

## S 2401

Department of Defense Authorization Act for Fiscal Year 2005

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### Sponsor

**Name:** Sen. Warner, John [R-VA]

**Party:** Republican • **State:** VA • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported Original Measure	May 11, 2004

### Subjects & Policy Tags

#### Policy Area:

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### Related Bills

Bill	Relationship	Last Action
108 HR 4200	Related bill	<b>Oct 28, 2004:</b> Became Public Law No: 108-375.
108 S 2400	Related document	<b>Jun 23, 2004:</b> Senate incorporated this measure in H.R. 4200 as an amendment. (text as passed Senate: CR 7/6/2004 S7592-7684)

Department of Defense Authorization Act for Fiscal Year 2005 - **Title I: Procurement - Subtitle A: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations for FY 2005 for the Army, Navy and Marine Corps, and Air Force for aircraft, missiles, weapons and tracked combat vehicles, ammunition, shipbuilding and conversion, and other procurement.

(Sec. 104) Authorizes appropriations for FY 2005 for defense-wide procurement.

**Subtitle B: Army Programs** - (Sec. 111) Limits the obligation or expenditure of funds for the procurement of light utility helicopters until the Secretary of the Army submits to the congressional defense and appropriations committees: (1) a certification that all required documentation for the acquisition of such helicopters has been completed and approved; and (2) an updated modernization plan for Army aviation containing specified elements.

(Sec. 112) Earmarks specified Army procurement funds for the procurement of: (1) up-armored high mobility multipurpose wheeled vehicles; and (2) wheeled vehicle ballistic add-on armor protection. Requires: (1) the Secretary of the Army to allocate the earmarked funds between the two procurements; and (2) at least 15 days' advance notice to the defense and appropriations committees prior to such allocation.

(Sec. 113) Authorizes additional Army procurement funds, to be used for the procurement of command-and-control vehicles or field artillery ammunition support vehicles. Offsets such additional funds from Air Force personnel funding.

**Subtitle C: Navy Programs** - (Sec. 121) Authorizes the Secretary of the Navy to: (1) procure the first amphibious assault ship of the LHA(R) class, subject to the availability of appropriations; and (2) enter into a multiyear contract for the procurement of the lightweight 155-millimeter howitzer, if determined effective for fleet use.

(Sec. 123) Authorizes the Secretary of the Navy to carry out a pilot program of flexible funding of engineered refueling overhauls and conversions of submarines, through amounts made available for the Navy for procurement and operation and maintenance for FY 2005 through 2012. Outlines program limitations. Requires an efficacy report from such Secretary to the defense and appropriations committees. Terminates the program after September 30, 2012.

**Subtitle D: Air Force Programs** - (Sec. 131) Prohibits, during FY 2005, the retirement of: (1) any KC-135E aircraft; or (2) any F-117 aircraft in use by the Air Force during FY 2004.

(Sec. 133) Authorizes additional Army procurement funds, to be used for the Senior Scout mission bed-down initiative. Offsets such additional funds from Air Force personnel funding.

**Subtitle E: Other Matters** - (Sec. 141) Directs the Secretary of Defense (Secretary) to report to the defense and appropriations committees on options for the acquisition of precision-guided munitions.

(Sec. 142) Requires the Secretary to report to the defense committees on a test program on the maturity and effectiveness of the Global Information Grid-Bandwidth Expansion network architecture.

**Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations** - (Sec. 201) Authorizes appropriations for FY 2005 for the Armed Forces for research, development, test, and evaluation (RDT&E). Earmarks specified amounts for science and technology projects.

**Subtitle B: Program Requirements, Restrictions, and Limitations** - (Sec. 211) Authorizes the Secretary of the Navy

to use specified Navy RDT&E funds for the second destroyer in the DD(X) class destroyer program, including for detail design.

(Sec. 212) Limits the obligation or expenditure of funds available to the Department of Defense (DOD) for the Global Positioning System (GPS) III satellite until the Secretary: (1) completes an analysis of alternatives for architectures, technologies, and procedures for the next generation GPS; and (2) reports to the defense and appropriations committees on the results of such analysis.

(Sec. 213) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Spence Act) to extend until March 1, 2005, the due date for the initiation of a concept demonstration of the Global Hawk high altitude endurance unmanned aerial vehicle.

(Sec. 214) Directs the Secretary to establish and require an executive committee to provide guidance and recommendations for the management of the Joint Unmanned Combat Air Systems program to the Director of the Defense Advanced Research Projects Agency and Agency personnel managing the program.

(Sec. 215) Directs the Secretary to: (1) require the Defense Science Board to conduct a study on the Joint Strike Fighter aircraft program; and (2) report study results to the defense and appropriations committees.

(Sec. 216) Directs the Secretary to plan, program, and budget for all joint experimentation of the Armed Forces as a separate, dedicated program element under defense-wide RDT&E activities.

(Sec. 217) Increases (with corresponding offsets) the amounts authorized for: (1) Navy RDT&E, to be used for Navy infrastructure system security engineering development; (2) defense-wide RDT&E, to be used for neurotoxin mitigation research; (3) defense-wide RDT&E, to be used for spiral development of joint threat warning system maritime variants; (4) Air Force RDT&E, to be used for development and testing of the Advanced Ferrite Antenna; (5) Navy RDT&E, to be used for design, development, and testing of a prototype littoral array system for operating submarines; and (6) defense-wide RDT&E, to be used for advanced manufacturing technologies and radiation casualty research.

**Subtitle C: Ballistic Missile Defense** - (Sec. 231) Allows funds authorized for the Missile Defense Agency (MDA) under this title to be used for the development and fielding of an initial set of ballistic missile defense (BMD) capabilities.

(Sec. 232) Directs the Secretary, with respect to the acquisition of the Patriot Advanced Capability-3 missile system and Medium Extended Air defense system, to require the Secretary of the Army to obtain the approval of the MDA Director before the Secretary of the Army: (1) either changes system level technical specifications or establishes new specifications; (2) makes any significant change in a procurement quantity; or (3) changes the baseline development schedule in effect for either program.

(Sec. 233) Directs the Comptroller General (CG) to: (1) conduct an assessment, at the conclusion of each of 2004 through 2009, of the extent to which each BMD program meets cost, scheduling, testing, and performance goals; and (2) report each assessment's results to the defense and appropriations committees.

(Sec. 234) Requires the: (1) Secretary to prescribe criteria for operationally realistic testing of fieldable prototypes developed under the BMD spiral development program; (2) Director of Operational Test and Evaluation to evaluate the results of each test conducted, and report evaluation results to the Secretary and the defense and appropriations committees; (3) Director of the Missile Defense Agency (MDA) to establish cost, schedule, and performance baselines for each block configuration of the BMD system being fielded, and to include such information in required reports to

Congress; and (4) MDA Director to include in such report any significant variations from the established baselines.

**Subtitle D: Other Matters** - (Sec. 241) Directs the Secretary, for each of FY 2006 through 2009, to report to the defense committees on the submarine technologies that are available or potentially available for insertion into Navy submarines to reduce their production and operating costs while maintaining or improving their effectiveness.

(Sec. 242) Expresses the sense of the Senate: (1) in strong support of the Advanced Shipbuilding Enterprise for reducing the cost of building and repairing ships in the United States; and (2) that the Secretary should continue to provide in the future-years defense program funding for the Enterprise at a sustained level to support additional research for reducing such cost.

**Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations** - (Sec. 301) Authorizes appropriations for FY 2005 for operation and maintenance (O&M) for the Armed Forces and specified activities and agencies of DOD.

(Sec. 302) Authorizes appropriations for FY 2005 for: (1) working capital funds; (2) the Defense Health Program; (3) chemical agents and munitions destruction; (4) drug interdiction and counter-drug activities; and (5) the Defense Inspector General.

(Sec. 304) Increases (with a corresponding offset) defense-wide O&M funds, to be used for the DOD one-source counseling and referral hotline.

**Subtitle B: Program Requirements, Restrictions, and Limitations** - (Sec. 311) Earmarks specified defense-wide O&M funds for: (1) the Commander's Emergency Response Program for enabling U.S. military commanders in Iraq to respond to urgent humanitarian and reconstruction needs for the people of Iraq; and (2) a similar program in Afghanistan.

(Sec. 312) Prohibits transfers out of a working capital fund, or between or among such funds, unless the Secretary has notified the defense and appropriations committees.

(Sec. 313) Increases (with a corresponding offset) Army O&M funds, to be used for the family readiness program of the National Guard.

**Subtitle C: Environmental Provisions** - (Sec. 321) Authorizes the Secretary to enter into agreements with owners of former defense property for the payment of certain cleanup costs in connection with the defense environmental restoration program. Makes the base closure account under the applicable base closure law the sole source of funds for environmental restoration at certain base realignment and closure sites.

(Sec. 322) Authorizes the Secretary to transfer specified DOD O&M funds to a named account as reimbursement to the Environmental Protection Agency for certain environmental cleanup costs in connection with the Moses Lake Wellfield Superfund Site, Washington.

(Sec. 323) Deems the Defense Inspector General in compliance with certain requirements under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 if the Inspector General conducts periodic audits of payments, obligations, reimbursements, and other uses from the Hazardous Substance Superfund.

(Sec. 324) Requires the CG to: (1) study drinking water contamination and related health effects at Camp Lejeune, North Carolina; (2) ensure study participation by other interested (affected) parties; and (3) report study results and recommendations to the defense and appropriations committees.

(Sec. 325) Amends the Water Resources Development Act of 1999 to increase the amount authorized for an environmental remediation project in Front Royal, Virginia.

(Sec. 326) Directs the CG to study, and report to Congress on, whether cost-effective technologies are available for the cleanup of groundwater contamination at DOD installations in lieu of traditional methods such as pump-and-treat.

(Sec. 327) Expresses the sense of the Senate that DOD should: (1) work to develop a national plan to remediate perchlorate contamination of the environment resulting from DOD activities; (2) continue any current remediation; (3) develop a remediation plan with respect to contamination at levels that pose a hazard to human health; and (4) continue the process of evaluating and prioritizing contamination sites without waiting for the development of a Federal drinking water standard.

(Sec. 328) Increases (with a corresponding offset) defense health program O&M funds, to be used for purposes relating to Leishmaniasis Diagnostics Laboratory.

(Sec. 329) Requires the Secretary of the Air Force to report to the defense committees on current and anticipated encroachments on the use and utility of the special use airspace of the Utah Test and Training Range, including encroachments brought about through actions of other Federal agencies.

**Subtitle D: Depot-Level Maintenance and Repair** - (Sec. 331) Revises the dates and content of annual DOD reporting requirements concerning funds expended for depot-level maintenance and repair workloads.

(Sec. 332) Repeals the requirement for an annual report on the management of depot-level employees.

(Sec. 333) Extends through 2009 the authority to waive limitations on the performance of depot-level maintenance of materiel with respect to certain expenditures incurred in the operation of Centers of Industrial and Technical Excellence.

**Subtitle E: Extension of Program Authorities** - (Sec. 341) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2004 to extend through FY 2006 the Secretary's authority to provide prepaid phone cards or equivalent telecommunications benefits to certain members of the Armed Forces stationed outside the United States.

(Sec. 342) Amends the Spence Act to extend through FY 2006 a demonstration program for the support of Army manufacturing arsenals.

(Sec. 343) Amends the NDAA for Fiscal Year 1998 to extend through FY 2006 a pilot program of using commercial services to improve the collection of DOD claims under aircraft engine warranties.

**Subtitle F: Defense Dependents Education** - (Sec. 351) Earmarks specified DOD O&M funds for assistance to local educational agencies that benefit dependents of members of the Armed Forces and DOD civilian employees. Requires the Secretary to notify each agency eligible for such assistance.

(Sec. 352) Earmarks specified DOD O&M funds for impact aid assistance for children with severe disabilities, as authorized under the Spence Act.

(Sec. 353) Expresses the sense of the Senate that DOD should support the construction of schools in housing privatization agreements that severely impact student populations.

**Subtitle G: Other Matters** - (Sec. 361) Authorizes the Secretary to charge fees for providing information in the Federal Logistics Information System through Defense Logistics Information Services to a department or agency outside of DOD,

or to a State, political subdivision of a State, or any person.

(Sec. 362) Amends the Bob Stump National Defense Authorization Act for Fiscal Year 2003 to extend through FY 2006 the temporary authority within DOD for contractor performance of security-guard functions. Extends dates of, and requires the inclusion of additional information within, related reporting requirements.

(Sec. 363) Authorizes the Secretary to carry out a pilot program for the purchase of certain municipal services needed for a DOD installation from a county or municipality where the installation is located. Authorizes the Secretary of each military department (Secretary concerned) to designate up to two installations for participation in the pilot program. Requires a pilot program report from the Secretary to Congress.

(Sec. 364) Authorizes a working-capital funded Army industrial facility to enter into cooperative arrangements with non-Army entities to carry out military or commercial projects at the facility, including the sale of manufactured articles and the performance of work. Outlines: (1) conditions under which an activity may be carried out as a public-private partnership at an Army industrial facility; and (2) partnership requirements and conditions.

(Sec. 365) Authorizes the Secretary to carry out a program to: (1) commemorate the 60th anniversary of World War II; and (2) coordinate, support, and facilitate other such programs of the Federal Government, State and local governments, and other persons. Establishes the Department of Defense 60th Anniversary of World War II Commemoration Account for funding such activities. Requires a report from the Secretary to the defense committees on Account expenditures. Authorizes the Secretary to accept voluntary services in furtherance of the program.

(Sec. 366) Expresses the sense of Congress that the DOD policy regarding no media coverage of the transfer of the remains of deceased members of the Armed Forces appropriately protects the privacy of the members' families and friends and is consistent with U.S. constitutional guarantees of freedom of speech and freedom of the press.

(Sec. 367) Expresses as the sense of the Senate to: (1) honor the sacrifices of members of the Armed Forces who have been killed or critically wounded while serving the United States; (2) recognize heroic efforts of military medical personnel in treating wounded personnel and civilians; and (3) support advanced medical technologies that assist military medical personnel in saving lives and reducing disability rates for members of the Armed Forces. Directs the Secretary to: (1) prescribe DOD policy for providing timely notification to the next of kin of the status of members who are seriously ill or injured in a combat zone; and (2) transmit a copy of such policy to the defense committees. Increases (with a corresponding offset) defense-wide RDT&E funds, to be used for medical equipment and combat casualty care technologies.

**Title IV: Military Personnel Authorizations - Subtitle A: Active Forces -** (Sec. 401) Sets forth authorized end strengths for active-duty forces as of the end of FY 2005.

(Sec. 402) Authorizes the Secretary, during FY 2005 through 2009, to increase as necessary by up to 30,000 the end strength authorized for the Army to support the Army's operational mission in Iraq and Afghanistan and to achieve Army transformational reorganization objectives. Requires a fiscal year's budget to be amended to reflect any such increase.

(Sec. 403) Excludes up to 100 permanent and career professors at the military academies from annual officer end strength limits.

**Subtitle B: Reserve Forces -** (Sec. 411) Sets forth the authorized end strengths as of the end of FY 2005 for members of the Selected Reserve and reserve personnel on active duty in support of the reserves.

(Sec. 413) Sets forth the minimum end strength for FY 2005 for Army and Air Force dual status military technicians.

(Sec. 414) Places specified FY 2005 limits on the number of non-dual status technicians authorized to be employed by the Army and Air National Guard.

(Sec. 415) Increases the authorized end strengths for Marine Corps Reserve officers in active status in the grades of first and second lieutenant, captain, major, and lieutenant colonel.

**Subtitle C: Authorization of Appropriations** - (Sec. 421) Authorizes appropriations for FY 2005 for: (1) military personnel; and (2) the Armed Forces Retirement Home.

**Title V: Military Personnel Policy - Subtitle A: Joint Officer Personnel Management** - (Sec. 501) Authorizes an exception to the one-year joint duty requirement prior to promotion to the grade of brigadier general or rear admiral (lower half) in the case of an officer whose proposed selection for promotion is based primarily upon career field specialty qualifications (currently, scientific and technical qualifications).

(Sec. 502) Allows an officer to be designated with a joint specialty designation after completing two full tours of duty in joint duty assignments. (Currently, the only authority for such designation is serving one full tour of duty in a joint duty assignment and completing an appropriate education program at a joint professional military education school.) Directs the Secretary to ensure that the general and flag officer positions required to be filled by officers with the joint specialty as joint duty assignments are designated as such.

(Sec. 503) Revises generally promotion policy objectives for joint officers. Requires the Secretary to prescribe policies to ensure that the Secretaries concerned provide for promotion selection boards to give appropriate consideration to officers who are serving or have served in joint duty assignments and are eligible for consideration.

(Sec. 504) Provides various duty scenarios under which an officer shall be credited with having completed a full tour of duty in a joint duty assignment. Authorizes the Secretary to waive any such requirement in the case of a particular officer for national security reasons.

(Sec. 505) Repeals the three-month minimum duration of the principal course of instruction offered at the Joint Forces Staff College.

**Subtitle B: Other Officer Personnel Policy** - (Sec. 511) Repeals the prohibition against a person receiving an original appointment as a commissioned officer until the person has completed one year of service on active duty as a commissioned officer of a reserve component. Allows a person to qualify for such original appointment if he or she completes 20 years of active commissioned service before their 62nd (currently, 55th) birthday. Authorizes the Secretary to waive the requirement that a person receiving such an appointment be a citizen of the United States in the case of a person lawfully admitted to the United States for permanent residence when the Secretary determines that the national security so requires, but only for an original appointment in a grade below major or lieutenant commander. Requires the President alone (currently, with the advice and consent of the Senate) to make original appointments in the grades of second lieutenant through captain in the regular Army, Air Force, and Marine Corps, and ensign through lieutenant in the regular Navy. Repeals limitations on the total authorized end strength of regular commissioned officers serving on active duty. Authorizes the Secretary concerned to discharge certain officers, or transfer certain officers from an active-duty list to a reserve active-status list, in order to restructure (force shape) that armed force. Requires appointment in a regular component, and service as a second lieutenant or ensign, for students graduating from the Uniformed Services University of the Health Sciences.

(Sec. 512) Repeals the requirement that Deputy and Assistant Chiefs of Naval Operations be selected from officers in the line of the Navy.

(Sec. 513) Extends through 2005 (currently, 2004) the authority to waive the requirement that reserve chiefs have significant joint duty experience.

(Sec. 514) Limits to 30 the total number of brigadier generals and rear admirals (lower half) on the active duty-list who are authorized to be frocked to major general or rear admiral (upper half) (to wear the insignia of such higher grade prior to the actual promotion date).

(Sec. 515) Directs the Secretary to study, and report to Congress on, whether it would be equitable for retired warrant officers on active duty, but not on the active-duty list, to be eligible for consideration for promotion.

**Subtitle C: Reserve Component Personnel Policy** - (Sec. 521) Allows the Secretary concerned to order a member of the reserves, without the member's consent, to active duty for training. (Currently, the Secretary concerned may order a reserve member to any active duty other than for training.)

**Subtitle D: Education and Training** - (Sec. 531) Amends the NDAA for Fiscal Year 2000 to extend through 2005 (currently, FY 2004) the Army College First (delayed entry) pilot program.

(Sec. 532) Requires that military recruiters be given access to college or university campuses and students that is at least equal in quality and scope to the access provided to any other employer.

(Sec. 533) Excludes from the denial of certain Federal funds to a college or university for preventing ROTC access any funds provided to a college, university, or individual solely for student financial assistance, related administrative costs, or costs associated with attendance.

(Sec. 534) Shifts the authority for conferring associate degrees at the Community College of the Air Force from the commander of the Air Education and Training Command to the commander of Air University.

(Sec. 535) Repeals the requirement that an officer serving as Superintendent of the Air Force Academy must retire upon completion of such service.

**Subtitle E: Decorations, Awards, and Commendations** - (Sec. 541) Authorizes the posthumous award of the Medal of Honor to a deceased, unidentified casualty of a particular war or other armed conflict who is interred in the Tomb of the Unknowns at Arlington National Cemetery, Virginia, as the representative of the members who died in such war or conflict, and not to the individual personally.

(Sec. 542) Directs the President to establish separate campaign medals to recognize service by U.S. military personnel in Operations Enduring Freedom and Iraqi Freedom.

(Sec. 543) Directs the Secretary of the Army to submit to the defense committees a plan for revised criteria and eligibility requirements for the award of the Combat Infantryman Badge and Combat Medical Badge for service in the Republic of Korea after July 28, 1953.

**Subtitle F: Military Justice** - (Sec. 551) Amends the Uniform Code of Military Justice (UCMJ) to reduce from 0.10 to 0.08 grams of alcohol per 100 milliliters the blood alcohol content limit for the offense of drunken or reckless operation of a vehicle, aircraft, or vessel.

(Sec. 552) Provides that service time will not be considered lost (and therefore required to be made up) for a period of confinement in connection with a trial when the charge is dismissed or the conviction is set aside or dismissed.

(Sec. 553) Directs the Secretary to: (1) develop a comprehensive DOD policy on the prevention of, and response to, sexual assaults involving members of the Armed Forces based on the recommendations of the Department of Defense Task Force on Care for Victims of Sexual Assaults; (2) submit to Congress a proposal for appropriate legislation to enhance DOD capability to address such matters; and (3) ensure that the policy developed is implemented uniformly by the military departments. Requires the department Secretaries to prescribe or modify regulations on such policies in order to conform to the policy established by the Secretary. Directs each Secretary annually to: (1) assess the implementation of such policies and procedures; and (2) report to the Secretary on the sexual assaults involving members of that department during the preceding year. Requires the Secretary to transmit each such report to the defense committees.

**Subtitle G: Scope of Duties of Ready Reserve Personnel in Inactive Duty Status** - (Sec. 561) Redesignates the "inactive-duty training" status applicable to members of the reserves as "inactive duty," thereby encompassing operational and other duties performed by the reserves while in inactive duty status.

(Sec. 562) Repeals provisions which provide a separate duty status for military funeral honors duty.

**Subtitle H: Other Matters** - (Sec. 571) Authorizes the Secretary concerned to: (1) waive initial service obligation requirements for a person who is accessed into an armed force based on unique skills acquired in a civilian occupation and is to serve in a specialty requiring those skills; and (2) require any alternative period of obligated service to meet the needs of that armed force.

Authorizes a period of basic training shorter than 12 weeks for members who have: (1) been credentialed in a medical profession or occupation and are serving in a health-care occupational specialty; or (2) unique skills acquired in a civilian occupation and are to serve in a military specialty or position requiring those skills.

(Sec. 572) Amends the Uniformed and Overseas Citizens Absentee Voting Act to: (1) include absent military voters; and (2) include absent military voters in write-in ballot requirements and restrictions.

(Sec. 573) Renames the National Guard Challenge Program as the National Guard Youth Challenge Program. Increases, for each of FY 2005 through 2007, the maximum authorized Federal share of State costs under such Program.

(Sec. 574) Authorizes the Secretary concerned to permit a representative of a veterans service organization to appear at and participate in any preseparation counseling provided to a member of the Armed Forces. Allows a unit of a reserve component in which a member has been released from active duty for further service in such reserve component to meet with a veterans service organization for information and assistance relating to such release, if the commander of the unit authorizes the meeting.

(Sec. 575) Expresses the sense of the Senate that: (1) members of the Armed Forces who on their own initiative are highly motivated to return to active-duty service following rehabilitation from injuries incurred in such service, after appropriate medical review, should be given the opportunity to so return; (2) other than appropriate medical review, there should be no barrier to a member having the option to so return; and (3) the Secretary should develop protocols that expand options for such members' return to active-duty service.

**Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances** - (Sec. 601) Provides that, in the case of a member who is reassigned for a permanent change of station or assignment for a period of up to one

year in order to participate in professional military education or training classes, the amount of basic allowance for housing for such member may be based on average housing costs in the area of either the new or old duty station, as determined most equitable by the Secretary concerned.

(Sec. 602) Authorizes the Secretary concerned to provide an immediate lump-sum reimbursement for unusual nonrecurring expenses incurred by a member for duty outside the continental United States.

(Sec. 603) Makes permanent (currently, ends December 31, 2004) the monthly family separation allowance.

**Subtitle B: Bonuses and Special and Incentive Pays -** (Sec. 611) Extends through 2005 specified authorities currently scheduled to expire at the end of 2004 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 615) Reduces from four to three years the duty obligation for nurses receiving the nurse accession bonus.

(Sec. 616) Discontinues assignment incentive pay upon commencement of terminal leave (leave at the end of which the member will be discharged or released from active duty).

(Sec. 617) Makes permanent (currently, ends December 31, 2004) the monthly hostile fire and imminent danger special pay.

(Sec. 618) Makes enlisted personnel eligible to receive a critical skills retention bonus while serving on an indefinite reenlistment of at least one year.

(Sec. 620) Authorizes the Secretary concerned to pay an affiliation bonus to an eligible commissioned officer who enters into an agreement to serve for a specified period in the Selected Reserve: (1) in a designated critical officer skill; or (2) to meet a manpower shortage in a unit of the Selected Reserve or a particular pay grade of that armed force. Outlines provisions concerning commissioned officer eligibility and critical skill designation by the Secretary concerned.

Authorizes the Secretary concerned to pay an accession bonus to an individual who enters into an agreement to: (1) accept an appointment as a commissioned officer in the Armed Forces; and (2) serve in the Selected Reserve in a designated critical skill. Requires bonus repayment for failure to commence or complete the period of obligated service (determined by such Secretary).

(Sec. 621) Prohibits the Secretary concerned, in determining a member's eligibility for supplemental subsistence allowance for low-income members with dependents, from taking into consideration such member's receipt of either (or both) special pay for duty subject to hostile fire or imminent danger, or the family separation allowance. Makes members who receive the supplemental subsistence allowance eligible for other Federal assistance, such as programs under the National School Lunch Act and the Head Start Act. Directs the Secretary to report to specified congressional committees on the accessibility of social services to members of the Armed Forces and their families.

**Subtitle C: Travel and Transportation Allowances -** (Sec. 631) Authorizes a travel and transportation allowance, for two days and the time necessary for travel, for family members to attend burial ceremonies of members who die while on active duty. Removes a condition on the eligibility of parents to receive such allowance.

(Sec. 632) Includes, under travel and transportation allowances for dependent children of members stationed overseas, costs incurred for lodging necessitated by an interruption in travel caused by extraordinary circumstances.

**Subtitle D: Retired Pay and Survivor Benefits** - (Sec. 641) Provides a special rule for computing the high-36 month compensation average for disabled members of the reserves for purposes of retired pay determination.

(Sec. 642) Finds that the study of Federal death benefits for survivors of deceased members of the Armed Forces, required under the NDAA for Fiscal Year 2004, has convinced Congress to initiate action to provide for the enhancement of such death benefits. Requires the Secretary to expedite completion of the final report under such study. Expresses the sense of Congress that the President should promptly submit to Congress any recommendation for legislation necessary to implement the death benefits enhancements that are included in such final report. Requires an interim increase in the death gratuity benefit by the same percentage as the annual increase in military basic pay. Directs the President, at the same time as the budget submission for FY 2006, to submit to the congressional defense and veterans' committees drafts of legislation to provide enhanced death benefits for survivors of deceased members of the Armed Forces, requiring the inclusion in such drafts of increases in the maximum benefit under the Servicemembers' Group Life Insurance program, as well as an additional set of death benefits for members who die in the line of duty while serving on active duty.

(Sec. 643) Repeals the current phase-in (lasting until December 31, 2004) on the concurrent receipt of military retired pay and veterans' disability compensation for veterans with service-connected disabilities rated at 100 percent (thereby allowing immediate full payment of both).

(Sec. 644) Provides a phased increase in the amount of Survivor Benefit Plan (SBP) annuity available for military surviving spouses over age 62 from the current 35 percent of the base annuity to up to 55 percent of such base amount for months beginning after September 2014. Requires: (1) a corresponding phased elimination of the SBP supplemental annuity; and (2) the recomputation of current annuities to incorporate such changes.

(Sec. 645) Allows an eligible retired or former member to elect to participate in the SBP and the Supplemental SBP during the one-year open enrollment period beginning on October 1, 2005. Allows, also during such period, a person currently participating in the SBP or the Supplemental SBP, but not at the maximum amount, to increase such participation amount. Voids any election made by a person who dies within a two-year period after such election. Requires the Secretary to prescribe an additional premium for additional coverage under this section.

**Subtitle E: Other Matters** - (Sec. 651) Increases from two to three years the maximum period of educational leave for certain active-duty personnel in the case of a member pursuing a program of education in a health care profession.

(Sec. 652) Makes members eligible for the reimbursement of expenses incurred for adoption placements made by foreign governments.

(Sec. 653) Authorizes the Secretary to accept the donation of frequent traveler miles, credits, and tickets for air or surface transportation to facilitate the travel of: (1) a member of the Armed Forces who is deployed on active duty away from his or her permanent duty station and granted leave during such deployment; or (2) family members of a member recovering from injury or illness incurred or aggravated in the line of duty during such a deployment, in order to be reunited with such member. Authorizes the Secretary, under (2) above, to allow a person other than a family member to use such miles, credits, or tickets for such travel if the person has a notably close relationship with the member. Prohibits any recognition as income when such members, family members, or other persons utilize such benefit.

(Sec. 654) Authorizes the Secretary, in any case where the children of a covered member are geographically dispersed and have no practical access to military child care, to provide funds to permit such member's family to secure private child care access that is similar in scope and quality to military child care.

(Sec. 655) Amends the Consolidated Farm and Rural Development Act to make provisions under such Act allowing temporary relief from certain agricultural loan obligations applicable to military reservists mobilized during a war or national emergency, or under a call or order to active-duty service for more than 30 days. Forgives loan interest payments during any such period, and defers loan principal payments until after such mobilization or service.

**Title VII: Health Care - Subtitle A: Enhanced Benefits for Reserves -** (Sec. 701) Directs the Secretary to carry out a demonstration program for providing benefits under the TRICARE program (a DOD managed health care program) to members of the Ready Reserve who are: (1) eligible unemployment compensation recipients; (2) in a period of continuous unemployment from the end of their last month as eligible unemployment compensation recipients; or (3) ineligible for coverage by employer-sponsored health benefits plans.

(Sec. 702) Makes permanent (currently terminates on December 31, 2004) the special TRICARE benefits early-eligibility date for reserve personnel who are issued delayed-effective-date active-duty orders.

(Sec. 703) Authorizes the waiver of deductible payments for dependents of members of the reserves on active duty pursuant to a call or order to active duty of more than 30 days (currently, less than one year).

(Sec. 704) Provides protection from balance billing (the billing of full physician charges) for dependents of reserve personnel serving on active duty for more than 30 days.

(Sec. 705) Entitles members separated from active duty, and the dependents of such members, to medical and dental care through DOD for 180 days following the member's separation. (Currently, such transitional care is available for up to 120 days, depending upon the length of active-duty service prior to separation.) Directs the Secretary concerned to require each such member to undergo a comprehensive physical examination immediately before such separation.

(Sec. 706) Revises provisions concerning TRICARE eligibility requirements for members of the Ready Reserve to remove the requirement that such members be: (1) eligible unemployment compensation recipients; or (2) ineligible for employer-sponsored health benefits. Allows such eligibility for all Ready Reserve members except those enrolled in a Federal health benefits plan.

(Sec. 707) Provides for the temporary continuation of non-TRICARE health benefits plan coverage for dependents of certain reservists serving under a call or order to active duty during a war or national emergency. Provides the same continuation with respect to COBRA coverage. Allows a member to revoke the election for such coverage continuation.

**Subtitle B: Other Matters -** (Sec. 711) Repeals the required payment of subsistence charges while hospitalized in a military medical facility in the case of certain officers, former officers, and enlisted personnel.

(Sec. 712) Authorizes enrollment in a TRICARE dental plan for a dependent child of a deceased member if such child was, at the time of the member's death, under the minimum age for enrollment.

(Sec. 713) Allows dependents under age 13 who are participating in a military dental plan to be treated by postgraduate dental students in eligible military dental treatment facilities, under specified conditions, including treatment compliance with American Dental Association standards. Prohibits the total number of such patients from exceeding 2,000 in a fiscal year.

(Sec. 714) Amends the NDAA for Fiscal Year 1995 to include marriage and family therapists under the DOD authority to enter into personal services contracts.

(Sec. 715) Directs the Secretary to establish an oversight advisory committee for the development and implementation of an effective program of chiropractic health care benefits for members serving on active duty. Requires a committee report to the Secretary. Terminates such committee 90 days after the report.

(Sec. 716) Revises the grounds for the presidential waiver of the requirement of informed consent or the option to refuse participation with respect to the DOD administration of drugs not approved for general public use.

(Sec. 717) Makes eligible for military medical and dental care cadets or midshipmen at a U.S. military academy, or members or applicants for membership in the Senior ROTC, who incur or aggravate an injury, illness, or disease in the line of duty. Provides an exception when the injury, illness, or disease is the result of gross negligence or misconduct.

(Sec. 718) Authorizes the Secretary to ensure an effective transition in the furnishing of part-time or intermittent home health care benefits for covered beneficiaries who were receiving such benefits before the establishment of the sub-acute care program.

(Sec. 719) Authorizes the Secretary to waive the collection of payments due for health benefits received under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), and to continue the provision of such benefits through 2004, in the case of a member or dependent who was originally eligible for CHAMPUS benefits, became eligible for hospital insurance benefits under Medicare upon attaining the minimum age, and was unaware of the loss of eligibility for the CHAMPUS benefits after attaining eligibility for the Medicare benefits.

(Sec. 720) Directs the Secretary to establish the Vaccine Healthcare Centers Network to improve the safety and quality of vaccine administration for members of the Armed Forces, as well as the access to vaccine follow-up services, and to undertake clinical vaccine research. Outlines authorized Network activities. Expresses the sense of the Senate: (1) recognizing the important work being done by military vaccine centers; and (2) that each military department is strongly encouraged to fund the Network.

(Sec. 721) Authorizes the use of DOD funds for abortions when the pregnancy is the result of an act of rape or incest.

**Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Acquisition Policy and Management** - (Sec. 801) Makes the acquisition executive of each military department responsible for all aspects, including policies and related issues, with respect to the acquisition of information technology equipment integral to a weapon or weapon system. Directs the Secretary to establish a board of senior acquisition officials to develop policy and provide oversight with respect to such acquisitions.

(Sec. 802) Requires software-related program costs to be included in currently-required quarterly unit cost reports for major defense acquisition programs.

(Sec. 803) Prohibits any DOD official from ordering or purchasing property or services in an amount in excess of \$100,000 through any particular GSA Client Support Center until the DOD Inspector General has: (1) reviewed the policies, procedures, and internal controls of such Center; and (2) certified their adequacy to the Secretary and the Administrator of General Services.

(Sec. 804) Directs the Secretary to: (1) review alternative mechanisms for procuring commercial satellite services, and provide guidance therein to the Director of the Defense Information Systems Agency and the Secretaries of the military departments; and (2) report review results to Congress.

(Sec. 805) Amends the NDAA for Fiscal Year 2004 to require an advisory panel established under such Act, in making

recommendations for the modification of Federal laws, regulations, or policies, to: (1) consider the recommendations' effects on small businesses; and (2) include recommendation modifications which will enhance and ensure competition in contracting that affords small businesses a meaningful opportunity to participate in Federal contracts. Revises and extends related reporting requirements.

**Subtitle B: General Contracting Authorities, Procedures, and Limitations, and Other Matters** - (Sec. 811) Increases from: (1) \$50 million to \$75 million the threshold prior to required approval of the senior procurement executive on the use of DOD procurement procedures other than competitive procedures; and (2) \$500,000 to \$1 million the threshold prior to the required provision by defense contractors of certain subcontractor information.

(Sec. 812) Extends for up to eight (currently, five) years the authorized period for DOD multiyear task and delivery order contracts. Requires an annual report from the Secretary to Congress, after the end of FY 2005 through 2009, on any contracts that were so extended.

(Sec. 813) States that current exceptions to the required submission of certain cost or pricing data by defense contractors shall not apply (thereby requiring such submission) to cost or pricing data on noncommercial modifications of a commercial item that are expected to cost, in the aggregate, more than \$500,000.

(Sec. 814) Prohibits the delegation below the level of an Assistant Secretary of Defense of the authority to make certain determinations relating to payments to defense contractors for business restructuring costs expected to exceed \$25 million over a five-year period.

(Sec. 815) Prohibits the head of an agency from procuring goods or services through a contract entered into by an agency outside of DOD if the amount charged includes a service charge in excess of one percent of the contract amount. Allows a waiver in the national security interest. Makes this section inapplicable to: (1) procurement contracts for certain services, including printing, binding, or blank-book work, and services under programs of the Library of Congress Fiscal Operations Improvement Act of 2000; (2) the Coast Guard when not operating as a service in the Navy; and (3) the National Aeronautics and Space Administration.

(Sec. 816) Expresses the sense of the Senate: (1) that, in the administration of the requirement for reservation of contracts for small businesses, the maximum amount of the applicable contract range (total value) should be increased by the same amount as any increase in the simplified acquisition threshold; and (2) encouraging the placement with small businesses of a fair portion of Federal purchase card or credit card purchases.

**Subtitle C: Extensions of Temporary Program Authorities** - (Sec. 821) Extends through FY 2009 the DOD contract goal for small disadvantaged businesses and certain institutions of higher education.

(Sec. 822) Amends the NDAA for Fiscal Year: (1) 1991 to extend through FY 2013 the mentor-protege program; (2) 1990 and 1991 to extend through FY 2010 a test program for the negotiation of comprehensive small business subcontracting plans; and (3) 1998 to extend through FY 2009 a pilot program on the sale of manufactured articles and services of certain Army industrial facilities.

**Subtitle D: Industrial Base Matters** - (Sec. 831) Establishes the Commission on the Future of the National Technology and Industrial Base to: (1) study and assess the future of the national technology and industrial base in attaining national security objectives; and (2) report to the President and Congress on its activities.

(Sec. 832) Authorizes the Secretary to waive the application of any domestic source or content requirement, and thereby

authorize the procurement of, items grown, reprocessed, reused, produced, or manufactured: (1) in a foreign country that has a Declaration of Principles (a cooperative relationship concerning defense equipment procurement) with the United States; or (2) in the United States from materials grown, reprocessed, reused, produced, or manufactured in either the United States or any foreign country that has such a Declaration of Principles.

(Sec. 833) States that no provision or amendment under this Act shall apply to a DOD procurement to the extent that the Secretary determines it to be inconsistent with U.S. obligations under a trade agreement.

(Sec. 834) Amends the NDAA for Fiscal Year 2004 to repeal defense industrial base requirements concerning essential item identification and domestic production capabilities improvement.

**Subtitle E: Defense Acquisition and Support Workforce** - (Sec. 841) Prohibits the defense acquisition and support workforce from being reduced during FY 2005 through 2007 below its level as of September 30, 2003, except as necessary to strengthen such workforce in higher priority positions. Requires phased increases in such workforce during such fiscal years. Requires the Secretary to: (1) develop a human resources strategic plan for such workforce that includes objectives and actions to improve workforce management; and (2) report to Congress on plan implementation.

(Sec. 842) Removes the requirement that only employees within GS-13 or above may be selected to a position in the Acquisition Corps of a military department (but still requires such employees to have been paid at a rate that exceeds the minimum rate of basic pay for such grade). Revises in the same manner, but with respect to the GS-14 level, the selection for defense critical acquisition positions. Outlines requirements for a current scholarship program which qualifies personnel for DOD acquisition positions, including a written scholarship agreement and repayment for failure to fulfill agreement terms.

**Subtitle F: Public-Private Competitions** - (Sec. 851) Prohibits a DOD function performed by ten or more civilian employees from being converted to performance by a contractor unless the conversion is based on the results of a public-private competition that: (1) formally compares costs; (2) creates a most efficient organization plan in accordance with Office of Management and Budget (OMB) Circular A-76; (3) requires continued performance by the civilian DOD employees unless there would be cost savings in contractor performance of at least ten percent or \$10 million, whichever is less; and (4) ensures that the public sector bid is not reduced by a failure to offer an employer-sponsored health plan to the contract workers. Prohibits functions currently performed by at least ten civilian DOD employees from being separated in order to circumvent such requirements. Authorizes the Secretary to waive such requirements for national security purposes. Makes such requirements inapplicable with respect to the pilot program for best source selection for performance of information technology services as authorized under the NDAA for Fiscal Year 2004.

(Sec. 852) Directs the Secretary to: (1) prescribe guidelines and procedures for ensuring that consideration is given to using Federal employees on a regular basis for work performed under DOD contracts; and (2) include the use of flexible hiring authority available through the National Security Personnel System to facilitate such Federal employee performance. Requires a report from the DOD Inspector General to the defense committees on the Secretary's compliance with such requirements.

(Sec. 853) Requires the Inspector General to report to Congress on whether DOD employs a sufficient number of trained civilian employees to: (1) satisfactorily conduct all of the public-private competitions scheduled to be undertaken by DOD during the next fiscal year; and (2) administer any resulting contracts.

**Subtitle G: Other Matters** - (Sec. 861) Amends the NDAA for Fiscal Year 2004 to make certain Federal budgetary requirements inapplicable to a DOD settlement of a financial account for a contract for the procurement of property or

services which is made under special temporary contract closeout authority.

(Sec. 862) Authorizes the Secretary of the Army to carry out a demonstration program on the use of reserve personnel to perform test, evaluation, and related activities for an acquisition program. Limits to \$10 million per fiscal year the authorized costs under such program.

(Sec. 863) Allows members of the National Guard performing certain additional duties in a State to receive financial assistance when such duties were contracted for under other-than-competitive procedures.

(Sec. 864) Directs the Secretary to submit to the defense, appropriations, and intelligence committees a plan for the management and oversight of contractor security personnel by Government personnel in areas where the Armed Forces are engaged in military operations. Requires the plan to include assessed options for enhancing contractor security and reducing contractor security costs in Iraq or in future locations of armed conflict.

(Sec. 865) Requires a report from the Secretary to the defense, appropriations, and intelligence committees on the procurement of services, by an agency of the U.S. Government or by the Coalition Provisional Authority, for the performance of security, intelligence, law enforcement, and criminal justice functions in Iraq.

(Sec. 866) Directs the Secretary to: (1) study available commercial processes for measuring the quality of information technology and related services through assessment of their production methods; and (2) determine the cost benefits of such a process in DOD procurements of information technology and related services.

(Sec. 867) Authorizes the head of a defense agency to contract for the performance of acquisition functions closely associated with inherently governmental functions only if the Secretary determines that: (1) the appropriate military or civilian personnel of DOD cannot perform the functions; (2) appropriate military or civilian DOD personnel are to supervise contractor performance and perform all inherently governmental functions under the contract; and (3) the contractor does not have an organizational conflict of interest in the performance of contract functions.

(Sec. 868) Makes provisions of the Randolph-Sheppard Act (requirements concerning the operation of vending facilities by the blind in Federal buildings) inapplicable to any military dining facility.

(Sec. 869) Directs the Secretary to exercise existing statutory authority to introduce life-cycle cost-effective upgrades to Federal assets through shared energy savings contracting, demand management programs, and utility incentive programs.

(Sec. 870) Authorizes the Secretary to make available to United Services Organization (USO) access to General Services Administration supplies and services through the Federal Supply Schedule.

(Sec. 871) Directs the Secretary to ensure that the Secretary of the Air Force does not proceed with the acquisition of Air Force aerial refueling aircraft by lease or other contract until 60 days after the Secretary has: (1) reviewed all documentation for the acquisition; and (2) certified to the defense and appropriations committees that the acquisition is in compliance with all currently applicable laws, OMB circulars, and regulations. Requires the Comptroller General (CG) and Inspector General to review such documentation and report to such committees their opinions on such compliance. Makes the acquisition of Air Force refueling aircraft beyond low-rate initial production subject to such requirements. Directs the Secretary of the Air Force, with respect to the selection of a provider of integrated support for such aircraft, to analyze the cost and benefits of using Federal versus contractor employees for such support. Requires the manufacturer to provide, with respect to commercial items covered by a lease or contract, appropriate information on the prices at

which the same or similar items have previously been sold.

**Title IX: Department of Defense Organization and Management - Subtitle A: Reserve Components - (Sec. 902)**

Establishes the Commission on the National Guard and Reserves to study: (1) the roles and missions of the National Guard and other reserve components; and (2) the compensation and other benefits currently provided to such members. Requires an interim and final report from the Commission to the defense committees. Directs the Secretary to appoint a board to: (1) conduct a review of reserve components; and (2) report to the Secretary on review results. Requires the Secretary to transmit such report to the defense committees, together with comments and recommendations.

(Sec. 903) Provides that when there is a vacancy in the position of the Chief of the National Guard Bureau, or the Chief is unable to perform such duties, the most senior officer among the Army and Air National Guard performing in the National Guard Bureau shall assume such position.

(Sec. 904) Redesignates the Vice Chief of the National Guard Bureau as the Director of the Joint Staff of the National Guard Bureau.

(Sec. 905) Authorizes the Secretary of the Navy, with the approval of the President, to redesignate the Naval Reserve as the Navy Reserve.

(Sec. 906) Authorizes the governor of a State, upon request by the head of a Federal agency and with the concurrence of the Secretary, to order any personnel of that State's National Guard to perform full-time National Guard duty in carrying out homeland security activities. Limits such duty to 180 days. Outlines requirements to ensure that the carrying out of such activities does not degrade the training and readiness of such units and personnel. Requires the Secretary to provide funds to such governors for the cost of performance of such activities, and to enter into a memorandum of agreement with each governor and the head of each Federal agency to which such personnel are to provide such support. Excludes National Guard personnel performing such functions from annual reserve end strength limits. Directs the Secretary to report annually to Congress regarding any assistance provided and activities carried out under such authority.

**Subtitle B: Other Matters - (Sec. 911)** Directs the Secretary to: (1) carry out a study of the roles and authorities of the Director of Defense Research and Engineering; and (2) report study results to the defense and appropriations committees.

(Sec. 912) Redesignates each of the: (1) Directors of Small and Disadvantaged Business Utilization of DOD and the military departments as the Director of Small Business Programs; and (2) Offices of Small and Disadvantaged Business Utilization within DOD and the military departments as the Office of Small Business Programs.

(Sec. 913) Redesignates the position of Superintendent of the Naval Postgraduate School as the President of the Naval Postgraduate School.

(Sec. 914) Establishes in the Uniformed Services University of the Health Sciences the United States Military Cancer Institute to carry out research studies on: (1) the epidemiological features of cancer among populations of various ethnic origins, as well as complementary research on oncologic nursing; (2) the prevention and early detection of cancer; and (3) basic, translational, and clinical investigation matters relating to such studies. Requires: (1) the Institute to carry out such research in collaboration with other cancer research organizations and entities selected by the Institute; (2) the Institute Director to report annually to the University President on the results of such studies; and (3) the University President to transmit such reports to the Secretary and Congress.

(Sec. 915) Adds to the duties of the Judge Advocate General (JAG) of each of the Army, Navy and Air Force to direct and supervise: (1) any civilian employees employed by that military department in the performance of their duties; and (2) the performance of legal duties required under the UCMJ. Requires the appointment by the President of an Assistant JAG for the Army, to serve for four years, but with presidential authority to terminate or extend such appointment at any time. Excludes any serving JAG from annual limits on general and flag officers for that military department.

**Title X: General Provisions - Subtitle A: Financial Matters** - (Sec. 1001) Authorizes the Secretary, in the national interest, to transfer up to \$3 billion of amounts made available to DOD in this Act between any authorizations for that fiscal year. Requires congressional notification of each transfer.

(Sec. 1002) Provides a new limitation on the total amount authorized to be contributed by the Secretary in FY 2005 for the common-funded budgets of NATO (rather than the maximum amount otherwise applicable under the 1998 baseline limitation). Allocates for such purpose amounts authorized under titles II and III of this Act.

(Sec. 1003) Reduces by \$1.67 billion the total amounts authorized to be appropriated under titles I through III of this Act, as a result of savings resulting from lower-than-expected inflation.

(Sec. 1004) Directs the Secretary to develop, by the end of FY 2005, a defense business enterprise architecture and transition plan covering all defense business systems of DOD as well as the functions and activities supported by such systems. Outlines architecture and plan elements. Prohibits, after the end of FY 2005, any U.S. officer or employee from obligating or expending an amount in excess of \$1 million for a defense business system modernization unless the Secretary or other delegated official has determined that such modernization is: (1) consistent with the newly-developed architecture and plan; or (2) necessary for national security reasons or to prevent a significant adverse effect on a project needed to achieve an essential capability. Provides an order of priority for the Secretary in delegating authority for the planning, design, acquisition, development, deployment, operation, maintenance, modernization, and oversight of defense business systems. Directs the Secretary to require each such official to establish, with respect to their delegated authority, an investment review process with respect to the covered business system. Requires the Secretary, for each defense budget submitted for fiscal years after 2005, to include a defense business systems budget exhibit. Directs the Secretary to: (1) establish a Defense Business Systems Management Executive Committee to provide advice and recommendations in implementing defense business systems modernizations; and (2) report annually to the defense and appropriations committees, for each of 2005 through 2009, on the implementation of this section. Requires the CG to review the architecture and transition plan developed by the Secretary, and report review results to such committees.

(Sec. 1005) Applies the DOD authority for uniform funding and management of morale, welfare, and recreation programs to all service academy athletic and extracurricular programs and similar support mission activities that: (1) are not considered morale, welfare, and recreation programs or activities; (2) are funded out of appropriated funds; (3) are supported by a supplemental mission nonappropriated fund instrumentality; and (4) are not operated as a private organization.

(Sec. 1006) Authorizes supplemental appropriations of \$25 billion for DOD for FY 2005, to be available only for activities in support of operations in Iraq and Afghanistan. Allocates such funds among specified military department and defense-wide accounts. Allows such authorization only to the extent that a budget request is transmitted from the President to Congress that includes a designation of the requested amount as an emergency and essential to support ac

## Actions Timeline

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- **Jul 6, 2004:** Received in the House.
- **Jul 6, 2004:** Message on Senate action sent to the House.
- **Jul 6, 2004:** Held at the desk.
- **Jun 23, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR 6/24/2004 CR S7300)
- **Jun 23, 2004:** Senate struck all after the Enacting Clause and substituted the language of S. 2400 amended (Division A only).
- **Jun 23, 2004:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jun 23, 2004:** Passed Senate with an amendment by Unanimous Consent.
- **May 11, 2004:** Introduced in Senate
- **May 11, 2004:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **May 11, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 504.
- **May 6, 2004:** Committee on Armed Services ordered to be reported an original measure.

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