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(Original Signature of Member)

113TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish the National Commission on the Structure of the Army, and  
for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. WILSON of South Carolina introduced the following bill; which was  
referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish the National Commission on the Structure of  
the Army, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Commission  
5       on the Structure of the Army Act of 2014”.

6       **SEC. 2. LIMITATION ON AVAILABILITY OF FUNDS FOR RE-**  
7       **DUCTIONS TO THE ARMY NATIONAL GUARD.**

8       (a) AIRCRAFT.—None of the funds authorized to be  
9       appropriated by this Act or otherwise made available for

1 fiscal year 2015 for the Army may be used to divest, re-  
2 tire, or transfer, or prepare to divest, retire, or transfer,  
3 any aircraft of the Army assigned to units of the Army  
4 National Guard as of January 15, 2014.

5 (b) PERSONNEL.—None of the funds authorized to  
6 be appropriated by this Act or otherwise made available  
7 for fiscal year 2015 for the Army may be used to reduce  
8 personnel below the authorized end strength levels of  
9 350,000 for the Army National Guard as of September  
10 30, 2014.

11 **SEC. 3. NATIONAL COMMISSION ON THE STRUCTURE OF**  
12 **THE ARMY.**

13 (a) ESTABLISHMENT.—There is established the Na-  
14 tional Commission on the Structure of the Army (in this  
15 Act referred to as the “Commission”).

16 (b) MEMBERSHIP.—

17 (1) COMPOSITION.—The Commission shall be  
18 composed of eight members, of whom—

19 (A) four shall be appointed by the Presi-  
20 dent;

21 (B) one shall be appointed by the Chair-  
22 man of the Committee on Armed Services of  
23 the Senate;

1 (C) one shall be appointed by the Ranking  
2 Member of the Committee on Armed Services of  
3 the Senate;

4 (D) one shall be appointed by the Chair-  
5 man of the Committee on Armed Services of  
6 the House of Representatives; and

7 (E) one shall be appointed by the Ranking  
8 Member of the Committee on Armed Services of  
9 the House of Representatives.

10 (2) APPOINTMENT DATE.—The appointments of  
11 the members of the Commission shall be made not  
12 later than 90 days after the date of the enactment  
13 of this Act.

14 (3) EFFECT OF LACK OF APPOINTMENT BY AP-  
15 POINTMENT DATE.—If one or more appointments  
16 under subparagraph (A) of paragraph (1) is not  
17 made by the appointment date specified in para-  
18 graph (2), the authority to make such appointment  
19 or appointments shall expire, and the number of  
20 members of the Commission shall be reduced by the  
21 number equal to the number of appointments so not  
22 made. If an appointment under subparagraph (B),  
23 (C), (D), or (E) of paragraph (1) is not made by the  
24 appointment date specified in paragraph (2), the au-  
25 thority to make an appointment under such subpara-

1 graph shall expire, and the number of members of  
2 the Commission shall be reduced by the number  
3 equal to the number otherwise appointable under  
4 such subparagraph.

5 (4) EXPERTISE.—In making appointments  
6 under this subsection, consideration should be given  
7 to individuals with expertise in reserve forces policy.

8 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
9 bers shall be appointed for the life of the Commission. Any  
10 vacancy in the Commission shall not affect its powers, but  
11 shall be filled in the same manner as the original appoint-  
12 ment.

13 (d) INITIAL MEETING.—Not later than 30 days after  
14 the date on which all members of the Commission have  
15 been appointed, the Commission shall hold its first meet-  
16 ing.

17 (e) MEETINGS.—The Commission shall meet at the  
18 call of the Chair.

19 (f) QUORUM.—A majority of the members of the  
20 Commission shall constitute a quorum, but a lesser num-  
21 ber of members may hold hearings.

22 (g) CHAIR AND VICE CHAIR.—The Commission shall  
23 select a Chair and Vice Chair from among its members.

24 **SEC. 4. DUTIES OF THE COMMISSION.**

25 (a) STUDY.—

1           (1) IN GENERAL.—The Commission shall un-  
2       dertake a comprehensive study of the structure of  
3       the Army to determine the proper force mixture of  
4       the active component and reserve component, and  
5       how the structure should be modified to best fulfill  
6       current and anticipated mission requirements for the  
7       Army in a manner consistent with available re-  
8       sources and estimated future resources.

9           (2) CONSIDERATIONS.—In considering the  
10      structure of the Army, the Commission shall give  
11      particular consideration to evaluating a structure  
12      that—

13                (A) meets current and anticipated require-  
14      ments of the combatant commands;

15                (B) achieves a cost-efficiency balance be-  
16      tween the regular and reserve components of  
17      the Army, taking advantage of the unique  
18      strengths and capabilities of each, with a par-  
19      ticular focus on fully burdened and lifecycle cost  
20      of Army personnel;

21                (C) ensures that the regular and reserve  
22      components of the Army have the capacity  
23      needed to support current and anticipated  
24      homeland defense and disaster assistance mis-  
25      sions in the United States;

1 (D) provides for sufficient numbers of reg-  
2 ular members of the Army to provide a base of  
3 trained personnel from which the personnel of  
4 the reserve components of the Army could be  
5 recruited;

6 (E) maintains a peacetime rotation force  
7 to support operational tempo goals of 1:2 for  
8 regular members of the Army and 1:5 for mem-  
9 bers of the reserve components of the Army;  
10 and

11 (F) maximizes and appropriately balances  
12 affordability, efficiency, effectiveness, capability,  
13 and readiness.

14 (b) REPORT.—Not later than February 1, 2016, the  
15 Commission shall submit to the President and the con-  
16 gressional defense committees a report which shall contain  
17 a detailed statement of the findings and conclusions of the  
18 Commission as a result of the study required by subsection  
19 (a), together with its recommendations for such legislation  
20 and administrative actions it may consider appropriate in  
21 light of the results of the study.

22 **SEC. 5. POWERS OF THE COMMISSION.**

23 (a) HEARINGS.—The Commission may hold such  
24 hearings, sit and act at such times and places, take such

1 testimony, and receive such evidence as the Commission  
2 considers advisable to carry out this Act.

3 (b) INFORMATION FROM FEDERAL AGENCIES.—The  
4 Commission may secure directly from any Federal depart-  
5 ment or agency such information as the Commission con-  
6 siderers necessary to carry out this Act. Upon request of  
7 the Chair of the Commission, the head of such department  
8 or agency shall furnish such information to the Commis-  
9 sion.

10 (c) POSTAL SERVICES.—The Commission may use  
11 the United States mails in the same manner and under  
12 the same conditions as other departments and agencies of  
13 the Federal Government.

14 (d) GIFTS.—The Commission may accept, use, and  
15 dispose of gifts or donations of services or property.

16 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

17 (a) COMPENSATION OF MEMBERS.—Each member of  
18 the Commission who is not an officer or employee of the  
19 Federal Government shall be compensated at a rate equal  
20 to the daily equivalent of the annual rate of basic pay pre-  
21 scribed for level IV of the Executive Schedule under sec-  
22 tion 5315 of title 5, United States Code, for each day (in-  
23 cluding travel time) during which such member is engaged  
24 in the performance of the duties of the Commission. All  
25 members of the Commission who are officers or employees

1 of the United States shall serve without compensation in  
2 addition to that received for their services as officers or  
3 employees of the United States.

4 (b) TRAVEL EXPENSES.—The members of the Com-  
5 mission shall be allowed travel expenses, including per  
6 diem in lieu of subsistence, at rates authorized for employ-  
7 ees of agencies under subchapter I of chapter 57 of title  
8 5, United States Code, while away from their homes or  
9 regular places of business in the performance of services  
10 for the Commission.

11 (c) STAFF.—

12 (1) IN GENERAL.—The Chair of the Commis-  
13 sion may, without regard to the civil service laws  
14 and regulations, appoint and terminate an executive  
15 director and such other additional personnel as may  
16 be necessary to enable the Commission to perform  
17 its duties. The employment of an executive director  
18 shall be subject to confirmation by the Commission.

19 (2) COMPENSATION.—The Chair of the Com-  
20 mission may fix the compensation of the executive  
21 director and other personnel without regard to chap-  
22 ter 51 and subchapter III of chapter 53 of title 5,  
23 United States Code, relating to classification of posi-  
24 tions and General Schedule pay rates, except that  
25 the rate of pay for the executive director and other

1 personnel may not exceed the rate payable for level  
2 V of the Executive Schedule under section 5316 of  
3 such title.

4 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
5 Federal Government employee may be detailed to the  
6 Commission without reimbursement, and such detail shall  
7 be without interruption or loss of civil service status or  
8 privilege.

9 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-  
10 TENT SERVICES.—The Chair of the Commission may pro-  
11 cure temporary and intermittent services under section  
12 3109(b) of title 5, United States Code, at rates for individ-  
13 uals which do not exceed the daily equivalent of the annual  
14 rate of basic pay prescribed for level V of the Executive  
15 Schedule under section 5316 of such title.

16 **SEC. 7. TERMINATION OF THE COMMISSION.**

17 The Commission shall terminate 90 days after the  
18 date on which the Commission submits its report under  
19 section 4.

20 **SEC. 8. FUNDING.**

21 Amounts authorized to be appropriated for fiscal year  
22 2015 and available for operation and maintenance for the  
23 Army as specified in the funding table in section 4301 of  
24 the fiscal year 2015 National Defense Authorization Act

- 1 may be available for the activities of the Commission
- 2 under this Act.