

HR 4200

Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

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Sponsor

Name: Rep. Hunter, Duncan [R-CA-52]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Skelton, Ike [D-MO-4]	D · MO		Apr 22, 2004

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Reported by	May 5, 2004
Armed Services Committee	House	Reported by	May 5, 2004
Armed Services Committee	House	Reported by	May 5, 2004
Armed Services Committee	House	Reported by	May 6, 2004
Armed Services Committee	House	Reported by	May 6, 2004
Armed Services Committee	House	Reported by	May 6, 2004

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
108 HCONRES 514	Related bill	Oct 12, 2004: Message on Senate action sent to the House.
108 HRES 843	Procedurally related	Oct 8, 2004: Motion to reconsider laid on the table Agreed to without objection.
108 S 2401	Related bill	Jul 6, 2004: Held at the desk.
108 S 2402	Related bill	Jul 6, 2004: Held at the desk.
108 S 2403	Related bill	Jul 6, 2004: Held at the desk.
108 HR 3480	Procedurally related	Jun 23, 2004: Unfavorable Executive Comment Received from DOD.
108 S 2400	Companion bill	Jun 23, 2004: Senate incorporated this measure in H.R. 4200 as an amendment. (text as passed Senate: CR 7/6/2004 S7592-7684)
108 HR 3675	Procedurally related	May 20, 2004: -Provision incorporated. See H.R. 4200, Section 2831.
108 HRES 648	Procedurally related	May 19, 2004: Motion to reconsider laid on the table Agreed to without objection.
108 HR 4107	Text similarities	May 12, 2004: Committee Hearings Held.
108 HR 4130	Related bill	Apr 14, 2004: Executive Comment Requested from DOD.
108 HR 4039	Related bill	Apr 6, 2004: Referred to the Subcommittee on Total Force.
108 S 2229	Related bill	Mar 24, 2004: Read twice and referred to the Committee on Armed Services.

(This measure has not been amended since the Conference Report was filed in the House on October 8, 2004. The summary of that version is repeated here.)

Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 - **Division A: Department of Defense Authorizations - 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) Authorizes the Secretaries of the Army and Navy, beginning with the FY 2005 program year, to jointly enter into a multiyear contract for procurement of the lightweight 155-millimeter howitzer.

(Sec. 112) Prohibits the obligation or expenditure of funds for the procurement of light utility helicopters until 30 days after 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.

Subtitle C: Navy Programs - (Sec. 121) Directs the Secretary of the Navy to: (1) accelerate the program for in-service modernization of the DDG-51 class of destroyers; and (2) report to the congressional defense and appropriations committees on steps taken under the program.

(Sec. 122) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2004 to repeal the authority for a pilot program for flexible funding of naval cruiser conversions and overhauls.

(Sec. 123) Authorizes the Secretary of the Navy to procure the first amphibious assault ship of the LHA(R) class, subject to the availability of appropriations.

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) Amends the NDAA for Fiscal Year 2004 to: (1) prohibit the leasing of tanker aircraft under a prior multiyear aircraft lease pilot program; (2) authorize a multiyear procurement of up to 100 aerial refueling aircraft, for up to ten program years; (3) prohibit the use of incremental funding for the multiyear contract; and (4) remove, throughout the program, references to the leasing of aircraft.

Subtitle E: Other Matters - (Sec. 141) Requires the Secretary of Defense (Secretary) to revise Department of Defense (DOD) regulations, directives, and guidance to account for survivability and suitability against asymmetric threats in developing any manned system and any equipment intended to enhance personnel survivability.

(Sec. 142) Requires the Secretary to ensure that the allocation of equipment acquired using funds authorized under this title to operational units involved in Operations Iraqi Freedom or Enduring Freedom be made without regard to the status of the units as active, Guard, or reserve components.

(Sec. 143) Directs the Secretary to report to the defense and appropriations committees on options for the acquisition of precision-guided munitions.

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 the Defense Science and Technology Program.

(Sec. 203) Increases, by specified amounts, funds provided for RDT&E for: (1) the Navy for nano-composite hard-coat for aircraft canopies; and (2) the Air Force for command-and-control service level management.

Subtitle B: Program Requirements, Restrictions, and Limitations - (Sec. 211) Directs the Secretary of the Army to establish and implement a program strategy for the Army's Future Combat Systems acquisition program. Outlines program strategy elements. Requires the Under Secretary of Defense for Acquisition, Technology, and Logistics, before convening the Milestone B update for such program, to submit to Congress an independent program cost estimate, together with related reports concerning such program. Limits program funding until the Secretary of the Army certifies to Congress that such program strategy has been established and implemented.

(Sec. 212) Directs the Secretary to establish a program for research and development in advanced vacuum electronics to meet the requirements of DOD systems. Requires a report from the Director of Defense Research and Engineering to the defense and appropriations committees on program implementation.

(Sec. 213) Directs the Comptroller General (CG) to: (1) conduct an annual review of the Joint Strike Fighter aircraft program; (2) report annually to the defense and appropriations committees on the most recent review; and (3) with each such report, certify whether the CG has had access to sufficient information to make informed judgments on matters covered by the report. Terminates report requirements after March 15, 2009.

(Sec. 214) Requires that amounts for RDT&E for the U.S. Joint Forces Command be derived only from amounts made available to DOD for defense-wide RDT&E. Requires any such amount to be set forth separately in annual budget requests.

(Sec. 215) Limits the obligation or expenditure of funds available to 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. 216) 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. 217) Directs the Secretary to establish an executive committee and require such 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.

Subtitle C: Missile Defense Programs - (Sec. 231) Authorizes funds appropriated for FY 2005 or 2006 for RDT&E for the Missile Defense Agency (MDA) to be used for the development and fielding of ballistic missile defense capabilities.

(Sec. 232) Includes as an element of the Ballistic Missile Defense (BMD) System the Army's Patriot Advanced Capability-3/Medium Extended Air Defense System air and missile defense program. Requires the MDA Director to ensure that any configuration changes for the PAC-3/MEADS program is subject to the configuration control board processes of the MDA. Allows the Secretary of the Army to make significant changes to the baseline technical specifications and schedule for the PAC-3/MEADS program only with the concurrence of the MDA Director. Requires the Secretary of Defense to: (1)

develop procedures to determine the effects of changes made by the Secretary of the Army with respect to the PAC-3/MEADS program; and (2) report to the defense and appropriations committees on the procedures developed.

(Sec. 233) Amends the NDAA for Fiscal Year 2002 to direct the CG to: (1) conduct an assessment, at the conclusion of each of 2002 through 2006, 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) MDA Director to establish cost, schedule, and performance baselines for each block configuration of the BMD system being fielded, and to include such information in required Selected Acquisition reports to Congress; and (4) MDA Director to include in such reports 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 Congress: (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, defense; (4) defense drug interdiction and counter-drug activities; and (5) the Defense Inspector General.

Subtitle B: Environmental Provisions - (Sec. 311) Deems the Defense Inspector General in compliance with certain requirements under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 if such Inspector General conducts periodic audits of payments, obligations, reimbursements, and other uses of the Hazardous Substances Fund. Requires a report to Congress on each audit conducted.

(Sec. 312) Authorizes the Secretary to transfer specified DOD O&M funds to a named account as reimbursement to the Environmental Protection Agency for certain cleanup costs associated with the Moses Lake Wellfield Superfund Site, Washington.

(Sec. 313) Amends the Water Resources Development Act of 1999 to increase the amount authorized for an environmental remediation project in Front Royal, Virginia.

(Sec. 314) Directs the Secretary of the Army to carry out the small boat harbor project in Unalaska, Alaska.

(Sec. 315) 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.

(Sec. 316) Directs the CG to study, and report to Congress on, the availability of cost-effective technologies for the cleanup of groundwater contamination at DOD installations in lieu of traditional methods such as pump-and-treat.

Sec. 317) 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. 318) Expresses the sense of Congress that the Secretary should: (1) work to develop a national plan to remediate perchlorate contamination 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 for perchlorate.

Subtitle C: Workplace and Depot Issues - (Sec. 321) Revises the due dates and content requirements of annual DOD reports concerning funds expended for depot-level maintenance and repair workloads.

(Sec. 322) Repeals an annual reporting requirement from the Secretary to the defense committees on the number of employees performing depot-level maintenance and repair of materiel.

(Sec. 323) 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.

(Sec. 324) Amends the Bob Stump National Defense Authorization Act (Stump 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 reports.

(Sec. 325) Authorizes the Secretary of the Army to carry out a pilot program for the purchase of certain municipal services needed for an Army installation from a county or municipality in which the installation is located. Allows up to two Army installations to participate in the pilot program. Requires: (1) an implementation report from the Secretary to the defense and appropriations committees and the CG; and (2) the CG to submit to such committees an assessment of such report. Terminates program authority on September 30, 2010.

(Sec. 326) Revises Federal procurement policy protest provisions to include requirements for bid protests by Federal employees in actions under Office of Management and Budget (OMB) Circular A-76 (private performance of an activity or function of a Federal agency) regarding an activity or function performed by more than 65 full-time equivalent employees of a Federal agency. Authorizes an agency tender official to file a protest in connection with a public-private competition for which such official is an interested party. Allows an appropriate Federal official to intervene in a civil action concerning a public-private competition if a private-sector interested party so intervenes.

(Sec. 327) Requires that, if a public-private competition requires the inclusion of a formal comparison of costs of civilian-versus-contractor performance, the Secretary shall maintain the continued performance of such activity or function by the civilian employees unless the competitive sourcing official determines that the costs of contractor performance would be less costly to DOD by either \$10 million or ten percent of the most efficient organization's personnel-related costs for performance by DOD civilian employees. Requires the Secretary to ensure that no DOD organization, function, or activity is consolidated, restructured, or otherwise modified in order to circumvent the formal comparison requirements. Provides an exemption from such requirements in the case of a public-private competition conducted as part of the best-value source selection pilot program authorized under the NDAA for FY 2004.

(Sec. 328) 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 D: Information Technology - (Sec. 331) Directs the Secretary to prepare, and report to the defense and appropriations committees on, a plan to provide for the transition of DOD information technology systems to Internet Protocol version 6 from the present use of version 4 and other network protocols.

(Sec. 332) Outlines required conditions for the obligation of DOD funds for a defense business system modernization having a total cost in excess of \$1 million, including that: (1) such system comply with a specified enterprise architecture; and (2) certification of such system has been approved by the Defense Business Systems Management Committee. Requires the Secretary to develop an enterprise architecture to cover all defense business systems and their functions and activities, as well as a transition plan. Requires a defense business system investment review. Directs the Secretary to include information concerning each defense business system modernization in annual budget materials submitted to Congress for FY 2006 and thereafter. Requires compliance reports in each of the years 2005 through 2009. Directs the Secretary to establish a Defense Business Systems Management Committee to: (1) recommend to the Secretary policies and procedures with respect to defense business system transformation, reform, reorganization, or improvements; and (2) review and approve any major update of the defense business enterprise architecture developed under this section. Requires an annual report from the CG to the defense and appropriations committees assessing the extent to which actions taken by DOD comply with requirements of this section.

(Sec. 333) 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.

Subtitle E: Extensions of Program Authorities - (Sec. 341) Amends the 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 2008 a demonstration program to maintain the viability and unique capabilities at Army manufacturing arsenals.

(Sec. 343) Amends the NDAA for Fiscal Year 1998 to: (1) extend through FY 2006 a pilot program of using commercial services to improve the collection of DOD claims under aircraft engine warranties; and (2) direct the Secretary to report to Congress on such program.

Subtitle F: Other Matters - (Sec. 351) Directs the Secretary to reimburse a member of the Armed Forces for the cost of any protective, safety, or health equipment that was purchased in anticipation of or during deployment in connection with Operations Noble Eagle, Enduring Freedom, or Iraqi Freedom if: (1) the Secretary certifies that such equipment was critical to the protection, safety, or health of the member; (2) the member was not issued such equipment before any such operations; and (3) the equipment was purchased during the period beginning on September 11, 2001, and ending on July 31, 2004.

(Sec. 352) Prohibits FY 2005 DOD O&M funds from being obligated for preparing or implementing the Mid-Range Financial Improvement Plan until the Secretary reports to the defense and appropriations committees: (1) a determination that the enterprise architecture and transition plan required under section 332 of this Act has been developed; (2) an explanation of the use of such funds; and (3) an estimate of the costs to prepare and implement the Plan in future years.

(Sec. 353) Authorizes a working-capital funded Army industrial facility, subject to specified conditions, 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. Terminates such authority on September 30, 2009.

(Sec. 354) Directs (current law authorizes) the Secretary to transfer to State firefighting agencies excess DOD personal property suitable for firefighting purposes.

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) Revises, effective October 1, 2004, the permanent active-duty end strength minimum levels for the Army, Navy, Marine Corps, and Air Force.

(Sec. 403) Authorizes the Secretary, during FY 2005 through 2009, to increase, by up to 30,000 for the Army and 9,000 for the Marine Corps, the end strength authorized to support operational missions in Iraq and Afghanistan and to achieve transformational reorganization objectives. Requires that fiscal year's budget to specify the amounts necessary to fund the additional end strength(s).

(Sec. 404) 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 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 Force Reserve and National Guard.

(Sec. 415) Sets forth the maximum number of reserve personnel authorized to be on active duty during FY 2005 for operational support.

(Sec. 416) Requires Congress to annually authorize the maximum number of reserve personnel permitted to be on: (1) active duty or full-time National Guard duty for providing operational support or preparing for and performing military funeral honors functions; and (2) active duty (or retained on active duty) while in a captive status or for medical evaluation or treatment. Includes certain reserve personnel within annual authorized active-duty end strength limits. Authorizes the Secretary to increase such end strength limits for a fiscal year by up to ten percent. Excludes: (1) certain reserve and National Guard personnel from annual authorized active-duty end strength limits; and (2) from specified personnel limits reserve personnel engaged in military-to-military contacts and comparable activities. Provides for: (1) field grade officer strength accounting; and (2) active Guard and reserve field grade officer strength accounting. Excludes from warrant officer active-duty end strength limits reserve warrant officers: (1) on active duty for any of the first two purposes specified in this section; or (2) on full-time National Guard duty. Repeals the requirement that members of the National Guard on active duty or full-time National Guard duty for performing drug interdiction and counter-drug activities be excluded from the authorized end strengths for reserve personnel performing active duty in support of the reserve components. Requires a report from the Secretary to the defense committees on the exclusions from active-duty end strengths provided under this section.

Subtitle C: Authorizations 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: Officer Personnel Policy - (Sec. 501) 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 his or her 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 force shape (restructure) 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. Repeals the requirement that a member serve for his or her last six years in a reserve component to be eligible for nonregular (reserve) retirement.

(Sec. 502) Repeals the requirement that Deputy and Assistant Chiefs of Naval Operations be selected from officers in the line of the Navy.

(Sec. 503) 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 wear the insignia of such higher grade prior to the actual promotion date) to major general or rear admiral (upper half).

(Sec. 504) Revises the required distribution in grade of Marine Corps Reserve officers in an active status in grades below brigadier general.

(Sec. 505) Authorizes Federal recognition of National Guard commissioned officers appointed from former Coast Guard personnel.

(Sec. 506) Directs the Secretary to study, and report to Congress on, whether it would be equitable for retired officers on active duty, but not on the active-duty list, to be eligible for consideration for promotion.

(Sec. 507) Provides that, upon a vacancy in the office of the Chief of the National Guard Bureau or in the event such Chief is unable to perform such duties, the senior officer of the Army or Air National Guard on duty with the Bureau shall serve as acting Chief until a successor is appointed or the Chief is able to perform such duties.

(Sec. 508) Redesignates the Vice Chief of the National Guard Bureau as the Director of the Joint Staff of the National Guard Bureau.

Subtitle B: Reserve Component Policy Matters - (Sec. 511) Removes references to planned mobilizations from the statutory purposes of the reserve components.

(Sec. 512) Authorizes the Secretary to provide funds to a State governor to employ National Guard units or members to conduct homeland defense activities (the protection of U.S. territory, population, or infrastructure). Considers such duty as full-time National Guard duty. Limits such duty to 180 days, with an authorized extension of up to 90 days to meet

extraordinary circumstances. Authorizes a State governor to request such assistance, requiring within such request the specific intended homeland defense activities anticipated and an explanation of why such National Guard participation is necessary and appropriate. Requires an annual report from the Secretary to the defense and appropriations committees on any assistance provided and activities carried out. Excludes persons performing such duty from annual National Guard full-time duty end strengths.

(Sec. 513) 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. Requires the Secretary, beginning in 2006, to annually review study results and report review results to the defense committees.

(Sec. 514) 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.)

(Sec. 515) Reduces from 5,000 to 3,500 the minimum number of active-duty personnel to serve as advisers to various units of the Selected Reserve. Directs the Secretary of the Army to report to the defense committees on the support by active components of the Army for training and readiness of the Army National Guard and Army Reserve.

(Sec. 516) Authorizes the Secretary concerned to accept voluntary services to support programs of a committee of the Employer Support of the Guard and Reserve.

(Sec. 517) Authorizes the Secretary of the Navy, with the approval of the President, to redesignate the Naval Reserve as the Navy Reserve.

(Sec. 518) Directs the CG to review, and report to the defense committees on, a plan of the Secretary of the Navy for the integration of active and reserve Navy components in peacetime and wartime operations.

(Sec. 519) Prohibits the Secretary from establishing in any one State more than two academies for the STARBASE Program (a science, mathematics, and technology education improvement program). Authorizes a waiver of such limitation.

(Sec. 520) Allows funds authorized to be appropriated to the Army Reserve, Army National Guard, or Air National Guard for the recruitment and retention of personnel to be expended to procure items of nominal or modest value (\$50 or less) to recognize Reserve or Guard members, their families, or other individuals for support that substantially facilitates such Reserve or Guard service. Terminates such authority at the end of 2005.

Subtitle C: Reserve Component Personnel Matters - (Sec. 521) States that, for disability retirement eligibility purposes, a reserve member ordered to active duty for a period of more than 30 days who is released prior to such 30 days for failure to meet physical standards for retention, or medical or dental standards for deployment due to a preexisting condition not aggravated during such duty period, shall be considered to have been serving under an order to active duty for a period of 30 days or less.

(Sec. 523) Removes the prohibition on the receipt of Federal civil service military leave for reserve and National Guard civilian technicians performing active duty during a war or national emergency.

(Sec. 524) Authorizes the Secretary of the Army to provide an individual who has received a commission as an Army Reserve officer from a military junior college but who does not have a baccalaureate degree with financial assistance for

the pursuit of such a degree. Outlines agreement and reimbursement requirements in connection with such assistance. Prohibits such an officer from being called or ordered to active duty for a deployment while participating in such program. Authorizes such Secretary to provide the same financial assistance with respect to service in troop program units. Directs the Secretary of the Army to report to the defense committees annually for six years after the enactment of this Act on the implementation of the financial assistance program.

(Sec. 525) Repeals the December 31, 2006, sunset on the provision of financial assistance for advanced training for Senior ROTC students not otherwise eligible for such training who have successfully completed their first year of Senior ROTC studies.

(Sec. 526) Revises a program under which the Secretary is authorized to repay certain educational loans of enlisted members of the Selected Reserve in return for service as members with critical specialties to allow the Secretary to repay such a loan in connection with service performed by a member as an officer in the case of a borrower who, after the service commitment is entered into and while performing service as an enlisted member, accepts an appointment or commission as a Selected Reserve warrant or commissioned officer.

(Sec. 527) Directs the Secretary of each military department (and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) to establish and maintain a program to provide educational assistance to members of the Ready Reserve under the jurisdiction of that Secretary. Limits such educational assistance to the following percentages of that authorized under the Montgomery GI Bill program for former active-duty personnel: (1) 40 percent, for a reserve member who performs active service for 90 consecutive days but less than one continuous year; (2) 60 percent, for a reserve member who performs active service for one continuous year but less than two continuous years; or (3) 80 percent, for a reserve member who performs active service for two consecutive years or more. Limits the term of such assistance to 36 months, or its equivalent in part-time educational assistance. Continues assistance eligibility for members ordered to active duty while serving in the Selected Reserve or Ready Reserve.

(Sec. 528) Expresses the sense of Congress that the Internal Revenue Service should provide guidance to promote and ensure the validity of involuntary differential pay arrangements, benefits payments, and contributions to retirement savings plans related thereto.

Subtitle D: Joint Officer Management and Professional Military Education - (Sec. 531) Directs the Secretary to develop a strategic plan for joint officer management and joint professional military education that links joint officer development to the accomplishment of the overall missions and goals of DOD, as set forth in the most recent national military strategy. Requires a report from the Secretary to the defense committees on: (1) the developed plan; and (2) an additional assessment of the performance in joint matters of specified senior officers and DOD employees.

(Sec. 532) Codifies under Federal Armed Forces law provisions relating to professional military education and currently contained in the NDAA for Fiscal Year 1990. Revises such provisions to, among other things: (1) reduce and consolidate the number of subjects that joint professional military education must include; (2) require the Chairman of the Joint Chiefs of Staff to advise and assist the Secretary in designating and certifying certain courses of instruction for such education; and (3) delete the requirement of a written examination as part of the evaluation criteria for selecting officers for full-time attendance at intermediate-level service schools.

(Sec. 533) Extends to September 30, 2008, the date after which an officer must be selected for the joint officer specialty before promotion to the grade of brigadier general or rear admiral (lower half).

(Sec. 534) Allows officers to continue to accumulate joint credit when serving consecutive joint duty assignments, even if

those assignments are not within the same organization.

(Sec. 535) Extends through December 27, 2006, the temporary authority regarding promotion comparison standards for joint specialty officers.

(Sec. 536) Extends, from 2004 through 2006, the authority to waive the requirement that reserve chiefs and National Guard directors have significant joint duty experience. Requires a plan from the Secretary, submitted to the defense committees, to ensure that all officers selected for such positions after such date have significant joint duty experience.

Subtitle E: Military Service Academies - (Sec. 541) Authorizes the Secretary to waive the requirement that a service academy superintendent retire upon the end of the prescribed period of such service. Requires, in such case, notification of the defense committees with a statement of the reasons therefor. Requires such individuals to serve at least a three-year term as superintendent. Requires that if a superintendent is reassigned, retires, or otherwise leaves such service before the three-year period, then the Secretary concerned must notify the defense committees of the reasons for the curtailed assignment.

(Sec. 542) Requires any person appointed or assigned as Dean of the Air Force Academy to hold the highest degree in that person's academic field.

(Sec. 543) Revises provisions concerning the constitution of an annual Board of Visitors to the United States Air Force Academy to: (1) modify the conditions for termination of Board members who are members of Congress; and (2) require semiannual Board reports to Congress.

(Sec. 544) Permits appropriated funds to be treated as nonappropriated funds for 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. 545) Codifies under Federal Armed Forces law provisions of the NDAA for Fiscal Year 1995 which prohibit the imposition of charges for tuition, room, or board at the military academies and the U.S. Coast Guard and Merchant Marine Academies.

Subtitle F: Other Education and Training Matters - (Sec. 551) Authorizes the Secretary of each military department to establish a program to increase the number and level of qualifications of persons entering the Armed Forces as enlisted members by encouraging recruits to pursue higher education or vocational or technical training before entry into active service. Authorizes the Secretary concerned to provide for delayed entry, through service in the reserves or National Guard, while allowing for such education or training. Limits such delayed entry to 30 months after accepting an enlistment. Provides a monthly allowance during such delayed entry (requiring satisfactory service in the reserves or National Guard during such period). Requires a pro rate recoupment of such allowance for any period of service not successfully completed during the delayed entry period.

(Sec. 552) 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. Includes funds made available for the Department of Homeland Security, the National Nuclear Security Administration of the Department of Energy, and the Central Intelligence Agency (CIA) among the funding sources that could be terminated if an institution is found to have a policy of preventing military recruiter or Senior ROTC unit access.

(Sec. 553) Includes commissioned officers serving on full-time National Guard duty among those for whom the Secretary concerned may pay tuition or other educational expenses for education or training during off-duty periods. Authorizes the Secretary concerned to reduce or waive the required two years of active-duty service following the completion of such education or training in the case of: (1) a commissioned officer who is subject to mandatory separation or who has completed the period of active-duty service in support of a contingency operation; or (2) other exigent circumstances. Authorizes the Secretary of the Army to pay such educational or training expenses for an officer in the Selected Reserve of the Army National Guard or Army Reserve.

(Sec. 554) Increases, from two to three years, the maximum period of educational leave for certain active-duty personnel pursuing a program of education in a health care profession.

(Sec. 555) 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 or while traveling to or from such duty. Provides an exception when the condition is the result of gross negligence or misconduct. Makes cadets and midshipmen eligible for military medical disability pay with respect to disabilities incurred after the date of enactment of this Act.

(Sec. 556) 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. 557) Redesignates the Superintendent of the Naval Postgraduate School as the President of the Naval Postgraduate School. Establishes at such School the position of Provost and Academic Dean.

Subtitle G: Assistance to Local Educational Agencies for Defense Dependents Education - (Sec. 558) Provides an adjustment, with respect to the 2004-2005 school year, in the computation of impact aid funding provided by the Department of Education to certain local educational agencies heavily impacted by dependents of military personnel.

(Sec. 559) 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. 560) Earmarks specified DOD O&M funds for impact aid assistance for children with severe disabilities, as authorized under the Spence Act.

Subtitle H: Medals and Decorations and Special Promotions and Appointments - (Sec. 561) 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. 562) 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.

(Sec. 563) Authorizes the President to appoint Brigadier General Charles E. Yeager, U.S. Air Force (retired), to the grade of major general on the Air Force retired list.

(Sec. 564) Authorizes the President to issue a posthumous commission as major general, U.S. Army, for the late William Mitchell, who resigned his commission as colonel on February 1, 1926.

Subtitle I: Military Voting - (Sec. 566) Amends the Uniformed and Overseas Citizens Absentee Voting Act to: (1) include absentee military voters; and (2) include absent military voters under write-in ballot requirements and restrictions.

(Sec. 567) Amends the NDAA for Fiscal Year 2002 to delay an electronic voting demonstration project until the first regularly scheduled general Federal election after the Election Assistance Commission notifies the Secretary that the Commission has established electronic absentee voting guidelines and certifies that it will assist the Secretary in carrying out the demonstration project.

(Sec. 568) Directs the Secretary to report to Congress on: (1) operations of the Federal Voting Assistance Program to support absentee military voting; (2) the military postal system to support morale and absentee voting of members; and (3) implementation of recommended postal system improvements.

Subtitle J: Military Justice Matters - (Sec. 571) Directs the Secretary to: (1) review the Uniform Code of Military Justice (UCMJ) and the Manual for Courts-Martial to determine changes required to improve the ability of the military justice system to address issues relating to sexual assault and to conform the UCMJ and such Manual more closely to other Federal laws and regulations addressing such issues; and (2) report to the defense committees on the results of such review.

(Sec. 572) 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, the individual is acquitted, or the conviction is set aside or dismissed.

(Sec. 573) Requires the Secretary to ensure that: (1) the U.S. Army Criminal Investigation Laboratory has adequate personnel and resources to effectively process forensic evidence within 60 days of its receipt; (2) consistent policies are established among the Armed Forces to reduce the time between the collection of such evidence and its processing; and (3) laboratory personnel are appropriately trained.

(Sec. 574) Prohibits any DOD officer or employee from interfering with the ability of military department judge advocate generals (JAGs) to provide independent legal advice to their service secretaries and chiefs and military unit commanders. Requires the Secretary to appoint an independent panel to study, and report to the defense committees on, the relationships between the legal elements of each military department, and necessary policy changes for improving such relationships.

Subtitle K: Sexual Assault in the Armed Forces - (Sec. 576) Directs the Task Force on Sexual Harassment and Violence at the Military Service Academies, established under the NDAA for Fiscal Year 2004, to: (1) continue for at least 18 additional months after its scheduled termination; (2) after such period, change its name to the Defense Task Force on Sexual Assault in the Military Services; (3) conduct an examination of matters relating to sexual assault in cases in which members of the Armed Forces are either victims of, or perpetrators of, acts of sexual assault; (4) recommend ways by DOD officials and Armed Forces leadership may more effectively address matters relating to sexual assault; and (5) report on examination results to the Secretaries of Defense and the military departments. Requires the Secretary to submit such report, together with an evaluation, to the defense committees. Terminates the task force 90 days after its final report.

(Sec. 577) 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; (2) submit to Congress a proposal for necessary 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 Secretaries concerned to: (1) take appropriate action to ensure the implementation

of such policies and procedures; (2) annually assess such implementation; and (3) report annually to the Secretary on sexual assaults involving members of that armed force. Directs the Secretary to submit each such report to the defense committees. Requires DOD, prior to the development of such policies and procedures, to develop a definition of sexual assault that is uniform for all the Armed Forces.

Subtitle L: Management and Administrative Matters - (Sec. 581) Extends, from FY 2005 through FY 2008, certain limitations on reductions of military and civilian personnel assigned to the review and correction of military records.

(Sec. 582) Mandates that, if the staffing of the Defense Prisoner of War/Missing Personnel Office falls below its prescribed level, the Secretary shall notify the defense committees of the number of such personnel, together with a plan to restore such staffing to the prescribed level. Requires the CG to assess the staffing and funding levels for such Office and to report results to such committees.

(Sec. 583) Directs the Secretary concerned, in issuing military ID cards to retiree dependents, to issue a permanent ID card (not subject to renewal) to any such dependent who has attained 70 years of age.

(Sec. 584) Authorizes the Secretary concerned to furnish civilian clothing, at a cost not to exceed \$250, to members traveling in connection with a medical evacuation to a military medical facility or another medical facility approved by such Secretary.

(Sec. 585) Authorizes the Secretary to accept the donation of frequent traveler miles, credits, and tickets to facilitate rest and recuperation travel of deployed members of the Armed Forces and their families. Requires consent to such donation by the air or surface carrier that issued the benefit. Amends the Internal Revenue Code to exclude such traveler miles, credits, and tickets from gross income for tax liability purposes.

(Sec. 586) Directs the Secretary to report annually to the defense committees on discharges from the Army, Navy, Air Force, and Marine Corps during the preceding fiscal year.

(Sec. 587) Requires a report from the Secretary of the Air Force to Congress on the blended wing concept for the Air Force.

(Sec. 588) Expresses the sense of Congress 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.

Subtitle M: Other Matters - (Sec. 591) Protects military personnel from retaliatory actions for communications made through the military chain of command.

(Sec. 592) Directs the Secretary to: (1) submit to Congress a plan for implementation of the authority to allow for accession into the Armed Forces of persons with specialized skills, for performing duty using such skills; and (2) study, and report to the defense committees on, how to make civilian volunteers with critical skills rapidly available for use in, or support of, units of the Armed Forces on a temporary basis to meet operational requirements.

(Sec. 593) Directs the Secretary to carry out an initiative of enhanced screening methods and process improvements for the recruitment of home-schooled and National Guard Challenge Program GED recipients. Requires related reports.

(Sec. 594) Renames the National Guard Challenge Program the National Guard Youth Challenge Program.

(Sec. 595) Directs the Secretary to report to the defense committees: (1) on the number of positions in DOD that were converted during FY 2004 from performance by military personnel to performance by DOD civilian or contractor personnel; (2) in each of 2005 through 2007, on military-to-military capabilities or skills conversions; and (3) annually, on the status of the internal transformation of the Army from a division-oriented force to a brigade-oriented force.

(Sec. 596) Directs the Secretary of the Army to study, and report to the defense committees on, the issues relating to requests for disinterment of remains of persons buried in overseas U.S. military cemeteries. Requires the report to include recommendations by such Secretary and the American Battle Monuments Commission for changing current policy and procedures with respect to such disinterments.

(Sec. 597) Requires a report from the CG to the defense committees assessing DOD policy and criteria regarding the closure of: (1) DOD dependent elementary and secondary schools; and (2) commissary stores.

(Sec. 598) Directs the CG to study, and report to the defense committees on, programs of DOD and other Federal departments and agencies under which transition assistance is provided to personnel who are separating from active-duty service.

(Sec. 599) Directs the Secretaries of Defense and Labor to jointly carry out a study of ways to coordinate the standards applied by the Armed Forces for the training and certification of members in military occupational specialties with the standards applied to corresponding civilian occupations of government and the private sector.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances - (Sec. 601) Waives any FY 2005 pay increases tied to increases in the General Schedule of Compensation for Government employees. Increases, effective January 1, 2005, by 3.5 percent the rates of basic pay for military personnel.

(Sec. 602) Prohibits the Secretary concerned, in determining a member's eligibility for supplemental subsistence allowance for low-income members with dependents, from considering 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.

(Sec. 603) Authorizes (current law requires) the Secretary concerned to pay a family separation basic allowance for housing when a member's dependents are unable to accompany a member to a new location.

(Sec. 604) Provides that, if a member is assigned to a new area for military education or training lasting one year or less, the Secretary concerned may base the amount of the basic allowance for housing due to such member on either the duty station to which the member is reassigned or the area in which the member's dependents still reside, whichever such Secretary determines is the most equitable.

(Sec. 605) Authorizes the Secretary concerned to make an immediate lump-sum reimbursement for unusual nonrecurring expenses incurred by members serving outside the continental United States.

(Sec. 606) Authorizes the Secretary concerned to provide a member with advance basic pay of up to three months (one month automatically at the member's request and up to two additional months based upon a showing of financial hardship) for members assigned for one year or more to locations at which imminent danger special pay is authorized. Requires the Secretary concerned to recoup any such advance over a one-year period beginning the month after the

advance is received.

(Sec. 607) Repeals the requirement that officers and certain enlisted personnel pay subsistence charges while hospitalized in a military medical facility.

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) Authorizes the payment of hazardous duty incentive pay (up to \$150 monthly) for regular participation as a firefighting crew member.

(Sec. 616) Reduces, from four to three years, the service commitment required for the nurse accession bonus.

(Sec. 617) 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. 618) Authorizes the payment of an active-duty or Selected Reserve reenlistment bonus for up to 16 (currently 14) years of service. Increases the maximum amount of the Selected Reserve reenlistment bonus from: (1) \$5,000 to \$15,000 for a reenlistment extension of six years; (2) \$2,500 to \$7,500 for an extension of three years; and (3) \$2,000 to \$6,000 for an extension of three years when the member has already received a bonus for a previous three-year period. Authorizes such bonuses to be made in lump-sum payments. Increases similarly the: (1) Selected Reserve enlistment bonus; (2) Ready Reserve enlistment bonuses for individuals with and without prior Ready Reserve service; and (3) prior service enlistment bonus for members of the Selected Reserve.

(Sec. 619) 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 of up to \$6,000 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 the Secretary concerned, but a minimum of three years).

(Sec. 620) Authorizes the Secretary concerned to pay a monthly bonus of up to \$1,000 to members who maintain proficiency in a foreign language, the proficiency of which is necessary due to national defense or public health considerations. Authorizes the payment of a one-time bonus of up to \$6,000 for reserve members who meet such requirements. Requires certification by the Secretary concerned of a member's proficiency in that foreign language. Allows the Secretary concerned to waive the certification requirement in the case of a member assigned to duty in connection with a contingency operation when the member otherwise meets such requirements. Requires pro rata bonus repayments for periods not successfully served.

(Sec. 621) Makes enlisted personnel eligible to receive a critical skills retention bonus while serving on an indefinite reenlistment of at least one year.

(Sec. 622) Allows reserve (currently, only regular) personnel to be paid a bonus of up to \$2,000 for converting to critical occupational specialties in order to ease personnel shortages.

(Sec. 623) Makes permanent (current law provides for termination at the end of 2004) the increase in the monthly rates of: (1) imminent danger pay from \$150 to \$225; and (2) the family separation allowance from \$100 to \$250.

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) Limits to three (currently, two) the number of family members permitted transportation at Government expense to attend to the serious illness or injury of members of the Armed Forces. Authorizes a waiver of such limitation when determined appropriate by the Secretary concerned.

(Sec. 633) 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 calculation.

(Sec. 642) Repeals the current phase-in (lasting until December 31, 2004) of 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. 643) Requires the Secretary to expedite completion of a study of Federal death benefits for survivors of members of the Armed Forces. Requires the President to promptly transmit any recommendations for legislation necessary to implement any recommended death benefit enhancements. Requires an interim increase in the death gratuity benefit by the same percentage as the annual increase in military basic pay. Directs the President concurrently with the budget submission for FY 2006, to submit to Congress recommendations regarding legislation on proposals that would provide enhanced death benefits for survivors of deceased members, requiring the inclusion in such recommendations 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. Requires the FY 2006 defense budget to include recommendations on legislation for offsetting the increased outlays that would result from the enhanced benefits under this section.

(Sec. 644) Increases the annuities paid under the Survivor Benefit Plan (SBP) to survivors of military retirees who are age 62 or older from the current 35 percent of the military retired pay of the member to: (1) 40 percent, for months after September 2005 and before April 2006; (2) 45 percent, for months after March 2006 and before April 2007; (3) 50 percent, for months after March 2007 and before April 2008; and (4) 55 percent, for months after March 2008. Makes corresponding adjustments under the SBP supplemental annuity program. Requires the recalculation of SBP annuities when the SBP percentages are increased. Eliminates the requirement that participating retirees continue to pay premiums for supplemental SBP coverage.

(Sec. 645) Allows an eligible retired or former member to elect to participate in the SBP and 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 supplemental SBP, but not at the maximum amount, to increase their 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 the additional coverage under this section.

Subtitle E: Commissary and Nonappropriated Fund Instrumentality Benefits - (Sec. 651) Consolidates and

reorganizes certain legislative provisions regarding commissary stores and other military morale, welfare, and recreation activities. Directs the Secretary to operate a worldwide system of commissary stores and a separate worldwide system of exchange stores. (Currently, the Defense Commissary Agency (DCA) is authorized to contract out for such services, and private persons are authorized to operate such stores.) Mandates that: (1) the needs of members on active duty and their dependents be the primary consideration for establishing a store and its location; and (2) the effect on the quality of life of members and their dependents and on the welfare and security of the appropriate military community be the primary consideration in store closure determinations. Requires congressional notification, at least 90 days in advance, in the case of the closure of a store other than one closed under a base closure law. Includes additional items among those authorized to be sold at commissary stores as space permits. Requires the Secretary to apply a uniform surcharge to be used for commissary and exchange store construction, repair, improvement, and maintenance. Authorizes the Secretary to: (1) assign an officer on the active-duty list as Director of the DCA; (2) donate unusable commissary store food to charitable and veterans' organizations; (3) impose a charge for collection on dishonored checks; and (4) limit the release to the public of commercially valuable information on customer shopping contained in DCA databases.

Authorizes the Secretary to conduct a test program involving the sale of telephone cards, film, and one-time use cameras. Requires a report to the defense committees on test results. Directs the CG to study the impact that the expansion of merchandise for sale in commissary stores has on the exchange dividend.

(Sec. 652) Amends the NDAA for Fiscal Year 1995 to identify the Department of Defense Nonappropriated Fund Uniform Health Benefits Program as a Federal health benefits program not subject to any State tax, fee, or payment, or State health plan requirement.

Subtitle F: Other Matters - (Sec. 661) Makes members eligible for the reimbursement of expenses incurred for adoption placements made by foreign governments.

(Sec. 662) Qualifies college loans, involving either a basic professional qualifying degree or graduate education in a profession, for repayment under the DOD education loan repayment program.

(Sec. 663) Permits members of the reserves on active duty in connection with a contingency operation to receive pay from civilian employers that would have been paid if the employment had not been interrupted by such active duty.

(Sec. 664) 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 who are 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 ends.

(Sec. 665) Directs the Secretary to: (1) conduct a survey of reserve personnel who serve, or have served, on active duty in support of a contingency operation during the period beginning September 11, 2001, and ending on September 30, 2005, to determine if such personnel exper

Actions Timeline

- **Oct 28, 2004:** Signed by President.
- **Oct 28, 2004:** Became Public Law No: 108-375.
- **Oct 21, 2004:** Presented to President.
- **Oct 12, 2004:** Message on Senate action sent to the House.
- **Oct 9, 2004:** The House proceeded to consider the conference report H.Rept. 108-767 as unfinished business.
- **Oct 9, 2004:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 359 - 14 (Roll no. 528).(consideration: CR H9175)
- **Oct 9, 2004:** Motions to reconsider laid on the table Agreed to without objection.
- **Oct 9, 2004:** On agreeing to the conference report Agreed to by the Yeas and Nays: 359 - 14 (Roll no. 528). (consideration: CR H9175)
- **Oct 9, 2004:** Conference papers: message on House action held at the desk in Senate.
- **Oct 9, 2004:** Conference report agreed to in Senate: Senate agreed to conference report by Unanimous Consent.(consideration: CR S10945-10954)
- **Oct 9, 2004:** Senate agreed to conference report by Unanimous Consent. (consideration: CR S10945-10954)
- **Oct 9, 2004:** Pursuant to the provisions of H. Con. Res. 514, enrollment corrections on H.R. 4200 have been made.
- **Oct 8, 2004:** Conference report filed: Conference report H. Rept. 108-767 filed.(text of conference report: CR H9187-9683)
- **Oct 8, 2004:** Conference report H. Rept. 108-767 filed. (text of conference report: CR H9187-9683)
- **Oct 8, 2004:** Conference committee actions: Conferees agreed to file conference report.
- **Oct 8, 2004:** Conferees agreed to file conference report.
- **Oct 8, 2004:** Rules Committee Resolution H. Res. 843 Reported to House. Rule provides for consideration of hr4200 to H.R. 4200.
- **Oct 8, 2004:** Mr. Hunter brought up conference report H. Rept. 108-767 for consideration under the provisions of H. Res. 843. (consideration: CR H8995-9007)
- **Oct 8, 2004:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 4200.
- **Oct 8, 2004:** The previous question was ordered without objection. (consideration: CR H9007)
- **Oct 8, 2004:** POSTPONED VOTE - At the conclusion of debate on the conference report the Chair put the question on adoption of the conference report and by voice vote, announced that the ayes had prevailed. Mr. Hunter demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the conference report until later in the legislative day.
- **Sep 29, 2004:** Conference committee actions: Conference held.
- **Sep 29, 2004:** Conference held.
- **Sep 28, 2004:** Mr. Saxton moved that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H7689-7698, H7699-7700)
- **Sep 28, 2004:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Sep 28, 2004:** Ms. Pelosi moved that the House instruct conferees. (consideration: CR H7689-7698; text: CR H7689)
- **Sep 28, 2004:** DEBATE - The House proceeded with one hour of debate on the motion to instruct conferees on H.R. 4200. Ms. Pelosi seeks to instruct the conferees to agree to the provisions contained in title XXXIV of the Senate amendment (relating to the enhancement of local law enforcement and the prohibition of hate crimes).
- **Sep 28, 2004:** The previous question was ordered without objection.
- **Sep 28, 2004:** POSTPONED VOTE - At the conclusion of debate on the motion to instruct conferees, the Chair put the question on adoption of the motion and by voice vote, announced that the ayes had prevailed. Mr. Conyers demanded the yeas and nays and the Chair postponed further proceedings until later in the legislative day.
- **Sep 28, 2004:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 213 - 186 (Roll no. 473). (consideration: CR H7699-7700)
- **Sep 28, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 28, 2004:** Mr. Saxton moved to close portions of the conference. (consideration: CR H7700)
- **Sep 28, 2004:** On motion to close portions of the conference Agreed to by the Yeas and Nays: 396 - 0 (Roll no. 474).
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Armed Services for consideration of the

House bill and the Senate amendment, and modifications committed to conference: Hunter, Weldon (PA), Hefley, Saxton, McHugh, Everett, Bartlett (MD), McKeon, Thornberry, Hostettler, Jones (NC), Ryun (KS), Gibbons, Hayes, Wilson (NM), Calvert, Simmons, Skelton, Spratt, Ortiz, Evans, Taylor (MS), Abercrombie, Meehan, Reyes, Snyder, Turner (TX), Smith (WA), Sanchez, Loretta, and Hill.

- **Sep 28, 2004:** The Speaker appointed conferees - from the Permanent Select Committee on Intelligence for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Hoekstra, LaHood, and Harman.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Agriculture for consideration of sec. 1076 of the Senate amendment, and modifications committed to conference: Goodlatte, Burns, and Stenholm.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Education and the Workforce for consideration of secs. 590, 595, 596, 904, and 3135 of the House bill, and secs. 351, 352, 532, 533, 707, 868, 1079, 3143, and 3151-3157 of the Senate amendment, and modifications committed to conference: Castle, Johnson, Sam, and Bishop (NY).
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of secs. 596, 601, 3111, 3131, 3133 and 3201 of the House bill, and secs. 321-323, 716, 720, 1084-1089, 1091, 2833, 3116, 3119, 3141, 3142, 3145, 3201, and 3503 of the Senate amendment, and modifications committed to conference: Barton (TX), Upton, and Dingell.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Government Reform for consideration of secs. 801, 806, 807, 825, 1061, 1101-1104, 2833, 2842, and 2843 of the House bill, and secs. 801, 805, 832, 851, 852, 869, 870, 1034, 1059B, 1091, 1101, 1103-1107, 1110, 2823, 2824, 2833, and 3121 of the Senate amendment, and modifications committed to conference: Davis, Tom, Shays, and Waxman.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on House Administration for consideration of secs. 572 and 1065 of the Senate amendment, and modifications committed to conference: Ney, Ehlers, and Larson (CT).
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on International Relations for consideration of secs. 811, 1013, 1031, 1212, 1215, Title XIII, secs. 1401-1405, 1411, 1412, 1421, and 1422 of the House bill, and secs. 1014, 1051-1053, 1058, 1059A, 1059B, 1070, Title XII, secs. 3131 and 3132 of the Senate amendment, and modifications committed to conference: Hyde, Leach, and Lantos.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 551, 573, 616, 652, 825, 1075, 1078, 1105, 2833, 2842, and 2843 of the House bill, and secs. 620, 842, 1063, 1068, 1074, 1080-1082, 1101, 1106, 1107, 2821, 2823, 2824, 3143, 3146, 3151-3157, 3401-3410 of the Senate amendment, and modifications committed to conference: Sensenbrenner, Smith (TX), and Conyers.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Resources for consideration of secs. 601 and 2834 of the House bill, and sec. 1076 of the Senate amendment, and modifications committed to conference: Pombo, Walden (OR), and Inslee.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Science for consideration of sec. 596 of the House bill and secs. 1034, 1092, and Title XXXV of the Senate amendment, and modifications committed to conference: Boehlert, Smith (MI), and Gordon.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Small Business for consideration of secs. 807 and 3601 of the House bill, and secs. 805, 822, 823, 912, and 1083 of the Senate amendment, and modifications committed to conference: Manzullo, Kelly, and Velazquez.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of secs. 555, 558, 596, 601, 905, 1051, 1063, 1072, and 3502 of the House bill, and secs. 321, 323, 325, 717, 1066, 1076, 1091, 2828, 2833-2836, and Title XXXV of the Senate amendment, and modifications committed to conference: Young (AK), Duncan, and Capuano.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Veterans' Affairs for consideration of secs. 2810 and 2831 of the House bill, and secs. 642, 2821, and 2823 of the Senate amendment, and modifications committed to conference: Smith (NJ), Brown (SC), and Michaud.
- **Sep 28, 2004:** The Speaker appointed conferees - from the Committee on Ways and Means for consideration of sec. 585 of the House bill, and sec. 653 of the Senate amendment, and modifications committed to conference: Shaw, Camp, and Rangel.
- **Jul 6, 2004:** Message on Senate action sent to the House.
- **Jun 24, 2004:** Senate insists on its amendment, asks for a conference, appoints conferees Warner; McCain; Inhofe; Roberts; Allard; Sessions; Collins; Ensign; Talent; Chambliss; Graham SC; Dole; Cornyn; Levin; Kennedy; Byrd; Lieberman; Reed; Akaka; Nelson FL; Nelson NE; Dayton; Bayh; Clinton; Pryor.

- Jun 23, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR 6/24/2004 S7300)
- **Jun 23, 2004:** Senate struck all after the Enacting Clause and substituted the language of S. 2400 amended.
- **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 21, 2004:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 537.
- **May 20, 2004:** Considered as unfinished business. (consideration: CR H3406-3411)
- **May 20, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 20, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Kennedy (MN) amendment.
- **May 20, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4200 as unfinished business.
- **May 20, 2004:** Considered as unfinished business. (consideration: CR H3411-3414)
- **May 20, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Tauscher amendment.
- **May 20, 2004:** Supplemental report filed by the Committee on Armed Services, H. Rept. 108-491, Part II.
- **May 20, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Tauscher amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mrs. Tauscher demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **May 20, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Hunter amendments en bloc.
- **May 20, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Wamp amendment.
- **May 20, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 10 minutes of debate on the Ryun amendment.
- **May 20, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Ryun amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Ryan demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **May 20, 2004:** Considered as unfinished business. (consideration: CR H3415-3431, CR 5/21/2004 H3445-3457)
- **May 20, 2004:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4200.
- **May 20, 2004:** The previous question was ordered pursuant to the rule. (consideration: CR 5/21/2004 H3454)
- **May 20, 2004:** Mr. Waxman moved to recommit with instructions to Armed Services. (consideration: CR 5/21/2004 H3454-3456)
- **May 20, 2004:** Floor summary: DEBATE - The House proceeded with ten minutes of debate on the Waxman motion to recommit with instructions.
- **May 20, 2004:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR 5/21/2004 H3456; text: CR 5/21/2004 H3454)
- **May 20, 2004:** On motion to recommit with instructions Failed by recorded vote: 202 - 224 (Roll no. 205).
- **May 20, 2004:** Passed/agreed to in House: On passage Passed by recorded vote: 391 - 34 (Roll no. 206).
- **May 20, 2004:** On passage Passed by recorded vote: 391 - 34 (Roll no. 206).
- **May 20, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **May 20, 2004:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 4200.
- **May 20, 2004:** The title of the measure was amended. Agreed to without objection.
- **May 19, 2004:** Rules Committee Resolution H. Res. 648 Reported to House. Rule provides for consideration of H.R. 4200 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **May 19, 2004:** Rule H. Res. 648 passed House.
- **May 19, 2004:** Considered under the provisions of rule H. Res. 648. (consideration: CR H3260-3358; text of measure as

reported in House: CR H3281-3346)

- **May 19, 2004:** Rule provides for consideration of H.R. 4200 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **May 19, 2004:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 648 and Rule XVIII.
- **May 19, 2004:** The Speaker designated the Honorable Doc Hastings to act as Chairman of the Committee.
- **May 19, 2004:** GENERAL DEBATE - The Committee of the Whole proceeded with two hours of general debate on H.R. 4200.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Goode amendment.
- **May 19, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Goode amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Goode demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Davis (CA) amendment.
- **May 19, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Davis (CA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Davis (CA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Hunter amendment.
- **May 19, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hunter amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Hunter demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 19, 2004:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of certain amendments which had been debated earlier and on which further proceedings had been postponed.
- **May 19, 2004:** ORDER OF PROCEDURE - Pursuant to the provisions of H. Res. 648, Mr. Hunter served notice of his intention to allow amendment numbered 14 printed in House Report 108-499 to be considered out of order.
- **May 19, 2004:** Committee of the Whole House on the state of the Union rises leaving H.R. 4200 as unfinished business.
- **May 19, 2004:** Considered as unfinished business. (consideration: CR H3369-3377)
- **May 19, 2004:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 19, 2004:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of the Hunter amendment which had been debated earlier and on which further proceedings had been postponed.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Weldon (PA) amendment.
- **May 19, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Weldon amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Weldon demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Meek (FL) amendment.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 20 minutes of debate on the Hastings (FL) amendment.
- **May 19, 2004:** DEBATE - Pursuant to the provisions of H. Res. 648, the Committee of the Whole proceeded with 10 minutes of debate on the Skelton amendment.
- **May 19, 2004:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Skelton amendment, the Chair put

the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Skelton demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

- **May 19, 2004:** ORDER OF PROCEDURE - Mr. Hunter asked unanimous consent that during further consideration of H.R. 4200, pursuant to H. Res. 648, amendments placed at the desk shall be in order as though printed in House Report 108-499 and numbered 29, 30, 31, and 32; and amendment numbered 13 printed in that report be modified in the form placed at the desk; and the amendments and modification shall be considered as read for the purposes of this unanimous consent request. Agreed to without objection.
- **May 14, 2004:** Reported (Amended) by the Committee on Armed Services. H. Rept. 108-491.
- **May 14, 2004:** Placed on the Union Calendar, Calendar No. 278.
- **May 13, 2004:** Committee Consideration and Mark-up Session Held.
- **May 13, 2004:** Ordered to be Reported (Amended) by the Yeas and Nays: 60 - 0.
- **May 6, 2004:** Subcommittee Consideration and Mark-up Session Held.
- **May 6, 2004:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **May 5, 2004:** Subcommittee Consideration and Mark-up Session Held.
- **May 5, 2004:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **May 5, 2004:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **May 4, 2004:** Referred to the Subcommittee on Projection Forces.
- **May 4, 2004:** Referred to the Subcommittee on Strategic Forces.
- **May 4, 2004:** Referred to the Subcommittee on Tactical Air and Land Forces.
- **May 4, 2004:** Referred to the Subcommittee on Readiness.
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Strategic Forces Prior to Introduction (February 25; March 18 and 25, 2004).
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Projection Forces Prior to Introduction (March 3, 11, 17 and 30, 2004).
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Tactical Air and Land Forces Prior to Introduction (March 4, 17, 25; April 1, 2004).
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Readiness Prior to Introduction (February 26; March 4, 11, 18, 25, 30, 2004).
- **May 4, 2004:** Referred to the Subcommittee on Total Force.
- **May 4, 2004:** Referred to the Subcommittee on Terrorism, Unconventional Threats and Capabilities.
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Terrorism, Unconventional Threats, and Capabilities Prior to Introduction (February 26; March 4, 11, 18, 25, 31; April 1, 2004).
- **May 4, 2004:** Subcommittee Hearings Held by the Subcommittee on Total Force Prior to Introduction (March 3, 10, 18, 24 and 31, 2004).
- **Apr 22, 2004:** Introduced in House
- **Apr 22, 2004:** Referred to the House Committee on Armed Services.
- **Apr 22, 2004:** Hearings Held by the Committee on Armed Services Prior to Introduction (February 4, 12, 25, 26; March 3, 24, 31, 2004).

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