SEC. . MODIFICATION OF PROGRAM ON ENCOURAGEMENT OF

2 POSTSEPARATION PUBLIC AND COMMUNITY SERVICE WITH

3 RESPECT TO PERSONS ELIGIBLE FOR PROGRAM.

- 4 (a) MODIFICATION OF APPLICABILITY OF REPEALED SECTION.—Section 553(c)(2) of the
- 5 John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232;
- 6 132 Stat. 1773) is amended by striking "The repeal made under paragraph (1)" and inserting
- 7 "The amendments made by this section".
- 8 (b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if
- 9 included in the enactment of the John S. McCain National Defense Authorization Act for Fiscal
- 10 Year 2019 (Public Law 115-232).

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

Section-by-Section Analysis

This proposal would amend section 553 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to ensure that persons still eligible to participate in the postseparation public and community service program ("program") can appropriately register their public service employment with the Department of Defense and receive the benefits for which they are eligible.

The repeal of the program had the unintended impact of removing the Department's authority to maintain and update the list of eligible public service employers. The program is still in effect for those persons who retired before the date of the enactment of the repeal. However, some retirees who are still eligible for the program and who are employed by an organization that the Department of Defense would have agreed met the qualifications to be eligible employers for which the retiree could receive credit for service, now cannot be added to the eligibility list. Thus, the retiree cannot receive credit under the program for that service.

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2026 President's Budget.

Changes to Existing Law: This proposal would amend section 553 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 as follows:

SEC. 553. REPEAL OF PROGRAM ON ENCOURAGEMENT OF POSTSEPARATION PUBLIC AND COMMUNITY SERVICE.

- (a) REPEAL.—
 - (1) IN GENERAL.—Section 1143a of title 10, United States Code, is repealed.
- (2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1143a.
- (b) CONFORMING AMENDMENTS.—
 - (1) Section 1144(b) of title 10, United States Code, is amended—
 - (A) by striking paragraph (8); and
 - (B) by redesignating paragraphs (9), (10), and (11) as paragraphs (8), (9), and (10), respectively.
- (2) Section 1142(b)(4)(C) of such title is amended by striking "the public and community service jobs program carried out under section 1143a of this title, and".
- (3) Section 159(c)(2)(D) of the National and Community Service Act of 1990 (42 U.S.C. 12619(c)(2)(D)) is amended by striking "and as employment with a public service or community service organization for purposes of section 4464 of that Act".
- (4) Section 162(a)(2) of such Act (42 U.S.C. 12622(a)(2)) is amended by striking "shall" and all that follows through "provide other" and inserting "shall provide".
- (5) Subsection (c) of section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 1293 note) is amended to read as follows:
- "(c) INAPPLICABILITY OF CERTAIN PROVISIONS.—During the period specified in subsection (i)(2), this section does not apply as follows:
 - "(1) To members of the Coast Guard, notwithstanding section 542(d) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 1293 note).
 - "(2) To members of the commissioned corps of the National Oceanic and Atmospheric Administration, notwithstanding section 566(c) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 10 U.S.C. 1293 note).". (c) CONFORMING REPEAL.—
 - (1) REPEAL.—Section 4464 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 1143a note) is repealed.
 - (2) APPLICABILITY.—The repeal made under paragraph (1) amendments made by this section shall apply with respect to an individual who retires from the Armed Forces on or after the date of the enactment of this Act.

A BILL

To authorize appropriations for fiscal year 2026 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

- 1 Be it enacted by the Senate and House of Representatives of the United States of America
- 2 in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "National Defense Authorization Act for Fiscal Year
- 5 2026".
- 6 SEC. 2. TABLE OF CONTENTS.
- 7 The table of contents for this Act is as follows:

Section 1. Short title.

Sec. 2. Table of Contents.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force and Space Force.

Sec. 104. Defense-wide activities.

Sec. 105. Defense production act purchases.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

TITLE III—OPERATION AND MAINTENANCE

Sec. 301. Operation and maintenance funding.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Space Force

Sec. 411. End strength for the Space Force.

Subtitle C—Reserve Forces

- Sec. 421. End strengths for Selected Reserve.
- Sec. 422. End strengths for Reserves on active duty in support of the Reserves.
- Sec. 423. End strengths for military technicians (dual status).
- Sec. 424. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle D—Authorization of Appropriations

Sec. 431. Military personnel.

TITLE V—[RESERVED]

TITLE VI—[RESERVED]

TITLE VII—[RESERVED]

TITLE VIII—[RESERVED]

TITLE IX—[RESERVED]

TITLE X—[RESERVED]

TITLE XI—[RESERVED]

TITLE XII—[RESERVED]

TITLE XIII—[RESERVED]

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. Chemical agents and munitions destruction, defense.
- Sec. 1403. Drug interdiction and counter-drug activities, defense.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense health program.

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Subtitle B—Other Matters

- Sec. 1411. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs medical facility demonstration fund for Captain James A. Lovell health care center, Illinois.
- Sec. 1412. Authorization of appropriations for armed forces retirement home.

TITLE XV—[RESERVED]

DIVISION B—[RESERVED]

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

2 Funds are hereby authorized to be appropriated for fiscal year 2026 for procurement 3 for the Army as follows: 4 (1) For aircraft, \$3,045,199,000. 5 (2) For missiles, \$6,948,889,000. 6 (3) For ammunition, \$3,734,235,000. 7 (4) For weapons and tracked combat vehicles, \$2,886,534,000. 8 (5) For other procurement, \$9,605,566,000. 9 SEC. 102. NAVY AND MARINE CORPS. 10 Funds are hereby authorized to be appropriated for fiscal year 2026 for procurement 11 for the Navy and Marine Corps as follows: 12 (1) For aircraft, \$17,028,101,000. 13 (2) For shipbuilding and conversion, \$20,840,224,000. 14 (3) For ammunition procurement, Navy and Marine Corps, \$1,135,030,000. 15 (4) For weapons, \$5,597,300,000. (5) For other procurement, \$14,569,524,000. 16 17 (6) For procurement, Marine Corps, \$3,754,112,000. 18 SEC. 103. AIR FORCE AND SPACE FORCE. 19 Funds are hereby authorized to be appropriated for fiscal year 2026 for procurement 20 for the Air Force and Space Force as follows: 21 (1) For aircraft, \$17,729,963,000. 22 (2) For missiles, \$4,223,876,000. 23 (3 For procurement, Space Force, \$3,393,637,000.

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SEC. 101. ARMY.

1	(4) For ammunition, \$784,478,000.
2	(5) For other procurement, \$31,504,644,000.
3	SEC. 104. DEFENSE-WIDE ACTIVITIES.
4	Funds are hereby authorized to be appropriated for fiscal year 2026 for Defense-wide
5	procurement in the amount of \$6,048,863,000.
6	SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.
7	Funds are hereby authorized to be appropriated for fiscal year 2026 for purchases
8	under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in the amount of
9	\$236,923,000.
10	TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
11	SEC. 201. AUTHORIZATION OF APPROPRIATIONS.
12	Funds are hereby authorized to be appropriated for fiscal year 2026 for the use of the
13	Department of Defense for research, development, test, and evaluation as follows:
14	(1) For the Army, \$14,549,223,000.
15	(2) For the Navy, \$25,708,049,000.
16	(3) For the Air Force, \$52,017,288,000.
17	(4) For the Space Force, \$15,486,466,000.
18	(5) For Defense-wide activities, \$33,921,939,000.
19	(6) For the Director of Operational Test and Evaluation, \$318,143,000.
20	TITLE III—OPERATION AND MAINTENANCE
21	SEC. 301. OPERATION AND MAINTENANCE FUNDING.

1 Funds are hereby authorized to be appropriated for fiscal year 2026 for the use of the 2 Armed Forces and other activities and agencies of the Department of Defense for expenses, 3 not otherwise provided for, for operation and maintenance, in amounts as follows: 4 (1) For the Army, \$58,975,065,000. 5 (2) For the Navy, \$74,080,120,000. (3) For the Marine Corps, \$11,004,201,000. 6 7 (4) For the Air Force, \$62,429,535,000. 8 (5) For the Space Force, \$5,888,163,000. 9 (6) For Defense-wide activities, \$55,935,718,000. 10 (7) For the Army Reserve, \$3,314,178,000. (8) For the Navy Reserve, \$1,442,054,000. 11 12 (9) For the Marine Corps Reserve, \$362,045,000. 13 (10) For the Air Force Reserve, \$4,322,617,000. 14 (11) For the Army National Guard, \$8,673,981,000. 15 (12) For the Air National Guard, \$7,332,599,000. 16 (13) For the United States Court of Appeals for the Armed Forces, 17 \$21,243,000. 18 (14) For Environmental Restoration, Army, \$148,070,000. 19 (15) For Environmental Restoration, Navy, \$8,885,000. 20 (16) For Environmental Restoration, Air Force, \$342,149,000. 21 (17) For Environmental Restoration, Defense-wide, \$357,949,000. 22 (18) For Environmental Restoration, Formerly Used Defense Sites, 23 \$235,156,000.

l	(19) For Overseas Humanitarian, Disaster, and Civic Aid programs,
2	\$100,793,000.
3	(20) For Cooperative Threat Reduction programs, \$282,830,000.
4	(21) For Department of Defense Acquisition Workforce Development Fund,
5	\$45,346,000.
6	(22) For Disposal of Department of Defense Real Property, \$6,902,000.
7	(23) For Lease of Department of Defense Real Property, \$33,392,000.
8	(24) For Counter-Islamic State of Iraq and Syria Train and Equip Fund,
9	\$357,516,000.
10	TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS
11	Subtitle A—Active Forces
12	SEC. 401. END STRENGTHS FOR ACTIVE FORCES.
13	The Armed Forces are authorized strengths for active duty personnel as of September
14	30, 2026, as follows:
15	(1) The Army, 454,000.
16	(2) The Navy, 344,600.
17	(3) The Marine Corps,172,300.
18	(4) The Air Force, 321,500.
19	Subtitle B—Space Force
20	SEC. 411. END STRENGTH FOR THE SPACE FORCE.
21	The Space Force is authorized a strength for Space Force members in space force active
22	status as of September 30, 2026, of 10,400.

Subtitle C—Reserve Forces

2	SEC. 421. END STRENGTHS FOR SELECTED RESERVE.
3	(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve
4	personnel of the reserve components as of September 30, 2026, as follows:
5	(1) The Army National Guard of the United States, 328,000.
6	(2) The Army Reserve, 172,000.
7	(3) The Navy Reserve, 57,500.
8	(4) The Marine Corps Reserve, 33,600.
9	(5) The Air National Guard of the United States, 106,300.
10	(6) The Air Force Reserve, 67,500.
11	(7) The Coast Guard Reserve, 8,500.
12	(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for
13	the Selected Reserve of any reserve component shall be proportionately reduced by—
14	(1) the total authorized strength of units organized to serve as units of the
15	Selected Reserve of such component which are on active duty (other than for
16	training) at the end of the fiscal year; and
17	(2) the total number of individual members not in units organized to serve as
18	units of the Selected Reserve of such component who are on active duty (other than
19	for training or for unsatisfactory participation in training) without their consent at the
20	end of the fiscal year.
21	(c) END STRENGTH INCREASES.—Whenever units or individual members of the
22	Selected Reserve for any reserve component are released from active duty during any fiscal
23	year, the end strength prescribed for such fiscal year for the Selected Reserve of such

1	reserve component shall be increased proportionately by the total authorized strengths of
2	such units and by the total number of such individual members.
3	SEC. 422. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF
4	THE RESERVES.
5	Within the end strengths prescribed in section 421(a), the reserve components of the
6	Armed Forces are authorized, as of September 30, 2026, the following number of Reserves
7	to be serving on full-time active duty or full-time duty, in the case of members of the
8	National Guard, for the purpose of organizing, administering, recruiting, instructing, or
9	training the reserve components:
10	(1) The Army National Guard of the United States, 30,845.
11	(2) The Army Reserve, 16,511.
12	(3) The Navy Reserve, 10,409.
13	(4) The Marine Corps Reserve, 2,400.
14	(5) The Air National Guard of the United States, 25,171.
15	(6) The Air Force Reserve, 6,218.
16	SEC. 423. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).
17	The minimum number of military technicians (dual status) as of the last day of fiscal
18	year 2026 for the reserve components of the Army and the Air Force (notwithstanding
19	section 129 of title 10, United States Code) shall be the following:
20	(1) For the Army National Guard of the United States, 21,294.
21	(2) For the Army Reserve, 6,258.
22	(3) For the Air National Guard of the United States, 10,405.
23	(4) For the Air Force Reserve, 6,455.

1	SEC. 424. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE
2	ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.
3	During fiscal year 2026, the maximum number of members of the reserve
4	components of the Armed Forces who may be serving at any time on full-time operational
5	support duty under section 115(b) of title 10, United States Code, is the following:
6	(1) The Army National Guard of the United States, 17,000.
7	(2) The Army Reserve, 13,000.
8	(3) The Navy Reserve, 6,200.
9	(4) The Marine Corps Reserve, 3,000.
10	(5) The Air National Guard of the United States, 16,000.
11	(6) The Air Force Reserve, 14,000.
12	Subtitle D—Authorization of Appropriations
13	SEC. 431. MILITARY PERSONNEL.
14	There is hereby authorized to be appropriated for military personnel for fiscal year
15	2026 a total of \$194,653,302,000.
16	TITLE V—[RESERVED]
17	TITLE VI—[RESERVED]
18	TITLE VII—[RESERVED]
19	TITLE VIII—[RESERVED]
20	TITLE IX—[RESERVED]
21	TITLE X—[RESERVED]
22	TITLE XI—[RESERVED]

1	TITLE XII—[RESERVED]
2	TITLE XIII—[RESERVED]
3	TITLE XIV—OTHER AUTHORIZATIONS
4	Subtitle A—Military Programs
5	SEC. 1401. WORKING CAPITAL FUNDS.
6	Funds are hereby authorized to be appropriated for fiscal year 2026 for the use of the
7	Armed Forces and other activities and agencies of the Department of Defense for providing
8	capital for working capital and revolving funds in the amount of \$2,037,937,000.
9	SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.
10	(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
11	appropriated for the Department of Defense for fiscal year 2026 for expenses, not otherwise
12	provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of
13	\$213,282,000 of which—
14	(1) \$3,243,000 is for Operation and Maintenance; and
15	(2) \$210,039,000 is for Research, Development, Test, and Evaluation.
16	(b) USE.—Amounts authorized to be appropriated under subsection (a) are
17	authorized for—
18	(1) the destruction of lethal chemical agents and munitions in accordance with
19	section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C.
20	1521); and
21	(2) the destruction of chemical warfare materiel of the United States that is
22	not covered by section 1412 of such Act.
22	SEC 1403 DDIJC INTERDICTION AND COUNTED DDIJC ACTIVITIES DEFENSE

1	Funds are hereby authorized to be appropriated for the Department of Defense for
2	fiscal year 2026 for expenses, not otherwise provided for, for Drug Interdiction and
3	Counter-Drug Activities, Defense, in the amount of \$904,301,000.
4	SEC. 1404. DEFENSE INSPECTOR GENERAL.
5	Funds are hereby authorized to be appropriated for the Department of Defense for
6	fiscal year 2026 for expenses, not otherwise provided for, for the Office of the Inspector
7	General of the Department of Defense, in the amount of \$502,599,000 of which—
8	(1) \$496,895,000 is for Operation and Maintenance;
9	(2) \$4,625,000 is for Research, Development, Test and Evaluation; and
10	(3) \$1,079,000 is for Procurement.
11	SEC. 1405. DEFENSE HEALTH PROGRAM.
12	Funds are hereby authorized to be appropriated for the Department of Defense for
13	fiscal year 2026 for expenses, not otherwise provided for, for the Defense Health Program,
14	in the amount of \$40,502,123,000 of which—
15	(1) \$39,174,590,000 is for Operation and Maintenance;
16	(2) \$972,712,000 is for Research, Development, Test, and Evaluation; and
17	(3) \$354,821,000 is for Procurement.
18	Subtitle B—Other Matters
19	SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF
20	DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL
21	FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.
22	LOVELL HEALTH CARE CENTER, ILLINOIS.

1	(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be
2	appropriated for section 1405 and available for the Defense Health Program for operation
3	and maintenance, \$165,000,000 may be transferred by the Secretary of Defense to the Joint
4	Department of Defense-Department of Veterans Affairs Medical Facility Demonstration
5	Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization
6	Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection
7	(a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized
8	and appropriated specifically for the purpose of such a transfer.
9	(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section
10	1704, facility operations for which funds transferred under subsection (a) may be used are
11	operations of the Captain James A. Lovell Federal Health Care Center, consisting of the
12	North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and
13	supporting facilities designated as a combined Federal medical facility under an operational
14	agreement covered by section 706 of the Duncan Hunter National Defense Authorization
15	Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).
16	SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES
17	RETIREMENT HOME.
18	There is hereby authorized to be appropriated for fiscal year 2026 from the Armed
19	Forces Retirement Home Trust Fund the sum of \$77,000,000 of which—
20	(1) \$74,928,000 is for operating expenses; and
21	(2) \$2,072,000 is for capital maintenance and construction.
22	TITLE XV—[RESERVED]
23	DIVISION B—[RESERVED]

Section-by-Section Analysis

TITLE I—PROCUREMENT

Sections 101 through 105 would authorize appropriations for fiscal year 2026 for the procurement accounts of the Department of Defense in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Section 201 would authorize appropriations for fiscal year 2026 for the research, development, test, and evaluation accounts of the Department of Defense in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

TITLE III—OPERATION AND MAINTENANCE

Section 301 would authorize appropriations for fiscal year 2026 for the Operation and Maintenance accounts of the Department of Defense in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Section 401 would prescribe the personnel strengths for the active forces in the numbers provided for by the budget authority and appropriations requested for the Department of Defense in the President's Budget for fiscal year 2026.

Subtitle B—Space Force

Section 411 would prescribe the end strength for the Space Force for members in space force active status in the numbers provided for by the budget authority and appropriations requested for the Department of Defense in the President's Budget for fiscal year 2026.

This section is new for fiscal year 2026 and is required by the amendments to section 115 of title 10, United States Code, made by section 402 of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (Public Law 118-159)".

Subtitle C—Reserve Forces

Section 421 would prescribe the end strengths for the Selected Reserve of each reserve component of the Armed Forces in the numbers provided for by the budget authority and appropriations requested for the Department of Defense, and the Department of Homeland Security for the Coast Guard Reserve, in the President's Budget for fiscal year 2026.

Section 422 would prescribe the end strengths for reserve component members on full-time active duty or full-time National Guard duty for the purpose of administering the reserve forces for fiscal year 2026.

Section 423 would prescribe the end strengths for dual-status technicians of the reserve components of the Army and Air Force for fiscal year 2026.

Section 424 would prescribe the maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle D—Authorization of Appropriations

Section 431 would authorize appropriations for fiscal year 2026 for military personnel.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Section 1401 would authorize appropriations for the Defense Working Capital Funds in the amount equal to the budget authority requested in the President's Budget for fiscal year 2026.

Section 1402 would authorize appropriations for Chemical Agents and Munitions Destruction, Defense in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

Section 1403 would authorize appropriations for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount equal to the budget authority requested in the President's Budget for fiscal year 2026.

Section 1404 would authorize appropriations for the Defense Inspector General in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

Section 1405 would authorize appropriations for the Defense Health Program in amounts equal to the budget authority requested in the President's Budget for fiscal year 2026.

Subtitle B—Other Matters

Section 1411, within the funds authorized for operation and maintenance under section 1405, would authorize funds to be transferred to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by section 1704(a) of the National Defense Authorization Act for Fiscal Year 2010.

Section 1412 would authorize appropriations for fiscal year 2026 for the Armed Forces Retirement Home in the amount equal to the budget authority requested in the President's Budget for fiscal year 2026.

SEC. . MODIFICATION OF PROGRAM ON ENCOURAGEMENT OF

2 POSTSEPARATION PUBLIC AND COMMUNITY SERVICE WITH

3 RESPECT TO PERSONS ELIGIBLE FOR PROGRAM.

- 4 (a) MODIFICATION OF APPLICABILITY OF REPEALED SECTION.—Section 553(c)(2) of the
- 5 John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232;
- 6 132 Stat. 1773) is amended by striking "The repeal made under paragraph (1)" and inserting
- 7 "The amendments made by this section".
- 8 (b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if
- 9 included in the enactment of the John S. McCain National Defense Authorization Act for Fiscal
- 10 Year 2019 (Public Law 115-232).

1

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

Section-by-Section Analysis

This proposal would amend section 553 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 to ensure that persons still eligible to participate in the postseparation public and community service program ("program") can appropriately register their public service employment with the Department of Defense and receive the benefits for which they are eligible.

The repeal of the program had the unintended impact of removing the Department's authority to maintain and update the list of eligible public service employers. The program is still in effect for those persons who retired before the date of the enactment of the repeal. However, some retirees who are still eligible for the program and who are employed by an organization that the Department of Defense would have agreed met the qualifications to be eligible employers for which the retiree could receive credit for service, now cannot be added to the eligibility list. Thus, the retiree cannot receive credit under the program for that service.

Resource Information: This proposal has no impact on the use of resources requested within the Fiscal Year (FY) 2026 President's Budget.

Changes to Existing Law: This proposal would amend section 553 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 as follows:

SEC. 553. REPEAL OF PROGRAM ON ENCOURAGEMENT OF POSTSEPARATION PUBLIC AND COMMUNITY SERVICE.

- (a) REPEAL.—
 - (1) IN GENERAL.—Section 1143a of title 10, United States Code, is repealed.
- (2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1143a.
- (b) CONFORMING AMENDMENTS.—
 - (1) Section 1144(b) of title 10, United States Code, is amended—
 - (A) by striking paragraph (8); and
 - (B) by redesignating paragraphs (9), (10), and (11) as paragraphs (8), (9), and (10), respectively.
- (2) Section 1142(b)(4)(C) of such title is amended by striking "the public and community service jobs program carried out under section 1143a of this title, and".
- (3) Section 159(c)(2)(D) of the National and Community Service Act of 1990 (42 U.S.C. 12619(c)(2)(D)) is amended by striking "and as employment with a public service or community service organization for purposes of section 4464 of that Act".
- (4) Section 162(a)(2) of such Act (42 U.S.C. 12622(a)(2)) is amended by striking "shall" and all that follows through "provide other" and inserting "shall provide".
- (5) Subsection (c) of section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 1293 note) is amended to read as follows:
- "(c) INAPPLICABILITY OF CERTAIN PROVISIONS.—During the period specified in subsection (i)(2), this section does not apply as follows:
 - "(1) To members of the Coast Guard, notwithstanding section 542(d) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 1293 note).
 - "(2) To members of the commissioned corps of the National Oceanic and Atmospheric Administration, notwithstanding section 566(c) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 10 U.S.C. 1293 note).". (c) CONFORMING REPEAL.—
 - (1) REPEAL.—Section 4464 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 1143a note) is repealed.
 - (2) APPLICABILITY.—The repeal made under paragraph (1) amendments made by this section shall apply with respect to an individual who retires from the Armed Forces on or after the date of the enactment of this Act.