
2 **FENDER MANAGEMENT PROGRAM.**

3 (a) DESIGNATION OF OFFICIAL OR ENTITY.—The
4 Secretary of Defense shall designate a single official or
5 entity within the Office of the Secretary of Defense to
6 serve as the official or entity (as the case may be) with
7 principal responsibility in the Department of Defense for
8 providing oversight of the registered sex offender manage-
9 ment program of the Department.

10 (b) DUTIES.—The official or entity designated under
11 subsection (a) shall—

12 (1) monitor compliance with Department of De-
13 fense Instruction 5525.20 and other relevant polices;

14 (2) compile data on members serving in the
15 military departments who have been convicted of a
16 qualifying sex offense, including data on the sex of-
17 fender registration status of each such member;

18 (3) maintain statistics on the total number of
19 active duty service members in each military depart-
20 ment who are required to register as sex offenders;
21 and

22 (4) perform such other duties as the Secretary
23 of Defense determines to be appropriate.

1 (c) BRIEFING REQUIRED.—Not later than June 1,
2 2019, the Secretary of Defense shall provide to the Com-
3 mittee on Armed Services of the House of Representatives
4 a briefing on—

5 (1) the compliance of the military departments
6 with the policies of the Department of Defense relat-
7 ing to registered sex offenders;

8 (2) the results of the data compilation described
9 in subsection (b)(2); and

10 (3) any other matters the Secretary determines
11 to be appropriate.

12 (d) MILITARY DEPARTMENTS DEFINED.—In this
13 section, the term “military departments” has the meaning
14 given that term in section 101(a)(8) of title 10, United
15 States Code.

1 **SEC. 5** ____ **[log 67425]. PERMANENT CAREER INTERMISSION**
2 **PROGRAM.**

3 (a) CODIFICATION AND PERMANENT AUTHORITY.—
4 Chapter 40 of title 10, United States Code, is amended
5 by adding at the end the following new section 710:

6 **“§ 710. Career flexibility to enhance retention of**
7 **members**

8 “(a) PROGRAMS AUTHORIZED.—Each Secretary of a
9 military department may carry out programs under which
10 members of the regular components and members on Ac-
11 tive Guard and Reserve duty of the armed forces under
12 the jurisdiction of such Secretary may be inactivated from
13 active service in order to meet personal or professional
14 needs and returned to active service at the end of such
15 period of inactivation from active service.

16 “(b) PERIOD OF INACTIVATION FROM ACTIVE SERV-
17 ICE; EFFECT OF INACTIVATION.—(1) The period of inac-
18 tivation from active service under a program under this
19 section of a member participating in the program shall be
20 such period as the Secretary of the military department
21 concerned shall specify in the agreement of the member
22 under subsection (c), except that such period may not ex-
23 ceed three years.

1 “(2) Any service by a Reserve officer while partici-
2 pating in a program under this section shall be excluded
3 from computation of the total years of service of that offi-
4 cer pursuant to section 14706(a) of this title.

5 “(3) Any period of participation of a member in a
6 program under this section shall not count toward—

7 “(A) eligibility for retirement or transfer to the
8 Ready Reserve under either chapter 571 or 1223 of
9 this title; or

10 “(B) computation of retired or retainer pay
11 under chapter 71 or 1223 of this title.

12 “(c) AGREEMENT.—Each member of the armed
13 forces who participates in a program under this section
14 shall enter into a written agreement with the Secretary
15 of the military department concerned under which agree-
16 ment that member shall agree as follows:

17 “(1) To accept an appointment or enlist, as ap-
18 plicable, and serve in the Ready Reserve of the
19 armed force concerned during the period of the inac-
20 tivation of the member from active service under the
21 program.

22 “(2) To undergo during the period of the inac-
23 tivation of the member from active service under the
24 program such inactive service training as the Sec-
25 retary concerned shall require in order to ensure

1 that the member retains proficiency, at a level deter-
2 mined by the Secretary concerned to be sufficient, in
3 the military skills, professional qualifications, and
4 physical readiness of the member during the inac-
5 tivation of the member from active service.

6 “(3) Following completion of the period of the
7 inactivation of the member from active service under
8 the program, to serve two months as a member of
9 the armed forces on active service for each month of
10 the period of the inactivation of the member from
11 active service under the program.

12 “(d) CONDITIONS OF RELEASE.—The Secretary of
13 Defense shall prescribe regulations specifying the guide-
14 lines regarding the conditions of release that must be con-
15 sidered and addressed in the agreement required by sub-
16 section (c). At a minimum, the Secretary shall prescribe
17 the procedures and standards to be used to instruct a
18 member on the obligations to be assumed by the member
19 under paragraph (2) of such subsection while the member
20 is released from active service.

21 “(e) ORDER TO ACTIVE SERVICE.—Under regula-
22 tions prescribed by the Secretary of the military depart-
23 ment concerned, a member of the armed forces partici-
24 pating in a program under this section may, in the discre-

1 tion of such Secretary, be required to terminate participa-
2 tion in the program and be ordered to active service.

3 “(f) PAY AND ALLOWANCES.—(1) During each
4 month of participation in a program under this section,
5 a member who participates in the program shall be paid
6 basic pay in an amount equal to two-thirtieths of the
7 amount of monthly basic pay to which the member would
8 otherwise be entitled under section 204 of title 37 as a
9 member of the uniformed services on active service in the
10 grade and years of service of the member when the mem-
11 ber commences participation in the program.

12 “(2)(A) A member who participates in a program
13 shall not, while participating in the program, be paid any
14 special or incentive pay or bonus to which the member is
15 otherwise entitled under an agreement under chapter 5 of
16 title 37 that is in force when the member commences par-
17 ticipation in the program.

18 “(B) The inactivation from active service of a mem-
19 ber participating in a program shall not be treated as a
20 failure of the member to perform any period of service
21 required of the member in connection with an agreement
22 for a special or incentive pay or bonus under chapter 5
23 of title 37 that is in force when the member commences
24 participation in the program.

1 “(3)(A) Subject to subparagraph (B), upon the re-
2 turn of a member to active service after completion by the
3 member of participation in a program—

4 “(i) any agreement entered into by the member
5 under chapter 5 of title 37 for the payment of a spe-
6 cial or incentive pay or bonus that was in force when
7 the member commenced participation in the program
8 shall be revived, with the term of such agreement
9 after revival being the period of the agreement re-
10 maining to run when the member commenced par-
11 ticipation in the program; and

12 “(ii) any special or incentive pay or bonus shall
13 be payable to the member in accordance with the
14 terms of the agreement concerned for the term spec-
15 ified in clause (i).

16 “(B)(i) Subparagraph (A) shall not apply to any spe-
17 cial or incentive pay or bonus otherwise covered by that
18 subparagraph with respect to a member if, at the time
19 of the return of the member to active service as described
20 in that subparagraph—

21 “(I) such pay or bonus is no longer authorized
22 by law; or

23 “(II) the member does not satisfy eligibility cri-
24 teria for such pay or bonus as in effect at the time
25 of the return of the member to active service.

1 “(ii) Subparagraph (A) shall cease to apply to any
2 special or incentive pay or bonus otherwise covered by that
3 subparagraph with respect to a member if, during the
4 term of the revived agreement of the member under sub-
5 paragraph (A)(i), such pay or bonus ceases being author-
6 ized by law.

7 “(C) A member who is ineligible for payment of a
8 special or incentive pay or bonus otherwise covered by this
9 paragraph by reason of subparagraph (B)(i)(II) shall be
10 subject to the requirements for repayment of such pay or
11 bonus in accordance with the terms of the applicable
12 agreement of the member under chapter 5 of title 37.

13 “(D) Any service required of a member under an
14 agreement covered by this paragraph after the member re-
15 turns to active service as described in subparagraph (A)
16 shall be in addition to any service required of the member
17 under an agreement under subsection (c).

18 “(4)(A) Subject to subparagraph (B), a member who
19 participates in a program is entitled, while participating
20 in the program, to the travel and transportation allow-
21 ances authorized by section 474 of title 37 for—

22 “(i) travel performed from the residence of the
23 member, at the time of release from active service to
24 participate in the program, to the location in the
25 United States designated by the member as his resi-

1 dence during the period of participation in the pro-
2 gram; and

3 “(ii) travel performed to the residence of the
4 member upon return to active service at the end of
5 the participation of the member in the program.

6 “(B) An allowance is payable under this paragraph
7 only with respect to travel of a member to and from a
8 single residence.

9 “(5) A member who participates in a program is enti-
10 tled to carry forward the leave balance existing as of the
11 day on which the member begins participation and accu-
12 mulated in accordance with section 701 of this title, but
13 not to exceed 60 days.

14 “(g) PROMOTION.—(1)(A) An officer participating in
15 a program under this section shall not, while participating
16 in the program, be eligible for consideration for promotion
17 under chapter 36 or 1405 of this title.

18 “(B) Upon the return of an officer to active service
19 after completion by the officer of participation in a pro-
20 gram—

21 “(i) the Secretary of the military department
22 concerned shall adjust the date of rank of the officer
23 in such manner as the Secretary of Defense shall
24 prescribe in regulations for purposes of this section;
25 and

1 “(ii) the officer shall be eligible for consider-
2 ation for promotion when officers of the same com-
3 petitive category, grade, and seniority are eligible for
4 consideration for promotion.

5 “(2) An enlisted member participating in a program
6 shall not be eligible for consideration for promotion during
7 the period that—

8 “(A) begins on the date of the inactivation of
9 the member from active service under the program;
10 and

11 “(B) ends at such time after the return of the
12 member to active service under the program that the
13 member is treatable as eligible for promotion by rea-
14 son of time in grade and such other requirements as
15 the Secretary of the military department concerned
16 shall prescribe in regulations for purposes of the
17 program.

18 “(h) CONTINUED ENTITLEMENTS.—A member par-
19 ticipating in a program under this section shall, while par-
20 ticipating in the program, be treated as a member of the
21 armed forces on active duty for a period of more than 30
22 days for purposes of—

23 “(1) the entitlement of the member and of the
24 dependents of the member to medical and dental

1 care under the provisions of chapter 55 of this title;
2 and

3 “(2) retirement or separation for physical dis-
4 ability under the provisions of chapters 55 and 61
5 of this title.”.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) TABLE OF SECTIONS.—The table of sections
8 at the beginning of such chapter is amended by in-
9 serting after the item relating to section 709a the
10 following new item:

710. Career flexibility to enhance retention of members.

11 (2) CONFORMING REPEAL.—Section 533 of the
12 Duncan Hunter National Defense Authorization Act
13 for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is
14 repealed.

1 **SEC. 5** ____ [log67639]. **DIRECT EMPLOYMENT PILOT PRO-**
2 **GRAM FOR MEMBERS OF THE RESERVE COM-**
3 **PONENTS AND VETERANS.**

4 (a) **AUTHORITY.**—The Secretary of Defense may
5 enter into agreements with the chief executives of the
6 States to carry out pilot programs to enhance the efforts
7 of the Department of Defense to provide job placement
8 assistance and related employment services directly to un-
9 employed or underemployed members of the reserve com-
10 ponents of the Armed Forces and veterans.

11 (b) **COST-SHARING.**—Any agreement under sub-
12 section (a) shall require that the State must contribute
13 an amount, derived from non-Federal sources, that equals
14 or exceeds 50 percent of the funds provided by the Sec-
15 retary to the State under this section to support the oper-
16 ation of the pilot program in that State.

17 (c) **ADMINISTRATION.**—The pilot program in a State
18 shall be administered by the adjutant general in that State
19 appointed under section 314 of title 32, United States
20 Code. If the adjutant general is unavailable or unable to
21 administer a pilot program, the Secretary, after consulting
22 with the chief executive of the State, shall designate an
23 official of that State to administer that pilot program.

1 (d) PROGRAM MODEL.—A pilot program under this
2 section—

3 (1) shall use a job placement program model
4 that focuses on working one-on-one with individuals
5 described in subsection (a) to provide cost-effective
6 job placement services, including—

7 (A) job matching services;

8 (B) resume editing;

9 (C) interview preparation; and

10 (D) post-employment follow up; and

11 (2) shall incorporate best practices of State-op-
12 erated direct employment programs for members of
13 the reserve components of the Armed Forces and
14 veterans, such as the programs conducted in Cali-
15 fornia and South Carolina.

16 (e) SKILLBRIDGE TRAINING OPPORTUNITIES.—A
17 pilot program under this section shall utilize civilian train-
18 ing opportunities through the SkillBridge transition train-
19 ing program administered by the Department of Defense.

20 (f) EVALUATION.—The Secretary shall develop out-
21 come measurements to evaluate the success of any pilot
22 program established under this provision.

23 (g) REPORTING.—

24 (1) REPORT REQUIRED.—Not later than March
25 1, 2021, the Secretary, in coordination with the Sec-

1 retary of Veterans Affairs and Chief of the National
2 Guard Bureau, shall submit to the congressional de-
3 fense committees a report describing the results of
4 any pilot program established under this section.

5 (2) ELEMENTS.—A report under paragraph (1)
6 shall include the following elements:

7 (A) A description and assessment of the ef-
8 fectiveness and achievements of the pilot pro-
9 gram, including—

10 (i) the number of members of the re-
11 serve components of the Armed Forces and
12 veterans hired; and

13 (ii) the cost-per-placement of partici-
14 pating members and veterans.

15 (B) An assessment of the impact of the
16 pilot program and increased reserve component
17 employment levels on—

18 (i) the readiness of members of the re-
19 serve components of the Armed Forces;
20 and

21 (ii) retention of service members.

22 (C) A comparison of the pilot program to
23 other programs conducted by the Department
24 of Defense or Department of Veterans Affairs
25 to provide unemployment and underemployment

1 support to members of the reserve components
2 of the Armed Forces or veterans, including best
3 practices the improved the effectiveness of such
4 programs.

5 (D) Any other matter the Secretary deter-
6 mines to be appropriate.

7 (h) DURATION OF AUTHORITY.—

8 (1) IN GENERAL.—Subject to paragraph (2),
9 the authority to carry out a pilot program under this
10 section expires on September 30, 2023.

11 (2) EXTENSION.—The Secretary may extend a
12 pilot program under this section beyond the date in
13 paragraph (1) by not more than two years.

1 **SEC. 5** ____ **[log 67660]. IMPROVEMENTS TO TRANSITION AS-**
2 **SISTANCE PROGRAM.**

3 (a) **PATHWAYS FOR TAP.**—

4 (1) **IN GENERAL.**—Section 1142 of title 10,
5 United States Code, is amended—

6 (A) in the section heading by striking
7 **“medical”** and inserting **“certain”**;

8 (B) in subsection (a)—

9 (i) in paragraph (1), by inserting
10 **“(regardless of character of discharge)”**
11 after **“discharge”**;

12 (ii) in paragraph (3)(A)—

13 (I) by striking **“as soon as pos-**
14 **sible during the 12-month period pre-**
15 **ceding”** and inserting **“not later than**
16 **365 days before”**;

17 (II) by striking **“90 days”** and
18 inserting **“365 days”**; and

19 (III) by striking **“discharge or**
20 **release”** and inserting **“retirement or**
21 **other separation”**; and

22 (iii) in paragraph (3)(B)—

23 (I) by striking **“90”** and insert-
24 ing **“365”**; and

1 (II) by striking “90-day” and in-
2 serting “365-day”;

3 (C) by redesignating subsection (c) as sub-
4 section (d);

5 (D) by inserting after subsection (b) the
6 following new subsection (c):

7 “(c) COUNSELING PATHWAYS.—(1) Each Secretary
8 concerned, in consultation with the Secretaries of Labor
9 and Veterans Affairs, shall establish at least three path-
10 ways for members of the military department concerned
11 receiving individualized counseling under this section. The
12 Secretaries shall design the pathways to address the needs
13 of members, based on the following factors:

14 “(A) Rank.

15 “(B) Term of service.

16 “(C) Gender.

17 “(D) Whether the member was a member
18 of a regular or reserve component of an armed
19 force.

20 “(E) Disability.

21 “(F) Character of discharge (including ex-
22 pedited discharge and discharge under condi-
23 tions other than honorable).

24 “(G) Health (including mental health).

25 “(H) Military occupational specialty.

1 “(I) Whether the member intends, after
2 separation, retirement, or discharge, to—

3 “(i) seek employment;

4 “(ii) enroll in a program of higher
5 education;

6 “(iii) enroll in a program of vocational
7 training; or

8 “(iv) become an entrepreneur.

9 “(J) The educational history of the mem-
10 ber.

11 “(K) The employment history of the mem-
12 ber.

13 “(L) Whether the member has secured—

14 “(i) employment;

15 “(ii) enrollment in a program of edu-
16 cation; or

17 “(iii) enrollment in a program of voca-
18 tional training.

19 “(M) Other factors the Secretary of De-
20 fense and the Secretary of Homeland Security,
21 in consultation with the Secretaries of Labor
22 and Veterans Affairs, determine appropriate.

23 “(2) Each member described in subsection (a) shall
24 meet in person or by video conference with a counselor
25 before beginning counseling under this section to—

1 “(A) take a self-assessment designed by the
2 Secretary concerned (in consultation with the Secre-
3 taries of Labor and Veterans Affairs) to ensure that
4 the Secretary concerned places the member in the
5 appropriate pathway under this subsection; and

6 “(B) receive information from the counselor re-
7 garding reenlistment in the armed forces; and

8 “(C) receive information from the counselor re-
9 garding resources—

10 “(i) for members of the armed forces sepa-
11 rated, retired, or discharged;

12 “(ii) located in the community in which the
13 member will reside after separation, retirement,
14 or discharge.

15 “(3) At the meeting under paragraph (2), the mem-
16 ber may elect to have the Secretary concerned (in con-
17 sultation with the Secretaries of Labor and Veterans Af-
18 fairs) provide the contact information of the member to
19 the resources described in paragraph (2)(B).”; and

20 (E) by adding at the end the following new
21 subsection:

22 “(e) **JOINT SERVICE TRANSCRIPT.**—(1) The Sec-
23 retary concerned shall provide a copy of the joint service
24 transcript of a member described in subsection (a) to—

25 “(A) that member—

1 “(i) at the meeting with a counselor under
2 subsection (c)(2); and

3 “(ii) on the day the member separates, re-
4 tires, or is discharged.

5 “(B) the Secretary of Veterans Affairs on the
6 day the member separates, retires, or is discharged.

7 “(2) The Secretary of Veterans Affairs shall ensure
8 that a member who has separated, retired, or is discharged
9 may access the joint service transcript of that member
10 from a website of the Department of Veterans Affairs not
11 later than one year after the day the member separates,
12 retires, or is discharged.”.

13 (2) DEADLINE.—Each Secretary concerned
14 shall carry out subsection (c) of such section, as
15 amended by paragraph (1), not later than one year
16 after the date of the enactment of this Act.

17 (3) GAO STUDY.—Not later than one year after
18 the Secretaries concerned carry out subsection (c) of
19 such section, as amended by paragraph (1), the
20 Comptroller General of the United States shall sub-
21 mit to Congress a review of the pathways for the
22 Transition Assistance Program established under
23 such subsection (c).

24 (b) CONTENTS OF TAP.—

1 (1) IN GENERAL.—Section 1144 of title 10,
2 United States Code, is amended—

3 (A) in subsection (a), by striking “Such
4 services” and inserting “Subject to subsection
5 (f)(2), such services”; and

6 (B) by amending subsection (f) to read as
7 follows:

8 “(f) PROGRAM CONTENTS.—(1) The program carried
9 out under this section shall consist of instruction as fol-
10 lows:

11 “(A) One day of preseparation training
12 specific to the armed force concerned, as deter-
13 mined by the Secretary concerned.

14 “(B) One day of instruction regarding—
15 “(i) benefits under laws administered
16 by the Secretary of Veterans Affairs; and
17 “(ii) other subjects determined by the
18 Secretary concerned.

19 “(C) One day of instruction regarding
20 preparation for employment.

21 “(D) Two days of instruction regarding a
22 topic selected by the member from the following
23 subjects:

24 “(i) Preparation for employment.

25 “(ii) Preparation for education.

1 “(iii) Preparation for vocational train-
2 ing.

3 “(iv) Preparation for entrepreneur-
4 ship.

5 “(v) Other options determined by the
6 Secretary concerned.

7 “(2) The Secretary concerned may permit a member
8 to attend training and instruction under the program es-
9 tablished under this section—

10 “(A) before the time periods established under
11 section 1142(a)(3) of this title;

12 “(B) in addition to such training and instruc-
13 tion required during such time periods.”.

14 (2) DEADLINE.—The Transition Assistance
15 Program shall comply with the requirements of sec-
16 tion 1144(f) of title 10, United States Code, as
17 amended by paragraph (1), not later than one year
18 after the date of the enactment of this Act.

19 (3) ACTION PLAN.—Not later than 120 days
20 after the date of the enactment of this Act, the Sec-
21 retary of Defense shall submit an action plan to the
22 congressional defense committees that—

23 (A) details how the Secretary shall imple-
24 ment the requirements of section 1144(f) of

1 title 10, United States Code, as amended by
2 paragraph (1); and

3 (B) details how the Secretary, in consulta-
4 tion with the Secretaries of Veterans Affairs
5 and Labor, shall establish standardized per-
6 formance metrics to measure Transition Assist-
7 ance Program participation and outcome-based
8 objective benchmarks in order to—

9 (i) provide feedback to the Depart-
10 ments of Defense, Veterans Affairs, and
11 Labor;

12 (ii) improve the curriculum of the
13 Transition Assistance Program;

14 (iii) share best practices; and

15 (iv) facilitate effective oversight of the
16 Transition Assistance Program.

17 (4) REPORT.—On the date that is two years
18 after the date of the enactment of this Act and an-
19 nually thereafter for the subsequent four years, the
20 Secretary of Defense shall submit to the Committees
21 on Armed Services and Veterans' Affairs of the Sen-
22 ate and the House of Representatives, the Com-
23 mittee on Commerce, Science, and Transportation of
24 the Senate, and the Committee on Transportation
25 and Infrastructure of the House of Representatives,

1 a report regarding members of the Armed Forces
2 who have attended Transition Assistance Program
3 counseling during the preceding year. The report
4 shall detail the following:

5 (A) The total number of members who at-
6 tended Transition Assistance Program coun-
7 seling.

8 (B) The number of members who attended
9 Transition Assistance Program counseling
10 under paragraph (1) of section 1144(f) of title
11 10, as amended by paragraph (1).

12 (C) The number of members who attended
13 Transition Assistance Program counseling
14 under paragraph (2) of such section.

15 (D) The number of members who elected
16 to attend each two-day instruction under para-
17 graph (1)(D) of such section.

1 **SEC. 5** [Log 67828]. **DEPARTMENT OF DEFENSE EDU-**
2 **CATION ACTIVITY MISCONDUCT DATABASE.**

3 (a) **COMPREHENSIVE DATABASE.**—The Secretary of
4 Defense shall consolidate the various databases and mech-
5 anisms for the reporting and tracking of juvenile mis-
6 conduct in Department of Defense Education Activity
7 (hereinafter in this section referred to as “DODEA”)
8 schools into one comprehensive database for DODEA ju-
9 venile misconduct. The comprehensive database shall in-
10 clude, at a minimum, all reportable allegations of juvenile-
11 on-juvenile sexual misconduct, regardless of the final dis-
12 position of the case.

13 (b) **POLICY.**—The Secretary shall establish a com-
14 prehensive policy regarding the reporting and tracking of
15 juvenile misconduct cases occurring in DODEA schools,
16 including policies establishing appropriate safeguards to
17 prevent unauthorized disclosure of sensitive information
18 contained in the comprehensive database required by sub-
19 section (a).

1 **SEC. 5** [Log 67421]. **LIMITATION ON USE OF FUNDS PEND-**
2 **ING SUBMITTAL OF REPORT ON ARMY MAR-**
3 **KETING AND ADVERTISING PROGRAM.**

4 (a) **REPORT REQUIRED.**—

5 (1) **IN GENERAL.**—The Secretary of the Army
6 shall submit to the Committees on Armed Services
7 of the Senate and House of Representatives a report
8 on the recommendations contained in the audit con-
9 ducted by the Army Audit Agency of the Army’s
10 Marketing and Advertising Program concerning con-
11 tract oversight and return on investment.

12 (2) **CONTENTS.**—The report required by para-
13 graph (1) shall address each of the following:

14 (A) The mitigation and oversight measures
15 implemented to assure improved program re-
16 turn and contract management including the
17 establishment of specific goals to measure long-
18 term effects of investments in marketing ef-
19 forts.

20 (B) The establishment of a review process
21 to regularly evaluate the effectiveness and effi-
22 ciency of marketing efforts including efforts to
23 better support the accessions missions of the
24 Army.

1 (C) The increase of acquisition and mar-
2 keting experience within the Army Marketing
3 and Research Group (hereinafter in this section
4 referred to as the “AMRG”).

5 (D) A workforce analysis of AMRG in co-
6 operation with the Office of Personnel Manage-
7 ment and industry experts assessing the AMRG
8 organizational structure, staffing, and training,
9 including an assessment of the workplace cli-
10 mate and culture internal to the AMRG.

11 (E) The establishment of an Army Mar-
12 keting and Advisory Board comprised of senior
13 Army and marketing and advertising leaders
14 and an assessment of industry and service mar-
15 keting and advertising best practices including
16 a plan to incorporate relevant practices.

17 (F) The status of the implementation of
18 contracting practices recommended by the
19 Army Audit Agency’s audit of contracting over-
20 sight of AMRG contained in Audit Report A-
21 2018-0033-MTH.

22 (b) LIMITATION ON USE OF FUNDS.—Not more than
23 60 percent of the amounts authorized to be appropriated
24 or otherwise made available in this Act for the AMRG for
25 fiscal year 2019 for advertising and marketing activities

1 may be obligated or expended until the Secretary of the
2 Army submits the report required by subsection (a).

3 (c) COMPTROLLER GENERAL REVIEW.—Not later
4 than 90 days after the date of the submittal of the report
5 required by subsection (a), the Comptroller General of the
6 United States shall conduct a review of the results and
7 implementation of the recommendations of the Army
8 Audit Agency Audits of the AMRG on contract oversight
9 and return on investment. Such review shall include an
10 assessment of the effects of the implementation of the rec-
11 ommendations on the AMRG leadership, workforce and
12 business practices, and return on investment.

1 **SEC. 5** ____ **[log 67618]. DEVELOPMENT OF OVERSIGHT PLAN**
2 **FOR IMPLEMENTATION OF DEPARTMENT OF**
3 **DEFENSE HARASSMENT PREVENTION AND**
4 **RESPONSE POLICY.**

5 (a) DEVELOPMENT.—The Secretary of Defense shall
6 develop a plan for overseeing the implementation of the
7 instruction titled “Harassment Prevention and Response
8 in the Armed Forces”, published on February 8, 2018
9 (DODI–1020.03).

10 (b) ELEMENTS.—The plan under subsection (a) shall
11 require the military services and other components of the
12 Department of Defense to take steps by certain dates to
13 implement harassment prevention and response programs
14 under such instruction, including no less than the fol-
15 lowing:

16 (1) Submitting implementation plans to the Di-
17 rector, Force Resiliency.

18 (2) Incorporating results-oriented performance
19 measures that assess the effectiveness of harassment
20 prevention and response programs.

21 (3) Adopting compliance standards for pro-
22 moting, supporting, and enforcing policies, plans,
23 and programs.

1 (4) Tracking, collecting, and reporting data and
2 information on sexual harassment incidents based on
3 standards established by the Secretary.

4 (5) Instituting anonymous complaint mecha-
5 nisms.

6 (c) REPORT.—Not later than July 1, 2019, the Sec-
7 retary shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a report
9 on the oversight plan developed under this section. The
10 report shall include, for each military service and compo-
11 nent of the Department of Defense, the implementation
12 status of each element of the oversight plan.

1 **SEC. 5** ____ **[log 67748]. EXTENDED DURATION OF AVAIL-**
2 **ABILITY OF MILITARY ONESOURCE PROGRAM**
3 **SERVICES FOR MEMBERS OF THE ARMED**
4 **FORCES UPON THEIR SEPARATION OR RE-**
5 **TIREMENT.**

6 The Secretary of Defense shall ensure that retired
7 and honorably discharged members of the Armed Forces,
8 including members medically discharged, separated, or on
9 the temporary disability retirement list, and their imme-
10 diate family remain eligible for services under the Military
11 OneSource Program for at least one year after the end
12 of the member's tour of service, the member's retirement
13 date, or the member's separation date, as the case may
14 be.

1 **SEC. 5** ____ **[log 67880]. ADDITIONAL MATTERS FOR ASSESS-**
2 **MENT AND REPORT ON CHILDCARE SERV-**
3 **ICES OF THE DEPARTMENT OF DEFENSE.**

4 Section 575 of the National Defense Authorization
5 Act for Fiscal Year 2018 (Public Law 115-91) is amend-
6 ed—

7 (1) in subsection (a), by adding at the end the
8 following new paragraphs:

9 “(5) Expanding the childcare hours at military
10 installations that host initial training units in order
11 to accommodate drill instructors, trainers, and sup-
12 port staff.

13 “(6) Modifying the rate of use of subsidized,
14 off-installation childcare services by military fami-
15 lies, including whether such rate could be increased
16 by altering policies that cap the amount of subsidies
17 for military families for such services based on the
18 cost of living for families and the average cost of ci-
19 vilian childcare services.

20 “(7) Permitting the issuance of employee clear-
21 ances on a provisional or interim basis for those
22 working at military childcare centers.”; and

23 (2) in subsection (b)—

1 (A) by striking “September 1, 2018” and
2 inserting “March 1, 2019”;

3 (B) by striking “the results of the assess-
4 ment conducted under subsection (a).” and in-
5 serting an em dash; and

6 (C) by adding at the end the following new
7 paragraphs:

8 “(1) the results of the assessment conducted
9 under subsection (a); and

10 “(2) assessments of—

11 “(A) the underlying factors contributing to
12 the childcare backlogs at many installations;

13 “(B) the effect of such backlogs on mem-
14 ber recruitment and retention; and

15 “(C) the effect of such backlogs on mili-
16 tary spouse unemployment and underemploy-
17 ment.”.

1 **SEC. 6** ____ **[log 67250]. MILITARY HOUSING PRIVATIZATION**
2 **INITIATIVE.**

3 (a) **PAYMENT AUTHORITY.**—Each month beginning
4 on the first month after the date of the enactment of this
5 Act, the Secretary shall pay to a lessor of covered housing
6 five percent of the amount calculated under section
7 403(b)(3)(A)(i) of title 37, United States Code, for the
8 area in which the covered housing exists. Any such pay-
9 ment shall be in addition to any other payment made by
10 the Secretary to that lessor.

11 (b) **PLAN FOR MHPI HOUSING.**—Not later than De-
12 cember 1, 2018, the Secretary shall submit to the congres-
13 sional defense committees a long-range plan to develop
14 measures to consistently address the future sustainment,
15 recapitalization, and financial condition of MHPI housing.
16 The plan shall include—

17 (1) efforts to mitigate the losses incurred by
18 MHPI housing projects because of the reductions to
19 BAH under section 603 of the National Defense Au-
20 thorization Act for Fiscal Year 2016 (Public Law
21 114-92; 37 U.S.C. 403(b)(3)(B)); and

22 (2) a full assessment of the effects of such re-
23 ductions (in relation to calculations of market rates

1 for rent and utilities) on the financial condition of
2 MHPI housing.

3 (c) REPORTING.—The Secretary shall direct the As-
4 sistant Secretary of Defense for Energy, Installations, and
5 Environment to take the following steps regarding reports
6 under section 2884(c) of title 10, United States Code:

7 (1) Provide additional contextual information
8 on MHPI housing to identify any differences in the
9 calculation of debt coverage ratios and any effect of
10 such differences on their comparability.

11 (2) Immediately resume issuing such reports on
12 the financial condition of MHPI housing.

13 (3) Revise Department of Defense guidance on
14 MHPI housing—

15 (A) to ensure that relevant financial data
16 (such as debt coverage ratios) in such reports
17 are consistent and comparable in terms of the
18 time periods of the data collected;

19 (B) to include a requirement that the sec-
20 retary of each military department includes
21 measures of future sustainment into each as-
22 sessments of MHPI housing projects; and

23 (C) to require the secretary of each mili-
24 tary department to define risk tolerance regard-

1 ing the future sustainability of MHPI housing
2 projects.

3 (4) Report financial information on future
4 sustainment of each MHPI housing project in such
5 reports.

6 (5) Provide Department of Defense guidance to
7 the secretaries of the military departments to—

8 (A) assess the significance of the specific
9 risks to individual MHPI housing projects from
10 the reduction in BAH; and

11 (B) identify methods to mitigate such risks
12 based on their significance.

13 (6) Not later than December 1, 2018, finalize
14 Department of Defense guidance that clearly de-
15 fines—

16 (A) the circumstances in which the mili-
17 tary departments shall provide notification of
18 housing project changes to the congressional de-
19 fense committees; and

20 (B) which types of such changes require
21 prior notification to or prior approval from the
22 congressional defense committees.

23 (d) DEFINITIONS.—In this section:

1 (1) The term “BAH” means the basic allow-
2 ance for housing under section 403 of title 37,
3 United States Code.

4 (2) The term “covered housing” means a unit
5 of MHPI housing that is leased to a member of a
6 uniformed service who resides in such unit.

7 (3) The term “MHPI housing” means housing
8 acquired or constructed under the alternative au-
9 thority of subchapter IV of chapter 169 of title 10,
10 United States Code (known as the Military Housing
11 Privatization Initiative).

1 **SEC. 611 [log67164 H611]. ONE-YEAR EXTENSION OF CER-**
2 **TAIN EXPIRING BONUS AND SPECIAL PAY AU-**
3 **THORITIES.**

4 (a) **AUTHORITIES RELATING TO RESERVE**
5 **FORCES.**—Section 910(g) of title 37, United States Code,
6 relating to income replacement payments for reserve com-
7 ponent members experiencing extended and frequent mo-
8 bilization for active duty service, is amended by striking
9 “December 31, 2018” and inserting “December 31,
10 2019”.

11 (b) **TITLE 10 AUTHORITIES RELATING TO HEALTH**
12 **CARE PROFESSIONALS.**—The following sections of title
13 10, United States Code, are amended by striking “Decem-
14 ber 31, 2018” and inserting “December 31, 2019”:

15 (1) Section 2130a(a)(1), relating to nurse offi-
16 cer candidate accession program.

17 (2) Section 16302(d), relating to repayment of
18 education loans for certain health professionals who
19 serve in the Selected Reserve.

20 (c) **AUTHORITIES RELATING TO NUCLEAR OFFI-**
21 **CERS.**—Section 333(i) of title 37, United States Code, is
22 amended by striking “December 31, 2018” and inserting
23 “December 31, 2019”.

1 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
2 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
3 THORITIES.—The following sections of title 37, United
4 States Code, are amended by striking “December 31,
5 2018” and inserting “December 31, 2019”:

6 (1) Section 331(h), relating to general bonus
7 authority for enlisted members.

8 (2) Section 332(g), relating to general bonus
9 authority for officers.

10 (3) Section 334(i), relating to special aviation
11 incentive pay and bonus authorities for officers.

12 (4) Section 335(k), relating to special bonus
13 and incentive pay authorities for officers in health
14 professions.

15 (5) Section 336(g), relating to contracting
16 bonus for cadets and midshipmen enrolled in the
17 Senior Reserve Officers’ Training Corps.

18 (6) Section 351(h), relating to hazardous duty
19 pay.

20 (7) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (8) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
5 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
6 403(b)(7)(E) of title 37, United States Code, is amended
7 by striking “December 31, 2018” and inserting “Decem-
8 ber 31, 2019”.

1 **SEC. 6** ____ **[log 67546]. ADVISORY BOARDS REGARDING MILI-**
2 **TARY COMMISSARIES AND EXCHANGES.**

3 The Secretary of Defense shall direct each com-
4 manding officer of a military base on which there is a mili-
5 tary commissary or exchange to establish an advisory
6 board, comprised of representatives of military or veterans
7 service organizations, to advise the commanding officer re-
8 garding the interests of patrons and beneficiaries of mili-
9 tary commissaries and exchanges.

1 **SEC. 7___ . [Log 67215] TRANSITION OF ADMINISTRATION**
2 **BY DEFENSE HEALTH AGENCY OF MILITARY**
3 **MEDICAL TREATMENT FACILITIES.**

4 Section 1073c(a) of title 10, United States Code, is
5 amended—

6 (1) in paragraph (1), by striking “Beginning
7 October 1, 2018,” and inserting “In accordance with
8 paragraph (3), by not later than September 30,
9 2020,”;

10 (2) by redesignating paragraphs (3) and (4) as
11 paragraphs (4) and (5), respectively;

12 (3) by inserting after paragraph (2) the fol-
13 lowing new paragraph (3):

14 “(3)(A) The Secretary of Defense shall establish a
15 timeline to ensure that each Secretary of a military de-
16 partment transitions the administration of military med-
17 ical treatment facilities from the respective Secretary to
18 the Director of the Defense Health Agency pursuant to
19 paragraph (1) by the date specified in such paragraph.

20 “(B) In carrying out this subsection, and in addition
21 to the requirements under section 1073d(e) of this title,
22 the Secretary of Defense may not close any military med-
23 ical treatment facility, limit the health services provided
24 by a military medical treatment facility, or take any action

1 to begin such a closure or limitation, until the date on
2 which the Secretary submits to the congressional defense
3 committees a report containing the following:

4 “(i) A certification that each Secretary of a
5 military department has completed the transition of
6 the administration of each military medical treat-
7 ment facility from the respective Secretary to the
8 Director of the Defense Health Agency pursuant to
9 paragraph (1).

10 “(ii) A description of the metrics used by the
11 Secretary of Defense to ensure that such transition
12 is completed.

13 “(iii) A description of a cohesive headquarters
14 structure that delineates the roles and responsibil-
15 ities for each military department, the Joint Staff
16 Surgeon, and the Defense Health Agency.”; and

17 (4) in paragraph (3), as so redesignated, by
18 striking “subsection (a)” and inserting “paragraph
19 (1)”.

1 **SEC. 7___.** **[Log 67217] WOUNDED WARRIOR POLICY RE-**
2 **VIEW.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall review and update policies and procedures relating
6 to the care and management of recovering service mem-
7 bers. In conducting such review, the Secretary shall con-
8 sider best practices—

9 (1) in the care of recovering service members;

10 (2) in the administrative management relating
11 to such care;

12 (3) to carry out applicable provisions of Federal
13 law; and

14 (4) recommended by the Comptroller General of
15 the United States in the report titled “Army Needs
16 to Improve Oversight of Warrior Transition Units”.

17 (b) **SCOPE OF POLICY.**—In carrying out subsection
18 (a), the Secretary shall update policies of the Department
19 of Defense with respect to each of the following:

20 (1) The case management coordination of mem-
21 bers of the Armed Forces between the military de-
22 partments and the military medical treatment facili-
23 ties administered by the Director of the Defense
24 Health Agency pursuant to section 1073c of title 10,

1 United States Code, including with respect to the co-
2 ordination of—

3 (A) appointments;

4 (B) rehabilitative services;

5 (C) recuperation in an outpatient status;

6 (D) contract care provided by a private
7 health care provider outside of a military med-
8 ical treatment facility;

9 (E) the disability evaluation system; and

10 (F) other administrative functions relating
11 to the military department.

12 (2) The transition of a member of the Armed
13 Forces who is retired under chapter 61 of title 10,
14 United States Code, from receiving treatment fur-
15 nished by the Secretary of Defense to treatment fur-
16 nished by the Secretary of Veterans Affairs.

17 (3) Facility standards related to lodging and
18 accommodations for recovering service members and
19 the family members and non-medical attendants of
20 such recovering service members.

21 (c) REPORT.—Not later than one year after the date
22 of the enactment of this Act, the Secretary of Defense and
23 Secretaries of the military departments shall jointly sub-
24 mit to the Committees on Armed Services of the Senate
25 and House of Representatives a report on the review con-

1 ducted under subsection (a), including a description of the
2 policies updated pursuant to subsection (b).

3 (d) DEFINITIONS.—In this section, the terms “dis-
4 ability evaluation system”, “outpatient status”, and “re-
5 covering service members” have the meaning given those
6 terms in section 1602 of the Wounded Warrior Act (title
7 XVI of Public Law 110–181; 10 U.S.C. 1071 note).

1 **SEC. 7___ . [Log 67220] JOINT FORCE MEDICAL CAPABILI-**
2 **TIES DEVELOPMENT AND STANDARDIZATION.**

3 (a) DEVELOPMENT.—The Secretary of Defense, in
4 coordination with the Secretaries of the military depart-
5 ments and the Chairman of the Joint Chiefs of Staff, shall
6 develop a process to establish required joint medical capa-
7 bilities for members of the Armed Forces that meet the
8 operational planning requirements of the combatant com-
9 mands.

10 (b) PROCESS.—The process developed under sub-
11 section (a) shall include—

12 (1) the development of a joint medical estimate
13 to determine the medical requirements for treating
14 members of the Armed Forces who are wounded, ill,
15 or injured during military operations, including with
16 respect to environmental health and force health
17 protection.

18 (2) a process to review and revise military
19 health related mission essential tasks that are
20 aligned with health professional knowledge, skills,
21 and abilities; and

22 (3) a process to standardize the interoperability
23 of medical equipment and capabilities to the greatest
24 extent practicable to support the joint force.

1 (c) REPORT.—Not later than March 1, 2019, the
2 Secretary of Defense shall submit to the Committees on
3 Armed Services of the Senate and House of Representa-
4 tives a report describing the process developed under sub-
5 section (a).

1 **SEC. 7___.** **[Log 67462] IMPROVEMENT TO NOTIFICATION**
2 **TO CONGRESS OF HOSPITALIZATION OF COM-**
3 **BAT-WOUNDED MEMBERS OF THE ARMED**
4 **FORCES.**

5 Section 1074l(a) of title 10, United States Code, is
6 amended by striking “admitted to a military treatment fa-
7 cility within the United States” and inserting “admitted
8 to any military medical treatment facility”.

1 **SEC. 7___.**[Log 67845] **EXTENSION OF AUTHORITY FOR**
2 **JOINT DEPARTMENT OF DEFENSE- DEPART-**
3 **MENT OF VETERANS AFFAIRS MEDICAL FA-**
4 **CILITY DEMONSTRATION FUND.**

5 Section 1704(e) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2010 (Public Law 111–84; 123
7 Stat. 2573), as most recently amended by section 719 of
8 the National Defense Authorization Act for Fiscal Year
9 2018 (Public Law 115–91; 131 Stat. 1440), is further
10 amended by striking “September 30, 2019” and inserting
11 “September 30, 2020”.

1 **SEC. 7** ____ .[Log 67218] **SHARING INFORMATION WITH STATE**
2 **PRESCRIPTION DRUG MONITORING PRO-**
3 **GRAMS.**

4 (a) **ESTABLISHMENT.**—Section 1074g of title 10,
5 United States Code, is amended—

6 (1) by redesignating subsections (g) and (h) as
7 subsections (h) and (i), respectively; and

8 (2) by inserting after subsection (f) the fol-
9 lowing new subsection:

10 “(g) **SHARING INFORMATION WITH STATE PRE-**
11 **SCRIPTION DRUG MONITORING PROGRAMS.**—(1) The Sec-
12 retary shall establish and operate a prescription drug mon-
13 itoring program (to be known as the Military Health Sys-
14 tem Prescription Drug Monitoring Program) for prescrip-
15 tion drugs provided through facilities of the uniformed
16 services.

17 “(2) The Secretary shall ensure that the program es-
18 tablished under paragraph (1)—

19 “(A) is comparable to prescription drug moni-
20 toring programs operated by States; and

21 “(B) covers prescription drugs provided under
22 the pharmacy benefits program that are controlled
23 substances.

1 “(3)(A) In carrying out the program established
2 under paragraph (1), the Secretary shall establish appro-
3 priate procedures for sharing between the program and
4 State prescription drug monitoring programs patient-spe-
5 cific information regarding prescription drugs that are
6 controlled substances to prevent the misuse and diversion
7 of opioid medications and other controlled substances.

8 “(B) For purposes of the regulations promulgated
9 under section 264(e) of the Health Insurance Portability
10 and Accountability Act of 1996 (Public Law 104–191; 42
11 U.S.C. 1320d–2 note), any disclosure of patient-specific
12 information by the Secretary under subparagraph (A)
13 shall be treated as a permitted disclosure.

14 “(C) The Secretary shall include in the procedures
15 established under subparagraph (A) appropriate safe-
16 guards, as determined by the Secretary, concerning the
17 cybersecurity of information systems of the Department
18 of Defense systems and the operational security of per-
19 sonnel of the Department.

20 “(4) In this subsection, the term ‘controlled sub-
21 stance’ has the meaning given that term in section 102
22 of the Controlled Substances Act (21 U.S.C. 802).”.

23 (b) BRIEFING.—Not later than one year after the
24 date of the enactment of this Act, the Secretary of Defense
25 shall provide to the Committees on Armed Services of the

1 House of Representatives and the Senate a briefing on the
2 implementation of the program established under section
3 1074g(g) of title 10, United States Code, as added by sub-
4 section (a).

5 (c) CONFORMING AMENDMENTS.—

6 (1) TITLE 10, UNITED STATES CODE.—Section
7 1079(q) of title 10, United States Code, is amended
8 by striking “section 1074g(g)” and inserting “sec-
9 tion 1074g(h)”.

10 (2) FY16 NDAA.—Section 715(e)(2) of the Na-
11 tional Defense Authorization Act for Fiscal Year
12 2016 (Public Law 114–92; 10 U.S.C. 1074g note)
13 is amended by striking “section 1074g(g)” and in-
14 serting “section 1074g(h)”.

15 (3) FY17 NDAA.—Section 745(b) of the Na-
16 tional Defense Authorization Act for Fiscal Year
17 2017 (Public Law 114–328; 10 U.S.C. 1074 note)
18 is amended by striking “section 1074g(g)” and in-
19 serting “section 1074g(h)”.

1 **SEC. 7___.** **[Log 67438] STRATEGIC MEDICAL RESEARCH**

2 **PLAN.**

3 (a) PLAN.—Not later than 30 days after the date on
4 which the budget of the President for fiscal year 2020 is
5 submitted to Congress pursuant to section 1105 of title
6 31, United States Code, the Secretary of Defense, in con-
7 sultation with the Secretaries of the military departments,
8 shall submit to the congressional defense committees a
9 comprehensive strategic medical research plan.

10 (b) MATTERS INCLUDED.—The plan under sub-
11 section (a) shall include the following:

12 (1) A description of all medical research focus
13 areas of the Department of Defense and a descrip-
14 tion of the coordination process to ensure the focus
15 areas are linked to military readiness, joint force re-
16 quirements, and relevance to individuals eligible for
17 care at military medical treatment facilities or
18 through the TRICARE program.

19 (2) A description of the medical research
20 projects funded under the Defense Health Program
21 account and the projects under the Congressional
22 Directed Medical Research Programs.

23 (3) A description of the process to ensure syn-
24 ergy across the military medical research community

1 to address gaps in military medical research, mini-
2 mize duplication of research, and to promote collabo-
3 ration within research focus areas.

4 (4) A description of the efforts of the Secretary
5 to coordinate with other departments and agencies
6 of the Federal Government to increase awareness of
7 complementary medical research efforts that are
8 being carried out through the Federal Government.

1 **SEC. 14** ____ . **[LOG 67743] AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR ARMED FORCES RETIREMENT**
3 **HOME.**

4 There is hereby authorized to be appropriated for fis-
5 cal year 2019 from the Armed Forces Retirement Home
6 Trust Fund the sum of \$64,300,000 for the operation of
7 the Armed Forces Retirement Home.

DIRECTIVE REPORT LANGUAGE

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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ITEMS OF SPECIAL INTEREST

Briefing on Commissioning Production of Senior Reserve Officer Training Corps

The committee is concerned about the number of Senior Reserve Officer Training Corps (ROTC) units that are not meeting established commissioning production requirements for each of the services. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military services, to provide a briefing to the House Committee on Armed Services not later than April 1, 2019, on the performance of the Senior Reserve Officer Training Corps. Such briefing shall describe each of the following:

- (1) annual production requirement and production attainment for each ROTC host unit, to include a breakdown of demographics;
- (2) listing of units that have not met the standards set forth in Department of Defense Instruction 1215.08, for the past 5 years;
- (3) listing of the units that did not meet the standard in the past 5 years that are now compliant; and
- (4) list of units each service intends to disestablish or reduce in scope, but is not authorized to do so.

Briefing on Department of Defense Inspector General Processing Times

The committee is concerned about the steady increase in processing times for Department of Defense Inspector General investigations into whistleblower reprisal and senior leader misconduct complaints. While the Department has conducted past studies into how best to reduce these processing times, and implemented efficiency measures, the problem persists.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than July 1, 2019, regarding steps the Department will take to reduce whistleblower reprisal and senior leader misconduct investigation processing times. The briefing shall include:

- (1) a general timeline for a typical whistleblower reprisal and senior leader misconduct investigation, including identification of phases of the investigation that often require substantial time;
- (2) whether changes to law or policy would improve the efficiency of these investigations; and
- (3) whether additional funding, manning, or other resources would improve processing times.

Foreign Area Officer Personnel Training and Career Management

The committee notes that the Department of Defense and the military services have developed a corps of foreign area officers and regional affairs strategists and implemented personnel policies to improve their education and training requirements. The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) required the Secretary to oversee the development and management of a professional workforce supporting security cooperation programs and activities of the Department. The committee is concerned with the implementation of this requirement as well as the services' career management of these officers.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by December 15, 2018, on the implementation of the Security Cooperation Workforce Development Program (SCWDP) required by section 384 of title 10, United States Code, and the service career management plan for foreign area officers. Elements of the briefing shall include:

- (1) how the Department of Defense SCWDP relates to the foreign area officer programs of the services;
- (2) how the foreign area officer programs of the services will benefit from the Department of Defense SCWDP;
- (3) how the Secretary of each military department is adapting their foreign area officer program to the National Security Strategy and National Defense Strategy;
- (4) what developmental opportunities the Secretary concerned provides for foreign area officers at each grade to prepare them for positions of greater responsibility;
- (5) how the Secretary concerned provides promotion opportunities for foreign area officers to serve through General/Flag Officer ranks, and how these compare to other promotion opportunities and rates across the services;
- (6) ways that the Secretary has coordinated efforts throughout the joint force to achieve the synergies of best practices across the security cooperation enterprise;
- (7) the steps each service is taking to incorporate the elements required under the scope of the final guidance of the SCWDP, as required under section 384(e)(3) of title 10, United States Code, into the career management of foreign area officers, and the relevant challenges; and
- (8) the steps the Department is taking to evaluate disparate training provided by services and Defense Intelligence Agency, and whether elements of such training should be provided to all Department of Defense personnel posted to embassies overseas.

Interagency Recruitment Cooperation Efforts

The committee notes that the current and future recruiting environment for military service is and will continue to be difficult with a population that has a lower propensity to serve, a recruit pool that is less qualified, and an economy that is robust. In this environment, the competition for this small pool of recruits will be fierce within the Department of Defense between the services, as well as with other Government agencies. Cooperation between Government agencies with regard to recruits will be critical going forward, especially those recruits with a propensity to serve but who might not be physically qualified for one service or the other.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2019, on interagency cooperation with regard to recruiting for military and other Government agency service. Elements of the briefing shall include the following:

- (1) an assessment by the Secretary of the value of cross-Government agency recruitment and how that would affect Department of Defense recruitment efforts;
- (2) what policies the Secretary could put in place in cooperation with other agencies to assist with future recruitment needs;
- (3) what current coordination is being conducted with other agencies to assist when recruiting for the Department of Defense or other agencies; and
- (4) what recommendations the Secretary would make on interagency recruiting cooperation.

Military Academy Preparatory School Class Enrollment

The committee notes that the mission of the military academies' preparatory schools is to motivate, prepare, and evaluate selected candidates in an academic, military, moral, and physical environment in order to perform successfully at the military academy. The preparatory school achieves this mission by qualifying cadet candidates for academy appointments, and developing in those students a sense of accomplishment and self-confidence that enables them to succeed in a military academy's demanding environment. Admission to a preparatory school is competitive, with selections made by selection boards. The boards select both enlisted Active Duty and civilian applicants who have applied for admission to an academy, but were not selected for direct entry.

The committee is concerned that the average military academy preparatory school class consists of only approximately 25 percent prior-enlisted service members. The committee believes that this percentage is extremely low, and that the services should focus their outreach efforts for attendance to the preparatory schools on the qualified enlisted force who has already exhibited propensity to serve.

Therefore, the committee directs the Secretaries of the Air Force, the Army and the Navy to develop individual service plans with the goal of increasing the enrollment of enlisted service members at each of the Service Academy Preparatory Schools. The Secretaries concerned shall also provide briefings to the Committee on

Armed Services of the House of Representatives by February 1, 2019, on the new outreach plan and their recommendations for increased enlisted member enrollment.

Report on Certain Victims' Rights in Connection with Prosecution of Sex-Related Offenses

The committee is concerned about the implementation of section 534 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), which enhances victims’ rights in connection with the prosecution of certain sex-related offenses. Specifically, the committee is interested in how the Department of Defense has implemented the requirement that victims be consulted in order to solicit their preference whether the covered offenses should be prosecuted by court-martial or in a civilian court with jurisdiction over the offense. The committee notes that the annual Department of Defense Sexual Assault Prevention and Response Office report contains statistics on the number of cases prosecuted in civilian courts, but it is not evident from this data whether these civilian prosecutions were in accordance with the wishes of the victim or simply the only option for prosecution of the offenses.

Therefore, the committee directs the Department of Defense Inspector General to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2019, on the results of a review of the Department of Defense and military departments’ processes for consulting victims in cases in which section 534 applies. The report shall include a description of who is responsible for consulting with the victim to determine the preference for prosecution; an analysis of whether the military services are complying with the notification requirement; the method used to record the victim’s preference and convey the information to the relevant authorities; and an analysis of whether the policy is applied consistently across the military services.

Report on Legal Training for Commanders

The committee understands that U.S. military commanders are entrusted with a wide range of responsibilities that are necessary to carry out their designated missions. Many of these responsibilities involve interpretation of and compliance with legal requirements. While the committee understands that judge advocates and other legal professionals advise the commanders on many of these subjects, the committee is interested in the full extent and substance of the legal training that commanders receive on the legal authorities with which they have been entrusted.

Therefore, the committee directs the Comptroller General of the United States to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than September 1, 2019, on the following questions:

(1) What legal training do officers receive throughout their careers? Who is responsible for this training, and who certifies satisfactory completion?

(2) What legal and ethics training do commanders receive prior to taking command? At what level of command are officers required to attend this training? What issues are covered during this training, and is the training tailored to the type of command the officer is assigned to?

(3) To what extent and what type of training do commanders receive regarding the following topics: military justice; contract and fiscal law; administrative law; and international and operational law?

(4) To what extent are the military services complying with their legal training requirements for new commanders?

(5) What resources are available to commanders to assist them in carrying out their legal responsibilities?

(6) What procedures are in place to receive feedback on the quality and relevance of the legal training provided to commanders? Is that feedback incorporated into periodic curriculum reviews?

U.S. Air Force Pilot Staff Requirements Validation

The committee remains concerned that the Air Force is having difficulty addressing a persistent pilot shortage. Pilots are vital to the readiness of the Air Force and these shortages may hamper its ability to carry out the 2018 National Defense Strategy, especially as it relates to retention and recruitment within the fighter pilot community. The committee notes that the Air Force provided written testimony to the committee on March 21, 2018, stating that the Air Force has a shortage of 1,812 pilots across all mission areas, with the most acute shortage being fighter pilots. The Air Force admits it is taking risk by under-filling its required pilot and rated staff officer billets. However, the committee is concerned about the current requirement for pilots in staff billets and the fact that the requirements for pilot skills in these positions have not been validated, nor the requirements reviewed, in many years. An assessment of this sort could result in a change in the overall number of required pilots on the staff.

Therefore, the committee directs the Secretary of the Air Force to evaluate and validate every pilot or rated officer required staff billet across the Air Force and joint community enterprise, and to address the recommendations of the Comptroller General "Report on Military Personnel: DOD Needs to Reevaluate Fighter Pilot Workforce Requirements," (GAO-18-113), and to provide a report to the Committee on Armed Services of the House of Representatives not later than December 7, 2018, on the methodology and the results of the evaluation and validation as well as the implementation of the recommendations of the GAO Report.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Department of Defense Action Plan for Countering Infectious Diseases

The committee acknowledges the important work across the Department of Defense in the areas of preventive medicine and infectious disease. The 2014 Ebola outbreak demonstrated the need for a prompt and efficient response to a highly infectious disease outbreak. It also demonstrated that in the future, the U.S. military may be expected to assume a primary role in responding to such crises. The likelihood of a future regional and global infectious disease crisis is high, and the lessons learned from the 2014 Ebola crisis are directly applicable to the next potential infectious disease outbreak. It is therefore critical that the Department of Defense consider lessons learned from previous outbreaks. In addition, the Department must take action to promote force health protection from emerging infectious diseases while preparing to support missions in areas of increased risk or military operations supporting international response within a future public health emergency.

The committee therefore directs the Secretary of Defense, in coordination with the Assistant Secretary for Preparedness and Response at the Department of Health and Human Services, to provide a briefing to the House Committee on Armed Services not later than June 1, 2019, on the development of an action plan focused on efforts to counter emerging infectious disease threats. This briefing should identify capability gaps; actions taken to improve point-of-care diagnostics linked to disease surveillance and information-sharing networks; examine infectious disease emergency response teams; capabilities for medical evacuation of patients with high consequence infections; gaps in infection prevention and control standards; and research efforts focused on medical countermeasures.

Diabetes Prevention Program

The committee notes there are an estimated 30 million Americans with diabetes but only approximately 50,000 military members or their family members have the disease. However, the committee understands that the number of military beneficiaries with diabetes increases to more than 200,000 for retirees and their family members who are under the age of 65 and doubles to over 400,000 for those beneficiaries in the TRICARE for Life, Medicare-eligible population. If not treated, those with diabetes face higher risks of heart disease, kidney failure, limb amputations, and blindness. The committee is aware that Medicare expanded its diabetes prevention pilot program to provide coverage for all eligible at-risk beneficiaries with prediabetes who are aged 65 years or older, which has led to substantial health care savings as well as reducing the risk of patients developing type 2 diabetes. Given the detrimental health impact of diabetes as well as the

increased costs incurred for direct treatment and comorbid medical complications of this disease, prevention programs addressing the vulnerability of at-risk TRICARE beneficiaries should be closely examined.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2019, that examines the feasibility of using a similar program for TRICARE beneficiaries to prevent diabetes, improve health, and reduce health care costs.

Exceptional Family Member Program

The committee notes the purpose of the Exceptional Family Member Program (EFMP) is to provide comprehensive and coordinated community support, housing, educational, medical, and personnel services worldwide to military families with children with special needs. The committee is concerned that with over 100,000 families participating in the EFMP and inconsistent application of the Department of Defense policy across the services, there are families who are inadvertently disadvantaged by not having an individualized service plan. The committee is also concerned that the Department of Defense and military services lack the common performance measures and outcome metrics to assess assignment coordination and family support.

Therefore, the committee directs the Secretary of Defense to develop a plan consisting of common performance metrics for assignment coordination and family support, including best practices for performance measurement; a systematic process for evaluating the results of monitoring activities conducted by each of the military services program; and a review to determine the feasibility of creating interstate compacts as a requirement for schools supporting EFMP students.

The committee further directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2019, on this plan.

Global Health Engagement Organization Consolidation

The committee recognizes the Department of Defense's efforts to develop global health engagement (GHE) capabilities that have become an integral part of combatant command security cooperation initiatives. These activities are used to improve military health professional readiness and interoperability by providing important training opportunities and experiences in operational settings with partner nations. However, the committee is concerned that there is duplication of effort with the Defense Institute for Medical Operations. The Defense Institute for Medical Operations supports overseas train-the-trainer programs on topics such as disaster management, force health protection, health surveillance, and other areas of health practice.

As part of the Uniformed Services University of Health Science (USUHS) mission to support military readiness, the Center for Global Health Engagement

was established by the Department of Defense to provide an enterprise-wide hub for GHE to support the combatant commands with leadership and scholarship; strategic and operational support to the joint force; training and professional development; management of GHE-related research; and assessment, monitoring, and evaluation activities. The committee believes USUHS provides a vital nexus of education and training for the Military Health System and may serve as an important support platform that provides economies of scale related to training, education, campus locations, and infrastructure support.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than April 1, 2019, on the feasibility of consolidating and integrating the capabilities of the Center for Global Health Engagement and the Defense Institute of Medical Operations into one organization.

Mental Health Care in the Military Health System

The committee commends the Department of Defense and military services' significant efforts over the past decade to aggressively improve treatment of traumatic brain injury (TBI), post-traumatic stress disorder (PTSD), chronic traumatic encephalopathy (CTE), and other mental health issues. The committee also recognizes the importance of research and innovation being made in the treatment of brain disease and the need to improve collaboration between the Department of Defense, the National Institutes of Health, the Department of Veterans Affairs, and medical research translation offices at major universities. As the Military Health System transitions the operations of the military treatment facilities (MTF) from the military services to the Defense Health Agency, the committee notes this area of research and treatment needs aggressive oversight.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1, 2019, on the plan for the Military Health System to provide mental health care services as part of the transition of the MTFs. This report shall include an assessment of the ability of the Defense Health Agency to deliver mental health care services to members of the Armed Forces and covered beneficiaries; the ability of each service Surgeon General to maintain the readiness of the military health workforce to deliver mental health care services operationally in support of deployed forces; the coordination of behavioral health research efforts across the research continuum; the inclusion of evidence-based suicide prevention programs; a description of new processes to accelerate scientific research and delivery of breakthrough therapies for TBI, CTE and PTSD; and plans to field Food and Drug Administration-cleared medical devices that provide clinicians with rapid, accurate assessments of traumatic brain injury.

Military Entrance Processing Command Physical Examination Model

The committee acknowledges the critical mission U.S. Military Entrance Processing Command (MEPCOM) performs throughout the United States. An important component of the MEPCOM mission is ensuring prospective service members are provided a physical examination as part of the military accession process. However, the committee is concerned that MEPCOM is unable to ensure these physical examinations are provided in a timely manner. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than April 1, 2019, that evaluates the commercially distributed physical examination model being used by the Department of Defense Medical Examination Board and explores the feasibility of the MEPCOM contracting for physical examination services.

Military Nutrition and Diet Planning

The committee understands that a significant number of Active Duty military can currently be considered obese. This likely leads to additional health care costs and loss of military readiness, with too many Active Duty soldiers, sailors, marines, and airmen unable to deploy due to illness or injury. To ensure that our military is ready to fight today and in the future, on February 14, 2018, the Under Secretary of Defense for Personnel and Readiness issued policy guidance to the military services that states: “Service members who have been non-deployable for more than 12 consecutive months, for any reason, will be processed for administrative separation....” With this renewed emphasis on military personnel policies necessary to provide a more ready and lethal force, the committee is concerned that the Department of Defense lacks a cohesive, science-based approach to diet and nutrition that supports that goal. It is incumbent upon the Department to ensure our service members are trained and resourced in ways that will allow them to perform duties necessary to remain in a full-duty and deployable status. Healthy food options are a key component of this effort.

The committee is aware that the Department has funded research on optimal nutritional approaches that promote performance and reduce illness, injury, and other health problems in order to ensure that deployable personnel are prepared for worldwide assignments.

Therefore, the committee directs the Secretary of Defense provide a briefing to the House Committee on Armed Services by May 1, 2019, detailing this research and its conclusions. The briefing should include, among other aspects, an overview of studies that focused on the usage of low carbohydrate diets, which show promising outcomes for physiological and performance factors key to warfighter readiness and effectiveness. Additionally, the briefing should discuss the use of standard dietary guidelines as defined by the U.S. Dietary Guidelines for Americans, as well as any other available comparisons. The briefing should also include systemic factors that inhibit the delivery of food options other than those defined by the U.S. Dietary Guidelines for Americans to service members at

Department of Defense dining facilities and other venues. Finally, this briefing should include the plan for a Department-wide approach to diet and nutrition that incorporates performance-based outcomes in support of warfighter readiness.

Podiatry in the Military

The committee is concerned that surgically advanced military podiatrists are not presented with the same advancement opportunities as surgeons and doctors of other medical disciplines, and have historically had few opportunities for positions of command across the military medical enterprise. Podiatry, as a medical discipline in the Armed Forces, has evolved over the last several decades, including an additional 3-year surgical residency requirement for all military podiatrists. Podiatrists have increasingly deployed to combat zones overseas, serving in a variety of ways to meet the surgical needs of our warfighters. Moreover, podiatrists remain in the Medical Service Corps in the Army and Navy, and the Biomedical Science Corps in the Air Force. This alignment often limits advancement and leadership opportunities in the civilian sector, and may put them at a disadvantage when compared to officers in the Medical Corps. Lastly, while surgeons of other disciplines receive a 90-day rotation exemption limiting their tour of duty in combat, podiatrists are not eligible for this exemption. This creates challenges to recruiting the best podiatrists for military service, and is especially difficult for podiatrists serving in the Reserve component who are faced with the possibility of a long deployment with potentially adverse effects on their civilian practice.

The committee therefore directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to submit a report to the House Committee on Armed Services not later than April 1, 2019, on improvements that can be made to podiatry as a medical discipline within the Armed Services; how podiatry is aligned within each military branch; and what efforts are being made to provide additional clinical, command, training, and advancement opportunities to podiatrists across the joint force.

TRICARE Managed Care Support Contractor Reporting

The committee notes the TRICARE benefit underwent considerable reform beginning January 1, 2018. The Department of Defense consolidated the TRICARE regions from three to two as part of the updated TRICARE management contract, and Congress directed that the TRICARE benefit be consolidated into two plans: a Healthcare Maintenance Plan and a Preferred Provider Plan. Both reforms took effect on January 1, 2018. The committee is aware of challenges for beneficiaries regarding timely appointments, referrals, provider network development, and other administrative processing functions. The committee is concerned these challenges may be impacting beneficiary access to health care services. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives not later than March 1, 2019, on managed care support contractor compliance with performance metrics and

standards relating to appointments, referral processing, network development (to include the requirement to cover 85 percent of the beneficiaries with standard select coverage in Prime Service Areas with special emphasis on remote locations), and other administrative processing functions.