SEC. 505. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE EARLY DISCHARGE OF WARRANT OFFICERS.

Section 580a of title 10, United States Code, is amended—

(1) in subsection (a), by striking "November 30, 1993, and ending on October 1, 1999" and inserting "October 1, 2015, and ending on October 1, 2019"; and

(2) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text above would amend existing law.]

Section-by-Section Analysis

This proposal would amend 10 U.S.C. § 580a to reinstate authority for the Secretaries of the military departments to convene, if necessary, selection boards to consider regular warrant officers on the active-duty list for involuntary discharge. The proposal would authorize such boards during the period October 1, 2015, through September 30, 2019. This authority is necessary as the Army conducts a drawdown in personnel, and it will afford the Secretary the flexibility to size and shape the force with the proper balance of skill sets while maintaining viable career paths.

The authority to selectively discharge regular warrant officers pursuant to 10 U.S.C. § 580a expired on October 1, 1999. Without a specific authority to tailor specialties, any further wholesale budget driven reduction in Forces that include warrant officer grades will have to be made without targeted precision. The result could significantly impact readiness in critical technical capabilities.

In order to maintain parity among the entire officer cohort, this proposal would also remove an unnecessary constraint to the total number of warrant officers recommended for discharge in a given year. The final version of the Fiscal Year (FY) 2015 National Defense Authorization Act submitted to the President for signature strikes the same language from 10 U.S.C. 638a (Enhanced Authority For Selective Early Retirement and Early Discharge) for regular commissioned officers.

The proposal would give Secretaries of the military departments authority that is analogous to that which currently exists to selectively early discharge regular commissioned

officers (excluding commissioned warrant officers) pursuant to 10 U.S.C. § 638a. Granting this authority will provide the military departments with the capability to accomplish carefully tailored reductions in its warrant officer grades to meet end strength requirements.

Budgetary Implications: The cost benefit analysis associated with this proposal assumes targeted personnel reductions in the warrant officer cohort will be necessary for the Army to achieve mandated end-strengths. Some of the required reductions will impact a small percentage of warrant officers who as a result of their discharge from the Army will receive a reduced retirement entitlement under the Temporary Early Retirement Authority (TERA). Accordingly, this proposal COA has the potential to generate a cost avoidance of $710,697.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2016	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	(0.140)	(0.283)	(0.287)	0	0	Military Personnel, Army	1	50	0904901A
Navy						Navy does not intend to use this authority.			
Air Force						Air Force does not intend to use this authority.			
Marine Corps						Marine Corps does not intend to use this authority			
Total	(0.140)	(0.283)	(0.287)	0	0				

PERSONNEL AFFECTED									
	FY 2016	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	5	10	10	0	0	Military Personnel, Army	1	50	0904901A
Navy						Navy does not intend to use this authority.			
Air Force						Air Force does not intend to use this authority.			
Marine Corps						Marine Corps does not intend to use this authority.			
Total	5	10	10	0	0				

Changes to Existing Law: This proposal would make the following changes to section 580a of title 10, United States Code:

§ 580a. Enhanced authority for selective early discharges

(a) The Secretary of Defense may authorize the Secretary of a military department, during the period beginning on ~~November 30, 1993, and ending on October 1, 1999~~ October 1, 2015, and ending on October 1, 2019, to take the action set forth in subsection (b) with respect to regular warrant officers of an armed force under the jurisdiction of that Secretary.

(b) The Secretary of a military department may, with respect to regular warrant officers of an armed force, when authorized to do so under subsection (a), convene selection boards under section 573(c) of this title to consider for discharge regular warrant officers on the warrant officer active-duty list-

(1) who have served at least one year of active duty in the grade currently held;

(2) whose names are not on a list of warrant officers recommended for promotion; and

(3) who are not eligible to be retired under any provision of law and are not within two years of becoming so eligible.

(c)(1) In the case of an action under subsection (b), the Secretary of the military department concerned may submit to a selection board convened pursuant to that subsection-

(A) the names of all regular warrant officers described in that subsection in a particular grade and competitive category; or

(B) the names of all regular warrant officers described in that subsection in a particular grade and competitive category who also are in particular year groups or specialties, or both, within that competitive category.

(2) The Secretary concerned shall specify the total number of warrant officers to be recommended for discharge by a selection board convened pursuant to subsection (b). That number may not be more than 30 percent of the number of officers considered-

(A) in each grade in each competitive category; or

(B) in each grade, year group, or specialty (or combination thereof) in each competitive category.

~~(3) The total number of regular warrant officers described in subsection (b) from any of the armed forces (or from any of the armed forces in a particular grade) who may be recommended during a fiscal year for discharge by a selection board convened pursuant to the authority of that subsection may not exceed 70 percent of the decrease, as compared to the preceding fiscal year, in the number of warrant officers of that armed force (or the number of warrant officers of that armed force in that grade) authorized to be serving on active duty as of the end of that fiscal year.~~

~~(4)~~ (3) A warrant officer who is recommended for discharge by a selection board convened pursuant to subsection (b) and whose discharge is approved by the Secretary concerned shall be discharged on a date specified by the Secretary concerned.

~~(5)~~ (4) Selection of warrant officers for discharge under this subsection shall be based on the needs of the service.

(d) The discharge of any warrant officer pursuant to this section shall be considered involuntary for purposes of any other provision of law.

(e) This section applies to the Secretary of Homeland Security in the same manner and to the same extent as it applies to the Secretary of Defense. The Commandant of the Coast Guard

shall take the action set forth in subsection (b) with respect to regular warrant officers of the Coast Guard.