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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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, 2024:

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2023 Authorized</th>
<th>FY 2024 Request</th>
<th>Committee Recommendation</th>
<th>FY 2024 Request</th>
<th>FY 2023 Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>452,000</td>
<td>452,000</td>
<td>452,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Navy</td>
<td>354,000</td>
<td>347,000</td>
<td>347,000</td>
<td>0</td>
<td>-7,000</td>
</tr>
<tr>
<td>USMC</td>
<td>177,000</td>
<td>172,300</td>
<td>172,300</td>
<td>0</td>
<td>-4,700</td>
</tr>
<tr>
<td>Air Force</td>
<td>325,344</td>
<td>324,700</td>
<td>324,700</td>
<td>0</td>
<td>-644</td>
</tr>
<tr>
<td>Space Force</td>
<td>8,600</td>
<td>9,400</td>
<td>9,400</td>
<td>0</td>
<td>800</td>
</tr>
<tr>
<td>DOD Total</td>
<td>1,316,944</td>
<td>1,305,400</td>
<td>1,305,400</td>
<td>0</td>
<td>-11,544</td>
</tr>
</tbody>
</table>

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, 2024:

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2023 Authorized</th>
<th>FY 2024 Request</th>
<th>Committee Recommendation</th>
<th>FY 2024 Request</th>
<th>FY 2023 Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>325,000</td>
<td>325,000</td>
<td>325,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>177,000</td>
<td>174,800</td>
<td>174,800</td>
<td>0</td>
<td>-2,200</td>
</tr>
<tr>
<td>Navy Reserve</td>
<td>57,000</td>
<td>57,200</td>
<td>57,200</td>
<td>0</td>
<td>200</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>33,000</td>
<td>33,600</td>
<td>33,600</td>
<td>0</td>
<td>600</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>108,400</td>
<td>108,400</td>
<td>108,400</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>70,000</td>
<td>69,600</td>
<td>69,600</td>
<td>0</td>
<td>-400</td>
</tr>
<tr>
<td>DOD Total</td>
<td>770,400</td>
<td>768,600</td>
<td>768,600</td>
<td>0</td>
<td>-1,800</td>
</tr>
<tr>
<td>Coast Guard Reserve</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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, 2024:

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2023 Authorized</th>
<th>FY 2024 Request</th>
<th>Committee Recommendation</th>
<th>FY 2024 Request</th>
<th>FY 2023 Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>30,845</td>
<td>30,845</td>
<td>30,845</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>16,511</td>
<td>16,511</td>
<td>16,511</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Navy Reserve</td>
<td>10,077</td>
<td>10,327</td>
<td>10,327</td>
<td>0</td>
<td>250</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>2,388</td>
<td>2,355</td>
<td>2,355</td>
<td>0</td>
<td>-33</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>25,333</td>
<td>25,713</td>
<td>25,713</td>
<td>0</td>
<td>380</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>6,003</td>
<td>6,070</td>
<td>6,070</td>
<td>0</td>
<td>67</td>
</tr>
<tr>
<td>DOD Total</td>
<td>91,157</td>
<td>91,821</td>
<td>91,821</td>
<td>0</td>
<td>664</td>
</tr>
</tbody>
</table>

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, 2024:
<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>Change from</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>22,294</td>
<td>22,294</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>6,492</td>
<td>7,990</td>
<td>1,498</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>10,994</td>
<td>9,830</td>
<td>-1,164</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>7,111</td>
<td>6,882</td>
<td>-229</td>
</tr>
<tr>
<td>DOD Total</td>
<td>46,891</td>
<td>46,996</td>
<td>105</td>
</tr>
</tbody>
</table>

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 2024 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.

<table>
<thead>
<tr>
<th>Service</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>Change from</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army National Guard</td>
<td>17,000</td>
<td>17,000</td>
<td>0</td>
</tr>
<tr>
<td>Army Reserve</td>
<td>13,000</td>
<td>13,000</td>
<td>0</td>
</tr>
<tr>
<td>Navy Reserve</td>
<td>6,200</td>
<td>6,200</td>
<td>0</td>
</tr>
<tr>
<td>Marine Corps Reserve</td>
<td>3,000</td>
<td>3,000</td>
<td>0</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>16,000</td>
<td>16,000</td>
<td>0</td>
</tr>
<tr>
<td>Air Force Reserve</td>
<td>14,000</td>
<td>14,000</td>
<td>0</td>
</tr>
<tr>
<td>DOD Total</td>
<td>69,200</td>
<td>69,200</td>
<td>0</td>
</tr>
</tbody>
</table>

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS

SUBTITLE A—OFFICER PERSONNEL POLICY

Section 501—Number of General Officers and Flag Officers on Active Duty
This section would authorize a redistribution of general officer billets within the Department of Defense to increase the general officer billet allocation in the Space Force.

Section 502—Establishment of Legislative Liaison of the Space Force

This section would authorize a legislative liaison to the Chief of Space Operations.

SUBTITLE B—RESERVE COMPONENT MANAGEMENT

Section 511—Grades of Certain Chiefs of Reserve Components

This section would authorize the Chief of each military service Reserve Component to be in the grade of three-star officer.

Section 512—Designation of at Least One General Officer of the Marine Corps Reserve as a Joint Qualified Officer

This section would require the Secretary of Defense to ensure that at least one Marine Corps Reserve general officer is designated as a joint qualified officer.

SUBTITLE C—GENERAL SERVICE AUTHORITIES AND MILITARY RECORDS

Section 521—Pilot Program on Cardiac Screenings for Military Accessions

This section would require the Secretary of Defense to establish a pilot program to provide mandatory electrocardiograms to individuals entering military service in connection with the military accession screening process.

SUBTITLE D—MILITARY JUSTICE

Section 531—Technical and Conforming Amendments to the Uniform Code of Military Justice

This section would provide technical and conforming amendments to the Uniform Code of Military Justice necessary for the implementation of reforms included in the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

SUBTITLE F—MEMBER EDUCATION

Section 551—Prohibition of Establishment or Maintenance of a Unit of the Junior Reserve Officers' Training Corps at an Educational Institution Owned, Operated, or Controlled by the Chinese Communist Party
This section would prohibit the establishment or maintenance of a unit of the Junior Reserve Officers' Training Corps at an educational institution owned, operated, or controlled by the Chinese Communist Party.

**SUBTITLE G—MEMBER TRAINING**

Section 561—Increase in the Number of Nominees from Guam to the Service Academies

This section would authorize one additional service academy nomination to the Delegate from the Territory of Guam.

**SUBTITLE H—MEMBER TRANSITION**

Section 571—Amendments to Pathways for Counseling in the Transition Assistance Program

This section would clarify and add factors for individualized Transition Assistance Program.

Section 572—Report on the Transition Assistance Program

This section would require the Secretary of Defense to submit a report on the Transition Assistance Program.

**SUBTITLE I—DECORATIONS AND AWARDS**

Section 581—Extension of Time to Review World War I Valor Medals

This section would authorize a 3-year time extension for the Department of Defense to review the service records of World War I veterans to determine if any valor awards should be upgraded to the Medal of Honor.

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**LEGISLATIVE PROVISIONS**

**SUBTITLE A—BASIC PAY AND ALLOWANCES**

Section 601—Basic Needs Allowance: Exclusion of Basic Allowance for Housing from the Calculation of Gross Household Income of an Eligible Member of the Armed Forces

This section would remove the Basic Allowance for Housing from the calculation of service member eligibility for the Basic Needs Allowance.
Section 602—Improved Calculation of Basic Allowance for Housing for Junior Enlisted Members

This section would provide for methodological parity among military pay grades and greater flexibility to adequately respond to the housing estimation challenges posed by rapidly changing housing market conditions across the United States.

Section 603—Expansion of Authority of a Commanding Officer to Authorize a Basic Allowance for Housing for a Member Performing Initial Field or Sea Duty

This section would give commanding officers the authority to grant Basic Allowance for Housing to junior service members when they determine it is in the best interest of the member and the command.

SUBTITLE B—BONUS AND INCENTIVE PAYS

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

This section would extend, through December 31, 2024, income replacement payments for Reserve Component members experiencing extended and frequent mobilization for Active Duty service; two critical recruitment and retention incentive programs for Reserve Component healthcare professionals; accession and retention incentives for nuclear-qualified officers; and the consolidated special and incentive pay authorities.

Section 612—Authorization of Monthly Bonus Pay for a Junior Member of the Uniformed Services during Calendar Year 2024

This section would authorize the Secretary of Defense to pay a bonus to service members as economic conditions dictate.

Section 613—Determination of Cold Weather Location for Purposes of Assignment or Special Duty Pay

This section would require the Secretary concerned to determine the locations that qualify for cold weather assignment or special duty pay.

SUBTITLE C—FAMILY READINESS AND SURVIVOR BENEFITS

Section 621—Modifications to Transitional Compensation for Dependents of Members Separated for Dependent Abuse
This section would modify transitional compensation requirements for dependents.

Section 622—Authority for Peer Mentoring Program for Military Dependents

This section would permit the establishment of a peer mentoring program for dependents of military service members.

Section 623—Increase in the Target Funding Level for Military Child Care

This section would increase the target funding level for military child care.

Section 625—Expansion of Pilot Program to Provide Financial Assistance to Members of the Armed Forces for In-Home Child Care

This section would expand the in-home child care pilot program to military families stationed in remote areas where service members are challenged to find suitable child care providers and services due to shortages, including Fort Drum, New York; Holloman Air Force Base, New Mexico; Naval Air Station Lemoore, California; and Marine Corps Base Twentynine Palms, California.

Section 626—Wait Times for Child Care Services Provided through Military Child Development Centers: Publication; Feasibility of Certain Improvement

This section would require the Department of Defense to publish and maintain a website for waiting lists for child care services at military child development centers and report on the feasibility of the use of the Department of the Air Force Child and Youth Programs Business Management System across all the services.

Section 627—Briefings on Pilot Program on Hiring of Special Needs Inclusion Coordinators for Department of Defense Child Development Centers

This section would amend section 576(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263) to include a more robust quarterly briefing requirement to ensure implementation is on track and being closely monitored.

SUBTITLE D—DEPENDENT EDUCATION

Section 631—Certain Assistance to Local Educational Agencies That Benefit Dependents of Military and Civilian Personnel
This section would authorize $50.0 million for the purpose of providing assistance to local educational agencies with military dependent students, and $20.0 million for local educational agencies eligible to receive a payment for children with severe disabilities.

Section 632—Verification of Reporting of Eligible Federally Connected Children for Purposes of Federal Impact Aid Programs

This section would require verification of reporting of eligible federally connected children for purposes of Federal impact aid programs.

Section 634—Briefings on Implementation of Universal Pre-Kindergarten Programs

This section would require the Secretary of Defense to provide quarterly briefings to the committee on various aspects of the development of universal pre-kindergarten and its impact on co-located child development centers.

**SUBTITLE E—DEFENSE RESALE MATTERS**

Section 641—Access to Commissary and Exchange Privileges for Remarried Surviving Spouses

This section would restore access to commissary stores and Morale, Welfare, and Recreation retail facilities to certain surviving spouses who remarried.

**TITLE VII—HEALTH CARE PROVISIONS**

**LEGISLATIVE PROVISIONS**

**SUBTITLE A—TRICARE AND OTHER HEALTH BENEFITS**

Section 701—TRICARE Dental Plan for the Selected Reserve

This section would waive fees and copays on the TRICARE Dental Program for all members of the Selected Reserve.

Section 702—Non-Medical Counseling Services for Military Families

This section would authorize license portability for mental health professionals who provide non-medical counseling services.

Section 703—Naloxone and Fentanyl: Regulations; Report
This section would require the Secretary of Defense to establish policy and guidelines for the distribution of naloxone and for the reporting of fentanyl abuse across the military departments.

Section 704—Rates of Reimbursement for Providers of Applied Behavior Analysis

This section would reverse payment rate cuts to applied behavior analysis payment rates under the Autism Care Demonstration.

**SUBTITLE B—HEALTH CARE ADMINISTRATION**

Section 711—Clarification of Responsibilities regarding the Integrated Disability Evaluation System

This section would require enhanced operational and administrative control of service members going through the Medical Evaluation Board process.

Section 712—Sharing of Medical Data regarding Members of the Coast Guard

This section would require the Secretary of Defense and the Commandant of the Coast Guard to develop a process to coordinate sharing of information regarding access to military treatment facilities for members of the Coast Guard and their beneficiaries.

Section 713—Mandatory Training on Health Effects of Perfluoroalkyl or Polyfluoroalkyl Substances

This section would require the Department of Defense to provide training to medical providers on the health effects of perfluoroalkyl or polyfluoroalkyl substances.

Section 715—Establishment of Medical and Surgical Consumables Standardization Working Group

This section would require the Secretary of Defense to establish a medical logistics standardization working group.

**SUBTITLE C—STUDIES AND REPORTS**

Section 721—Study on Non-Clinical Mental Health Services of the Department of Defense

This section would require a study on non-clinical mental health providers and services.
Section 722—Feasibility Report regarding DHA Employment of Certain Mental Health ProvidersAwaiting Licensure

This section would require the Secretary of Defense to report to the committee on the feasibility of utilization within the Defense Health Agency of certain mental health providers awaiting licensure.

Section 723—Study on Health Care Available to Individuals Supporting the Missions of United States Forces, Japan, and Joint Region Marianas

This section would require the Commander, U.S. Indo-Pacific Command, to conduct a study on medical manning requirements and access to health care requirements in the U.S. Forces Japan and Joint Region Marianas areas of responsibilities.

Section 724—GAO Report on TRICARE Payments to Behavioral Health Professionals

This section would require the Comptroller General of the United States to submit a report on TRICARE payments to behavioral health professionals.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS

SUBTITLE C—SPACE NATIONAL GUARD

Section 921—Establishment of Space National Guard

This section would establish a Space National Guard comprised of National Guard forces in the States and U.S. territories in which the Space Force operates.

Section 922—No Effect on Military Installations

This section would clarify that nothing in this subtitle would require or authorize the relocation of any facility, infrastructure, or military installation of the Space National Guard or Air National Guard.

Section 923—Implementation of Space National Guard

This section would require the Secretary of the Air Force and the Chief of the National Guard Bureau to implement the provisions of this subtitle not later than 18 months after the date of the enactment of this Act.
Section 924—Conforming Amendments and Clarification of Authorities

This section would provide clarifications of authorities pertaining to the Space National Guard, as established by this subtitle, and conforming amendments to title 10, United States Code.

TITLE XI—CIVILIAN PERSONNEL MATTERS

LEGISLATIVE PROVISIONS

Section 1103—Consolidation of Direct Hire Authorities for Candidates with Specified Degrees at Science and Technology Reinvention Laboratories

This section would consolidate direct hire authorities for candidates with specified degrees at science and technology reinvention laboratories.

Section 1104—Direct Hire Authority for Certain Personnel of the Department of Defense

This section would allow the Secretary of Defense to use direct hire authority for any position in support of aircraft operations and any position for the safety of the public, law enforcement, or first response, for which the Secretary determines there is a critical hiring need or shortage of candidates.

Section 1105—One-Year Extension of Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas

This section would grant a 1-year extension of the authority to waive annual limitations of premium pay and the aggregate limitation on pay for Federal civilian employees working overseas until 2024.

Section 1106—Extension of Authority to Grant Competitive Status toEmployees of Inspectors General for Overseas Contingency Operations

This section would extend the authority to grant competitive service status to employees of special inspectors general for overseas contingency operations from 2 years to 5 years.

Section 1110—One-Year Extension of Temporary Authority to Grant Allowances, Benefits, and Gratuities to Civilian Personnel on Official Duty in a Combat Zone

This section would grant a 1-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone until 2025.
TITLE XIV—OTHER AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE B—OTHER MATTERS

Section 1412—Authorization of Appropriations for Armed Forces Retirement Home

This section would authorize appropriations for the operation of the Armed Forces Retirement Home.

TITLE XVII—SPACE FORCE PERSONNEL MANAGEMENT

LEGISLATIVE PROVISIONS

Section 1701—Short Title

This section would cite the short title of this title as the "Space Force Personnel Management Act".

SUBTITLE A—SPACE FORCE MILITARY PERSONNEL SYSTEM WITHOUT COMPONENT

Sections 1711-1720—Space Force Military Personnel System Without Component

This subtitle would establish a single military personnel management system for the United States Space Force, without component.

SUBTITLE B—CONFORMING AMENDMENTS RELATED TO SPACE FORCE MILITARY PERSONNEL SYSTEM

Sections 1731-1733—Conforming Amendments Related to Space Force Military Personnel System

This subtitle would establish the conforming amendments related to the United States Space Force Military Personnel System.

SUBTITLE C—TRANSITION PROVISIONS

Sections 1741-1747—Transition Provisions

This subtitle would establish a transition period for establishment of the Space Force Personnel system.

SUBTITLE D—OTHER AMENDMENTS RELATED TO THE SPACE FORCE
Sections 1751-1752—Other Amendments Related to the Space Force

This subtitle would authorize other amendments as necessary for the establishment of the Space Force Personnel System.
BILL LANGUAGE
Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2024, as follows:

(1) The Army, 452,000.

(2) The Navy, 347,000.

(3) The Marine Corps, 172,300.

(4) The Air Force, 324,700.

(5) The Space Force, 9,400.
Subtitle B—Reserve Forces

SEC. 411 [log77342]. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2024, as follows:

(1) The Army National Guard of the United States, 325,000.

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

(4) The Marine Corps Reserve, 33,600.


(6) The Air Force Reserve, 69,600.

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

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected
Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.
SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2024, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

1. The Army National Guard of the United States, 30,845.
2. The Army Reserve, 16,511.
3. The Navy Reserve, 10,327.
5. The Air National Guard of the United States, 25,713.
6. The Air Force Reserve, 6,070.
SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2024 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

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

(2) For the Army Reserve, 7,990.

(3) For the Air National Guard of the United States, 9,830.

(4) For the Air Force Reserve, 6,882.
SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2024, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.
Subtitle A—Officer Personnel Policy

SEC. 501 [log77721]. NUMBER OF GENERAL OFFICERS AND FLAG OFFICERS ON ACTIVE DUTY.

(a) INCREASE IN AUTHORIZED STRENGTH FOR THE SPACE FORCE.—Subsection (a)(5) of section 526a of title 10, United States Code, is amended by striking “21” and inserting “25”.

(b) EXPANSION OF EXCLUSION FOR THE SPACE FORCE FOR JOINT DUTY REQUIREMENTS.—Subsection (b)(2)(E) of such section is amended by striking “6” and inserting “10”.

(c) TEMPORARY ADDITIONAL JOINT POOL ALLOCATION.—Section 501(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 525 note) is amended—

(1) by striking “positions authorized by paragraph (2)” and inserting “positions designated under subsection (b)(1) of section 526a of title 10, United States Code”; and

(2) by striking “30” and inserting “22”.
SEC. 502. ESTABLISHMENT OF LEGISLATIVE LIAISON OF THE SPACE FORCE.

Chapter 903 of title 10, United States Code, is amended by inserting, after section 9023, the following new section:—

“§ 9023a. Legislative Liaison of the Space Force

“(a) ESTABLISHMENT.—There is a Legislative Liaison of the Space Force.

“(b) FUNCTIONS.—The Legislative Liaison shall perform legislative affairs functions under the direction of the Chief of Space Operations.”.
Subtitle B—Reserve Component Management

SEC. 511. GRADES OF CERTAIN CHIEFS OF RESERVE COMPONENTS.

(a) In General.—

(1) Chief of Army Reserve.—Section 7038(b) of title 10, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Army Reserve, while so serving, holds the grade of lieutenant general.”.

(2) Chief of Navy Reserve.—Section 8083(b) of such title is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Navy Reserve, while so serving, holds the grade of vice admiral.”.

(3) Commander, Marine Forces Reserve.—

Section 8084(b) of such title is amended by striking paragraph (4) and inserting the following:

“(4) The Commander, Marine Forces Reserve, while so serving, holds the grade of lieutenant general.”.

(4) Chief of Air Force Reserve.—Section 9038(b) of such title is amended by striking paragraph (4) and inserting the following:
“(4) The Chief of Air Force Reserve, while so serving, holds the grade of lieutenant general.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the day that is one year after the date of the enactment of this Act and shall apply to appointments made after such date.
SEC. 512. DESIGNATION OF AT LEAST ONE GENERAL OFFICER OF THE MARINE CORPS RESERVE AS A JOINT QUALIFIED OFFICER.

The Secretary of Defense shall ensure that at least one general officer of the Marine Corps Reserve is designated as a joint qualified officer.
Subtitle C—General Service

Authorities and Military Records

SEC. 521. PILOT PROGRAM ON CARDIAC SCREENINGS FOR MILITARY ACCESSIONS.

(a) ESTABLISHMENT.—Not later than September 30, 2024, the Secretary of Defense shall carry out a pilot program to provide an electrocardiogram to individuals who undergo military accession screenings. Each such electrocardiogram shall be provided—

(1) on a mandatory basis;

(2) at no cost to the recipient; and

(3) in a facility of the Department of Defense or by a member or employee of the military health system.

(b) PURPOSES.—In carrying out the pilot program, the Secretary shall—

(1) determine the costs (including protocols and personnel and equipment for each military entrance processing station) and benefits to the Department of providing an electrocardiogram to every individual who undergoes a military accession screening;

(2) develop and implement appropriate processes to assess the long-term impacts of electrocardiogram results on military service; and
consult with experts in cardiology to develop appropriate clinical practice guidelines for cardiac screenings, diagnosis, and treatment.

(c) BRIEFING.—Not later than 180 days after the date on which the pilot program terminates, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program. Such briefing shall include the following:

(1) The results of all electrocardiograms provided to individuals under the pilot program—

(A) disaggregated by Armed Force, race, and gender; and

(B) without any personally identifiable information.

(2) The rate of significant cardiac issues detected pursuant to electrocardiograms provided under the pilot program, disaggregated by Armed Force, race, and gender.

(3) The number of individuals, if any, who were disqualified from accession based solely on the result of an electrocardiogram provided under the pilot program.

(4) The cost of carrying out the pilot program.

(d) TERMINATION.—The pilot program shall terminate after three years after its implementation.
Subtitle D—Military Justice

SEC. 531. TECHNICAL AND CONFORMING AMENDMENTS TO THE UNIFORM CODE OF MILITARY JUSTICE.

(a) Technical Amendment Relating to Guilty Pleas for Murder.—Section 918 of title 10, United States Code (article 118 of the Uniform Code of Military Justice), is amended—

(1) by striking “he” each place it appears and inserting “such person”; and

(2) in the matter following paragraph (4), by striking the period and inserting “, unless such person is otherwise sentenced in accordance with a plea agreement entered into between the parties under section 853a of this title (article 53a).”.

(b) Technical Amendments Relating to the Military Justice Reforms in the National Defense Authorization Act for Fiscal Year 2022.—

(1) Article 16.—Subsection (c)(2)(A) of section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended by striking “by the convening authority”.

(2) Article 25.—Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended—
(A) in subsection (d)—

(i) in paragraph (1), by striking “may, after the findings are announced and before any matter is presented in the sentencing phase, request, orally on the record or in writing, sentencing by the members” and inserting “shall be sentenced by the military judge”; and

(ii) by amending paragraph (2) to read as follows:

“(2) In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(e)).”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “him” and inserting “the member being tried”; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking “his opinion” and inserting “the opinion of the convening authority”; and
(II) in the second sentence, by
striking “he” and inserting “the mem-
ber”; and

(C) in subsection (f) in the second sen-
tence—

(i) by striking “his authority” and in-
serting “the authority of the convening au-
thority”; and

(ii) by striking “his staff judge advoc-
cate or legal officer” and inserting “the
staff judge advocate or legal officer of the
convening authority”.

(c) Authority of Special Trial Counsel With
Respect to Certain Offenses Occurring Before
Effective Date of Military Justice Reforms En-
acted in the National Defense Authorization Act
for Fiscal Year 2022.—

(1) Authority.—Section 824a of title 10,
United States Code, as added by section 531 of the
National Defense Authorization Act for Fiscal Year
2022 (Public Law 117–81; 135 Stat. 1692), is
amended by adding at the end the following new
subsection:

“(d) Special Trial Counsel Authority Over
Certain Other Offenses.—
“(1) Offenses occurring before effective date.—A special trial counsel may, at the sole and exclusive discretion of the special trial counsel, exercise authority over the following offenses:

“(A) An offense under section 917a (article 117a), 918 (article 118), section 919 (article 119), section 920 (article 120), section 920b (article 120b), section 920c (article 120c), section 928b (article 128b), or the standalone offense of child pornography punishable under section 934 (article 134) of this title that occurred on or before December 27, 2023.

“(B) An offense under section 925 (article 125), section 930 (article 130), or section 932 (article 132) of this title that occurred on or after January 1, 2019, and before December 28, 2023.

“(C) An offense under section 925 (article 125) of this title alleging an act of nonconsensual sodomy that occurred before January 1, 2019.

“(D) A conspiracy to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 881 of this title (article 81).
“(E) A solicitation to commit an offense specified in subparagraph (A), (B), or (C) as punishable under section 882 of this title (article 82).

“(F) An attempt to commit an offense specified in subparagraph (A), (B), (C), (D), or (E) as punishable under section 880 of this title (article 80).

“(2) Effect of exercise of authority.—

“(A) Treatment as covered offense.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the offense over which the special trial counsel exercises authority shall be considered a covered offense for purposes of this chapter.

“(B) Known or related offenses.—If a special trial counsel exercises authority over an offense pursuant to paragraph (1), the special trial counsel may exercise the authority of the special trial counsel under subsection (c)(2)(B) with respect to other offenses described in that subparagraph without regard to the date on which the other offenses occur.”.

(2) Conforming amendment to effective date.—Section 539C(a) of the National Defense
Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 801 note) is amended by striking “and shall” and inserting “and, except as provided in section 824a(d) of title 10, United States Code (article 24a(d) of the Uniform Code of Military Justice), shall”.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) and subsection (c)(1) shall take effect immediately after the coming into effect of the amendments made by part 1 of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act (10 U.S.C. 801 note).
Subtitle F—Member Education

SEC. 551. PROHIBITION OF ESTABLISHMENT OR MAINTENANCE OF A UNIT OF THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS AT AN EDUCATIONAL INSTITUTION OWNED, OPERATED, OR CONTROLLED BY THE CHINESE COMMUNIST PARTY.

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(i) No unit may be established or maintained at an educational institution that is owned, operated, or controlled by a person that—

“(1) is the People’s Republic of China;

“(2) is a member of the Chinese Communist Party;

“(3) is a member of the People’s Liberation Army;

“(4) is identified by the Secretary of Defense under section 1260H(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company;
“(5) is included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury; or

“(6) is owned by or controlled by or is an agency or instrumentality of any person described in paragraphs (1) through (5).”
Subtitle G—Member Training

SEC. 561. INCREASE IN THE NUMBER OF NOMINEES FROM GUAM TO THE SERVICE ACADEMIES.

(a) United States Military Academy.—Section 7442(a)(8) of title 10, United States Code, is amended by striking “Four” and inserting “Five”.

(b) United States Naval Academy.—Section 8454(a)(8) of title 10, United States Code, is amended by striking “Four” and inserting “Five”.

(c) United States Air Force Academy.—Section 9442(a)(8) of title 10, United States Code, is amended by striking “Four” and inserting “Five”.

Subtitle H—Member Transition

SEC. 571. AMENDMENTS TO PATHWAYS FOR COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM.

Section 1142(c)(1) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking “Disability” and inserting “Potential or confirmed disability”; and

(2) in subparagraph (F), by striking “Character” and inserting “Potential or confirmed character”.

SEC. 572 [log77565]. REPORT ON THE TRANSITION ASSISTANCE PROGRAM.

(a) Report Required.—Not later than April 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the effectiveness, timeliness, and execution of TAP. The report under this section shall include the following elements:

(1) The average length of time before separation when a member of an Armed Force, eligible for TAP, begins preseparation counseling under TAP, disaggregated by—

(A) Armed Force; and

(B) whether such member is an enlisted member or an officer.

(2) The timeline and plan of action to implement the recommendations in GAO-23-104538, December 2022.

(3) Steps the Secretary plans to take, and the related timeline for such steps, to address the finding in the report cited in paragraph (2) that approximately 70 percent of members did not begin preseparation counseling under TAP at least one year before separation.

(4) The feasibility of ensuring that, by January 1, 2025, at least 75 percent of members eligible for
TAP begin preseparation counseling under TAP at least one year before separation.

(5) The feasibility of implementing a pilot program to provide grants to non-Federal entities that provide industry-recognized certifications, job placement assistance, and related employment services to members eligible for TAP and spouses of such members.

(6) The feasibility of a pilot program that would require the military transition assistance teams of the Department of Defense to contact a veteran at least twice during each of the first three months after the veteran separates from an Armed Force, regarding—

(A) transition to civilian life, including employment, access to benefits administered by the Secretary of Veterans Affairs, education, and family life; and

(B) concerns regarding such transition.

(7) Recommendations of the Secretary (including legislation) to improve the long-term effectiveness of TAP and the well-being of veterans.

(8) Other information the Secretary determines necessary to provide such Committees with a comprehensive description of the participation of the
members in TAP and any other program administered by the Secretary that assists in the transition of members of the Armed Forces to civilian life.

(b) TAP DEFINED.—In this section, the term “TAP” means the Transition Assistance Program of the Department of Defense under sections 1142 and 1144 of title 10, United States Code.
Subtitle I—Decorations and Awards

SEC. 581. EXTENSION OF TIME TO REVIEW WORLD WAR I VALOR MEDALS.

(a) Extension.—Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 7271 note) is amended by striking “six” and inserting “eight”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect as if enacted on the date of the enactment of such Act.
Subtitle A—Basic Pay and Allowances

SEC. 601. BASIC NEEDS ALLOWANCE: EXCLUSION OF BASIC ALLOWANCE FOR HOUSING FROM THE CALCULATION OF GROSS HOUSEHOLD INCOME OF AN ELIGIBLE MEMBER OF THE ARMED FORCES.

Section 402b(k)(1)(B) of title 37, United States Code, is amended—

(1) by striking “in the case” and all that follows through “portion of”; and

(2) by striking “that the Secretary concerned elects to exclude” and inserting “paid to such member”.

SEC. 602. IMPROVED CALCULATION OF BASIC ALLOWANCE FOR HOUSING FOR JUNIOR ENLISTED MEMBERS.

Section 403(b)(5) of title 37, United States Code, is amended by striking “and shall be based” and all that follows and inserting a period.
SEC. 603. EXPANSION OF AUTHORITY OF A COMMANDING OFFICER TO AUTHORIZE A BASIC ALLOWANCE FOR HOUSING FOR A MEMBER PERFORMING INITIAL FIELD OR SEA DUTY.

Subsection (f) of section 403 of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “certifies that the member was necessarily required to procure quarters at the member’s expense.” and inserting an em dash; and

(B) by adding at the end the following new subparagraphs:

“(A) certifies that the member was required to procure housing at the member’s expense; or

“(B) determines that quarters at the duty station or in the field environment are inadequate or an impediment to morale, good order, or discipline.”;

and

(2) in paragraph (2)(B)—

(A) by striking “the Secretary may authorize” and inserting “a commanding officer may authorize”;

(B) by striking “who is serving in pay grade E–4 or E–5” and inserting “who is serving in a pay grade below E–6”; and
(C) by striking “members serving in pay grades E-4 and E-5” and inserting “such members. In authorizing an allowance under this subparagraph, the commanding officer shall consider the availability of quarters for the member and whether such quarters are inadequate or an impediment to morale, good order, or discipline”.
Subtitle B—Bonus and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) Authorities Relating to Reserve Forces.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

(b) Title 10 Authorities Relating to Health Care Professionals.—The following sections of title 10, United States Code, are amended by striking “December 31, 2023” and inserting “December 31, 2024”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

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

(c) Authorities Relating to Nuclear Officers.—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2023” and inserting “December 31, 2024”.
(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2023” and inserting “December 31, 2024”:

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

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

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

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

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

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

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

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.
(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), relating to an area covered by a major disaster declaration or containing an installation experiencing an influx of military personnel, by striking “December 31, 2023” and inserting “December 31, 2024”; and

(2) in paragraph (8)(C), relating to an area where actual housing costs differ from current rates by more than 20 percent, by striking “September 30, 2023” and inserting “December 31, 2024”.

SEC. 612. AUTHORIZATION OF MONTHLY BONUS PAY FOR A JUNIOR MEMBER OF THE UNIFORMED SERVICES DURING CALENDAR YEAR 2024.

(a) Authorization.—Beginning on January 1, 2024, if the Secretary concerned determines that prevailing economic conditions may adversely affect an eligible member, the Secretary concerned may pay a monthly bonus to each eligible member.

(b) Amount of pay.—Each bonus payment under this section shall be in an amount equal to a percentage, determined by the Secretary concerned, of the rate—

(1) in effect on December 31, 2023; and

(2) of, for an eligible member—

(A) pay under section 204 of title 37, United States Code; or

(B) compensation under section 206 of title 37, United States Code.

(c) Relationship to other pay and allowances.—Bonus pay paid to an eligible member under this section is in addition to any other pay and allowances to which the eligible member is entitled.

(d) Termination.—No bonus may be paid under this section after December 31, 2024.
(e) ELIGIBLE MEMBER DEFINED.—In this section, the term “eligible member” means a member of the uniformed services who—

(1) is entitled to pay or compensation described in subsection (b)(2); and

(2) is in a grade below E-6.
For purposes of assignment or special duty pay under section 352 of title 37, United States Code, the Secretary concerned shall determine that a duty station is a cold weather location if, at such duty station, a member of the uniformed services receives training in—

(1) mountaineering;

(2) proficiency in an alpine environment; or

(3) proficiency in a cold weather environment.
Subtitle C—Family Readiness and Survivor Benefits

SEC. 621 [log77982]. MODIFICATIONS TO TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.

(a) COVERED PUNITIVE ACTIONS.—Subsection (b) of section 1059 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking “; or” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

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

“(3) who is—

“(A) convicted of a dependent-abuse offense in a district court of the United States or a State court; and

“(B) separated from active duty pursuant to a sentence of a court-martial, or administratively separated, voluntarily or involuntarily, from active duty, for an offense other than the dependent-abuse offense; or

“(4) who is—

“(A) accused but not convicted of a dependent-abuse offense;
“(B) determined, as a result of a review by
the commander of the member and based on a
preponderance of evidence, to have committed
the dependent-abuse offense; and
“(C) required to forfeit all pay and allow-
ances pursuant to a sentence of a court-martial
for an offense other than the dependent-abuse
offense.”.

(b) RECIPIENTS OF PAYMENTS.—Subsection (d) of
such section is amended—

(1) in paragraph (1), by striking “resulting in
the separation” and inserting “referred to in sub-
section (b)”;
and

(2) in paragraph (4)—

(A) by striking “determined as of the
date” and inserting the following: “deter-
mined—
“(A) as of the date”;

(B) by striking “offense or, in a case” and
inserting the following: “offense—
“(B) in a case”.

(C) by striking the period at the end and
inserting “; or”; and

(D) by adding at the end the following new
subparagraph:
“(C) in a case described in subsection (b)(4), as of, as applicable—

“(i) the first date on which the individual is held in pretrial confinement relating to the dependent-abuse offense of which the individual is accused after the 7-day review of pretrial confinement required by Rule 305(i)(2) of the Rules for Courts-Martial; or

“(ii) the date on which a review by a commander of the individual determines there is probable cause that the individual has committed that offense.”.

(e) COMMENCEMENT OF PAYMENT.—Subsection (e)(1) of such section is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting after “offense” the following: “or an offense described in subsection (b)(3)(B)”;

(B) in clause (ii), by striking “; and” and inserting a semicolon;

(2) in subparagraph (B)—

(A) by striking “(if the basis” and all that follows through “offense)”;}
(B) by striking the period at the end and inserting “; or” ; and

(3) by adding at the end the following new sub-
paragraph:

“(C) in the case of a member described in sub-
section (b)(4), shall commence as of, as applicable—

“(i) the first date on which the member is
held in pretrial confinement relating to the de-
pendent-abuse offense of which the member is
accused after the 7-day review of pretrial con-
finement required by Rule 305(i)(2) of the
Rules for Courts-Martial; or

“(ii) the date on which a review by a com-
mander of the member determines there is
probable cause that the member has committed
that offense.”.

(d) DEFINITION OF DEPENDENT CHILD.—Sub-
section (l) of such section is amended, in the matter pre-
ceding paragraph (1)—

(1) by striking “resulting in the separation of
the former member or” and inserting “referred to in
subsection (b) or”; and

(2) by striking “resulting in the separation of
the former member and” and inserting “and”.

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(c) **DELEGATION OF DETERMINATIONS RELATING TO EXCEPTIONAL ELIGIBILITY.**—Paragraph (4) of subsection (m) of such section is amended to read as follows:

“(4) The Secretary concerned may delegate the authority under paragraph (1) to the first general or flag officer (or civilian equivalent) in the chain of command of the member.”.
SEC. 622 [log77967]. AUTHORITY FOR PEER MENTORING PROGRAM FOR MILITARY DEPENDENTS.

Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1788a the following new section:

“§ 1788b. Authority for peer mentoring program

“(a) ESTABLISHMENT.—The Secretary of Defense may carry out a peer mentoring program for dependents of members. Under such program, a mentor shall seek to meet with a mentee once per month to discuss challenges for military families.

“(b) TRAINING.—A dependent who elects to serve as a mentor in such a program shall receive training from a mental health care provider.”.
SEC. 623 [log77502]. INCREASE IN THE TARGET FUNDING LEVEL FOR MILITARY CHILD CARE.

Section 1791 of title 10, United States Code, is amended, in subsection (a), by inserting “115 percent of” after “not less than”.
SEC. 625 [log77505]. EXPANSION OF PILOT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES FOR IN-HOME CHILD CARE.


(1) by striking the period at the end and inserting “, and in the following locations:”

(2) by adding at the end the following new subparagraphs:

“(A) Fort Drum, New York.

“(B) Holloman Air Force Base, New Mexico.

“(C) Naval Air Station Lemoore, California.

“(D) Marine Corps Air Ground Combat Center Twentynine Palms, California.”.
SEC. 626. WAIT TIMES FOR CHILD CARE SERVICES PROVIDED THROUGH MILITARY CHILD DEVELOPMENT CENTERS: PUBLICATION; FEASIBILITY OF CERTAIN IMPROVEMENT.

(a) PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall publish and maintain, on a website of the Department of Defense that is accessible by members of the Armed Forces, waiting lists for child care services at military child development centers.

(b) ESTIMATES.—On the website described in subsection (a), the Secretary shall publish a tool that uses data collected by the Secretary to estimate how long a member assigned to serve at a military installation will wait before receiving child care services at the military child development center of such military installation.

(c) FEASIBILITY REPORT.—Not later than March 30, 2024, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the feasibility of implementing the business management system of the Child and Youth Programs of the Department of the Air Force for all military departments in order to increase member satisfaction by improving communication with members on such waiting lists and facilitating payments and paperwork for such child care services.
(d) Military Child Development Center Defined.—In this section, the term “military child development center” has the meaning given such term in section 1800 of title 10, United States Code.
SEC. 627. BRIEFINGS ON PILOT PROGRAM ON HIRING OF SPECIAL NEEDS INCLUSION CO-ORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.

Section 576(d) of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1792 note) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting, after paragraph (1) the following new paragraph (2):

“(2) BRIEFINGS ON IMPLEMENTATION.—Beginning on January 31, 2024, until the termination of the pilot program, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a quarterly briefing on the implementation of the pilot program. Each such briefing shall include the following:

“(A) The process for selecting child development centers under subsection (b).

“(B) How a special needs inclusion coordinator hired under the pilot program coordinates with the head of the child development center concerned and the commander of the military installation concerned.
“(C) How many special needs inclusion co-
ordinators have been hired under the pilot pro-
gram.”.
Subtitle D—Dependent Education

SEC. 631 [Log 77524]. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.

(a) Continuation of Authority to Assist Local Educational Agencies That Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees.—Of the amount authorized to be appropriated for fiscal year 2024 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) Impact Aid for Children With Severe Disabilities.—Of the amount authorized to be appropriated for fiscal year 2024 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $20,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authoriza-
(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).
SEC. 632. VERIFICATION OF REPORTING OF ELIGIBLE FEDERALLY CONNECTED CHILDREN FOR PURPOSES OF FEDERAL IMPACT AID PROGRAMS.

(a) CERTIFICATION.—On an annual basis, each commander of a military installation under the jurisdiction of the Secretary of a military department shall submit to such Secretary a written certification verifying whether the commander has confirmed the information contained in all impact aid source check forms received from local educational agencies as of the date of such certification.

(b) REPORT.—Not later June 30 of each year, each Secretary of a military department shall submit to the congressional defense committees a report, based on the information received under subsection (a), that identifies—

(1) each military installation under the jurisdiction of such Secretary that has confirmed the information contained in all impact aid source check forms received from local educational agencies as of the date of the report; and

(2) each military installation that has not confirmed the information contained in such forms as of such date.

(c) DEFINITIONS.—In this section:

(2) The term “local educational agency” has the meaning given that term section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
SEC. 634 [Log 77885]. BRIEFINGS ON IMPLEMENTATION OF UNIVERSITY PRE-KINDERGARTEN PROGRAMS.

(a) QUARTERLY BRIEFINGS REQUIRED.—Not later than January 30, 2024, and on a quarterly basis thereafter until December 31, 2029, the Secretary of Defense shall submit to the committees on Armed Services of the Senate and the House of Representatives a briefing on the progress of the Secretary in implementing universal pre-kindergarten programs in schools operated by the Department of Defense Education Activity.

(b) CONTENTS OF INITIAL BRIEFING.—The initial briefing under subsection (a) shall include—

(1) identification of all locations under the jurisdiction of the Department of Defense at which universal pre-kindergarten programs and child development centers are co-located; and

(2) an estimate of the number of children expected to transfer from child development centers to pre-kindergarten programs as a result of such programs being offered.

(c) CONTENTS OF SUBSEQUENT BRIEFINGS.—Following the initial briefing under subsection (a), each subsequent briefing shall include—

(1) the total anticipated costs of funding universal pre-kindergarten programs in schools operated by the Department of Defense Education Activity;
(2) the estimated differential between the cost
of caring for a child in a child development center
versus the cost of a child’s participation in a pre-
kindergarten program;

(3) the estimated differential between the costs
of employing caregivers in child development centers
versus the costs of employing teachers in pre-kindergarten programs;

(4) the child-to-caregiver ratio requirements for
child development centers versus the child-to-teacher
ratio requirements for pre-kindergarten programs;

(5) a needs assessment of facilities for universal
pre-kindergarten programs based on anticipated ca-
pacity;

(6) an assessment of the availability of teachers
for pre-kindergarten programs; and

(7) an indication of whether, and to what ex-
tent, members of the Armed Forces have expressed
a preference for enrolling their children in pre-kin-
dergarten programs rather than continuing care for
such children in child development centers.
Subtitle E—Defense Resale Matters

SEC. 641 [log77597]. ACCESS TO COMMISSARY AND EXCHANGE PRIVILEGES FOR REMARRIED SURVIVING SPOUSES.

Section 1062 of title 10, United States Code, is amended—

(1) by striking “The Secretary of Defense” and inserting the following:

“(a) CERTAIN UNREMARIED FORMER SPOUSES.—

The Secretary of Defense”;

(2) by striking “commissary and exchange privileges” and inserting “use commissary stores and MWR retail facilities”;

(3) by adding at the end the following new subsection:

“(b) CERTAIN REMARRIED SURVIVING SPOUSES.—

The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as an unremarried surviving spouse of a member of the uniformed services.”;

and
(4) by adding at the end the following new subsection:

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(c) MWR Retail Facilities Defined.—In this section, the term ‘MWR retail facilities’ has the meaning given that term in section 1063 of this title.”
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Subtitle A—TRICARE and Other Health Benefits

SEC. 701. TRICARE DENTAL PLAN FOR THE SELECTED RESERVE.

Section 1076a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the header, by striking “selected reserve and”; and

(ii) by striking “for members of the Selected Reserve of the Ready Reserve and”;

(B) in paragraph (2), in the header, by inserting “Individual Ready” after “other”; and

(C) by adding at the end the following new paragraph:

“(5) PLAN FOR SELECTED RESERVE.—A dental benefits plan for members of the Selected Reserve of the Ready Reserve.”;

(2) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following new paragraph:
“(3) NO PREMIUM PLANS.—(A) The dental insurance plan established under subsection (a)(5) is a no premium plan.

“(B) Members enrolled in a no premium plan may not be charged a premium for benefits provided under the plan.”;

(3) in subsection (e)(2)(A), by striking “a member of the Selected Reserve of the Ready Reserve or”;

(4) by redesignating subsections (f) through (k) as subsections (g) through (l), respectively;

(5) by inserting after subsection (e) the following new subsection (f):

“(f) COPAYMENTS UNDER NO PREMIUM PLANS.—A member who receives dental care under a no premium plan referred to in subsection (d)(3) shall pay no charge for any care described in subsection (c).”; and

(6) in subsection (i), as redesignated by paragraph (4), by striking “subsection (k)(2)” and inserting “subsection (l)(2)”. 
SEC. 702. NON-MEDICAL COUNSELING SERVICES FOR MILITARY FAMILIES.

Section 1781 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) NON-MEDICAL COUNSELING SERVICES.—(1) In carrying out its duties under subsection (b), the Office may coordinate programs and activities for the provision of non-medical counseling services to military families through the Department of Defense Military and Family Counseling Program.

“(2) Notwithstanding any other provision of law, a mental health professional described in paragraph (3) may provide non-medical counseling services at any location in a State, the District of Columbia, or a territory or possession of the United States, without regard to where the provider or recipient of such services is located, if the provision of such services is within the scope of the authorized Federal duties of the provider.

“(3) A mental health professional described in this subsection is a person who is—

“(A) a mental health professional who holds a current license or certification that is—

“(i) issued by a State, the District of Columbia, or a territory or possession of the United States; and
“(ii) recognized by the Secretary of Defense;

“(B) a member of the uniformed services, a civilian employee of the Department of Defense, or a contractor designated by the Secretary; and

“(C) performing authorized duties for the Department of Defense under a program or activity referred to in paragraph (1).

“(4) In this subsection, the term ‘non-medical counseling services’ means mental health care services that are non-clinical, short-term and solution focused, and address topics related to personal growth, development, and positive functioning.”.
SEC. 703. NALOXONE AND FENTANYL: REGULATIONS; REPORT.

(a) REGULATIONS.—Not later than January 1, 2024, the Secretary of Defense, in coordination with the Secretaries of the military departments shall prescribe regulations regarding naloxone and fentanyl on military installations. Such regulations shall—

(1) ensure that naloxone is available for members of the Armed Forces—

(A) on all military installations; and

(B) in each operational environment; and

(2) establish a standardized tracking system—

(A) for naloxone distributed under paragraph (1); and

(B) of the illegal use of fentanyl and other controlled substances in the military departments.

(b) REPORT.—Not later than June 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding naloxone and fentanyl. Such report shall include the following elements:

(1) Progress in the implementation of regulations prescribed under subsection (a).

(2) The prevalence and incidence of the illegal use of fentanyl and other controlled substances in
the military departments during the five years preceding the report.

(3) Processes of the military departments to mitigate substance abuse, particularly with regards to fentanyl.

(c) NALOXONE DEFINED.—In this section, the term “naloxone” means naloxone and any other medication used to reverse opioid overdose.
SEC. 704. RATES OF REIMBURSEMENT FOR PROVIDERS OF APPLIED BEHAVIOR ANALYSIS.

(a) In general.—In furnishing applied behavior analysis under the TRICARE program to individuals described in paragraph (2) during the period beginning on the date of the enactment of this Act and ending on December 31, 2024, the Secretary of Defense shall ensure that the reimbursement rates for providers of applied behavior analysis are not less than the rates that were in effect on April 30, 2023.

(b) Individuals described.—Individuals described in this paragraph are individuals who are covered beneficiaries by reason of being a member or former member of the Army, Navy, Marine Corps, Air Force, or Space Force, including the reserve components thereof, or a dependent of such a member or former member.

(c) Definitions.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meaning given those terms in section 1072 of title 10, United States Code.
Subtitle B—Health Care Administration

SEC. 711. CLARIFICATION OF RESPONSIBILITIES REGARDING THE INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) CLARIFICATION.—Subsection (h) of section 1073c of title 10, United States Code, is amended—

(1) in the heading, by striking “SECRETARIES CONCERNED AND MEDICAL EVALUATION BOARDS” and inserting “AUTHORITY OVER MEMBERS”;

(2) by inserting “(1)” before “Nothing”; and

(3) by adding at the end the following new paragraphs:

“(2) Notwithstanding the responsibilities and authorities of the Defense Health Agency with respect to the administration of military medical treatment facilities as set forth in this section (including medical evaluations of members of the armed forces), the Secretary of each military department shall maintain personnel authority over, and responsibility for, any member of the armed forces under the jurisdiction of the military department concerned while the member is being considered by a medical evaluation board or is otherwise subject to the integrated disability evaluation system. Such responsibility shall include the following:
“(A) Responsibility for administering the morale and welfare of the member.

“(B) Responsibility for determinations of fitness for duty of the member under chapter 61 of this title.

“(3) Notwithstanding the responsibilities and authorities of the Defense Health Agency with respect to the administration of the integrated disability evaluation system, a commander shall, at all times, maintain absolute responsibility for, and authority over, a member of the armed forces referred to the integrated disability evaluation system. Such responsibility and authority include the following:

“(A) The authority to pause any process of the integrated disability evaluation system regarding the member.

“(B) The authority to withdraw the member from the integrated disability evaluation system if the commander determines that any policy, procedure, regulation, or other guidance has not been followed in the member’s case.

“(4) Pursuant to regulations prescribed by the Secretary of Defense, a member referred to the integrated disability evaluation system may file an appeal of such re-
ferral with the Secretary of the military department concerned. Such an appeal—

“(A) shall be in addition to any appeals process established as part of the integrated disability evaluation system;

“(B) shall include a hearing before an officer who may convene a general court-martial and who is in the chain of command of the member; and

“(C) shall be adjudicated not later than 90 days after such filing.”.

(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out paragraphs (2) through (4) of such subsection, as added by this section, not later than 90 days after the date of the enactment of this Act.

(c) BRIEFING.—Not later than February 1, 2024, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representa-
SEC. 712. SHARING OF MEDICAL DATA REGARDING MEMBERS OF THE COAST GUARD.

(a) In General.—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1110c. Sharing of medical data regarding members of the Coast Guard

“(a) Sharing of Data.—The Secretary of Defense shall provide, on an annual basis, to the Commandant of the Coast Guard, data regarding medical care—

“(1) provided at military medical treatment facilities established under section 1073c of this title to members of the Coast Guard and beneficiaries of such members; and

“(2) received by members of the Coast Guard and beneficiaries of such members through the TRICARE program.

“(b) Capability and Capacity Reports.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall provide to the Commandant of the Coast Guard capability and capacity reports regarding members of the Coast Guard, and beneficiaries of such members, who receive treatment at military medical treatment facilities.

“(c) HIPAA Limitation.—None of the information shared under this section shall include personally identifi-
able information, sensitive patient health information, or information that violates the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191).”.

(b) PLAN; REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense and the Commandant of the Coast Guard shall develop a plan to carry out section 1110c of such title, as added by this section, and submit a report containing such plan to the appropriate congressional committees.

(c) IMPLEMENTATION DATE.—Not later than one year after the date of the enactment of this Act, the Secretary and Commandant shall carry out section 1110c of such title, as added by this section.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The Committee on Armed Services of the Senate.

(2) The Committees on Armed Services of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation of the Senate.

(4) The Committee on Transportation and Infrastructure of the House of Representatives.
SEC. 713. MANDATORY TRAINING ON HEALTH EFFECTS OF PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

The Secretary of Defense shall provide to each medical provider of the Department of Defense mandatory training with respect to the potential health effects of perfluoroalkyl or polyfluoroalkyl substances.
SEC. 715. ESTABLISHMENT OF MEDICAL AND SURGICAL CONSUMABLES STANDARDIZATION WORKING GROUP.

(a) Establishment.—Not later than March 1, 2024, the Secretary of Defense shall establish a working group of logistics experts, medical experts, and surgical experts from across the military departments and the Defense Health Agency to standardize the medical and surgical consumable supplies procured and used within the Department of Defense.

(b) Chair.—The Secretary shall appoint an officer in a grade above O-6 to serve as chair of the working group.

(c) Duties.—The duties of the working group include the following:

1. To identify a list of the consumable medical and surgical supplies acquired by the Department, by national item identification number or national stock number.

2. To identify, of the supplies identified under paragraph (1)—
   (A) unique items; and
   (B) non-unique items that are functionally interchangeable.

3. Disaggregate such list by the offeror of the supplies, member of the acquisition workforce (as
defined in section 101 of title 10, United States Code) responsible for procurement of the supplies, and the entity or end user of such supplies.

(4) To revise and standardize the catalog for consumable medical and surgical supplies of the Department of Defense, including the elimination unnecessary and duplicate supplies.

(5) To ensure supplies identified under paragraph (1) are provided to the appropriate entity or end user in a regular and timely manner.

(6) To coordinate with the Director of the Defense Logistics Agency to conduct regular stress tests of the surge requirements for such supplies.

(7) To generate methods to encourage health care providers in the Defense Health Agency to procure such supplies through the catalog described in paragraph (4) instead of through other means.

(d) BRIEFINGS.—

(1) INTERIM.—Not later than October 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on the activities of the working group.

(2) FINAL.—Not later than December 31, 2025, the Secretary of Defense shall submit to the
Committees on Armed Services of the Senate and House of Representatives a final briefing on the activities of the working group.

(e) TERMINATION.—The working group shall terminate two years after the date of the enactment of this Act.
Subtitle C—Studies and Reports

SEC. 721. STUDY ON NON-CLINICAL MENTAL HEALTH SERVICES OF THE DEPARTMENT OF
DEFENSE.

(a) STUDY REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall conduct a study regarding the following:

(1) How NCMH programs (including the Military and Family Life Counseling Program), are implemented throughout the Department of Defense, including distribution of NCMH professionals.

(2) The differences in roles and responsibilities between NCMH professionals and clinical mental health professionals.

(3) How the effectiveness of NCMH professionals and NCMH programs are measured.

(4) The processes by which NCMH professionals—

(A) track services they provide;

(B) refer and track such referrals to clinical mental health professionals, chaplains, and other service providers; and

(C) ease the transition for such a referral to ensure a treatment plan continues smoothly.
(5) The costs to the United States of NCMH programs of the Department during the calendar years 2019 through 2023.

(6) The outcomes of NCMH programs.

(7) Recommendations for the future of NCMH programs.

(b) REPORT.—Not later than June 1, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the study under this section.

(c) NCMH DEFINED.—The term “NCMH” means non-clinical mental health.
SEC. 722 [log78032]. FEASIBILITY REPORT REGARDING DHA
EMPLOYMENT OF CERTAIN MENTAL HEALTH PROVIDERS AWAITING LICENSURE.

(a) REPORT REQUIRED.—Not later than September 30, 2024, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the feasibility of revising policies of DHA regarding the supervision of covered mental health employees in order to align with the policies set forth in VHA Directive 1027 of the Veterans Health Administration (dated October 23, 2019). In determining such feasibility, the Secretary shall consider issues including the following:

(1) The need to employ covered mental health employees in DHA.

(2) The capacity of licensed mental health professionals employed in DHA to supervise covered mental health employees.

(3) The effects of such alignment on access by members of the Armed Forces to mental health care.

(4) The potential risks and costs to the United States of such alignment.

(5) Any statutory or regulatory changes necessary for such alignment.

(b) DEFINITIONS.—In this section:
(1) The term “covered mental health employee” means an individual—

   (A) employed by the Defense Health Agency as a psychologist, social worker, professional mental health counselor, or marriage and family therapist; and

   (B) who has yet to be licensed in such profession by a State.

(2) The term “DHA” means the Defense Health Agency.

(3) The term “State” has the meaning given such term in section 901 of title 32, United States Code.
SEC. 723. STUDY ON HEALTH CARE AVAILABLE TO INDIVIDUALS SUPPORTING THE MISSIONS OF UNITED STATES FORCES, JAPAN, AND JOINT REGION MARIANAS.

(a) Study Required.—The Commander, United States Indo-Pacific Command, shall conduct a study to determine whether health care services available to covered individuals is sufficient to support—

(1) the missions of United States Forces, Japan, and Joint Region Marianas; and

(2) the National Defense Strategy.

(b) Elements.—The study under this section shall include the following elements:

(1) With regards to health care services furnished through the military health system to covered individuals, an assessment of—

(A) the sufficiency of such services; and

(B) challenges to such services.

(2) A assessment of the availability of health care services to covered individuals, including—

(A) the sufficiency of such services; and

(B) challenges to such services.

(3) A mission risk assessment for United States Forces, Japan, and Joint Region Marianas if health care services furnished through the military health system were available in the following scenarios:
(A) To members, civilian employees of the Department of Defense, and dependents of such members and employees, only.

(B) To covered individuals on a space-available basis, pursuant to the policy memorandum of the Defense Health Agency dated March 1, 2023.

(C) To all covered individuals.

(4) A mission cost analysis based on the risk assessment under paragraph (3).

(5) Recommendations of the Commander regarding the assessment under paragraph (3) and the analysis under paragraph (4), including a recommendation regarding which scenario in paragraph (3) best supports the National Defense Strategy for the areas of responsibility of United States Forces, Japan, and Joint Region Marianas.

(c) BRIEFINGS; REPORT.—The Commander, in coordination with the Assistant Secretary of Defense for Health Affairs, shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(1) an interim briefing on the study not later than 60 days after the date of the enactment of this Act;
(2) a final briefing not later than one year after
the date of the enactment of this Act; and

(3) a final report not later than one year after
the date of the enactment of this Act, including rec-
ommendations regarding legislation or funding to
improve care services furnished through the military
health system to covered individuals.

(d) DEFINITIONS.—In this section:

(1) The term “covered individual” means an in-
dividual who supports the mission of United States
Forces, Japan, or Joint Region Marianas, includ-
ing—

(A) a member of the Armed Forces;

(B) an employee of the Federal Govern-
ment;

(C) a dependent of a member described in
subparagraph (B) or an employee described in
subparagraph (C); or

(D) an employee of an entity that has en-
tered into an agreement with the United States.

(2) The term “health care services” includes
such health care services furnished—

(A) through the military health system;
(B) by a source not described in subparagraph (A).
SEC. 724. GAO REPORT ON TRICARE PAYMENTS TO BEHAVIORAL HEALTH PROFESSIONALS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate the results of a study on TRICARE payments to TRICARE network behavioral professionals.

(b) ELEMENTS.—The study shall include a comprehensive analysis of the following elements:

(1) The timeliness of such payments.

(2) The accuracy of such payments.

(3) The extent to which contractors comply with section 6.2.1 of the TRICARE Operations Manual.

(4) Areas of improvement that would enhance and improve the administrative process of such payments.
Subtitle C—Space National Guard

SEC. 921. ESTABLISHMENT OF SPACE NATIONAL GUARD.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a Space National Guard that is part of the organized militia of the several States and Territories, Puerto Rico, and the District of Columbia—

(A) in which the Space Force operates; and

(B) active and inactive.

(2) RESERVE COMPONENT.—There is established a Space National Guard of the United States that is the reserve component of the United States Space Force all of whose members are members of the Space National Guard.

(b) COMPOSITION.—The Space National Guard shall be composed of the Space National Guard forces of the several States and Territories, Puerto Rico and the District of Columbia—

(1) in which the Space Force operates; and

(2) active and inactive.
SEC. 922. NO EFFECT ON MILITARY INSTALLATIONS.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Space National Guard or Air National Guard.
SEC. 923. IMPLEMENTATION OF SPACE NATIONAL GUARD.

(a) REQUIREMENT.—Except as specifically provided by this subtitle, the Secretary of the Air Force and Chief of the National Guard Bureau shall implement this subtitle, and the amendments made by this subtitle, not later than 18 months after the date of the enactment of this Act.

(b) BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually for the five subsequent years, the Secretary of the Air Force, Chief of the Space Force and Chief of the National Guard Bureau shall jointly provide to the congressional defense committees a briefing on the status of the implementation of the Space National Guard pursuant to this subtitle and the amendments made by this subtitle. This briefing shall address the current missions, operations and activities, personnel requirements and status, and budget and funding requirements and status of the Space National Guard, and such other matters with respect to the implementation and operation of the Space National Guard as the Secretary and the Chiefs jointly determine appropriate to keep Congress fully and currently informed on the status of the implementation of the Space National Guard.
SEC. 924. CONFORMING AMENDMENTS AND CLARIFICATION OF AUTHORITIES.

(a) Definitions.—

(1) Title 10, United States Code.—Title 10, United States Code, is amended—

(A) in section 101—

(i) in subsection (c)—

(I) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(II) by inserting after paragraph (5) the following new paragraphs:

“(6) The term ‘Space National Guard’ means that part of the organized militia of the several States and territories, Puerto Rico, and the District of Columbia, active and inactive, that—

“(A) is a space force;

“(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

“(C) is organized, armed, and equipped wholly or partly at Federal expense; and

“(D) is federally recognized.

“(7) The term ‘Space National Guard of the United States’ means the reserve component of the
Space Force all of whose members are members of
the Space National Guard.”.

(B) in section 10101—

(i) in the matter preceding paragraph

(1), by inserting “the following” before the
colon; and

(ii) by adding at the end the following
new paragraph:

“(8) The Space National Guard of the United
States.”; and

(2) TITLE 32, UNITED STATES CODE.—Section
101 of title 32, United States Code is amended—

(A) by redesignating paragraphs (8)
through (19) as paragraphs (10) and (21), re-
spectively; and

(B) by inserting after paragraph (7) the
following new paragraphs:

“(8) The term ‘Space National Guard’ means
that part of the organized militia of the several
States and territories, Puerto Rico, and the District
Of Columbia, in which the Space Force operates, ac-
tive and inactive, that—

“(A) is a space force;
“(B) is trained, and has its officers appointed under the sixteenth clause of section 8, article I of the Constitution;

“(C) is organized, armed, and equipped wholly or partly at Federal expense; and

“(D) is federally recognized.

“(9) The term ‘Space National Guard of the United States’ means the reserve component of the Space Force all of whose members are members of the Space National Guard.”.

(b) RESERVE COMPONENTS.—Chapter 1003 of title 10, United States Code, is amended—

(1) by adding at the end the following new sections:

§10115. Space National Guard of the United States: composition

“The Space National Guard of the United States is the reserve component of the Space Force that consists of—

“(1) federally recognized units and organizations of the Space National Guard; and

“(2) members of the Space National Guard who are also Reserves of the Space Force.
§ 10116. Space National Guard: when a component of the Space Force

“The Space National Guard while in the service of the United States is a component of the Space Force.

§ 10117. Space National Guard of the United States: status when not in Federal service

“When not on active duty, members of the Space National Guard of the United States shall be administered, armed, equipped, and trained in their status as members of the Space National Guard.”; and

(2) in the table of sections at the beginning of such chapter, by adding at the end the following new items:


“10116. Space National Guard: when a component of the Space Force.

“10117. Space National Guard of the United States: status when not in Federal service.”.
SEC. 1103. [LOG 77723] CONSOLIDATION OF DIRECT HIRE

AUTHORITIES FOR CANDIDATES WITH SPECIFIED DEGREES AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 4091 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “bachelor’s degree” and inserting “bachelor’s or advanced degree”; 

(2) in subsection (e)—

(A) in the subsection heading, by striking “CALENDAR YEAR” and inserting “FISCAL YEAR”; 

(B) in the matter preceding paragraph (1), by striking “calendar year” and inserting “fiscal year”; 

(C) in paragraph (1), by striking “6 percent” and inserting “11 percent”; and 

(D) in paragraphs (1), (2), and (3), by striking “the fiscal year last ending before the start of such calendar year” and inserting “the preceding fiscal year”; 

(3) by striking subsection (f); and 

(4) by redesignating subsection (g) as subsection (f).
SEC. 1104. [LOG 77564] DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

Section 9905(a) of title 5, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “, 3307,” after “3303”; and

(2) by adding at the end the following new paragraphs:

“(12) Any position in support of aircraft operations for which the Secretary determines there is a critical hiring need or shortage of candidates.

“(13) Any position in support of the safety of the public, law enforcement, or first response for which the Secretary determines there is a critical hiring need or shortage of candidates.”.
SEC. 1105. [LOG 77562] ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


10
SEC. 1106. [LOG 77722] EXTENSION OF AUTHORITY TO
GRANT COMPETITIVE STATUS TO EMPLOY-
EES OF INSPECTORS GENERAL FOR OVER-
SEAS CONTINGENCY OPERATIONS.

Section 419(d)(5)(B) of title 5, United States Code,
is amended by striking “2 years” and inserting “5 years”.
SEC. 1110. [LOG 77561] ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1412. [Log 77739]. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2024 from the Armed Forces Retirement Home Trust Fund the sum of $77,000,000 of which—

(1) $68,060,000 is for operating expenses; and

(2) $8,940,000 is for capital maintenance and construction.
2

1 SEC. 1701 [log77970]. SHORT TITLE.

2 This title may be cited as the “Space Force Personnel

3 Management Act”.

Subtitle A—Space Force Military Personnel System Without Component [log77971]

SEC. 1711. ESTABLISHMENT OF MILITARY PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

Title 10, United States Code, is amended by adding at the end the following new subtitle:

“Subtitle F—Alternative Military Personnel Systems

“PART I—SPACE FORCE

“CHAPTER 2001— SPACE FORCE PERSONNEL SYSTEM

Sec.

20001. Single military personnel management system.

20002. Members: duty status.

20003. Members: minimum service requirement as applied to Space Force.

“$ 20001. Single military personnel management system

“Members of the Space Force shall be managed through a single military personnel management system, without component.”.

Chap. .......................................................... 20001


2003. Status and Participation ................................................. 20101

2005. Officers .............................................................. 20201

2007. Enlisted Members. ..................................................... 20301

2009. Retention and Separation Generally .......................... 20401

2011. Separation of Officers for Substandard Performance of Duty or for Certain Other Reasons ........................ 20501

2013. Retirement ...................................................... 20601”.
SEC. 1712. COMPOSITION OF THE SPACE FORCE WITHOUT COMPONENT.

(a) COMPOSITION OF THE SPACE FORCE.—Section 9081(b) of title 10, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (1), as so redesignated, by striking“Including” and all that follows through “emergency”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the certification by the Secretary of the Air Force under section 1745.
SEC. 1713. DEFINITIONS FOR SINGLE PERSONNEL MANAGEMENT SYSTEM FOR THE SPACE FORCE.

(a) SPACE FORCE DEFINITIONS.—Section 101 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) SPACE FORCE.—The following definitions relating to members of the Space Force apply in this title:

“(1) The term ‘space force active status’ means the status of a member of the Space Force who is not in a space force inactive status and is not retired.

“(2) The term ‘space force inactive status’ means the status of a member of the Space Force who is designated by the Secretary of the Air Force, under regulations prescribed by the Secretary, as being in a space force inactive status.

“(3) The term ‘space force retired status’ means the status of a member of the Space Force who—

“(A) is receiving retired pay; or

“(B) but for being under the eligibility age applicable under section 12731 of this title,
would be eligible for retired pay under chapter 1223 of this title.

“(4) The term ‘sustained duty’ means full-time duty by a member of the Space Force ordered to such duty by an authority designated by the Secretary of the Air Force—

“(A) in the case of an officer—

“(i) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law; or

“(ii) with the consent of the officer; and

“(B) in the case of an enlisted member, with the consent of the enlisted member as specified in the terms of the member’s enlistment or reenlistment agreement.”.

(b) AMENDMENTS TO EXISTING DUTY STATUS DEFINITIONS.—Subsection (d) of such section is amended—

(1) in paragraph (1), by inserting “, including sustained duty in the Space Force” after “United States”; and

(2) in paragraph (7), by inserting “, or a member of the Space Force,” after “Reserves” in subparagraphs (A) and (B).
SEC. 1714. BASIC POLICIES RELATING TO SERVICE IN THE
SPACE FORCE.

Chapter 2001 of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new sections:

“§ 20002. Members: duty status

“Under regulations prescribed by the Secretary of the Air Force, each member of the Space Force shall be placed in one of the following duty statuses:

“(1) Space force active status.

“(2) Space force inactive status.

“(3) Space force retired status.

“§ 20003. Members: minimum service requirement as applied to Space Force

“(a) In applying section 651 of this title to a person who becomes a member of the Space Force, the provisions of the second sentence of subsection (a) and of subsection (b) of that section (relating to service in a reserve component) are inapplicable.

“(b) A member of the Space Force who transfers to one of the other armed forces before completing the service required by subsection (a) of section 651 of this title shall upon such transfer be subject to section 651 of this title in the same manner as if such member had initially entered the armed force to which the member transfers.”.
SEC. 1715. STATUS AND PARTICIPATION.

Subtitle F of title 10, United States Code, as added by section 1711, is amended by adding at the end the following new chapter:

“CHAPTER 2003—STATUS AND PARTICIPATION

Sec.

20101. Members in Space Force active status: amount of annual training or active duty service required.

20102. Individual ready guardians: designation; mobilization category.

20103. Members not on sustained duty: agreements concerning conditions of service.

20104. Orders to active duty: with consent of member.

20105. Sustained duty.

20106. Orders to active duty: without consent of member.

20107. Transfer to inactive status: initial service obligation not complete.

20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors.

20109. Policy for order to active duty based upon determination by Congress.

§ 20101. Members in Space Force active status: amount of annual training or active duty service required

“Except as specifically provided in regulations prescribed by the Secretary of Defense, a member of the Space Force in a space force active status who is not serving on sustained duty shall be required to—

“(1) participate in at least 48 scheduled drills or training periods during each year and serve on active duty for not less than 14 days (exclusive of travel time) during each year; or

“(2) serve on active duty for not more than 30 days during each year.
§ 20102. Individual ready guardians: designation; mobilization category

(a) In General.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may designate a member of the Space Force in a space force active status as an Individual Ready Guardian.

(b) Mobilization Category.—

(1) In General.—Among members of the Space Force designated as Individual Ready Guardians, there is a category of members (referred to as a ‘mobilization category’) who, as designated by the Secretary of the Air Force, are subject to being ordered to active duty without their consent in accordance with section 20106(a) of this title.

(2) Limitations on Placement in Mobilization Category.—A member designated as an Individual Ready Guardian may not be placed in the mobilization category referred to in paragraph (1) unless—

(A) the member volunteers to be placed in that mobilization category; and

(B) the member is selected by the Secretary of the Air Force, based upon the needs of the Space Force and the grade and military skills of that member.
“(3) LIMITATION ON TIME IN MOBILIZATION CATEGORY.—A member of the Space Force in a space force active status may not remain designated an Individual Ready Guardian in such mobilization category after the end of the 24-month period beginning on the date of the separation of the member from active service.

“(4) DESIGNATION OF GRADES AND MILITARY SKILLS OR SPECIALTIES.—The Secretary of the Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.

“(5) BENEFITS.—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

“§ 20103. Members not on sustained duty: agreements concerning conditions of service

“(a) AGREEMENTS.—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—
“(1) requiring the member to serve on active
duty for a definite period of time;
“(2) specifying the conditions of the member’s
service on active duty; and
“(3) for a member serving in a space force in-
active status, specifying the conditions for the mem-
ber’s continued service as well as order to active
duty with and without the consent of the member.
“(b) CONDITIONS OF SERVICE.—An agreement
under subsection (a) shall specify the conditions of service.
The Secretary of the Air Force shall prescribe regulations
establishing—
“(1) what conditions of service may be specified
in the agreement;
“(2) the obligations of the parties; and
“(3) the consequences of failure to comply with
the terms of the agreement.
“(c) AUTHORITY FOR RETENTION ON ACTIVE DUTY
DURING WAR OR NATIONAL EMERGENCY.—If the period
of service on active duty of a member under an agreement
under subsection (a) expires during a war or during a na-
tional emergency declared by Congress or the President,
the member concerned may be kept on active duty, without
the consent of the member, as otherwise prescribed by law.
§ 20104. Orders to active duty: with consent of member

(a) AUTHORITY.—A member of the Space Force who is serving in a space force active status and is not on sustained duty, or who is serving in a space force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

“(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.

“(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

“(3) Section 12322, relating to active duty for health care.

“(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

(b) APPLICABLE PROVISIONS OF LAW.—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the
Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

“(1) Section 12308, relating to retention after becoming qualified for retired pay.

“(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

“(3) Section 12313, relating to release of reserve members from active duty.

“(4) Section 12314, relating to kinds of duty.

“(5) Section 12315, relating to duty with or without pay.

“(6) Section 12316, relating to payment of certain Reserves while on duty.

“(7) Section 12318, relating to duties and funding of reserve members on active duty.

“(8) Section 12320, relating to grade in which ordered to active duty.

“(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

§ 20105. Sustained duty

“(a) ENLISTED MEMBERS.—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a space force active status
to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member’s enlistment or reenlistment agreement.

“(b) Officers.—

“(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a space force active status to sustained duty—

“(A) with the consent of the officer; or

“(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

“(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty without the officer’s consent except as provided in chapter 2009 or 2011 of this title.

§ 20106. Orders to active duty: without consent of member

“(a) Members in a Space Force active status.—

“(1) A member of the Space Force in a space force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve component ordered to ac-
tive duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of a member of a reserve component in an active status without the consent of the member.

“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a space force active status when ordered to active duty under paragraph (1).

“(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

“(b) Members in a Space Force Inactive Status.—

“(1) A member of the Space Force in a space force inactive status may be ordered to active duty under—

“(A) the provisions of chapter 1209 of this title;
“(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

“(C) the terms of any agreement entered into by the member under section 20103 of this title.

“(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Standby Reserve shall apply to a member of the Space Force who is in a space force inactive service when ordered to active duty.

“(c) Members in a Space Force Retired Status.—

“(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a member of the Space Force in a space force retired status.

“(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a space force retired status when ordered to active duty.

“(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in
a space force retired status who is ordered to active
duty.

“(d) Other Applicable Provisions.—The fol-
lowing provisions of chapter 1209 of this title pertaining
shall apply to a member of the Space Force ordered to
active duty in the same manner as to a Reserve or member
of the Retired Reserve ordered to active duty:

“(1) Section 12305, relating to the authority of
the President to suspend certain laws relating to
promotion, retirement, and separation.

“(2) Section 12308, relating to retention after
becoming qualified for retired pay.

“(3) Section 12313, relating to release from ac-
tive duty.

“(4) Section 12314, relating to kinds of duty.

“(5) Section 12315, relating to duty with or
without pay.

“(6) Section 12316, relating to payment of cer-
tain Reserves while on duty.

“(7) Section 12317, relating to theological stu-
dents; limitations.

“(8) Section 12320, relating to grade in which
ordered to active duty.
§ 20107. Transfer to inactive status: initial service obligation not complete

(a) GENERAL RULE.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating space force active status, be transferred to a space force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active duty without the member’s consent under section 20106 of this title.

(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.

§ 20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

For the purposes of laws providing pay and benefits for members of the armed forces and their dependents and beneficiaries:

(1) Military training, duty, or other service performed by a member of the Space Force in a space force active status not on sustained duty shall be considered military training, duty, or other serv-
ice, as the case may be, as a member of a reserve
component.

“(2) Sustained duty performed by a member of
the Space Force under section 20105 of this title
shall be considered active duty as a member of a
regular component.

“(3) Active duty performed by a member of the
Space Force in a space force active status not on
sustained duty shall be considered active duty as a
member of a reserve component.

“(4) Inactive-duty training performed by a
member of the Space Force shall be considered inac-
tive-duty training as a member of a reserve compo-

tent.

“§ 20109. Policy for order to active duty based upon
determination by Congress

“Whenever Congress determines that more units and
organizations capable of conducting space operations are
needed for the national security than are available among
those units comprised of members of the Space Force serv-
ing on active duty, members of the Space Force not serv-
ing on active duty shall be ordered to active duty and re-
tained as long as so needed.”.
SEC. 1716. OFFICERS.

(a) ORIGINAL APPOINTMENTS.—Subtitle F of title 10, United States Code, as amended by section 1715, is further amended by adding at the end the following new chapter:

“CHAPTER 2005—OFFICERS

"SUBCHAPTER I—ORIGINAL APPOINTMENTS

"Sec.
"20201. Original appointments: how made.
"20202. Original appointments: qualifications.

"SUBCHAPTER II—SELECTION BOARDS

"20211. Convening of selection boards.
"20212. Composition of selection boards.
"20214. Recommendations for promotion by selection boards.
"20215. Reports of selection boards.
"20216. Action on reports of selection boards for promotion to brigadier general or major general.

"SUBCHAPTER III—PROMOTIONS

"20231. Eligibility for consideration for promotion: time-in-grade and other requirements.
"20232. Eligibility for consideration for promotion: senior commander nominations.
"20233. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions.
"20234. Opportunities for consideration for promotion.
"20235. Space Force officer list.
"20236. Competitive categories.
"20237. Numbers to be recommended for promotion.
"20238. Promotions: how made; authorized delay of promotions.

"SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

"20251. Special selection boards.
"20252. Other promotion matters.

"SUBCHAPTER V—APPLICABILITY OF OTHER LAWS

"20261. Applicability of certain DOPMA officer personnel policy provisions.
“SUBCHAPTER I—ORIGINAL APPOINTMENTS

§ 20201. Original appointments: how made

“(a) APPOINTMENTS MADE BY SECRETARY OF DEFENSE.—Original appointments of commissioned officers in the Space Force in grades below the grade of brigadier general shall be made by the Secretary of Defense.

“(b) APPLICATION OF CONSTRUCTIVE CREDIT.—The grade of a person receiving an appointment under this section who at the time of appointment is credited with service under section 20203 of this title shall be determined under regulations prescribed by the Secretary of the Defense based upon the amount of service credited.

§ 20202. Original appointments: qualifications

“(a) IN GENERAL.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—

“(1) is a citizen of the United States;

“(2) is at least 18 years of age; and

“(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.

“(b) EXCEPTION.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the per-
formance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

“(a) CREDIT FOR PRIOR SERVICE.—

“(1) PRIOR COMMISSIONED SERVICE.—For the purpose of determining the grade and rank within grade of a person receiving an original appointment in a commissioned grade in the Space Force, such person shall be credited at the time of such appointment with any active commissioned service (other than service as a commissioned warrant officer) that the person performed in any uniformed service before such appointment.

“(2) PRIOR CIVILIAN SERVICE.—For the purpose of determining the grade and rank within grade of a person receiving an original appointment in a commissioned grade in the Space Force, such person may be credited at the time of such appointment with service as a civilian employee of a Federal agency in an occupation code or career field related to the skills and experience required for officers of the Space Force. The Secretary of the Air Force shall prescribe regulations establishing which civilian employee occupation codes and career fields may be considered as related to the skills and experience required for officers of the Space Force.
“(3) LIMITATION ON AMOUNT OF PRIOR COM-
MISSIONED SERVICE THAT MAY BE CREDITED.—The
regulations prescribed by the Secretary of Defense
under section 533 of this title shall apply to the
Space Force to authorize the Secretary of the Air
Force to limit the amount of prior active commis-
|sioned service with which a person receiving an
original appointment may be credited under para-
|graph (1).

“(b) CREDIT FOR EDUCATION, TRAINING, AND EX-
PERIENCE.—

“(1) Under regulations prescribed by the Sec-
retary of the Air Force, the Secretary shall credit a
person who is receiving an original appointment in
a commissioned grade in the Space Force and who
has advanced education, training, or special experi-
ence with constructive service for such education,
training, or experience in a particular officer career
field as designated by the Secretary of the Air
Force, if such education, training, or experience is
directly related to the operational needs of the Space
Force.

“(2) The Secretary may credit a person with
constructive credit under this subsection for each in-
stance of relevant advanced education or training or
special experience regardless of whether two or more such instances are concurrent.

“(3) The amount of constructive service credited an officer under this subsection may not exceed the amount required in order for the officer to be eligible for an original appointment in the grade of colonel.

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

“(c) AUTHORIZED USE OF CONSTRUCTIVE CREDIT.—Constructive service credited an officer under subsection (b) shall be used only for determining the officer’s—

“(1) initial grade;

“(2) rank in grade; and

“(3) service in grade for promotion eligibility.

“(d) EXCLUSION FOR GRADUATES OF THE SERVICE ACADEMIES.—A graduate of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy is not entitled to service credit under this section for service performed, or edu-
cation, training, or experience obtained, before graduation from such Academy.”.

(b) CONFORMING AMENDMENTS RELATING TO ORIGINAL APPOINTMENTS.—

(1) DEFINITIONS.—Section 101 of title 10, United States Code, is amended in subsection (b)(10) by inserting before the period at the end the following: “and, with respect to the appointment of a member of the armed forces in the Space Force, refers to that member’s most recent appointment in the Space Force that is neither a promotion nor a demotion”.

(2) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531 of such title is amended—

(A) in subsection (a)—

(i) in paragraphs (1) and (2)—

(I) by inserting “and” after “Regular Marine Corps”; and

(II) by striking “, and in the equivalent grades in the Regular Space Force”; and

(ii) by inserting after paragraph (2) the following new paragraph:
“(3) Original appointments in the grades of second lieutenant through colonel in the Space Force are provided for under section 20301 of this title.”; and

(B) in subsection (e), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(3) Qualifications for original appointment as a commissioned officer.—Section 532(a) of such title is amended by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(4) Service credit upon original appointment as a commissioned officer.—Section 533 of such title is amended—

(A) in subsection (a)(2), by striking “Marine Corps, and Space Force” and inserting “and Marine Corps”; and

(B) in subsections (a)(1), (b)(1), and (f), by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”.

(e) Selection boards and promotions.—Chapter 205 of title 10, United States Code, as added by sub-
section (a), is amended by adding at the end the following new subchapters:

“SUBCHAPTER II—SELECTION BOARDS

§ 20211. Convening of selection boards

“(a) IN GENERAL.—Whenever the needs of the service require, the Secretary of the Air Force shall convene selection boards to recommend for promotion to the next higher permanent grade officers of the Space Force in each permanent grade from first lieutenant through brigadier general.

“(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST LIEUTENANT.—Subsection (a) does not require the convening of a selection board in the case of Space Force officers in the permanent grade of first lieutenant when the Secretary of the Air Force recommends for promotion to the grade of captain under section 20238(a)(4)(A) of this title all such officers whom the Secretary finds to be fully qualified for promotion.

“(c) SELECTION BOARDS FOR EARLY RETIREMENT OR DISCHARGE.—The Secretary of the Air Force may convene selection boards to recommend officers for early retirement under section 20404(a) of this title or for discharge under section 20404(b) of this title.
“(d) REGULATIONS.—The convening of selection boards under subsection (a) shall be under regulations prescribed by the Secretary of the Defense.

§ 20212. Composition of selection boards

“(a) APPOINTMENT AND COMPOSITION OF BOARDS.—

“(1) Members of a selection board shall be appointed by the Secretary of Air Force in accordance with this section. A selection board shall consist of five or more officers of the Space Force. Each member of a selection board must be serving in a grade higher than the grade of the officers under consideration by the board, except that no member of a board may be serving in a grade below major. The members of a selection board shall include at least one member serving on sustained duty and at least one member in a space force active status who is not serving on sustained duty. The ratio of the members of a selection board serving on sustained duty to members serving in a space force active status not on sustained duty shall, to the extent practicable, reflect the ratio of officers serving in each of those statuses who are being considered for promotion by the board. The members of a selection board shall
represent the diverse population of the Space Force
to the extent practicable.

“(2) REPRESENTATION FROM COMPETITIVE
CATEGORIES.—

“(A) Except as provided in subparagraph (B), a selection board shall include at least one
officer from each competitive category of officers to be considered by the board.

“(B) A selection board need not include an officer from a competitive category when there
are no officers of that competitive category on the space force officer list in a grade higher
than the grade of the officers to be considered by the board and eligible to serve on the board.

“(3) RETIRED OFFICERS.—If qualified officers on the space force officer list are not available in
sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the mem-
bership of the board by appointing as members of the board—

“(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and
“(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

“(4) Exclusion of Retired General Officers On Active Duty to Serve on a Board From Numeric General Officer Active-Duty Limitations.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

“(b) Limitation on Membership on Consecutive Boards.—

“(1) General Rule.—Except as provided in paragraph (2), no officer may be a member of two
successive selection boards convened under section 20211 of this title for the consideration of officers of the same grade.

“(2) Exception for General Officer Boards.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

“(e) Joint Qualified Officers.—

“(1) Each selection board convened under section 20211 of this title that will consider an officer described in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

“(2) Paragraph (1) applies with respect to an officer who—

“(A) is serving on, or has served on, the Joint Staff; or

“(B) is a joint qualified officer.

“(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

“§ 20213. Notice of convening of selection boards

“(a) At least 30 days before a selection board is convened under section 20211 of this title to recommend offi-
cers in a grade for promotion to the next higher grade, the Secretary of the Air Force shall provide to the officers who are eligible for consideration by the board and have not been excluded from consideration under section 20216(d) of this title notification in writing of the date on which the board is to convene. In the notification, the Secretary shall inform an eligible officer of how many times, if any, the officer has previously been considered by a selection board convened under section 20211 for promotion to the grade to which the board described in the notification will recommend officers for promotion.

“(b) An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer’s case. The selection board shall give consideration to any timely communication under this subsection.

“(c) An officer on the space force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer’s preference to serve either on or off active duty if pro-
moted to the grade of brigadier general or major general, respectively.

“§ 20214. Recommendations for promotion by selection boards

“(a) Board to Recommend Officers Best Qualified for Promotion.—A selection board convened under section 20211 of this title shall recommend for promotion to the next higher grade those officers considered by the board whom the board, giving due consideration to the needs of the Space Force for officers with particular skills (as noted in the guidelines or information furnished the board under section 615(b) of this title), considers best qualified for promotion within each competitive category considered by the board.

“(b) Number to Be Recommended.—The Secretary of the Air Force shall establish the number of officers such a selection board may recommend for promotion from among officers being considered.

“(c) Board Procedures for Recommendations; Limitations.—A selection board convened under section 20211 of this title may not recommend an officer for promotion unless—

“(1) the officer receives the recommendation of a majority of the members of the board;
“(2) a majority of the members of the board finds that the officer is fully qualified for promotion; and

“(3) a majority of the members of the board, after consideration by all members of the board of any adverse information about the officer that is provided to the board under section 615 of this title, finds that the officer is among the officers best qualified for promotion to meet the needs of the Space Force consistent with the requirement of exemplary conduct set forth in section 9233 of this title.

“(d) LIMITATION ON PROMOTIONS UNDER OTHER AUTHORITY.—Except as otherwise provided by law, a Space Force officer may not be promoted to a higher grade under this chapter unless the officer is considered and recommended for promotion to that grade by a selection board convened under this chapter or, in the case of an officer transferring into the Space Force from another armed force, chapter 36 or chapter 1403 of this title.

“(e) DISCLOSURE OF BOARD RECOMMENDATIONS.—The recommendations of a selection board may be disclosed only in accordance with regulations prescribed by the Secretary of Defense. Those recommendations may not be disclosed to a person not a member of the board
(or a member of the administrative staff designated by the Secretary of the Air Force to assist the board) until the written report of the recommendations of the board, required by section 617 of this title, is signed by each member of the board.

“(f) Prohibition on Attempting to Influence Members of a Board.—The Secretary of the Air Force, and an officer or other official exercising authority over any member of a selection board, may not—

“(1) censure, reprimand, or admonish the selection board or any member of the board with respect to the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board; or

“(2) attempt to coerce or, by any unauthorized means, influence any action of a selection board or any member of a selection board in the formulation of the board’s recommendations.

“(g) Higher Placement on Promotion List of Officer of Particular Merit.—

“(1) In selecting the officers to be recommended for promotion, a selection board shall, when authorized by the Secretary of the Air Force, recommend officers of particular merit, pursuant to guidelines and procedures prescribed by the Sec-
secretary, from among those officers selected for promotion, to be placed higher on the promotion list established by the Secretary under section 624(a)(1) of this title.

“(2) An officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the officer receives the recommendation of at least a majority of the members of the board, unless the Secretary of the Air Force establishes an alternative requirement. Any such alternative requirement shall be furnished to the board as part of the guidelines furnished to the board under section 615 of this title.

“(3) For the officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend, pursuant to guidelines and procedures prescribed by the Secretary, the order in which those officers should be placed on the list.

“§ 20215. Reports of selection boards

“(a) IN GENERAL.—Each selection board convened under section 20211 of this title shall submit to the Secretary of the Air Force a written report, signed by each member of the board, containing a list of the names of the officers it recommends for promotion and certifying—
“(1) that the board has carefully considered the record of each officer whose name was furnished to it under section 615 of this title; and

“(2) that, in the opinion of a majority of the members of the board, the officers recommended for promotion by the board are best qualified for promotion to meet the needs of the Space Force (as noted in the guidelines or information furnished the board under section 615(b) of this title) among those officers whose names were furnished to the selection board.

“(b) Officers Who Should Be Required to Show Cause for Retention.—A selection board convened under section 20211 of this title shall include in its report the name of any officer before it for consideration for promotion whose record, in the opinion of a majority of the members of the board, indicates that the officer should be required under section 20503 of this title to show cause for the officer’s retention in a space force active status.

“(c) Officers Recommended to Be Placed Higher on the Promotion List.—A selection board convened under section 20211 of this title shall, when authorized under section 20214(g) of this title, include in its report the names of those officers recommended by the
board to be placed higher on the promotion list and the
order in which the board recommends that those officers
should be placed on the list.

“§ 20216. Action on reports of selection boards for
promotion to brigadier general or major
general
“After reviewing a report received under section
20215 of this title recommending officers on the space
force officer list for promotion to the grade of brigadier
general or major general, but before submitting the report
to the Secretary of Defense, the Secretary of the Air Force
may, under regulations prescribed by the Secretary of the
Air Force, adjust the placement of officers on the pro-
motion list recommended in the report in order to further
Space Force mission accomplishment.

“SUBCHAPTER III—PROMOTIONS

“§ 20231. Eligibility for consideration for promotion:
time-in-grade and other requirements

“(a) TIME-IN-GRADE REQUIREMENTS.—
“(1) An officer who is in a space force active
status on the space force officer list and holds a per-
manent appointment in the grade of second lieuten-
ant or first lieutenant may not be promoted to the
next higher permanent grade until the officer has
completed the following period of service in the
grade in which the officer holds a permanent appointment:

“(A) Eighteen months, in the case of an officer holding a permanent appointment in the grade of second lieutenant.

“(B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant.

“(2) Except as authorized by section 20233 of this title, an officer who is in a space force active status on the space force officer list and holds a permanent appointment in a grade above first lieutenant may not be considered for selection for promotion to the next higher permanent grade until the officer has completed the following period of service in the grade in which the officer holds a permanent appointment:

“(A) Three years, in the case of an officer holding a permanent appointment in the grade of captain, major, or lieutenant colonel.

“(B) One year, in the case of an officer holding a permanent appointment in the grade of colonel or brigadier general.

“(3) When the needs of the service require, the Secretary of the Air Force may prescribe a longer
period of service in grade for eligibility for promotion, in the case of officers to whom paragraph (1) applies, or for eligibility for consideration for promotion, in the case of officers to whom paragraph (2) applies.

“(4) In computing service in grade for purposes of this section, service in a grade held as a result of assignment to a position is counted as service in the grade in which the officer would have served except for such assignment or appointment.

“(b) Authority to Preclude From Consideration Certain Officers Based on Time of Entry on or Departure from Sustained Duty.—The Secretary of the Air Force—

“(1) may, by regulation, prescribe a period of time, not to exceed one year, from the time an officer on the space force officer list transfers on or off of sustained duty during which the officer shall be ineligible for consideration for promotion; and

“(2) may, by regulation, preclude from consideration by a selection board by which the officer would otherwise be eligible to be considered, an officer who has an established separation date that is within 90 days after the date on which the board is to be convened.
(c) CERTAIN OFFICERS NOT TO BE CONSIDERED.—A selection board convened under section 20211 of this title may not consider for promotion to the next higher grade any of the following officers:

“(1) An officer whose name is on a promotion list for that grade as a result of the officer’s selection for promotion to that grade by an earlier selection board convened under that section.

“(2) An officer who is recommended for promotion to that grade in the report of an earlier selection board convened under that section, in the case of such a report that has not yet been approved by the President.

“(3) An officer in the grade of first lieutenant who is on an approved all-fully-qualified-officers list under section 20419 of this title.

“(4) An officer excluded under subsection (d).

(d) AUTHORITY TO ALLOW OFFICERS TO OPT OUT OF SELECTION BOARD CONSIDERATION.—

“(1) The Secretary of the Air Force may provide that an officer on the space force officer list may, upon the officer’s request and with the approval of the Secretary, be excluded from consideration by a selection board convened under section
20211 of this title to consider officers for promotion to the next higher grade.

“(2) The Secretary of the Air Force may only approve a request under paragraph (1) if the Secretary determines the exclusion from consideration is in the best interest of the Space Force.

“§ 20232. Eligibility for consideration for promotion: senior commander nominations

“(a) In General.—Under regulations prescribed by the Secretary of the Air Force and subject to subsection (b), a board convened under section 20211 of this title may consider for promotion to the next higher grade an officer in a space force active status on the space force officer list in the grade of captain, major, or lieutenant colonel who—

“(1) does not meet the requirements of section 20412 of this title with respect to time-in-grade; or

“(2) has already been considered for promotion by a selection board convened under section 20211 of this title the maximum number of times as determined by the Secretary under section 20415 of this title and has failed of selection for promotion each time.

“(b) Nomination Required.—The regulations prescribed under subsection (a) shall require that, in order
for an officer described in that subsection to be considered for promotion by a board convened under section 20211 of this title, the officer must be nominated by the commanding general of the Space Force Field Command to which the officer is assigned or, in the case of an officer on the space force officer list not assigned to a unit subordinate to a Space Force Field Command, the first lieutenant general, or civilian equivalent, in the officer’s chain of command or supervision. For an officer on the space force officer list assigned to a joint position, or a position within a Federal department or agency outside of the Department of the Air Force, the nomination may be made by a lieutenant general in the Army, Air Force, or Marine Corps or a vice admiral in the Navy, or the civilian equivalent.

“(c) NOMINATION.—

“(1) The regulations prescribed under subsection (a) shall establish clear, competency-based criteria for use by the nominating officer or official in determining whether an officer described in subsection (a) should be nominated for consideration for promotion.

“(2) An officer on the space force officer list may only be nominated under this section if (A) the officer is not eligible for consideration for promotion
by a selection board convened under section 20211
of this title, and (B) the officer has not twice pre-
viously been promoted to a higher grade on the
space force officer list under this section.

“(3) A nomination under this section shall be
submitted to the Chief Human Capital Officer of the
Space Force and shall provide sufficient information
and justification for the opinion of the nominating
officer that the nominated officer meets the requisite
competency-based requirements for service in a high-
er grade and is exceptionally well qualified for pro-
motion despite not meeting the eligibility require-
ments for consideration for promotion under section
20412 of this title.

“§ 20233. Eligibility for consideration for promotion:

designation as joint qualified officer re-
quired before promotion to brigadier
general; exceptions

“(a) GENERAL RULE.—An officer on the space force
officer list may not be appointed to the grade of brigadier
general unless the officer has been designated as a joint
qualified officer in accordance with section 661 of this
title.
“(b) EXCEPTIONS.—Subject to subsection (c), the Secretary of Defense may waive subsection (a) in the following circumstances:

“(1) When necessary for the good of the service.

“(2) In the case of an officer whose proposed selection for promotion is based primarily upon scientific and technical qualifications for which joint requirements do not exist.

“(3) In the case of an officer selected by a promotion board for appointment to the grade of brigadier general while serving in a joint duty assignment if—

“(A) the officer’s total consecutive service in joint duty assignments is not less than two years; and

“(B) the officer has successfully completed a program of education described in subsections (b) and (c) of section 2155 of this title.

“(4) In the case of an officer who—

“(A) is selected by a promotion board for appointment to the grade of brigadier general;

“(B) is not exempted under subsection (g); and
“(C) has successfully completed the education requirements prescribed in subparagraph (A) of section 661(c)(1) of this title but has not been afforded the opportunity to complete the experience requirements described in subparagraph (B) of that section.

“(e) WAIVER TO BE INDIVIDUAL.—A waiver may be granted under subsection (b) only on a case-by-case basis in the case of an individual officer.

“(d) SPECIAL RULE FOR GOOD-OF-THE-SERVICE WAIVER.—In the case of a waiver under subsection (b)(1), the Secretary of Defense shall provide that the first duty assignment as a general or flag officer of the officer for whom the waiver is granted shall be in a joint duty assignment.

“(e) LIMITATION ON DELEGATION OF WAIVER AUTHORITY.—The authority of the Secretary of Defense to grant a waiver under subsection (b)(4) may be delegated to the Secretary of the Air Force and may not be further delegated.

“(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall specifically identify for purposes of subsection (b)(2) those categories of officers for which selection for promotion to brigadier general is based primarily upon sci-
entific and technical qualifications for which joint require-
ments do not exist.

“(g) EXEMPTION.—Subsection (a) shall not apply to
an officer who transfers to the Space Force from a reserve
component before the first day of the sixth fiscal year be-
ning after the date of the enactment of this section,
and who, as of the date of the transfer, is serving in the
grade of major, lieutenant colonel, or colonel or, in the
case of the Navy or Coast Guard, lieutenant commander,
commander, or captain.

“§ 20234. Opportunities for consideration for pro-
motion

“(a) SPECIFICATION OF NUMBER OF OPPORTUNI-
TIES FOR CONSIDERATION FOR PROMOTION.—Under reg-
ulations prescribed by the Secretary of Defense, the Sec-
retary of the Air Force shall specify the number of oppor-
tunities for consideration for promotion to be afforded to
Space Force officers for promotion to each grade above
the grade of captain.

“(b) LIMITATION ON NUMBER OF OPPORTUNITIES
THAT MAY BE SPECIFIED.—The number of opportunities
for consideration for promotion to be afforded officers of
the Space Force for promotion to a particular grade may
not be fewer than two and may not exceed five.
(c) Limited Authority of Secretary of the Air Force to Modify Number of Opportunities.—
The Secretary of the Air Force may change the number of opportunities for consideration for promotion to a particular grade not more frequently than once every five years.

(d) Authority of Secretary of Defense to Modify Number of Opportunities.—The Secretary of Defense may modify the number of opportunities for consideration for promotion to be afforded officers of the Space Force for promotion to a particular grade.

§ 20235. Space Force officer list

(a) Single List.—The Secretary of the Air Force shall maintain a single list of all Space Force officers serving in a space force active status. The list shall be known as the space force officer list.

(b) Order of Officers on List.—Officers shall be carried on the space force officer list in the order of seniority of the grade in which they are serving. Officers serving in the same grade shall be carried in the order of their rank in that grade.

(c) Effect of Service in a Temporary Appointment.—An officer whose position on the space force officer list results from service under a temporary appointment or in a grade held by reason of assignment to a posi-
tion has, when that appointment or assignment ends, the grade and position on the space force officer list that the officer would have held if the officer had not received that appointment or assignment.

§ 20236. Competitive categories

(a) REQUIREMENT TO ESTABLISH COMPETITIVE CATEGORIES FOR PROMOTION.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force shall establish at least one competitive category for promotion for officers on the space force officer list. Each officer whose name appears on the space force officer list shall be carried in a competitive category of officers. Officers in the same competitive category shall compete among themselves for promotion.

(b) SINGLE COMPETITIVE CATEGORY FOR PROMOTION TO GENERAL OFFICER GRADES.—The Secretary of the Air Force shall establish a single competitive category for all officers on the space force officer list who will be considered by a selection board convened under section 20211 of this title for promotion to the grade of brigadier general or major general.

§ 20237. Numbers to be recommended for promotion

(a) PROMOTION TO GRADES BELOW BRIGADIER GENERAL.—
“(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to a grade below brigadier general and in any competitive category, the Secretary of the Air Force shall determine—

“(A) the number of positions needed to accomplish mission objectives which require officers of that competitive category in the grade to which the board will recommend officers for promotion;

“(B) the estimated number of officers needed to fill vacancies in those positions during the period in which it is anticipated that officers selected for promotion will be promoted; and

“(C) the number of officers in a space force active status authorized by the Secretary of the Air Force to serve both on sustained duty and not on sustained duty in the grade and competitive category under consideration.

“(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers in that competitive category which the selection board may recommend for promotion.
“(b) PROMOTION TO BRIGADIER GENERAL AND MAJOR GENERAL.—

“(1) Before convening a selection board under section 20211 of this title to consider officers for recommendation for promotion to the grade of brigadier general or major general, the Secretary of the Air Force shall determine—

“(A) the number of positions needed to accomplish mission objectives which require officers serving in a space force active status on sustained duty, and in a space force active status not on sustained duty, in the grade to which the board will recommend officers for promotion; and

“(B) the estimated number of officers on sustained duty and not on sustained duty needed to fill vacancies in those positions over the 24-month period beginning on the date on which the selection board convenes.

“(2) Based on the determinations under paragraph (1), the Secretary of the Air Force shall determine the maximum number of officers serving in a space force active status on sustained duty, and the maximum number of officers serving in a space
force active status not on sustained duty, which the
selection board may recommend for promotion.

“§ 20238. Promotions: how made; authorized delay of
promotions
“(a) Procedure for promotion of officers on
an approved promotion list.—
“(1) Placement of names on promotion
list.—When the report of a selection board con-
vened under section 20211 of this title is approved
by the President, the Secretary of the Air Force
shall place the names of all officers approved for
promotion within a competitive category on a single
list for that competitive category, to be known as a
promotion list, in the order of the seniority of such
officers on the list or based on particular merit, as
determined by the promotion board, or as modified
by the Secretary of the Air Force under section
20216 of this title. A promotion list is considered to
be established under this section as of the date of
the approval of the report of the selection board
under the preceding sentence.
“(2) Order and timing of promotions.—
Except as provided in subsection (d), officers on a
promotion list for a competitive category shall be
promoted to the next higher grade when additional
officers in that grade and competitive category are needed. Promotions shall be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in that competitive category have been promoted. Officers to be promoted to the grade of first lieutenant shall be promoted in accordance with regulations prescribed by the Secretary of the Air Force.

“(3) LIMITATION ON PROMOTIONS TO GENERAL OFFICER GRADES TO COMPLY WITH STRENGTH LIMITATIONS.—Under regulations prescribed by the Secretary of Defense, the promotion of an officer on the space force officer list to the grade of brigadier general or major general shall be delayed if that promotion would cause any strength limitation of section 526 of this title to be exceeded. The delay shall expire when the Secretary of the Air Force determines that the delay is no longer required to ensure compliance with the strength limitation.

“(4) PROMOTION OF FIRST LIEUTENANTS ON AN ALL-FULLY-QUALIFIED OFFICERS LIST.—

“(A) Except as provided in subsection (d), officers on the space force officer list in the grade of first lieutenant who are on an ap-
proved all-fully-qualified-officers list shall be
promoted to the grade of captain in accordance
with regulations prescribed by the Secretary of
the Air Force.

“(B) An all-fully-qualified-officers list shall
be considered to be approved for purposes of
subparagraph (A) when the list is approved by
the President. When so approved, such a list
shall be treated in the same manner as a pro-
motion list under this chapter.

“(C) The Secretary of the Air Force may
make a recommendation to the President for
approval of an all-fully-qualified-officers list
only when the Secretary determines that all of-
ficers on the list are needed in the next higher
grade to accomplish mission objectives.

“(D) For purposes of this paragraph, an
all-fully-qualified-officers list is a list of all offi-
cers on the space force officers list in a grade
who the Secretary of the Air Force deter-
mines—

“(i) are fully qualified for promotion
to the next higher grade; and

“(ii) would be eligible for consider-
ation for promotion to the next higher
grade by a selection board convened under section 20211 of this title upon the convening of such a board.

“(E) If the Secretary of the Air Force determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.

“(b) DATE OF RANK.—The date of rank of an officer appointed to a higher grade under this section is determined under section 741(d) of this title.

“(c) APPOINTMENT AUTHORITY.—Appointments under this section shall be made by the President, by and with the advice and consent of the Senate, except that appointments under this section in the grade of first lieutenant or captain shall be made by the President alone.

“(d) AUTHORITY TO DELAY APPOINTMENTS FOR SPECIFIED REASONS.—The provisions of subsection (d) of section 624 of this title shall apply to the appointment of an officer under this section in the same manner as they apply to an appointment of an officer under that section, and any reference in that subsection to an active-
duty list shall be treated for purposes of applicability to an officer of the Space Force as referring to the space force officer list.

“SUBCHAPTER IV—PERSONS NOT CONSIDERED FOR PROMOTION AND OTHER PROMOTION-RELATED PROVISIONS

§ 20251. Special selection boards

“(a) Persons Not Considered by Promotion Board Due to Administrative Error.—

“(1) If the Secretary of the Air Force determines that because of administrative error a person who should have been considered for selection for promotion by a selection board convened under section 20211 of this title was not so considered, the Secretary shall convene a special selection board under this subsection to determine whether that person should be recommended for promotion.

“(2) A special selection board convened under paragraph (1) shall consider the record of the person whose name was referred to it for consideration as that record would have appeared to the board that should have considered the person. That record shall be compared with a sampling of the records of those officers of the same competitive category who were recommended for promotion, and those officers who
were not recommended for promotion, by the board
that should have considered the person.

“(3) If a special selection board convened under
paragraph (1) does not recommend for promotion a
person whose name was referred to it for consider-
ation for selection for appointment to a grade other
than a general officer grade, the person shall be con-
sidered to have failed of selection for promotion.

“(b) PERSONS CONSIDERED BY PROMOTION BOARD
IN UNFAIR MANNER.—

“(1) If the Secretary of the Air Force deter-
nines, in the case of a person who was considered
for selection for promotion by a board convened
under section 20211 of this title but was not se-
lected, that there was material unfairness with re-
spect to that person, the Secretary may convene a
special selection board under this subsection to de-
determine whether that person should be recommended
for promotion. In order to determine that there was
material unfairness, the Secretary must determine
that—

“(A) the action of the selection board that
considered the person was contrary to law in a
matter material to the decision of the board or
involved material error of fact or material administrative error; or

“(B) the board did not have before it for its consideration material information.

“(2) A special selection board convened under paragraph (1) shall consider the record of the person whose name was referred to it for consideration as that record, if corrected, would have appeared to the board that considered the person. That record shall be compared with the records of a sampling of those officers of the same competitive category who were recommended for promotion, and those officers who were not recommended for promotion, by the board that considered the person.

“(3) If a special selection board convened under paragraph (1) does not recommend for promotion a person whose name was referred to it for consideration, the person incurs no additional failure of selection for promotion.

“(c) REPORTS OF BOARDS.—

“(1) Each special selection board convened under this section shall submit to the Secretary of the Air Force a written report, signed by each member of the board, containing the name of each person it recommends for promotion and certifying that the
board has carefully considered the record of each
person whose name was referred to it.

“(2) The provisions of sections 20215 and
20216 of this title apply to the report and pro-
ceedings of a special selection board convened under
this section in the same manner as they apply to the
report and proceedings of a selection board convened
under section 20211 of this title.

“(d) APPOINTMENT OF PERSONS SELECTED BY
BOARDS.—

“(1) If the report of a special selection board
convened under this section, as approved by the
President, recommends for promotion to the next
higher grade a person whose name was referred to
it for consideration, that person shall, as soon as
practicable, be appointed to that grade in accordance
with subsections (b), (c), and (d) of section 20238
of this title.

“(2) A person who is appointed to the next
higher grade as the result of the recommendation of
a special selection board convened under this section
shall, upon that appointment, have the same date of
rank, the same effective date for the pay and allow-
ances of that grade, and the same position on the
space force officer list as the person would have had
if the person had been recommended for promotion
to that grade by the board which should have con-sidered, or which did consider, the person.

“(e) DECEASED PERSONS.—If a person whose name
is being considered for referral to a special selection board
under this section dies before the completion of pro-ceedings under this section with respect to that person,
this section shall be applied to that person posthumously.

“(f) CONVENING OF BOARDS.—A board convened
under this section—

“(1) shall be convened under regulations pre-scribed by the Secretary of Defense;

“(2) shall be composed in accordance with sec-
tion 20212 of this title and regulations prescribed by
the Secretary of the Air Force; and

“(3) shall be subject to the provisions of section
613 of this title.

“(g) JUDICIAL REVIEW.—The provisions of sub-
section (g) of section 628 of this title (relating to judicial
review) apply to the following actions with respect of any
person in the same manner as those provisions apply to
corresponding actions under such section 628 with respect
to an officer or former officer of the Air Force:
“(1) A determination by the Secretary of the Air Force under subsection (a)(1) or (b)(1) not to convene a special selection board.

“(2) The action of a special selection board convened under this section.

“(3) An action of the Secretary of the Air Force on the report of such a board.

“(h) LIMITATIONS OF OTHER JURISDICTION.—No official or court of the United States may, with respect to a claim based to any extent on the failure of a person to be selected for promotion by a promotion board—

“(1) consider the claim unless the person has first been referred by the Secretary of the Air Force to a special selection board convened under this section and acted upon by that board and the report of the board has been approved by the President; or

“(2) except as provided in subsection (g), grant any relief on the claim unless the person has been selected for promotion by a special selection board convened under this section to consider the person for recommendation for promotion and the report of the board has been approved by the President.

“(i) EXISTING JURISDICTION.—Nothing in this section limits—
“(1) the jurisdiction of any court of the United States under any provision of law to determine the validity of any law, regulation, or policy relating to selection boards; or

“(2) the authority of the Secretary of the Air Force to correct a military record under section 1552 of this title.

“(j) REGULATIONS.—

“(1) IN GENERAL.—The Secretary of the Air Force shall prescribe regulations to carry out this section.

“(2) EXCLUSION.—Regulations under this subsection may not apply to subsection (g) of section 628 of this title (as incorporated by subsection (g) of this section), other than to paragraph (3)(C) of that subsection.

“(3) PRESCRIBING OF CIRCUMSTANCES FOR CONSIDERATION BY A BOARD UNDER THIS SECTION.—The Secretary may prescribe in the regulations under this subsection the circumstances under which consideration by a special selection board may be provided for under this section, including the following:

“(A) The circumstances under which consideration of a person’s case by a special selec-
tion board is contingent upon application by or for that person.

“(B) Any time limits applicable to the filing of an application for such consideration.

“(4) REGULATIONS SUBJECT TO SECRETARY OF DEFENSE APPROVAL.—Regulations prescribed by the Secretary of the Air Force under this subsection may not take effect until approved by the Secretary of Defense.

“§ 20252. Other promotion matters

“(a) SPECIAL SELECTION BOARD MATTERS.—The reference in section 628(a)(1) of this title to a person above the promotion zone does not apply in the promotion of officers on the space force officer list.

“(b) With respect to the promotion of officers on the space force officer list, the provisions of part II of subtitle A that refer to the effect of twice failing of selection for promotion do not apply.

“SUBCHAPTER V—APPLICABILITY OF OTHER LAWS

“§ 20261. Applicability of certain DOPMA officer personnel policy provisions

Except as otherwise modified or provided for in this chapter, the following provisions of chapter 36 of this title (relating to promotion, separation, and involuntary retire-
ment of officers on the active-duty list) shall apply to Space Force officers and officer promotions:

“(1) Subchapter I (relating to selection boards).

“(2) Subchapter II (relating to promotions).

“(3) Subchapter III (relating to failure of selection for promotion and retirement for years of service), other than sections 627, 631, and 632.

“(4) Subchapter IV (relating to continuation on active duty and selective early retirement), other than sections 637, 637a, and 638.

“(5) Subchapter V (additional provisions relating to promotion, separation, and retirement).

“(6) Subchapter VI (relating to alternative promotion authority for officers in designated competitive categories).”.

(d) Temporary (“brevet”) Promotions for Officers With Critical Skills.—Section 605 of title 10, United States Code, is amended as follows:

(1) Coverage of Space Force officers.—Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are amended by striking “or Marine Corps,” each place it appears and inserting “Marine Corps, or Space Force,”.

(2) Disaggregation of Air Force maximum numbers.—Subsection (g) is amended—
(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

“(2) In the case of the Air Force—

“(A) as captain 95;

“(B) as major, 305;

“(C) as lieutenant colonel, 165; and

“(D) as colonel, 75.

“(3) In the case of the Space Force—

“(A) as captain, 5;

“(B) as major, 20;

“(C) as lieutenant colonel, 10; and

“(D) as colonel, 5.”.
SEC. 1717. ENLISTED MEMBERS.

(a) In General.—Subtitle F of title 10, United States Code, as amended by section 1716, is further amended by adding at the end the following new chapter:

“CHAPTER 2007—ENLISTED MEMBERS

“Sec.

“20301. Original enlistments: qualifications; grade.


“20303. Reference to chapter 31.

“§ 20301. Original enlistments: qualifications; grade

“(a) Original Enlistments.—

“(1) Authority to Accept.—The Secretary of the Air Force may accept original enlistments in the Space Force of qualified, effective, and able-bodied persons.

“(2) Age.—A person accepted for original enlistment shall be not less than seventeen years of age. However, no person under eighteen years of age may be originally enlisted without the written consent of the person’s parent or guardian, if the person has a parent or guardian entitled to the person’s custody and control.

“(b) Grade.—A person is enlisted in the Space Force in the grade prescribed by the Secretary of the Air Force.
§ 20302. Enlisted members: term of enlistment

(a) Term of Original Enlistments.—The Secretary of the Air Force may accept original enlistments of persons for the duration of their minority or for a period of at least two but not more than eight years in the Space Force.

(b) Term of Reenlistments.—The Secretary of the Air Force may accept a reenlistment in the Space Force for a period determined in accordance with paragraphs (2), (3), and (4) of section 505(d) of this title.

§ 20303. Reference to chapter 31

For other provisions of this title applicable to enlistments in the Space Force, see chapter 31 of this title.”.

(b) Amendments to Title 10 Chapter Relating to Enlistments.—Chapter 31 of such title is amended as follows:

(1) Recruiting Campaigns.—Section 503(a) is amended by inserting “and the Space Force” after “Regular Coast Guard”.

(2) Qualifications, Term, Grade.—Section 505 is amended—

(A) by striking “Regular Space Force,” each place it appears; and

(B) by adding at the end the following new subsection:
“(e) ENLISTMENTS IN THE SPACE FORCE.—For enlistments in the Space Force, see sections 20301 and 20302 of this title.”.

(3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking “Regular” before “Space Force”.

(4) REENLISTMENT.—Section 508 is amended striking “Regular” before “Space Force” in subsections (b) and (e).

(5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

(A) in paragraph (2), by inserting “or the Space Force” after “Selected Reserve”; and

(B) in paragraph (3)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(ii) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) in the Space Force;”; and

(iii) in subparagraph (F), as so redesignated, by striking “subparagraphs (A) through (D)” and inserting “subparagraphs (A) through (E)”.

1 “(e) ENLISTMENTS IN THE SPACE FORCE.—For enlistments in the Space Force, see sections 20301 and 20302 of this title.”.

3 (3) EXTENSION OF ENLISTMENTS DURING WAR.—Section 506 is amended by striking “Regular” before “Space Force”.

5 (4) REENLISTMENT.—Section 508 is amended striking “Regular” before “Space Force” in subsections (b) and (e).

7 (5) ENLISTMENT INCENTIVES FOR PURSUIT OF SKILLS TO FACILITATE NATIONAL SERVICE.—Section 510(c) is amended—

9 (A) in paragraph (2), by inserting “or the Space Force” after “Selected Reserve”; and

11 (B) in paragraph (3)—

13 (i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

15 (ii) by inserting after subparagraph (C) the following new subparagraph (D):

17 “(D) in the Space Force;”; and

19 (iii) in subparagraph (F), as so redesignated, by striking “subparagraphs (A) through (D)” and inserting “subparagraphs (A) through (E)”.

21
(6) **COLLEGE FIRST PROGRAM.**—Section 511(b)(1)(A), is amended by inserting “or as a member of the Space Force,” after “reserve component,”.

(7) **DELAYED ENTRY PROGRAM.**—Section 513(a) is amended—

(A) by inserting, “, or who is qualified under section 20301 of this title and applicable regulations for enlistment in the Space Force,” after “armed force”; and

(B) by inserting “, or be enlisted as a member of the Space Force,” after “Coast Guard Reserve”.

(8) **EFFECT UPON ENLISTED STATUS OF ACCEPTANCE OF APPOINTMENT AS CADET OR MIDSHIPMAN.**—Section 516(b) is amended by inserting “or in the Space Force,” after “armed force”.

SEC. 1718. RETENTION AND SEPARATION GENERALLY.

(a) In General.—Subtitle F of title 10, United States Code, as amended by section 1717, is further amended by adding at the end the following new chapter:

“CHAPTER 2009—RETENTION AND SEPARATION GENERALLY

Sec.

20401. Applicability of certain provisions of law related to separation.

20402. Enlisted members: standards and qualifications for retention.

20403. Officers: standards and qualifications for retention.

20404. Selection of officers for early retirement or discharge.

20404. Force shaping authority.

“§ 20401. Applicability of certain provisions of law related to separation

“(a) Officer Separation.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

“(b) Except as specified in this section or otherwise modified in this chapter, the provisions of sections 1169, 1170, 1171, 1173, 1174(b) 1176(a) of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

“(c) The provisions of section 1172 of this title pertaining to a person enlisted under section 518 of this title shall apply to an enlisted member of the Space Force.

“(d) The provisions of section 1174 of this title—
“(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

“(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

“(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.

“(e) The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

“(f) The provisions of section 1176 of this title—

“(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

“(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a space force active status or on sustained duty.
§ 20402. Enlisted members: standards and qualifications for retention

(a) STANDARDS AND QUALIFICATIONS FOR RETENTION.—The Secretary of the Air Force shall, by regulation, prescribe—

(1) standards and qualifications for the retention of enlisted members of the Space Force; and

(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.

(b) EFFECT OF FAILURE TO COMPLY WITH STANDARDS AND QUALIFICATIONS.—If an enlisted member serving in Space Force active status fails to comply with the standards and qualifications prescribed under subsection (a), the member shall—

(1) if qualified, be transferred to Space Force inactive status;

(2) if qualified, be retired in accordance with section 20603 of this title; or

(3) have the member’s enlistment terminated.

§ 20403. Officers: standards and qualifications for retention

(a) STANDARDS AND QUALIFICATIONS.—To be retained in an active status, a Space Force officer must—

(1) in any applicable yearly period, attain the number of points under section 12732(a)(2) of this
title that are prescribed by the Secretary of the Air Force; and

“(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

“(b) LIMITATION ON MINIMUM NUMBER OF POINTS.—The Secretary may not prescribe a minimum of more than 50 points under subsection (a).

“(c) RESULT OF FAILURE TO COMPLY.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the standards and qualifications prescribed under subsection (a)(2), may be referred to a board convened under section 20501(a) of this title.

“§ 20404. Selection of officers for early retirement or discharge

“(a) CONSIDERATION FOR EARLY RETIREMENT.—The Secretary of the Air Force may convene selection boards under section 20211(b) of this title to consider for early retirement officers on the space force officer list as follows:

“(1) Officers in the grade of lieutenant colonel who have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion.
“(2) Officers in the grade of colonel who have served in that grade for at least two years and whose names are not on a list of officers recommended for promotion.

“(3) Officers, other than those described in paragraphs (1) and (2), holding a grade below the grade of colonel—

“(A) who are eligible for retirement under section 20601 of this title or who after two additional years or less of active service would be eligible for retirement under that section; and

“(B) whose names are not on a list of officers recommended for promotion.

“(b) CONSIDERATION FOR DISCHARGE.—

“(1) The Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the space force officer list—

“(A) who have served at least one year of active status in the grade currently held;

“(B) whose names are not on a list of officers recommended for promotion; and

“(C) who are not eligible to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the
National Defense Authorization Act for Fiscal Year 1993) and are not within two years of becoming so eligible.

“(2) An officer who is recommended for discharge by a selection board convened pursuant to the authority of paragraph (1) and whose discharge is approved by the Secretary of the Air Force shall be discharged on a date specified by the Secretary.

“(3) Selection of officers for discharge under paragraph (1) shall be based on the needs of the service.

“(c) DISCHARGES AND RETIREMENTS CONSIDERED TO BE INVOLUNTARY.—The discharge or retirement of an officer pursuant to this section shall be considered to be involuntary for purposes of any other provision of law.

“§ 20405. Force shaping authority

“(a) AUTHORITY.—The Secretary of the Air Force may, solely for the purpose of restructuring the Space Force—

“(1) discharge an officer described in subsection (b); or

“(2) involuntarily release such an officer from sustained duty.

“(b) COVERED OFFICERS.—
“(1) The authority under this section may be exercised in the case of an officer of the Space Force serving on sustained duty who—

“(A) has completed not more than six years of service as a commissioned officer in the armed forces; or

“(B) has completed more than six years of service as a commissioned officer in the armed forces, but has not completed the minimum service obligation applicable to that officer.

“(2) In this subsection, the term ‘minimum service obligation’, with respect to a member of the Space Force, means the initial period of required active duty service applicable to the member, together with any additional period of required active duty service incurred by that member during the member’s initial period of required active duty service.

“(c) REGULATIONS.—The Secretary of the Air Force shall prescribe regulations for the exercise of the Secretary’s authority under this section.”.

(b) CONFORMING AMENDMENTS.—Section 647 of title 10, United States Code, is amended—

(1) in subsection (b), by inserting “(other than an officer of the Space Force)” after “in the case of an officer”;}
(2) in subsection (c), by striking “Regular Marine Corps, of Regular Space Force” and inserting “or Regular Marine Corps”; and

(3) by adding at the end the following new subsection:

“(e) SPACE FORCE.—For a similar provision with respect to officers of the Space Force, see section 20405 of this title.”.
SEC. 1719. SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMAN

CE OF DUTY OR FOR CERTAIN OTHER REASONS.

Subtitle F of title 10, United States Code, as amend-
ed by section 1718, is further amended by adding at the end the following new chapter:

“CHAPTER 2011—SEPARATION OF OFFICERS FOR SUBSTANDARD PERFORMANCE OF DUTY OR FOR CERTAIN OTHER REASONS

“(a) PROCEDURES FOR REVIEW OF RECORD OF OFFICERS RELATING TO STANDARDS OF PERFORMANCE OF DUTY.—

“(1) The Secretary of the Air Force shall prescribe, by regulation, procedures for the review at any time of the record of any commissioned officer...
(other than a retired officer) of the Space Force in
a space force active status to determine whether the
officer shall be required, because of a reason stated
in paragraph (2), to show cause for the officer’s re-
tention in a space force active status.

“(2) The reasons referred to in paragraph (1)
are the following:

“(A) The officer’s performance of duty has
fallen below standards prescribed by the Sec-
retary of Defense.

“(B) The officer has failed to satisfy the
standards and qualifications established under
section 20403 of this title by the Secretary of
the Air Force.

“(b) PROCEDURES FOR REVIEW OF RECORD OF OF-
FICERS RELATING TO CERTAIN OTHER REASONS.—

“(1) The Secretary of the Air Force shall pre-
scribe, by regulation, procedures for the review at
any time of the record of any commissioned officer
(other than a retired officer) of the Space Force in
a space force active status to determine whether the
officer should be required, because of a reason stat-
ed in paragraph (2), to show cause for the officer’s
retention in a space force active status.
“(2) The reasons referred to in paragraph (1) are the following:

“(A) Misconduct.

“(B) Moral or professional dereliction.

“(C) The officer’s retention is not clearly consistent with the interests of national security.

“(c) SECRETARY OF DEFENSE LIMITATIONS.—Regulations prescribed by the Secretary of the Air Force under this section are subject to such limitations as the Secretary of Defense may prescribe.

§ 20502. Retention boards

“(a) CONVENING OF BOARDS TO CONSIDER OFFICERS REQUIRED TO SHOW CAUSE.—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a space force active status should be retained in a space force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

“(b) FAIR AND IMPARTIAL HEARING.—A retention board shall give a fair and impartial hearing to each offi-
cer required under section 20501 of this title to show cause for retention in a space force active status.

“(c) Effect of Board Determination Than An Officer Has Failed to Establish That the Officer Should Be Retained.—

“(1) If a retention board determines that the officer has failed to establish that the officer should be retained in a space force active status, the board shall recommend to the Secretary of the Air Force one of the following:

“(A) That the officer be transferred to an inactive status.

“(B) That the officer, if qualified under any provision of law, be retired.

“(C) That the officer be discharged from the Space Force.

“(2) Under regulations prescribed by the Secretary of the Air Force, an officer as to whom a retention board makes a recommendation under paragraph (1) that the officer not be retained in a space force active status may be required to take leave pending the completion of the officer’s case under this chapter. The officer may be required to begin such leave at any time following the officer’s receipt of the report of the retention board, including the
board’s recommendation for removal from a space
force active status, and the expiration of any period
allowed for submission by the officer of a rebuttal to
that report. The leave may be continued until the
date on which action by the Secretary of the Air
Force on the officer’s case is completed or may be
terminated at any earlier time.

“(d) Effect of Board Determination Than an
Officer Has Established That the Officer
Should Be Retained.—

“(1) If a retention board determines that the
officer has established that the officer should be re-
tained in a space force active status, the officer’s
case is closed.

“(2) An officer who is required to show cause
for retention in a space force active status under
subsection (a) of section 20501 of this title and who
is determined under paragraph (1) to have estab-
lished that the officer should be retained in a space
force active status may not again be required to
show cause for retention in a space force active sta-
tus under such subsection within the one-year period
beginning on the date of that determination.

“(3)(A) Subject to subparagraph (B), an officer
who is required to show cause for retention in a
space force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a space force active status may again be required to show cause for retention at any time.

“(B) An officer who has been required to show cause for retention in a space force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be required to show cause for retention in a space force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer’s previous case are determined to have been obtained by fraud or collusion.

“(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer’s performance within the Space Force.
§ 20503. Removal of officer: action by Secretary upon recommendation of retention board

“The Secretary of the Air Force may remove an officer from space force active status if the removal of such officer from space force active status is recommended by a retention board convened under section 20502 of this title.

§ 20504. Rights and procedures

(a) In General.—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a space force active status—

(1) shall be notified in writing, at least 30 days before the hearing of the officer’s case by a retention board, of the reasons for which the officer is being required to show cause for retention in a space force active status;

(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer’s showing of cause for retention in a space force active status;

(3) shall be allowed to appear either in person or through electronic means and to be represented by counsel at proceedings before the board; and

(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer’s
case, except that the board shall withhold any record
that the Secretary determines should be withheld in
the interest of national security.

“(b) Summary of Records Withheld in Interest of National Security.—When a record is withheld
under subsection (a)(4), the officer whose case is under
consideration shall, to the extent that the interest of na-
tional security permits, be furnished a summary of the
record so withheld.

“§ 20505. Officer considered for removal: voluntary
retirement or discharge

“(a) In General.—At any time during proceedings
under this chapter with respect to the removal of an offi-
cer from a space force active status, the Secretary of the
Air Force may grant a request by the officer—

“(1) for voluntary retirement, if the officer is
qualified for retirement; or

“(2) for discharge in accordance with sub-
section (b)(2).

“(b) Retirement or Discharge.—An officer re-
moved from a space force active status under section
20503 of this title shall—

“(1) if eligible for voluntary retirement under
any provision of law on the date of such removal, be
retired in the grade and with the retired pay for
which the officer would be eligible if retired under such provision; and

“(2) if ineligible for voluntary retirement under any provision of law on the date of such removal—

“(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

“(B) be discharged in the grade then held, in the case of an officer whose case was brought under subsection (b) of section 20501 of this title.

“(c) SEPARATION PAY FOR DISCHARGED OFFICER.—An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

§20506. Officers eligible to serve on retention boards

“(a) IN GENERAL.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

“(b) RETIRED AIR FORCE OFFICERS.—

“(1) AUTHORITY.—In applying subsection (b) of section 1187 of this title to a board convened
under this chapter, the Secretary of the Air Force
may appoint retired officers of the Air Force, in ad-
dition to retired officers of the Space Force, to com-
plete the membership of the board.

“(2) LIMITATION.—A retired officer of the Air
Force may be appointed to a board under paragraph
(1) only if the officer served in a space-related ca-
reer field of the Air Force for sufficient time such
that the Secretary of the Air Force determines that
the retired Air Force officer has adequate knowledge
concerning the standards of performance and con-
duct required of an officer of the Space Force.”.
SEC. 1720. RETIREMENT.

(a) IN GENERAL.—Subtitle F of title 10, United States Code, as amended by section 1719, is further amended by adding at the end the following new chapter:

“CHAPTER 2013—VOLUNTARY RETIREMENT FOR LENGTH OF SERVICE

Sec.

20601. Officers: voluntary retirement for length of service.
20602. Officers: computation of years of service for voluntary retirement.
20603. Enlisted members: voluntary retirement for length of service.
20604. Enlisted members: computation of years of service for voluntary retirement.
20605. Applicability of other provisions of law relating to retirement.

§ 20601. Officers: voluntary retirement for length of service

“(a) TWENTY YEARS OR MORE.—The Secretary of the Air Force may, upon the officer’s request, retire a commissioned officer of the Space Force who has at least 20 years of service computed under section 20602 of this title, at least 10 years of which have been active service as a commissioned officer.

“(b) THIRTY YEARS OR MORE.—A commissioned officer of the Space Force who has at least 30 years of service computed under section 20602 of this title may be retired upon the officer’s request, in the discretion of the President.

“(c) FORTY YEARS OR MORE.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service com-
§ 20602. Officers: computation of years of service for voluntary retirement

“(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer’s years of service are computed by adding all active service in the armed forces.

“(b) REFERENCE TO SECTION EXCLUDING SERVICE DURING CERTAIN PERIODS.—Section 972(b) of this title excludes from computation of an officer’s years of service for purposes of this section any time identified with respect to that officer under that section.

§ 20603. Enlisted members: voluntary retirement for length of service

“(a) TWENTY TO THIRTY YEARS.—Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Space Force who has at least 20, but less than 30, years of service computed under section 20604 of this title may, upon the member’s request, be retired.

“(b) THIRTY YEARS OR MORE.—An enlisted member of the Space Force who has at least 30 years of service
computed under section 20604 of this title shall be retired
upon the member’s request.

“§ 20604. Enlisted members: computation of years of
service for voluntary retirement

“(a) YEARS OF ACTIVE SERVICE.—For the purpose
of determining whether an enlisted member of the Space
Force may be retired under section 20603 of this title,
the member’s years of service are computed by adding all
active service in the armed forces.

“(b) REFERENCE TO SECTION EXCLUDING COUNT-
ing of Certain Service Required to Be Made up.—
Time required to be made up under section 972(a) of this
title may not be counted in computing years of service
under subsection (a).

“§ 20605. Applicability of other provisions of law re-
lating to retirement

“(a) APPLICABILITY TO MEMBERS OF THE SPACE
Force.—Except as specifically provided for by this chap-
ter, the provisions of this title specified in subsection (b)
apply to members of the Space Force as follows:

“(1) Provisions pertaining to an officer of the
Air Force shall apply to an officer of the Space
Force.
“(2) Provisions pertaining to an enlisted member of the Air Force shall apply to an enlisted member of the Space Force.

“(3) Provisions pertaining to a regular officer shall apply to an officer who is on sustained duty in the Space Force.

“(4) Provisions pertaining to a regular enlisted member shall apply to an enlisted member who is on sustained duty in the Space Force.

“(5) Provisions pertaining to a reserve officer shall apply to an officer who is in a space force active status but not on sustained duty.

“(6) Provisions pertaining to a reserve enlisted member shall apply to an enlisted member who is in a space force active status but not on sustained duty.

“(7) Provisions pertaining to service in a regular component shall apply to service on sustained duty.

“(8) Provisions pertaining to service in a reserve component shall apply to service in a space force active status not on sustained duty.

“(9) Provisions pertaining to a member of the Ready Reserve shall apply to a member of the Space
Force who is in a space force active status prior to
being ordered to active duty.

“(10) Provisions pertaining to a member of the
Retired Reserve shall apply to a member of the
Space Force who has retired under chapter 1223 of
this title.

“(b) PROVISIONS OF LAW.—The provisions of this
title referred to in subsection (a) are the following:

“(1) Chapter 61, relating to retirement or separ-
ation for physical disability.

“(2) Chapter 63, relating to retirement for age.

“(3) Chapter 69, relating to retired grade.

“(4) Chapter 71, relating to computation of re-
tired pay.

“(5) Chapter 941, relating to retirement from
the Air Force for length of service.

“(6) Chapter 945, relating to computation of
retired pay.

“(7) Chapter 1223, relating to retired pay for
non-regular service.

“(8) Chapter 1225, relating to retired grade.”.

(b) CONFORMING AMENDMENTS.—Title 10, United
States Code, is amended as follows:

(1) RETIRED MEMBERS ORDERED TO ACTIVE
DUTY.—Section 688(b) is amended—
(A) in paragraph (1), by striking “Regular
Marine Corps, or Regular Space Force” and in-
serting “or Regular Marine Corps”; and
(B) by adding at the end the following new
paragraph:
“(4) A retired member of the Space Force.”.

(2) RETIRED GRADE.—Section 9341 is amend-
ed—
(A) by striking “or the Space Force” both
places it appears in subsection (a);
(B) by striking “or a Regular or Reserve
of the Space Force” in subsection (b); and
(C) by adding at the end the following new
subsection:
“(c) SPACE FORCE.—(1) The retired grade of a com-
missioned officer of the Space Force who retires other
than for physical disability is determined under section
1370 or 1370a of this title, as applicable to the officer.
“(2) Unless entitled to a higher retired grade under
some other provision of law, a member of the Space Force
not covered by paragraph (1) who retires other than for
physical disability retires in the grade that the member
holds on the date of the member’s retirement.”.

(3) RETIRED GRADE OF ENLISTED MEMBERS
AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2)
is amended by striking “Regular” before “Space
Force”.

(4) RETIRED LISTS.—Section 9346 is amend-
ed—

(A) in subsection (a), by striking “or the
Regular Space Force” and inserting “and a
separate retired list containing the name of
each retired commissioned officer of the Space
Force (other than an officer whose name is on
the list maintained under subsection (b)(2))”;

(B) in subsection (b)—

(i) by inserting “(1)” after “(b)”;

(ii) by redesignating paragraphs (1)
and (2) as subparagraphs (A) and (B), re-
spectively;

(iii) in subparagraph (A), as so redes-
ignated, by striking “, or for commissioned
officers of the Space Force other than of
the Regular Space Force”;

(iv) in subparagraph (B), as so redes-
ignated, by striking “or the Space Force”; and

(v) by adding at the end the following
new paragraph:
“(2) The Secretary shall maintain a retired list containing the name of—

“(A) each person entitled to retired pay who as a member of the Space Force qualified for retirement under section 20601 of this title; and

“(B) each retired warrant officer or enlisted member of the Space Force who is advanced to a commissioned grade.”;

(C) in subsection (c), by striking “or the Space Force” and inserting “and a separate retired list containing the name of each retired warrant officer of the Space Force”; and

(D) in subsection (d), by striking “or the Regular Space Force” and inserting “and a separate retired list containing the name of each retired enlisted member of the Space Force”.

Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

SEC. 1731. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) Provisions Relating to Personnel.—Part II of subtitle D of title 10, United States Code, is amended as follows:

(1) Gender-free basis for acceptance of original enlistments.—

(A) Section 9132 by striking “Regular” before “Space Force”.

(B) The heading of such section is amended by striking the fifth word.

(2) Reenlistment after service as an officer.—

(A) Section 9138(a) is amended by striking “Regular” before “Space Force” both places it appears.

(B) The heading of section 9138 is amended by striking the fifth word.
(3) Warrant Officers: Original Appointment; Qualifications.—Section 9160 is amended by striking “Regular” before “Space Force”.

(4) Service as an Officer to be Counted as Enlisted Service.—Section 9252 is amended by striking “Regular” before “Space Force”.

(5) Chapter Heading.—

(A) The heading of chapter 915 is amended to read as follows:

“CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND IN THE SPACE FORCE”.

(B) The tables of chapters at the beginning of subtitle D, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new item:

“915. Appointments in the Regular Air Force and in the Space Force 9151”.

(b) Provisions Relating to Training Generally.—Section 9401 of such title is amended—

(1) in subsection (b)—

(A) by striking “or the Regular Space Force” after “Regular Air Force”; and

(B) by inserting “or one of the Space Force in a space force active status not on sustained duty,” after “on the active-duty list,”;
(2) in subsection (c)—

(A) by striking “or Reserve of the Space
Force” and inserting “or member of the Space
Force in a space force active status not on sus-
tained duty”; and

(B) by striking “the Reserve’s consent”
and inserting “the member’s consent”; and

(3) in subsection (f)—

(A) by striking “the Regular Space Force”
and inserting “of Space Force members on sus-
tained duty”; and

(B) by striking “the Space Force Reserve”
and inserting “of Space Force members in an
active status not on sustained duty”.

(c) PROVISIONS RELATING TO THE AIR FORCE
ACADEMY.—Chapter 953 of such title is amended as fol-
lows:

(1) PERMANENT PROFESSORS; DIRECTOR OF
ADMISSIONS.—Section 9436 is amended—

(A) in subsection (a)—

(i) by striking “the equivalent grade
in” both places it appears;

(ii) by inserting “or the Space Force”
after “Regular Air Force” the first place it
appears;
(iii) by striking “and a permanent” and all that follows through “in the Regular Air Force”; and

(B) in subsection (b)—

(i) by striking “the equivalent grade in” both places it appears and inserting “the grade of lieutenant colonel in”; and

(ii) by striking “Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force” and inserting “Space Force has the grade of colonel in the Space Force”.

(2) APPOINTMENT OF CADETS.—Section 9442(b) is amended—

(A) in paragraph (1)(C), by inserting “, or the Space Force,” after “members of reserve components”; and

(B) in paragraph (2), by striking “Regular” before “Space Force”.

(3) AGREEMENT OF CADETS TO SERVE AS OFFICERS.—Section 9448(a) is amended—

(A) in paragraph (2)(A), by striking “Regular” before “Space Force”; and

(B) in paragraph (3)—
(i) in the matter preceding subparagraph (A), by inserting “, or to terminate the officer’s order to sustained duty in the Space Force” after “resign as a regular officer”; (ii) in subparagraph (A), by striking “or as a Reserve in the Space Force for service in the Space Force Reserve” and inserting “or will accept further assignment in a space force active status”; and (iii) in subparagraph (B), by inserting “, or the Space Force,” after “that reserve component”.

(4) HAZING.—Section 9452(e) is amended by striking “Marine Corps, or Space Force,” and inserting, “or Marine Corps, or in the Space Force,”.

(5) COMMISSION UPON GRADUATION.—Section 9453(b) is amended—

(A) by striking “or in the equivalent grade in the Regular Space Force”; and

(B) by inserting before the period the following: “or a second lieutenant in the Space Force under section 531 or 20201 of this title”.

(d) PROVISIONS RELATING TO SCHOOLS AND CAMPS.—Chapter 957 of such title is amended as follows:
(1) PURPOSE.—Section 9481 is amended—

(A) by striking “to qualify them for appointment” and inserting “to qualify them for—

“(1) appointment’’;

(B) by striking “or the Space Force Reserve.” and inserting “; or”; and

(C) by adding at the end the following new paragraph:

“(2) appointment as officers, or enlistment as noncommissioned officers, for service in the Space Force in a space force active status.”.

(2) OPERATION.—Section 9482(4) is amended by striking “or the Regular Space Force” and inserting “or members of the Space Force in an active status”.


SEC. 1732. AMENDMENTS TO SUBTITLE A OF TITLE 10, UNITED STATES CODE.

(a) PROVISIONS RELATING TO ORGANIZATION AND GENERAL MILITARY POWERS.—Part I of subtitle A of title 10, United States Code, is amended as follows:

(1) ANNUAL DEFENSE MANPOWER REPORT.—Section 115a(d)(3)(F) is amended by inserting before the period the following: “or, in the case of the Space Force, officers ordered to active duty other than under section 20105(b) of this title”.

(2) SUSPENSION OF END-STRENGTH AND OTHER STRENGTH LIMITATIONS IN TIME OF WAR OR NATIONAL EMERGENCY.—Section 123a(a)(2) is amended by inserting “or the Space Force” after “a reserve component”.

(3) DEPUTY COMMANDER OF USNORTHCOM.—Section 164(e)(4) is amended—

(A) by inserting “(A)” after “(4)”;

(B) by striking “shall be a” and all that follows and inserting “shall be—

“(i) a qualified officer of a reserve component who is eligible for promotion to the grade of lieutenant general or, in the case of the Navy, vice admiral; or

“(ii) a qualified officer of the Space Force whose prior service includes service
in a space force active status other than
sustained duty and who is eligible for pro-
motion to the grade of lieutenant gen-
eral.”; and

(C) by adding at the end the following new
subparagraph:

“(B) The requirement in subparagraph (A)
does not apply when the officer serving as com-
mander of the combatant command described in
that subparagraph is (i) a reserve component
officer, or (ii) an officer of the Space Force
whose prior service includes service in a space
force active status other than sustained duty.”.

(4) READINESS REPORTS.—Section 482(a) is
amended by inserting “and the Space Force” after
“active and reserve components” in paragraphs (1)
and (2).

(b) DOPMA OFFICER PERSONNEL PROVISIONS.—
Chapter 36 of such title is amended as follows:

(1) NONDISCLOSURE OF BOARD PRO-
CEEDINGS.—Section 613a is amended by striking
“573, 611, or 628” and inserting “573, 611, 628,
or 20211” in subsections (a) and (e).

(2) INFORMATION FURNISHED TO SELECTION
BOARDS.—Section 615(a) is amended—
(A) in paragraph (1), by inserting “or
20211” after “section 611(a)”; and

(B) in paragraph (3)—

(i) in subparagraph (B), by striking
“regular officer” and all that follows and
inserting “regular officer or an officer in
the Space Force, a grade above captain or,
in the case of the Navy, lieutenant.”; and

(ii) in subparagraph (D)—

(I) by striking “major general,”
and inserting “major general or”; and

(II) by striking “or, in the case
of the Space Force, the equivalent
grade,”.

(3) ELIGIBILITY FOR CONSIDERATION FOR PRO-
MOTION: TIME-IN-GRADE AND OTHER REQUIRE-
MENTS.—Section 619(a) is amended by striking
“Marine Corps, or Space Force” each place it ap-
pears and inserting “or Marine Corps”.

(4) AUTHORITY TO VACATE PROMOTIONS TO
GRADERS OF BRIGADIER GENERAL AND REAR ADMI-
RAL (LOWER HALF).—Section 625(b) is amended—

(A) by striking “Marine Corps, or Space
Force” and inserting “or Marine Corps”; and
(B) adding at the end the following new sentence: “An officer of the Space Force whose promotion is vacated under this section holds the grade of colonel.”.

(5) Acceptance of promotions; oath of office.—Subsections (a) and (b) of section 626 are amended by striking “section 624” and inserting “section 624 or 20251”.

(6) Special selection review board.—Section 628a is amended—

(A) in subsection (a)(1)(A)—

(i) by striking “major general,” and inserting “major general or”; and

(ii) by striking “, or an equivalent grade in the Space Force”;

(B) in subsection (e)(2), by adding at the end the following new sentence: “However, in the case of an officer on the space force officer list, the provisions of sections 618, 20215, and 20216 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to report and proceedings of a promotion board convened under section 20211 of this title.”, and
(C) in subsection (f)(1), by adding at the end the following new sentence: “However, if the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of an officer on the space force officer list who was referred to it for review under this section, and the President approves the report, the officer shall, as soon as practicable, be appointed to the grade in accordance with subsections (b) and (c) of section 20251 of this title.”.

(7) Removal from List of Officers Recommended for Promotion.—Section 629 is amended—

(A) in subsection (b), by inserting “or 20251(c)” after “section 624(c)”; and

(B) in subsections (c)(1) and (c)(4)—

(i) by inserting “or 20251(a)” after “section 624(a)”; and

(ii) by inserting “or 20251(c)” after “section 624(c)”; and

(8) Retirement for Years of Service.—

(A) Lieutenant Colonels.—Section 633(a) is amended—
(i) by inserting “(1)” before “Except as”; 

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and 

(iii) by adding at the end the following new paragraph:

“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of lieutenant colonel who is not on a list of officers recommended for promotion to the grade of colonel shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 28 years of active commissioned service.”.

(B) COLONELS.—Section 634(a) is amended—

(i) by inserting “(1)” before “Except as”; 

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and 

(iii) by adding at the end the following new paragraph:
“(2) Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of colonel who is not on a list of officers recommended for promotion to the grade of brigadier general shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 30 years of active commissioned service.”.

(C) BRIGADIER GENERALS.—Section 635 is amended—

(i) by inserting “(a) ARMY, NAVY, AIR FORCE, AND MARINE CORPS.—” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new subsection:

“(b) SPACE FORCE.—Except as provided under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of brigadier general who is not on a list of officers recommended for promotion to the grade of major general shall, if not earlier retired, be retired as specified in subsection (a).”.
(D) OFFICERS IN GRADES ABOVE BRIGADIER GENERAL.—Section 636(a) is amended—

(i) by inserting “(1)” before “Except as”;

(ii) by striking “Regular Marine Corps, or Regular Space Force” and inserting “or Regular Marine Corps”; and

(iii) by adding at the end the following new paragraph:

“(2) Except as provided in subsection (b) or (c) and under section 637(b) or 637a of this title, each officer of the Space Force who holds the grade of major general shall, if not earlier retired, be retired as specified in paragraph (1).”.

(E) SECTION HEADINGS.—

(i) The heading of section 633 is amended by striking “lieutenant colonels and” and inserting “and Space Force lieutenant colonels; regular Navy”.

(ii) The heading of section 634 is amended by striking “colonels and” and inserting “and Space Force colonels; regular”.
(iii) The heading of section 635 is amended by striking “brigadier generals and” and inserting “and Space Force brigadier generals; regular Navy”.

(iv) The heading of section 636 is amended by striking “officers in grades above brigadier general and” and inserting “and Space Force officers in grades above brigadier general; regular Navy officers in grades above”.

(c) MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS.—Section 661(a) of such title is amended—

(1) by striking “Marine Corps, and Space Force” and inserting “and Marine Corps”; and

(2) by inserting “, and officers of the Space Force on the space force officer list,” after “active-duty list”.

(d) LEAVE.—Chapter 40 of such title is amended as follows:

(1) ENTITLEMENT AND ACCUMULATION.—Section 701 is amended—

(A) in subsection (h)—
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(i) by inserting at the end of paragraph (2) the following new subparagraph:

“(D) A member of the Space Force in a space force active status, not on sustained duty.”; and

(ii) in paragraphs (5)(B) and (6), by inserting “, or of the Space Force,” after “member of a reserve component”; and

(B) in subsection (i), by inserting “, or of the Space Force,” after “member of a reserve component”.

(2) Payment upon disapproval of certain board of inquiry recommendations for excess leave required to be taken.—Section 707a(a)(1) is amended by inserting “or 20503” after “section 1182(c)(2)”.

(3) Career flexibility to enhance retention of members.—Section 710 is amended—

(A) in subsection (a), by inserting “or of the Space Force” after “regular components”; and

(B) in subsection (b)(2), by inserting “, or a Space Force officer in a space force active status not on active duty under section 20105(b) of this title,” after “officer”;
(C) in subsection (c)(1), by inserting before the period at the end the following: “or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a space force active status”; and

(D) in subsection (g)(1)(A), by striking “chapter 36 or 1405” and inserting “chapter 36, 1405, or 2005”.

(e) LIMITATION ON NUMBER OF OFFICES WHO MAY BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2) of such title is amended by inserting “, or for the Space Force, the space force officer list,” after “active-duty list”.

(f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (the Uniform Code of Military Justice), is amended as follows:

(1) PERSONS SUBJECT TO UCMJ.—Section 802 (article 2) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “and members of the Space Force on active duty under section 20105 of this title,” after “regular component of the armed forces,”;
(ii) in paragraph (3)(A)(i), by inserting “or the Space Force” after “reserve component”;

(iii) in paragraph (5), by inserting “, or retired members of the Space Force who qualified for a non-regular retirement and are receiving retired pay,” after “a reserve component”; and

(iv) by adding at the end the following new paragraph:

“(14) Retired members of the Space Force who qualified for a regular retirement under section 20603 of this title and are receiving retired pay.”;

and

(B) in subsection (d)—

(i) in paragraph (1), by inserting “or the Space Force” after “reserve component”; 

(ii) in paragraph (2), by inserting “or the Space Force” after “a reserve component”; and

(iii) in paragraph (4), by inserting “or the Space Force” after “in a regular component of the armed forces”.

(2) *Jurisdiction to try certain personnel.*—Subsection (d) of section 803 (article 3) is amended by inserting, “or the Space Force” after “reserve component”.

(3) *Articles to be explained.*—Section 937 (article 137) is amended—

(A) in subsection (a)(1)—

(i) by striking “or” at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting “; or”;

and

(iii) by adding at the end the following new subparagraph:

“(C) the member’s initial entrance on active duty or into a space force active status.”;

(B) in subsection (a)(2)—

(i) by striking “and” at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

“(B) after a member of Space Force has completed six months of sustained duty or in
the case of a member not on sustained duty,

after the member has completed basic or recruit
training; and”;

(C) in subsection (b)(1)(B), by inserting
“or the Space Force” after “in a reserve com-
ponent”; and

(D) in subsection (d), by striking “or to a
member of a reserve component,” and inserting
“, to a member of a reserve component, or to
a member of the Space Force,”.

(f) RESTRICTION ON PERFORMANCE OF CIVIL FUNC-
tions by Officers on Active Duty.—Section
973(b)(1) of such title 10 is amended—

(1) by striking “and” at the end of subpara-
graph (B);

(2) by striking the period at the end of sub-
paragraph (C) and inserting “; and”; and

(3) by adding at the end the following new sub-
paragraph:

“(D) to an officer on the space force offi-
cer list serving on active duty under section
20105(b) of this title or under a call or order
to active duty for a period in excess of 270
days.”.
(h) Use of Commissary Stores and MWR Retail Facilities.—Section 1063 of such title is amended—

(1) in subsection (c)—

(A) in the heading, by inserting “AND SPACE FORCE” after “RESERVE”; and

(B) by inserting “or the Space Force” after “reserve component”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection (d):

“(d) Members of the Space Force.—A member of the Space Force in a space force active status who is not on sustained duty shall be permitted to use commissary stores and MWR retail facilities under the same conditions as specified in subsection (a) for a member of the Selected Reserve.”; and

(4) in subsection (e), as redesignated by paragraph (2), by striking “subsection (a) or (b)” in paragraph (1) and inserting “subsection (a), (b), or (d)”.

(i) Members Involuntary Separated.—

(1) Eligibility for Certain Benefits and Services.—Section 1141 of such title is amended—
(A) by striking “and” at the end of paragraph (3); 

(B) by striking the period at the end of paragraph (4) and inserting a semicolon; and 

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

“(5) in the case of an officer of the Space Force (other than a retired officer), the officer is involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force; and

“(6) in the case of an enlisted member of the Space Force, the member is—

“(A) denied reenlistment; or

“(B) involuntarily discharged or released from active duty under other than adverse conditions, as characterized by the Secretary of the Air Force.”.

(2) SEPARATION PAY.—Section 1174(a)(2) of such title is amended by striking “, Marine Corps, or Space Force” both places it appears and inserting “or Marine Corps”.

(j) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Chapter 79 of such title is amended as follows:
(1) **Review of actions of selection boards and correction of military records.**—

Section 1558 is amended—

(A) inserting “, or the Space Force,” after “reserve component” each place it appears; and

(B) in subsection (b)—

(i) in paragraph (1)(C), by striking “section 628 or 14502” and inserting “section 628, 14502, or 20252”;

(ii) in paragraph (2)(A), by striking “or 14705” and inserting “14507, or 20403”; and

(iii) in paragraph (2)(B)(i), by striking “or 14101(a)” and inserting “14101(a), or 20211”.

(2) **Title of Air Force Service Review agency.**—

(A) Sections 1555(e)(3) and 1557(f)(3) are amended by inserting “the Department of” after “Air Force,.”.

(B) Section 1556(a) is amended by inserting “the Department of” after “the Army Review Boards Agency,”.
(C) Section 1559(e)(3) is amended by inserting “the Department of the” after “Air Force.”.

(k) MILITARY FAMILY PROGRAMS.—Chapter 88 of such title is amended as follows:

(1) MEMBERS OF DEPARTMENT OF DEFENSE MILITARY READINESS COUNCIL.—Section 1781a(b)(1)(B)(iii) is amended—

(A) by striking “member and” and inserting “member,”; and

(B) by inserting “, and one of whom shall be the spouse or parent of a member of the Space Force” after “parent of a reserve component member”.

(2) DEPARTMENT OF DEFENSE POLICY AND PLANS FOR MILITARY FAMILY READINESS.—Section 1781b is amended—

(A) in subsection (b)(3), by striking “military families of members of the regular components and military families of members of the reserve components” and inserting “military families of members of the regular components, the reserve components, and the Space Force”; and

(B) in subsection (e)(2)—
(i) by striking “both”; and
(ii) by striking “military families of
members of the regular components and
military families of members of the reserve
components” and inserting “military fami-
lies of members of the regular components,
members of the reserve components, and
members of the Space Force”.

(l) TRAINING AND EDUCATION PROGRAMS.—

(1) PAYMENT OF TUITION FOR OFF-DUTY
TRAINING OR EDUCATION.—Section 2007 of such
title is amended by adding at the end the following
new subsection:
“(g) The provisions of this section pertaining to mem-
bers of the Ready Reserve, the Selected Reserve, or the
Individual Ready Reserve also apply to members of the
Space Force in a space force active status who are not
on active duty.”.

(2) ROTC FINANCIAL ASSISTANT PROGRAM FOR
SPECIALY SELECTED MEMBERS.—Section 2107 of
such title is amended—
(A) in subsection (a)—
(i) by striking “Navy,” and inserting
“Navy or”; and
(ii) by striking “or as an officer in the equivalent grade in the Space Force”; and

(B) by adding at the end the following a new subsection:

“(k) APPLICABILITY TO SPACE FORCE.—(1) Provi-
sions of this section referring to a regular commission, regular officer, or a commission in a regular component shall be treated as also referring to the commission of an officer, or an officer, who is a commissioned officer in the Space Force serving on active duty pursuant to section 20105(b) of this title.

“(2) Provisions of this section referring to a reserve commission, reserve officer, or a commission in a reserve component shall be treated as also referring to the com-
mission of an officer, or an officer, who is a commissioned officer in the Space Force not serving on active duty pursuant to section 20105(b) of this title.”.

(3) DUTY AS ROTC ADMINISTRATORS AND IN-
STRUCTORS.—Section 2111 of such title is amended by adding at the end the following new sentence:

“The Secretary of the Air Force may detail mem-
bers of the Space Force in the same manner as reg-
ular and reserve members of the Air Force.”.
SEC. 1733. TITLE 38, UNITED STATES CODE (VETERANS' BENEFITS).

(a) Definitions.—

(1) General Definitions.—Section 101 of title 38, United States Code, is amended—

(A) in paragraph (23), by inserting “, or for members of the Space Force in a space force active status (as defined in section 101(e)(1) of title 10),” in subparagraphs (A) and (B) after “(including commissioned officers of the Reserve Corps of the Public Health Service)”;

and

(B) in paragraph (27)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively.

(2) Definitions for Purposes of SGLI.—

Section 1965 of such title is amended—

(A) in paragraph (2)(A), by inserting “, or by members of the Space Force in a space force active status (as defined in section 101(e)(1) of title 10) but not on sustained duty under section 20105 of title 10,” after “for Reserves”; and
(B) in paragraph (3)(A), by inserting “, or
for members of the Space Force in a space
force active status (as defined in section
101(e)(1) of title 10),” after “(including com-
misioned officers of the Reserve Corps of the
Public Health Service)”.

(b) Persons Eligible for Interment in Na-
tional Cemeteries.—Section 2402(a) of such title is
amended in paragraph (2), by inserting “ any member of
the Space Force,” after “a Reserve component of the
Armed Forces,”.

(c) Educational Assistance.—

(1) Montgomery GI Bill.—Section
3011(a)(3)(D) of such title is amended by inserting
“or for further service in the Space Force in a space
force active status not on sustained duty under sec-
tion 20105 of title 10” after “of the Armed
Forces,”.

(2) Post 9-11 GI Bill.—Section 3311(c)(3) of
such title is amended by inserting “, or for further
service in the Space Force in a space force active
status not on sustained duty under section 20105 of
title 10,” after “of the Armed Forces” the second
place it appears.
Subtitle C—Transition Provisions

SEC. 1741. TRANSITION PERIOD.

In this subtitle, the term “transition period” means the period beginning on the date of the enactment of this Act and ending on the last day of the fourth fiscal year beginning after the date of the enactment of this Act.
SEC. 1742. CHANGE OF DUTY STATUS OF MEMBERS OF THE SPACE FORCE.

(a) Change of Duty Status.—

(1) Conversion of Status and Order to Sustained Duty.—During the transition period, the Secretary of the Air Force shall change the duty status of each member of the Regular Space Force to space force active status and shall, at the same time, order the member to sustained duty under section 20105 of title 10, United States Code, as added by section 1715. Any such order may be made without regard to any otherwise applicable requirement that such an order be made only with the consent of the member or as specified in an enlistment agreement or active-duty service commitment.

(2) Definitions.—For purposes of this section, the terms “space force active status” and “sustained duty” have the meanings given those terms by subsection (e) of section 101 of title 10, United States Code, as added by section 1713(a).

(b) Effective Date of Change of Duty Status.—The change of a member’s duty status and order to sustained duty in accordance with subsection (a) shall be effective on the date specified by the Secretary of the Air Force, but not later than the last day of the transition period.
SEC. 1743. TRANSFER TO THE SPACE FORCE OF MEMBERS OF THE AIR FORCE RESERVE.

(a) Transfer of Members of the Air Force Reserve.—

(1) Officers.—During the transition period, the Secretary of Defense may, with the officer’s consent, transfer a covered officer of the Air Force Reserve to, and appoint the officer in, the Space Force.

(2) Enlisted Members.—During the transition period, the Secretary of the Air Force may transfer each covered enlisted member of the Air Force Reserve to the Space Force, other than those members who do not consent to the transfer.

(3) Effective Date of Transfers.—Each transfer under this subsection shall be effective on the date specified by the Secretary of Defense, in the case of an officer, or the Secretary of the Air Force, in the case of an enlisted member, but not later than the last day of the transition period.

(b) Regulations.—Transfers under subsection (a) shall be carried out under regulations prescribed by the Secretary of Defense. In the case of an officer, applicable regulations shall include those prescribed pursuant to section 716 of title 10, United States Code.

(c) Term of Initial Enlistment in Space Force.—In the case of a covered enlisted member who...
is transferred to the Space Force in accordance with subsection (a), the Secretary of the Air Force may accept the initial enlistment of the member in the Space Force for a period of less than 2 years, but only if the period of enlistment in the Space Force is not less than the period remaining, as of the date of the transfer, in the member’s term of enlistment in the Air Force Reserve.

(d) **End Strength Adjustments Upon Transfers From Air Force Reserve to Space Force.**—During the transition period, upon the transfer of a mission of the Air Force Reserve to the Space Force—

(1) the end strength authorized for the Space Force pursuant to section 115(a)(1)(A) of title 10, United States Code, for the fiscal year during which the transfer occurs shall be increased by the number of billets associated with that mission; and

(2) the end strength authorized for the Air Force Reserve pursuant to section 115(a)(2) of such title for such fiscal year shall be decreased by the same number.

(e) **Administrative Provisions.**—For purposes of the transfer of covered members of the Air Force Reserve in accordance with subsection (a)—
(1) the Air Force Reserve and the Space Force shall be considered to be components of the same Armed Force; and

(2) the space force officer list shall be considered to be an active-duty list of an Armed Force.

(f) RETRAINING AND REASSIGNMENT FOR MEMBERS NOT TRANSFERRING.—If a covered member of the Air Force Reserve does not consent to transfer to the Space Force in accordance with subsection (a), the Secretary of the Air Force may, as determined appropriate by the Secretary in the case of the individual member, provide the member retraining and reassignment within the Air Force Reserve.

(g) COVERED MEMBERS.—For purposes of this section, the term “covered”, with respect to a member of the Air Force Reserve, means—

(1) a member who as of the date of the enactment of this Act holds an Air Force specialty code for a specialty held by members of the Space Force; and

(2) any other member designated by the Secretary of the Air Force for the purposes of this section.
SEC. 1744. PLACEMENT OF OFFICERS ON THE SPACE FORCE OFFICER LIST.

(a) Placement on List.— Officers of the Space Force whose duty status is changed in accordance with section 1742, and officers of the Air Force Reserve who transfer to the Space Force in accordance with section 1743, shall be placed on the Space Force officer list in an order determined by their respective grades and dates of rank.

(b) Officers of Same Grade and Date of Rank.—Among officers of the same grade and date of rank, placement on the Space Force officer list shall be in the order of their rank as determined in accordance with section 741(e) of title 10, United States Code.
SEC. 1745. DIESTABLISHMENT OF REGULAR SPACE FORCE.

(a) DIESTABLISHMENT.—The Secretary of the Air Force shall disestablish the Regular Space Force not later than the end of the transition period, once there are no longer any members remaining in the Regular Space Force. The Regular Space Force shall be disestablished upon the completion of the change of duty status of all members of the Space Force pursuant to section 1742 and certification by the Secretary of the Air Force to the congressional defense committees that there are no longer any members of the Regular Space Force.

(b) PUBLICATION OF NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice of the disestablishment of the Regular Space Force, including the date thereof, together with any certification submitted pursuant to subsection (a).

(c) CONFORMING REPEAL.—

(1) REPEAL.—Section 9085 of title 10, United States Code, relating to the composition of the Regular Space Force, is repealed.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date on which the certification is submitted under subsection (a).
SEC. 1746. END STRENGTH FLEXIBILITY.

(a) ADDITIONAL AUTHORITY TO VARY END STRENGTHS.—

(1) AUTHORITY.—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for a fiscal year as follows:

(A) Increase the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(B) Decrease the end strength authorized pursuant to section 115(a)(1)(A) of such title for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(2) TERMINATION.—The authority provided under paragraph (1) shall terminate on the last day of the transition period.

(b) TEMPORARY EXEMPTION FOR THE SPACE FORCE FROM END STRENGTH GRADE RESTRICTIONS.—Sections...
1 517 and 523 of title 10, United States Code, shall not apply to the Space Force during the transition period.
(a) Promotion Authority Flexibility.—During the transition period, the Secretary of the Air Force may convene selection boards to consider officers on the space force officer list for promotion, and may promote Space Force officers selected by such boards, in accordance with any of the following provisions of title 10, United States Code:

(1) Chapter 36.

(2) Part III of subtitle E.

(3) Chapter 2005, as added by section 1716.

(b) Coordination of Provisions.—

(1) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with chapter 36 of such title—

(A) provisions that apply to an officer of a regular component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the space force officer list shall be considered to be an active-duty list.

(2) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with part III of subtitle E of such title—
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(A) provisions that apply to an officer of a reserve component of the Armed Forces shall apply to an officer of the Space Force; and

(B) the space force officer list shall be considered to be a reserve active-status list.

(3) For a selection board convened pursuant to subsection (a) to consider members of the Space Force for promotion in accordance with either chapter 36 or part III of subtitle E of such title—

(A) section 20213 of such title shall apply to the composition of the selection board;

(B) the provisions of chapter 2005 of such title regarding officers on the space force officer list eligible to be considered for promotion to the grade of brigadier general or major general shall apply;

(C) section 20216 of such title shall apply; and

(D) the provisions of chapter 36 or part III of subtitle E of such title, as the case may be, regarding failure of selection for promotion shall apply.

(e) Effect of Using New Chapter 2005 Authorities.—If the Secretary of the Air Force convenes a selection board under chapter 2005 of title 10, United
States Code, as added by section 1716, to consider officers on the space force officer list in a particular grade and competitive category for selection for promotion to the next higher grade, the Secretary may not convene a future selection board pursuant to subsection (a) to consider officers of the same grade and competitive category under chapter 36 or part III of subtitle E of such title.
Subtitle D—Other Amendments Related to the Space Force

SEC. 1751. TITLE 10, UNITED STATES CODE.

(a) Amendments Relating to the Designation of Grades for Officers of the Space Force.—Title 10, United States Code, is amended as follows:

(1) Commissioned officer grades.—Section 9151 is amended by inserting “and in the Space Force” after “in the Regular Air Force”.

(2) Rank.—Section 741(a) is amended in the table by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”.

(3) Definition of general officer.—Section 101(b)(4) is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(4) Temporary appointments to positions designated to carry the grade of general or lieutenant general.—Section 601(e) is amended—

(A) by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force or”;

(B) by striking “or the commensurate grades in the Space Force,”.
(5) RETIRED GRADE OF OFFICERS.—Section 1370 is amended as follows:

(A) Subsection (a)(2) is amended by striking “major general” and all that follows in subparagraphs (A) and (B) and inserting “major general or rear admiral.”.

(B) Subsection (b) is amended—

(i) in paragraph (1)—

(I) by striking “or Marine Corps” and all that follows through “the Space Force,” and inserting “Marine Corps, or, Space Force or lieutenant in the Navy,”; and

(II) in subparagraph (B), by striking “major general” and all that follow through “Space Force” and inserting “major general or rear admiral”;

(ii) in paragraph (4), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”;

(iii) in paragraph (5)—
(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or lieutenant commander in the Navy,”;

(II) in subparagraph (B), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or commander or captain in the Navy,”; and

(III) in subparagraph (C), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or rear admiral (lower half) or rear admiral in the Navy,”; and

(iv) in paragraph (6), by striking “, or an equivalent grade in the Space Force,“.

(C) Subsection (c)(1) is amended by “or Marine Corps” and all that follows through “Space Force” and inserting “Marine Corps, or
(D) Subsection (d) is amended—

(i) in paragraph (1), by striking “or Marine Corps” and all that follows through “Space Force” and inserting “Marine Corps, or Space Force or rear admiral in the Navy”; and

(ii) in paragraph (3), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or captain in the Navy,”.

(E) Subsection (e)(2) is amended by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space Force or vice admiral or admiral in the Navy,”.

(F) Subsection (f) is amended—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking “or Marine Corps” and all that follows through “Space Force,” and inserting “Marine Corps, or Space
Force or rear admiral in the Navy’’;

and

(II) in subparagraph (B), by striking ‘‘or Marine Corps’’ and all that follows through ‘‘Space Force’’ and inserting ‘‘Marine Corps, or Space Force or vice admiral or admiral in the Navy’’; and

(ii) in paragraph (6)—

(I) in subparagraph (A), by striking ‘‘or Marine Corps’’ and all that follows through ‘‘Space Force,’’ and inserting ‘‘Marine Corps, or Space Force or rear admiral in the Navy’’;

and

(II) in subparagraph (B), by striking ‘‘or Marine Corps’’ and all that follows through ‘‘Space Force,’’ and inserting ‘‘Marine Corps, or Space Force or vice admiral or admiral in the Navy’’.

(6) HONORARY PROMOTIONS.—Sections 1563(c)(1) and 1563a(a)(1) are each amended—

(A) by striking ‘‘general,’’ and inserting “general or”; and
(B) by striking “, or an equivalent grade in the Space Force”.

(7) AIR FORCE INSPECTOR GENERAL.—Section 9020(a) is amended by striking “the general, flag, or equivalent officers of”.

(b) OTHER TITLE 10 AMENDMENTS.—Such title is further amended as follows:

(1) LIMITATION ON NUMBER OF RETIRED MEMBERS ORDERED TO ACTIVE DUTY.—Section 690(a) is amended by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force,“.

(2) THE UNIFORM.—Section 772(i) is amended—

(A) by striking “an Air Force School” and inserting “an Air Force or Space Force school”;

and

(B) by striking “aviation badges of the Air Force” and inserting “aviation or space badges of the Air Force or Space Force”.

(3) MEMBERSHIP IN MILITARY UNIONS, ORGANIZING OF MILITARY UNIONS, AND RECOGNITION OF MILITARY UNIONS PROHIBITED.—Section 976(a) is amended by inserting “or the Space Force” in paragraph (1)(C) after “member of a Reserve component”.
(4) LIMITATION ON ENLISTED AIDES.—Section 981 is amended—

(A) in subsection (a), by striking “Marine Corps, Air Force,” and inserting “Air Force, Marine Corps, Space Force,”;

(B) in subsection (b), by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”; and

(C) in subsection (e)(1), by inserting “Space Force,” after “Marine Corps,”.

(5) DEFINITION OF VETERAN FOR PURPOSES OF FUNERAL HONORS.—Section 1491(h)(1) is amended by striking “or air service” and inserting “air, or space service”.

(6) HOUSING FOR RECRUITS.—Section 9419(d) is amended by inserting “or the Space Force” after “training program of the Air Force”.

(7) CHARTER OF CHIEF OF SPACE OPERATIONS.—Section 9082 is amended as follows:

(A) CROSS-REFERENCE CORRECTION.—

Subsection (d)(5) is amended by striking “sections” and all that follows through “of law” and inserting “sections 171 and 3104 of this title and other provisions of law”.
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(B) **ELAPSED-TIME PROVISION.**—Subsection (e)(1) is amended by striking “Commencing” and all that follows through “the Chief” and inserting “The Chief”.
SEC. 1752. OTHER PROVISIONS OF LAW.

(a) Trade Act of 1974.—Section 233(i)(1) of the Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by inserting “, or a member of the Space Force,” after “a member of a reserve component of the Armed Forces”.

(b) Title 28, United States Code (Judiciary and Judicial Procedure).—Section 631(c) of title 28, United States Code is amended by inserting “members of the Space Force” after “Coast Guard” the second place it appears.

(c) Servicemembers Civil Relief Act.—The Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended as follows:


(2) Same rights and protections as reserves ordered to report for military service.—Section 106 (50 U.S.C. 3911) is amended by adding at the end the following new subsection:

“(c) The provisions of subsection (a) apply to a member of the Space Force who is ordered to report for military service in the same manner as to a member of a reserve component who is ordered to report for military service.”.
(3) Exercise of rights under SCRA.—Section 108(5) (50 U.S.C. 3919(5)) is amended by inserting before the period at the end the following: “or as a member of the Space Force”.
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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE V—MILITARY PERSONNEL POLICY

ITEMS OF SPECIAL INTEREST

Air Force Reserve Officers’ Training Corps Programs at Historically Black Colleges and Universities

The committee notes the importance of the Reserve Officers’ Training Corps (ROTC) and the potential need to increase the number of ROTC programs offered at
Historically Black Colleges and Universities (HBCUs). A diverse and ready workforce is critical to defending the United States and its allies and interests in the face of modern threats. Therefore, the committee directs the Secretary of the Air Force to submit a report to the House Committee on Armed Services not later than April 30, 2024, that includes an assessment of:

1. the feasibility of expanding Air Force ROTC programs at HBCUs;
2. the cost of such an expansion to HBCUs;
3. the number of HBCUs that qualify for an Air Force ROTC program;
4. any other element that the Secretary deems relevant.

Briefing on the Feasibility of Transferring Any Army Recruitment Shortfalls to the National Guard Bureau

The committee appreciates the tremendous and unprecedented efforts of the National Guard over the past several years, from domestic deployments in response to the COVID-19 pandemic, to keeping the peace during civil unrest and natural disaster response and rescue, to their overseas deployments. The extraordinary circumstances of the past several years have highlighted the strain Guard units have been under for too long, particularly in States that have the lowest guardsmen-to-civilian ratios in the country. Therefore, the committee directs the Secretary of Defense, in consultation with the Secretary of the Army and the Chief of the National Guard Bureau, to provide a briefing to the House Committee on Armed Services by March 1, 2024, on the feasibility of transferring a portion of any projected Army recruit shortfalls to the Army National Guard for allocation to State Guard formations. The briefing shall include any statutory barriers to providing the Department this flexibility and an estimate of any costs or savings to carry out such transfer.

Communication of Benefits for the Family

The committee is aware that there are many issues that cause undue stress on military families. In recent years, those concerns have been articulated in terms of child care, spouse employment, financial stressors, and food insecurity. The committee is further aware that the Department of Defense is taking steps to address these various concerns. The committee is concerned that the steps being taken and the resources that are being created are not being communicated to the forces. In 2021, the Government Accountability Office (GAO) published a report (GAO-21-193) addressing one of these issues, military spouse employment. The recommendation to increase awareness of resources remains open. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than March 31, 2024, on a summary of actions taken to date and a summary of actions that will be taken to increase awareness.

Cyber Curriculum and Professional Military Education
The committee notes that the Professional Military Education (PME) system faces several challenges in teaching service members about emerging threats. As of today, there are no statutory requirements that explicitly require teaching about emerging threats and capabilities to service members. In order to address this challenge, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than April 1, 2024, that examines the need for amending section 2151(a) of title 10, United States Code, to include “emerging threats and capabilities” as a subject matter to be covered by PME. Additionally, the report shall require the Department of Defense to include as part of this analysis an evaluation of its cyber strategy education offerings and provide recommendations on the design of a comprehensive education program that would include coursework resulting in the basic comprehension of cyber vulnerabilities, basic technical skills, and the threat landscape in the cyber domain.

Financial Literacy in Department of Defense Education Activity Schools

The committee is aware that military families have at times struggled financially. As a result, the committee believes the children of service members who attend Department of Defense Education Activity schools should have a head start in financial literacy and to better prepare future leaders to be fiscally responsible. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on the following:

1. how financial literacy is taught in Department of Defense Education Activity schools;
2. what curriculum is used;
3. what grade levels have financial literacy curriculum; and
4. if there is a high school graduation requirement of passage of a personal finance course.

General Officer Promotion Process Transparency

The committee is concerned with the transparency of the process in place in the services for selection of general and flag officer candidates to three-star and four-star and their further selection for specific positions within the service or in a joint duty position at that grade, and the process used to forward the selections for formal nominations. The committee understands that each service has a general or flag officer matters office and would want to understand what part that office has in the overall process for selections. Therefore, the committee directs the Secretary of each military department to provide a briefing to the House Committee on Armed Services by March 1, 2024, that describes the service’s internal process for selection of an officer from two-star to three-star grade and from three-star to four-star grade and for the formal nomination of such an officer to the Senate for confirmation to include required interviews with senior leaders.

Permanent Change of Station Process Automation
The committee supports efforts to improve service member quality of life and recognizes the strain the permanent change of station (PCS) process places upon them and their families. The committee also recognizes that the current PCS process is inefficient and wastes significant man-hours, impacts operational readiness, decreases service member morale, and negatively impacts retention. The committee is aware that there are software solutions available to support mobile-enabled digital PCS management by the service member. Therefore, the committee directs the Secretary of each military department to provide a briefing to the House Committee on Armed Services by April 1, 2024, on the feasibility of fielding a mobile-enabled digital PCS management solution for service members. The briefing shall include the following elements:

1. a system that streamlines and automates PCS tasks for the service members;
2. ways to maximize the use of solutions that already exist to automate the PCS process for service members;
3. best practices to automate and integrate all facets of the PCS process, including personnel, finance, transportation, and other requirements as necessary;
4. the cost and schedule of fielding such a system;
5. any other considerations the Secretary concerned deems necessary.

Report on Modernization and Reform of the Promotion System

The committee notes that the Suicide Prevention and Response Independent Review Committee (SPRIRC) recently published their findings on reducing military suicides, which have been steadily increasing over the last 15 years. One of the SPRIRC highest priority recommendations is to create a task force to modernize and reform the military promotion system to better reward and select the right people for the right positions at the right time based on demonstrated leadership skills and abilities. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than June 1, 2024, on recommendations on the development, refinement, and implementation of policies, programs, planning, and training that will provide guidance to reform the military promotion system across the military services to better reward and select the right people for the right positions at the right time based on demonstrated leadership skills and abilities.

Review of Command Selection Board Procedures

The committee is concerned with the integrity of the process for selection of command candidates by the military departments through the administrative selection board process as governed by the service chiefs. The administrative board’s regulations or policy to determine an officer as fully qualified to meet the selection board is of particular concern. Therefore, the committee directs the Secretary of each military department to provide a briefing to the House Committee on Armed Services by March 1, 2024, on current regulation, policy, instructions, or
processes in place for any officer administrative board to ensure an officer is fully qualified and their record contains no adverse information that would affect their qualifications to meet the selection board. The briefing shall also include plans to revise any current regulations, policy, instructions, or processes to ensure the fully qualified requirement is met.

Satellite Reserve Officers' Training Corps Unit Report

The committee notes the importance of the Reserve Officers’ Training Corps (ROTC) and the potential need to expand ROTC programs to include satellite programs at other academic institutions that have students interested in joining ROTC but not enough support for a full contingent. The committee is concerned that in order to participate in ROTC, these students must travel excessive distances for training that can interfere with their schoolwork and can prevent students from being willing or able to participate. Amid a continuing recruitment challenge, the committee believes that the Department of Defense should look for opportunities to expand participation in the ROTC program. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than March 1, 2024, that includes an assessment of:

1. the feasibility of expanding participation in the ROTC program through satellite ROTC units that have an administrative home at an existing ROTC program, but enable participation from a larger number of schools and students;
2. the number of institutions that would qualify or be eligible for a satellite ROTC contingent;
3. the administrative challenges or additional requirements that would be necessary for a satellite ROTC unit, such as an officer or enlisted personnel stationed at the institute;
4. the cost of such an administrative adjustment to implement at least five satellite ROTC units;
5. the estimated total throughput of qualifying institutions;
6. any other elements that the Secretary deems relevant.

U.S. Space Force Legacy Designation

The committee notes that those former service members that served in the U.S. Air Force and have supported the national security space mission of the United States are not identified as part of the U.S. Space Force as a Guardian. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by June 1, 2024, on the feasibility and advisability of members and former members of the U.S. Air Force to be identified as U.S. Space Force Legacy Guardians upon their separation or retirement from military service. This briefing should address the following elements;

1. a process by which former U.S. Air Force members would request U.S. Space Force Legacy Guardian designation;
(2) a process to determine effective dates, constructive service credit, and other eligibility criteria for award of the U.S. Space Force Legacy Guardian designation;

(3) a process to establish procedures for next of kin to apply for posthumous U.S. Space Force Legacy Guardian designation;

(4) a process to establish the way an Air Force veteran can legally choose to self-identify in writing or by other means as a U.S. Space Force Legacy Guardian;

(5) a process to authorize, design, and provide formal recognition of U.S. Space Force Legacy Guardian status with a signed certificate, an approved device or insignia, or other forms of visible recognition;

(6) a process to issue a DD Form 215 to reflect the U.S. Space Force Legacy Guardian status of any individual to which this status has been awarded.

Update of Military Academy Misconduct Process Review

It has been 25 years since the U.S. Government Accountability Office conducted a full-scale review of the adjudicatory process of the Department of Defense service academies. The last version, published in April 1995, found some discrepancies in how the academies operated, including issues of differences in due process protections and differences in the standard of proof used in honor hearings. Also, the review found that many students found the application of rules and the disciplinary actions inconsistent. Therefore, the committee directs the Comptroller General of the United States to update the 1995 “Department of Defense Service Academies: Comparison of Honor and Conduct Adjudicatory Processes” and submit the report to the congressional defense committees by February 1, 2024. At a minimum, the review shall address the following elements:

(1) compare the honor and conduct systems at each academy, including punishments given for misconduct/performance issues;

(2) describe how the various systems provide common due process protections;

(3) describe how the various systems compare to military misconduct/Uniform Code of Military Justice processes;

(4) describe if certain honor or misconduct issues are included on an individual’s military records when they are commissioned;

(5) describe how the academies measure student conduct and performance trends;

(6) describe the attitudes and perceptions of students toward these systems; and

(7) provide recommendations on process improvement.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

ITEMS OF SPECIAL INTEREST
Bonus and Special Pay Spending Report

The committee notes that many military members qualify for special pays and incentives (S&I) that are part of the service's recruitment and retention efforts. Some of these pays compensate members for assignment to hazardous or difficult duty conditions. Currently, there are over 60 special and incentive pays authorized in law. The committee is concerned about the Department of Defense’s effective use of and total spending on bonus and special pay programs. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by April 1, 2024, that addresses the following elements:

(1) the total amount spent on bonus, special, and incentive pays broken out by bonus, incentive, or special pay type by year, by service for the previous 5 years, to include the President’s budget request in these categories for fiscal year 2024;

(2) each military department Secretary’s assessment of the effectiveness of bonus and special and incentive pays, by bonus and special or incentive pay category;

(3) any other concerns that the Secretary of Defense deems relevant.

Briefing on MilitaryChildcare.com

The committee recognizes the Department of Defense’s many efforts to reduce child care waitlists for families with dependent children. One tool utilized by the Department is MilitaryChildcare.com (MCC). The Department asserts MCC provides a single online gateway to all military-operated child care worldwide and community-based child care fee assistance options across the United States for all military and Department of Defense civilian families. MCC currently provides an Anticipated Placement Time (APT) to all families searching for and requesting child care at military child development centers. MCC has a built-in analytic tool that estimates the APT for each family based on a complex algorithm that uses system generated data, such as current waitlist metrics, wait and placement times, waitlist turnover, and priority distribution to calculate wait times, yet military families still express frustration over wait times and lack of transparency of the waitlist. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than March 31, 2024, on the following:

(1) functionality of MilitaryChildcare.com;

(2) the degree to which utilizing MCC has reduced wait lists at military child development centers;

(3) whether it has provided families with off-post child care options; and

(4) an assessment of whether it has overall improved the child care for service members.

Child Care Community Relationships and Partnerships
The committee continues to be concerned that military families continue to face shortages in the availability of child care as the waitlists continue to grow. Child care is also a readiness issue that needs to be addressed and the military services should research new innovative solutions to this problem. The committee notes that some military installations have had success in establishing community partnerships with school districts, colleges, and nonprofit organizations resulting in increased access to child care. In some instances, military installations have leased vacant facilities for outside organizations to operate child care facilities or have led community partnerships which expand opportunities within the Military Child Care in Your Neighborhood (MCCYN) program. The committee believes that every military installation should be attempting to replicate these efforts to expand child care access and work with local chambers of commerce, Child Care Aware of America, and local child care business providers (CBP).

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on:

1. how many of these partnerships exist across the services;
2. to include locations and number of child care spaces that became available as a result; and
3. any obstacles to expanding these relationships and partnerships.

The briefing should also include the following:

1. what is working well and not well with MCCYN;
2. what prevents CBPs from participating in MCCYN; and
3. what challenges and barriers prevent CBP from opening and expanding facilities in a particular area.

Cost of Living Allowance Report

The committee is concerned about the Department of Defense’s treatment of Cost of Living Allowance (COLA) adjustments and the effect on service members and their families and their ability to adjust their household budgets to large changes in COLA. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2024, that details the Department’s current calculation method and addresses the following:

1. a review of the 8 percent COLA threshold as defined in 37 U.S.C. 403(b) every 3 years and issue report on whether the threshold remains economically appropriate;
2. the inclusion of average child care costs for one child aged 0-5 as part of the continental United States (CONUS) market basket price data when computing average CONUS cost-of-living baseline for CONUS COLA programs.
3. the feasibility of a less or more frequent adjustment of COLA;
4. any other matters the Secretary considers relevant.

Gap between Hiring Authority and Human Resource Implementation
The committee remains concerned about the lack of child care professionals available to work in the Department of Defense’s child development programs, specifically for infant and toddler care. While the committee has continued to give the Department various authorities and additional tools to bring on staff, the committee has been made aware there may be a disconnect between the hiring authorities granted to expedite the hiring processes and how the human resource functions that process the application.

Therefore, the committee directs the service secretaries to provide a briefing to the House Committee on Armed Services not later than March 30, 2024, on the following:

1. in how many instances has the Department utilized direct hiring authority, on the spot hiring authority, or transfer authority for the purposes of hiring child development center (CDC) staff;
2. how many accepted offers of employment resulted from each authority;
3. the average length of time between accepted offer and start date for child care workers, by authority; and
4. the timeline for each stage in the hiring process of CDC staff over the last 5 years and any specific causes for fluctuations in processing times; and
5. delays over 20 days in hiring once the authority has been utilized.

Improvements to the Department of Defense Military Spouse Employment Partnership Program

The committee is aware that military spouse employment remains a significant concern and that one of the tools to assist military spouses seeking employment is the Department of Defense Military Spouse Employment Partnership (MSEP). Since its inception in 2011, the over 600 MSEP partners have hired more than 250,000 spouses. The committee views this as a positive trajectory and would like to build on this success. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 31, 2024, on how the Department intends to improve and advance the successes of MSEP. Specific elements of the report should include:

1. MSEP communication and outreach efforts to spouses and partners;
2. utilization of existing authorities to prioritize and/or incentivize spouse hiring;
3. a review of remote and telework employment opportunities; and
4. any challenges to this program related to specific duty locations, in other words overseas.

Military Survivors

The committee notes that when a military department concerned receives notification of the death of a retired member, Defense Finance Accounting Service (DFAS)-Cleveland is notified and then in cases where funds were deposited after the date of death, DFAS reclaims the outstanding payments. The committee is
concerned that when a military retiree dies, and they have a spouse or any family member who is a joint holder on the account, this automatic reclamation of funds creates an undue burden on the family of the deceased at an already stressful and emotional time. This clawback of funds can also occur before the payment of Survivor Benefit Plan begins, leaving a surviving spouse or family member in a potentially precarious financial situation. The committee notes that in general, when the military department has made overpayments to service members and must reclaim funds, the department has the authority to institute a payment plan to reclaim payments over a period of time instead of all at once. However, the committee notes that in cases when a retiree dies and funds must be reclaimed, a repayment plan over time would alleviate the financial stresses for surviving families when they are at their most vulnerable.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 31, 2024, on the following:

(1) process by which retired service members and their families are informed of the potential clawback/repayment resulting from the death of the service member;
(2) process by which spouses are educated and enrolled in the Survivor Benefit Plan;
(3) how information about the impacts of holding joint accounts may affect retired service members or their beneficiaries;
(4) why the department does not apply the same payment plan process in the case of the death of a retired service member;
(5) any other information the Secretary deems relevant.

Navy Quality of Life Programs Dashboard

The committee is concerned that resources for maintaining and improving the quality of life for service members and their families are underutilized by service members. One factor that may impact underutilization is that service members and their families are unaware of or find it difficult to access these resources. The committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 31, 2024, on the feasibility of developing an electronic dashboard to track quality of life programs and their utilization rate. This briefing should include the cost of creating such a dashboard and articulate the value added to the service. The quality of life issues to be considered for the dashboard and this briefing should include:

(1) child care;
(2) access to healthcare;
(3) education;
(4) housing and spouse employment; and
(5) any others the Secretary determines appropriate.
In addition, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services, not later than February 28, 2024, on how quality of life issues impact service members assigned to naval vessels undergoing refueling and complex overhaul, such as the USS George Washington, and what the Navy has done to mitigate such impacts.

Remotely Piloted Aircraft Crews Tax Relief

The committee is concerned that remotely piloted aircraft (RPA) crews are conducting combat missions and experiencing many of the stressors of combat; however, they are not currently eligible to earn the same tax-free income as those who are physically in a combat zone. Therefore the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services not later than March 1, 2024, on the following:

(1) a comparison of the duties between RPA crews supporting operations from domestic locations or those in combat zones;

(2) a comparison of the income disparities between RPA crews and those who are physically in a combat zone;

(3) an assessment on where the authority lies to expand the Combat Zone Tax Exclusion eligibility and rationale for how the Department of Defense is exercising them; and

(4) any additional information the Secretary determines appropriate.

Review of Basic Allowance for Subsistence

The committee is especially concerned with the reported food insecurity issue within the Department of Defense. If the Department survey methods and RAND Corporation analysis are accurate, some 25 percent of the force is considered food insecure at some level. The committee sees this as unacceptable and a crisis that the Secretary of Defense must address and solve. The committee, therefore, directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2024, that addresses the following elements:

(1) a review of how the Basic Allowance for Subsistence (BAS) amount is determined;

(2) rationale for why the BAS rates are limited to only enlisted and officer and do not take into account income disparities between junior and senior service members;

(3) consideration for establishing no less than three different BAS rates for enlisted personnel based on rank and income;

(4) any other matters the Secretary considers relevant.

Review of the Basic Needs Allowance

The committee is especially concerned about the reported food insecurity issue within the Department of Defense. If the Department survey methods and
RAND Corporation analysis are accurate, some 25 percent of the force is considered food insecure at some level. The committee sees this as unacceptable and a crisis that the Secretary of Defense must address and solve. The committee, therefore, directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2024, that addresses the following elements:

(1) a review of the adequacy of the Basic Needs Allowance (BNA) framework and recommendations for gathering more accurate and timely data that will produce more targeted and specified benefits to service members;

(2) the reporting mechanisms available for service members to report food insecurity;

(3) the removal of the Basic Allowance for Housing from the overall BNA eligibility calculation and how many service members would benefit;

(4) other barriers to service member application for or receipt of the BNA;

(5) any other matters the Secretary considers relevant.

Review of Unpaid and Delayed Payments to Service Members

The committee notes that the Suicide Prevention and Response Independent Review Committee recently published their findings on reducing military suicides. One of their highest priority recommendations is to conduct a comprehensive review of the magnitude of unpaid and delayed payments to service members and their families and provide recommendations for improving efficiencies. Therefore, the committee directs the Comptroller General of the United States to submit a report to the House Committee on Armed Services by July 1, 2024, on a comprehensive review of the scope of unpaid and delayed payments to service members and their families, and provide recommendations for improving efficiencies. The report shall assess the following:

(1) the average, median, and lower and upper bounds of non-reimbursed, out-of-pocket costs, and the types of such costs, associated with permanent change of station (PCS) moves;

(2) the average, median, and lower and upper bounds of the time from which a service member submits his/her reimbursement forms and they are fully paid, as well as how this varies by the type of reimbursement and rank;

(3) the frequency by which regular payments, scheduled to occur on the 1st and 15th of each month, are delayed and factors that may be associated with delays (for example, a recent PCS);

(4) the frequency of overpayments and resulting recoupment processes and the average, median, and upper bounds of subsequent periods without pay resulting from these errors.

Standardization of Permissible Costs for Department of Defense Credentialing Programs

The committee notes that since its inception in 2015, the Department of Defense credentialing program has provided service members the opportunity to
obtain credentials that enhance their skills and qualifications both during and after their military service. However, the committee is concerned that as the credentialing program has been implemented, the services have interpreted the permissible covered costs differently. This has led to a great disparity between the services regarding this important benefit. The committee notes that section 2015 of title 10, United States Code, directs the Secretary of Defense to promulgate regulations regarding this program that apply uniformly to the Armed Forces to the extent practicable. In addition, the definition of expenses under this section includes expenses for classroom instruction, hands-on training (and associated materials), manuals, study guides and materials, textbooks, processing fees, and test fees and related fees.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by February 1, 2024, that addresses the following:

(1) what costs are covered by each of the services for service member credentialing;
(2) an explanation for the disparities between the services, and any justification for why the disparities exist;
(3) a plan to ensure each service reimburses service members for credentialing expenses, consistent with the statutory definition, for classroom instruction, hands-on training (and associated materials), manuals, study guides and materials, textbooks, processing fees, and test fees and related fees.

The plan shall ensure that service members are able to receive reimbursement for expenses associated with foundational credentials, consistent with the Army’s current practice.

TITLE VII—HEALTH CARE PROVISIONS

ITEMS OF SPECIAL INTEREST

Access to Military and Dependent Mental Health Care

The committee is aware TRICARE has a challenge in having a range of specialty care providers and this is particularly evident with mental health care providers. The committee is concerned that these challenges with TRICARE are exacerbating the access to quality mental health care for service members and their families. The committee acknowledges the Department of Defense has access to various authorities to address a wide range of these challenges. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by April 1, 2024, on:

(1) an analysis of the average timeline to credential potential TRICARE mental health service providers in comparison to the credentialing timeline of other major insurance networks, including Medicare. The analysis should include TRICARE data identifying application returns, method of notification to applicants
and frequency of notifications to potential providers the network application process has been returned, and method of feedback TRICARE provides to potential providers and resolution processes;

(2) an analysis of the average timeline to process provider payments with respect to claims;

(3) an assessment of whether TRICARE has utilized authorities outlined in Manual Part 199.14 to increase reimbursement rates in certain geographic locations; and what corrective measures have been taken since the 2013 Government Accountability Office findings specifically with regard to finding civilian mental health care providers and reimbursement rates;

(4) the status of implementing the recommendations found in Department of Defense Inspector General Report 2020-112 and the estimated implementation date for any recommendations that have not yet been implemented; and

(5) an assessment of what, if any, additional authorities and resources may be needed by the Department to effectively address the issue of timely access to mental health care for Active Duty service members and their families.

Annual Health Screening Review

The committee understands the Department of Defense Periodic Health Assessment is frequently updated to reflect the latest medical information that may impact service members. Therefore, the committee directs the Secretary of Defense to submit a report to the Senate Committee on Armed Service and the House Committee on Armed Services not later than March 1, 2024, on the following:

(1) the process and method by which changes are made to the Periodic Health Assessment;

(2) the average frequency by which changes are made; and

(3) whether the following changes to the Periodic Health Assessment have been considered: (a) instituting annual sports physicals for all uniformed members of the Department of Defense; (b) requiring annual blood screening; (c) requiring intermittent lab work on individuals if they have consecutively taken a prescription for more than 9 months; (d) annual mental health screening.

Army Combat Fitness Test

The committee acknowledges the U.S. Army has made changes to the Army Combat Fitness Test (ACFT) since it was originally launched in 2021. As a result, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by January 1, 2024. The briefing shall include:

(1) impacts the ACFT has had on recruitment and retention;

(2) relevant data, statistics, and a comparison of the various evolutions of the ACFT to date; and

(3) how the new ACFT is in compliance with the requirement in the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263).
Army Strategic Management System

The Strategic Management System is a performance management tool available to all Department of the Army organizations and components. The Strategic Management System offers ways to create performance metrics and display metrics for decision makers. The committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services by March 1, 2024, that shall include the following:

1. an inventory of total Army users of the Strategic Management System tool over the past 10 years;
2. an overview of the past three contracts the Army issued for the Strategic Management System tool;
3. a description of the Army’s plan to utilize the Strategic Management System tool across Army installations to better track and mitigate incidents of sexual harassment, sexual assault, and other harmful behaviors;
4. a justification for the difference of increased Army end user utilization of the Strategic Management System and the declining long-term resource allocation to the Strategic Management System at the program office level;
5. a breakdown of Strategic Management System requirements across the Army enterprise and a funding plan to meet those requirements; and
6. any other matters the Secretary considers relevant.

The committee further directs that the viewpoints of the following Army organizations shall be included in the briefing: Army Resiliency Directorate; Office of Business Transformation; and Army Contracting Command.

Athletic Trainers to Provide Services under the TRICARE Program

The committee understands the services sometimes use athletic trainers in various capacities to provide training and support for service members in certain situations. However, under TRICARE, athletic trainers are not a recognized paramedical provider. Moreover, TRICARE does not allow for reimbursement of services rendered by athletic trainers. Therefore, the committee directs the Secretary of Defense, in consultation with the Secretaries of the military departments, to provide a briefing to the House Committee on Armed Services by March 1, 2024, on the following:

1. the current use of athletic trainers in the services, to include the type of services and locations where these are provided;
2. the cost of providing these services;
3. any data showing the effect or impact of athletic trainers over the last 10 years;
4. the rationale for why athletic trainer services are not part of the TRICARE benefit; and
5. the process by which athletic trainers could be considered as part of the TRICARE benefit.
Availability of Autoinjectors for the Warfighter for Chemical and Nerve Agent Exposure

The committee recognizes that the threat of chemical weapons and nerve agents persists within the operating environment. Although United States military personnel have not been exposed to these agents, they continue to operate within close proximity while supporting our allies and partners worldwide. The Department of Defense has long fielded countermeasures against such agents to best ensure the safety of our men and women in uniform. The committee also recognizes the importance of maintaining an adequate and functional stockpile of chemical weapon and nerve agent countermeasures to support the warfighter. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, by March 1, 2024, that includes the following:

(1) a full review of the Department’s current stockpile, including an assessment of the use of shelf-life extensions for autoinjectors beyond their expiration date;
(2) an overview of the Department’s plan to replace the outdated diazepam with the midazolam autoinjectors;
(3) the Department’s plan to field the necessary amount of chemical weapon and nerve agent countermeasures to support the total force and a replenishment plan to ensure timely replacement of expired pharmaceutical ingredients or expired autoinjectors;
(4) the Department’s process for approving shelf-life extensions, including how the Department verifies mechanical reliability; and
(5) recommendations for the future procurement and sustained replenishment of all autoinjector variants.

Chiropractic Care in the TRICARE Program

The committee is concerned that the Department of Defense has not included chiropractic care as part of the TRICARE health benefit for all beneficiaries, especially considering chiropractic care is popular among Active Duty service members for its holistic approach to medicine and pain relief that does not require the use of prescription drugs. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on the following regarding chiropractic care:

(1) an overview of the current chiropractic health care program benefit for service members;
(2) whether the chiropractic care program has resulted in improved health outcomes and satisfaction for service members using the current program;
(3) the anticipated cost of including chiropractic care for all beneficiaries as part of the TRICARE health benefit; and
(4) the estimated time it would take to implement chiropractic care as part of the TRICARE health benefit.
Combat Casualty Care

The committee commends the Department of Defense for expanding strategies to maintain the readiness of defense medical providers. Future conflicts will differ substantially from those of the past decades, placing strenuous demands on providers managing dispersed, high-volume casualties in large-scale combat operations. In the absence of ongoing real-world engagements, expert medical support of future conventional operations is dependent on frequent, meaningful training enhanced by advanced medical simulation for skills maintenance and expansion. New medical simulation requirements are needed to effectively address combat casualty care performance maintenance in these highly challenging scenarios. Specific considerations should be made for medics and other first responders performing life-saving procedures in austere environments and providers performing advanced procedures in operational theaters.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by March 1, 2024, on the Department’s investment in a plan for the expansion of advanced medical simulation technologies and programs to provide sustainability of medical skill sets critical to the support of future conventional combat operations and how these efforts may be supported through the Congressionally Directed Medical Research Programs.

Comptroller General Report on Perinatal Mental Health in the Military

The committee seeks information on the services available to members of the Armed Forces and their families experiencing perinatal mental health conditions. The committee therefore directs the Comptroller General of the United States to conduct a review of related Department of Defense efforts, to the extent reliable data are available, including:

(1) an assessment of the availability of perinatal mental health care within the Defense Health Agency (DHA) medical treatment facilities and the TRICARE provider network; and

(2) a review of the specific training and resources the Defense Health Agency makes available to obstetric providers regarding perinatal mental health conditions.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 31, 2024, on preliminary findings, with a report to follow by a date mutually agreed upon at the time of the briefing.

COVID-19 Era Telehealth Suicide Prevention Services

The committee understands that at the start of the COVID-19 pandemic, the Department of Defense made several temporary updates to the TRICARE benefit regarding telehealth. These temporary policy updates allowed service
members and beneficiaries to receive care safely during the COVID-19 pandemic. The Department of Defense has since updated these telehealth policies and some of these services are no longer offered. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than April 1, 2024, on the impact that the repeal of TRICARE benefit changes to COVID-19 telehealth services had on service member and beneficiary utilization of mental health counseling and related services; the cost of these services; and the effect restoring COVID-19 telehealth services would have on the TRICARE benefit.

Military Health System Civilian Partnerships for Increased Military Medical Readiness

Partnerships between the Department of Defense and civilian medical facilities form a core part of the Department’s strategy for sustaining the wartime medical skills of military providers. Specifically, the Department policy encourages the military departments to establish training partnerships with civilian medical facilities when Military Health System facilities cannot provide sufficient clinical experiences and workload to maintain the skills of assigned personnel. The committee is concerned about the Department’s visibility over the number, scope, type, and utilization of these partnerships. Additionally, while the Department maintains that these programs support readiness, the committee is concerned that the Department does not know the extent to which these partnerships are achieving desired results of sustaining military medical readiness.

Therefore, the committee directs the Comptroller General of the United States to conduct an assessment of military and civilian partnerships for medical readiness. The assessment shall evaluate:

(1) the extent to which the Department utilizes partnerships with civilian medical facilities to maintain the readiness of its military medical workforce;
(2) the extent to which the Department tracks how its medical workforce is used in partnerships with civilian medical facilities;
(3) the extent to which the Department has defined and used effective measures to monitor and assess the readiness value of military medical personnel participating in partnerships with civilian medical facilities; and
(4) factors that have affected the establishment and/or effective operation of the Department and civilian medical facility partnerships.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than February 27, 2024, on the preliminary observations of this assessment, with a report to the congressional defense committees to follow at a date agreed upon at the time of the briefing.

Missileer Cancer

The committee is concerned by reports that the Department of the Air Force service members who served as missileers supporting intercontinental ballistic missile missions at Malmstrom Air Force Base, F.E. Warren Air Force
Base, and Minot Air Force Base are contracting unique and aggressive forms of cancer that may be linked to their service. The committee is also concerned the surviving family members of these service members are having trouble accessing benefits to which they would be entitled, but currently are not, because the Department of Defense has not yet determined whether these cancer diagnoses are linked to their service. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretary of the Air Force, to provide a briefing to the House Committee on Armed Services by January 1, 2024, on how they are studying the issue of potentially increased cancer rates and how they may determine causality for those that have served in launch control centers for intercontinental ballistic missiles.

**Non-Opioid Pain Relief for TRICARE Beneficiaries**

The committee is aware that under current law, hospitals receive the same payment from TRICARE regardless of whether a physician prescribes an opioid or a non-opioid. As a result, hospitals rely on opioids, which are typically dispensed by a pharmacy after discharge at little or no cost to the hospital. According to the National Bureau of Economic Research, healthcare costs associated with prescription painkiller abuse among service members are roughly $1.00 billion a year. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on:

1. how the Department of Defense is reducing the rates of addiction among service members;
2. the estimated cost of opioid painkiller abuse among service members;
3. the steps the Department is taking to increase the use of non-opioid treatment alternatives to include relevant examples; and
4. whether the Department is on track to implement existing statutory provisions for institutional payment to introduce new payment policies intended to expand access to non-opioid treatments.

**Obesity in the Ranks of the Armed Services**

The committee is concerned about rising obesity rates among Active Duty service members. According to an updated report published by the Centers for Disease Control and Prevention entitled “Unfit to Serve: Obesity is Impacting National Security,” 19 percent of Active Duty service members across all branches were considered obese in 2020, up from 16 percent in 2015. These individuals are less likely to be medically ready to deploy. To further study the impact of obesity on military readiness, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by January 1, 2024. The briefing shall include an analysis of proposed solutions to the obesity crisis within the ranks of the U.S. military. Specifically, the briefing shall include conclusions about the feasibility of the following proposals:
(1) connecting military communities with State and local public health experts to identify and tailor strategies that can prevent chronic disease associated with poor nutrition, lack of physical activity, and obesity;
(2) identifying opportunities to implement strategies that can help prevent health risk behaviors among service members and their families; and
(3) educating Department of Defense providers (for example, clinicians, family programs) to better connect service members with national and State public health resources.

Operation Warp Speed Briefing

Operation Warp Speed (OWS) was a partnership between the Department of Health and Human Services and the Department of Defense aimed to help accelerate the development and manage the distribution of a COVID-19 vaccine. The Department of Defense played an integral role in the success of OWS. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on the lessons learned from participation in OWS. These lessons learned should be used to plan for future responses to pandemics and other related crises. The briefing shall include the following:

1. the Department of Defense’s role and organizational construct;
2. how the Department of Defense worked with other government agencies and manufacturers to identify and address possible manufacturing disruptions and mitigated supply chain challenges;
3. what data and tools were used to command and control the operation;
4. how the Defense Production Act was used, and if there were authorities that prevented certain actions;
5. how gaps were identified and mitigated in areas to include, but not limited to, logistics support, workforce, planning;
6. other best practices;
7. lessons learned that could be applied to future pandemic or crisis; and
8. any other matters the Secretary considers relevant, to include any needed legislative authorities.

Patient Movement Medical Logistics Standardization Briefing

The committee is concerned by the lack of medical equipment standardization across the Military Health System. The committee is especially concerned about medical equipment that is connected to a patient and intended or able to move with a patient throughout the evacuation system, referred to as patient movement items. The committee understands that patient movement items should remain attached and supporting the patient until the patient arrives at the intended destination, including continuous movements through any combination of land, sea, or air. Therefore, the committee directs the Secretary of Defense to
provide a briefing to the House Committee on Armed Services by April 1, 2024, on
the following:

(1) the status of all patient movement items in inventory across military
departments, to include equipment by type and capability, the ability of the item to
function on land, sea, and air;

(2) the number and percent of items that are similar and interchangeable
between military departments;

(3) the plan to standardize across the Defense Health Agency consumables
used in military treatment facilities (MTFs), and, where appropriate,
standardization across the deployed medical care and MTFs;

(4) the plan to modernize and standardize all patient movement items to
ensure continuous support to all patients within the evacuation system without the
need to remove critical medical equipment during continuous movement on land,
sea, and air. The plan shall include the total cost of and time necessary to complete
the modernization and standardization of all patient movement items across the
military departments;

(5) what role would the Defense Logistics Agency play in the
standardization of these patient movement items;

(6) what challenges or legislative obstacles would prevent the Defense
Health Agency and the military departments from standardizing these patient
movement items; and

(7) any other information the Secretary deems relevant.

Patient Safety in the Military Health System Review

The committee commends the Department of Defense and its Military
Health System on their patient safety program toolkits and guides. The committee
understands the importance of preventing harm and hospital-acquired conditions
and infections for patients, their family, and military readiness when a service
member or their family needs inpatient care at a military facility. The committee
directs the Secretary of Defense to provide a briefing to the House Committee on
Armed Services by September 31, 2024, on current and planned patient safety
programs, including measurement of hospital-acquired conditions and infections
and progress on their reduction in military hospitals, and any action plans the
Military Health System has for increasing its patient safety programs to include
initiatives to reduce hospital-acquired conditions and infections over the next 5
years.

Permafrost Related Pathogens

In the wake of the COVID-19 pandemic, the committee recognizes the risk
of both the accidental and intentional spread of novel, deadly pathogens. In
particular, the committee recognizes the role of natural barriers that aid in
preventing the spread of pathogens, including permafrost. Therefore, the committee
directs the Director of the Defense Advanced Research Projects Agency to provide a
briefing to the House Committee on Armed Services by January 1, 2024, on the risk permafrost-related pathogens pose to human health. The briefing shall include an assessment of the national security risks posed by permafrost-related pathogens and proposals for biosecurity management plans in areas of greatest risk.

Pharmacogenomics Testing

The committee notes the critical value of genomic and pharmacogenomics testing to military readiness. Moreover, the committee understands the clinical implementation of pharmacogenomics is likely a cost-effective solution to improve the personalization, safety, and efficacy of drug therapy to service members. The committee believes that pharmacogenomics testing of all service members upon entry into military service may be a pillar of personalized medicine that has the potential to deliver optimized treatment to care for service members and preserve mission readiness. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by April 1, 2024, on the Department of Defense’s current use of pharmacogenomics testing and how this may be expanded, to include anticipated cost, benefits to service members, any impediments to broader use, and health outcomes.

Pharmacy Reimbursement Transparency

The committee is concerned about the lack of transparency into how much the TRICARE pharmacy contractor is paid to fill mail order prescriptions versus how much community pharmacies are paid to fill prescriptions for TRICARE beneficiaries in their local communities. The committee understands that the TRICARE pharmacy contractor is paid a per-prescription administrative fee to fill mail order prescriptions. Regarding prescriptions for generic medications, the committee is especially concerned that TRICARE may be overpaying the TRICARE pharmacy contractor for generic medications filled via mail order. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by April 1, 2024, with the facts and circumstances pertinent to whether the TRICARE pharmacy contractor’s mail order reimbursement rate is competitive with the amount paid to community pharmacies to fill generic medications.

Report on the Military Health Services’ Activities to Prevent, Intervene, and Treat Perinatal Mental Health Conditions of Members of the Armed Forces and Their Dependents

The committee understands that peer-reviewed literature reports that approximately 20 to 50 percent of women in developing countries will be confronted with issues related to mental health during the perinatal period. Perinatal mental illness is a major complication of pregnancy and the postpartum period. These disorders include depression, anxiety disorders, and postpartum psychosis, which
usually manifests as bipolar disorder, maternal obsessive-compulsive disorder, and postpartum post-traumatic stress disorder. Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2024, on the activities that address the mental health of pregnant and postpartum members of the Armed Forces and dependents of such members as follows:

(1) assessment of evidence-based programs in military treatment facilities (MTFs) for members of the Armed Forces and their dependents that are proven to prevent perinatal mental health conditions, including types of evidence-based perinatal prevention programs; number and location of evidence-based perinatal prevention programs; number of service members and their dependents who have utilized evidence-based perinatal prevention programs divided by relationship status, military service, military occupation, sex, age, race, ethnicity, and rank, when applicable; and whether the programs are delivered in-person or virtually;

(2) number of behavioral health specialists integrated into obstetric care practices and women's clinics at MTFs and the resources needed to integrate a behavioral health specialist into all obstetric care practices and women's clinics;

(3) an assessment of the Military Health Service’s Reproductive Behavioral Health Consultation line pilot program, to include the number of providers accessing the no-cost consultation services, broken out by provider type, specialty, and location; the number and type of trainings providers received through the consultation line on evidence-based practices to prevent, screen, refer, and treat perinatal mental health conditions; how the pilot program has coordinated and implemented best practices of related Federal perinatal mental health activities, including the Department of Veterans Affairs Reproductive Behavioral Health Consultation Line, Department of Health and Human Services’ Human Resource Services Administration’s maternal mental health and related behavioral health disorders program, and the National Maternal Mental Health Hotline; the number of members of the Armed Forces about whom providers sought perinatal mental health consultation, divided by relationship status, military service, military occupation, sex, age, race, ethnicity, and rank, when applicable; and activities conducted by the pilot program to educate members of the Armed Forces and their families on perinatal mental health conditions; and

(4) any policy or legislative recommendations to improve perinatal mental health prevention.

Sergeant First Class Richard Stayskal Military Medical Accountability Act Update

Briefing

The committee understands the Department of Defense has implemented the Sergeant First Class Richard Stayskal Military Medical Accountability Act. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to provide a briefing to the House Committee on Armed Services by January 1, 2024, on the following:
methods utilized by each service to track claims and appeals processes; (2) number of total claims paid by fiscal year, separated by service; (3) status of claims submitted to the Department, separated by service; (4) number of total claims denied by fiscal year, separated by service; (5) explanation of the appeals process, to include submissions of expert and/or outside opinions; (6) rationale for the offset provisions included in the proposed and final rule and any changes made throughout the approval process; (7) any potential administrative changes to the final rule; and (8) any other matters the Secretary considers are relevant.

Severe Depression Reduction

The committee is aware of the current suicide epidemic affecting service members and veterans. Given the high number of individuals suffering from depression and at risk for suicide, the committee recognizes the importance of the Department of Defense working with the Department of Veterans Affairs and the Department of Health and Human Services to address this challenge. Studies by the National Institute of Mental Health (NIMH) investigating the use of scopolamine in treating depression have shown promising initial results in rapidly decreasing patients' Montgomery-Asberg Depression Rating Scale scores, with over 50 percent of patients achieving remission. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by March 1, 2024, on:

1. the use of scopolamine in treating depression amongst service members and beneficiaries;
2. the effectiveness of scopolamine treatments;
3. how scopolamine treatments are used; and
4. whether there are comparable alternatives and the feasibility of conducting a joint pilot study, in conjunction with the Departments of Veterans Affairs and Health and Human Services, to further validate the findings of the NIMH study.

State of Combatant Command Health Readiness Training as Part of U.S. Security Sector Assistance Programs

The committee recognizes that medical training is an important part of any military’s overall readiness, which enhances a nation’s capabilities, thereby supporting U.S. national security and foreign policy objectives. The committee urges the Department of Defense and the Department of State, in coordination with U.S. combatant commanders, to prioritize medical training as part of U.S. security sector assistance programs. Therefore, the committee directs the Secretary of Defense to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services not later than July 1, 2024, on the following as it relates to medical training as part of theater security cooperation:
(1) for all U.S. security sector assistance programs, the percentage of medical training conducted in each U.S. geographical combatant command as part of any theater security cooperation exercise or program;
(2) examples of the types of medical training conducted as it relates to each U.S. geographical combatant command;
(3) funding sources for medical training as it relates to each U.S. geographical combatant command and cost as it relates to overall cost of other U.S. security sector assistance programs; and
(4) feasibility of increasing the amount of medical training as part of theater security cooperation as it relates to availability of personnel, funding, appropriate partner nations.

Substance Abuse Report

The Department of Defense has, for many years, operated substance abuse programs focused on prevention, treatment, and research of alcohol, illicit drug use, and nonmedical use and abuse of prescription drugs. The Department of Defense mandates that substance abuse education be provided to all service members. Each military service operates a substance abuse prevention program that provides a wide range of education and training services targeted at individual service members, health care providers, and unit commanders. Service members may receive treatment for substance use disorders through various sources; however, the committee is concerned with how the effectiveness of the programs may be measured.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretaries of the military departments, to provide a briefing to the House Committee on Armed Services, by February 1, 2024, on the following:
(1) the number of service members that have utilized substance abuse programs over the last 10 years and whether they were returned to service;
(2) a comparison of service member substance abuse incidence and prevalence with the population of the United States, adjusting for certain demographic information over the last 10 years;
(3) the amount of funding provided to substance abuse programs across each service and in total for the Department of Defense;
(4) the number of dedicated facilities for substance abuse residential and non-residential programs and their locations within the Department of Defense;
(5) the oversight of line-sponsored programs and their interaction with the Defense Health Agency and TRICARE;
(6) the oversight of care provided by the direct care system;
(7) the oversight of care provided by managed care support contract providers;
(8) the measures of effectiveness used to determine success in substance abuse programs; and
(9) any other matters the Secretary considers relevant.
Suicide Prevention among National Guard and Reservists

The committee remains concerned about suicide rates across both the Active and Reserve Components of the military. However, service in the National Guard offers several unique challenges not faced by Active Component service members. Therefore, the committee directs the Chief of the National Guard Bureau to submit a report to the House Committee on Armed Services by February 1, 2024, on the following:

1. identify current suicide prevention training efforts to include delivery format and frequency;
2. identify any gaps in suicide prevention training prevention and services;
3. identify States that do not offer virtual suicide prevention services;
4. provide the measures of effectiveness for suicide prevention training; and
5. any other matters the Chief considers relevant.

Traumatic Brain Injury Care in Response to Department of Defense Inspector General Report

The committee is concerned about the findings from the Department of Defense Inspector General’s report, Evaluation of the Department of Defense’s Management of Traumatic Brain Injury, DODIG Report 2023-059. The committee understands that from 2000 to 2022, approximately 458,894 service members were diagnosed with a traumatic brain injury (TBI) during training or in combat. The committee is also concerned about the implementation of TBI programs and tracking across the Military Health System (MHS). Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by February 1, 2024, on the status of the Department's implementation of recommendations from DODIG Report 2023-059, to include:

1. the update and review of policy;
2. the establishment of an oversight plan for the management of TBI care within the MHS;
3. the establishment of a traumatic brain injury program of record for TBI care within the MHS; and
4. the establishment of a process by which MHS providers can access, create, and update service member profiles, regardless of the service component.

Traumatic Brain Injury Preventative Devices

The committee remains concerned about the near- and long-term effects that mild traumatic brain injuries have on warfighters’ health and subsequent unit readiness. Since 2019, the committee has repeatedly directed the Department of the Army to investigate non-helmet technologies that aid in the protection of the brain from head impacts during training and combat operations. Additionally, the
Department of Defense Appropriations Act, 2021 (division C of Public Law 116-260),
the Department of Defense Appropriations Act, 2022 (division C of Public Law 117-
103), and the Department of Defense Appropriations Act, 2023 (division C of Public
Law 117-328) have appropriated approximately $13.0 million total in Research,
Development, Test, and Evaluation funding for the evaluation and implementation
of U.S. Food and Drug Administration cleared devices that meet this intent. The
committee is grateful for the work accomplished to date and requests the
Department of the Army move forward immediately into training use. Therefore,
the committee directs the Secretary of the Army to provide a briefing to the House
Committee on Armed Services by March 1, 2024, on specific training and
operational use details and observations of the device, and the Department's plans
for ongoing implementation.