

107TH CONGRESS
1ST SESSION

S. 967

To establish the Military Readiness Investigation Board, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2001

Mr. BOND introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To establish the Military Readiness Investigation Board, 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 “Military Readiness In-
5 vestigation Board Act of 2001”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a task force to be known as the
8 “Military Readiness Investigation Board” (hereafter in
9 this Act referred to as the “Readiness Board”).

1 **SEC. 3. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT OF MEMBERS.—(1)
3 The Readiness Board shall be composed of not more than
4 12 members, who shall be appointed by the Secretary of
5 Defense.

6 (2) In selecting persons for appointment as members
7 of the Readiness Board, the Secretary shall consult with
8 the following members of Congress:

9 (A) The chairmen and ranking minority mem-
10 bers of the Committees on Armed Services of the
11 Senate and the House of Representatives.

12 (B) The chairmen and ranking minority mem-
13 bers of the Subcommittees on Defense of the Com-
14 mittees on Appropriations of the Senate and the
15 House of Representatives.

16 (b) QUALIFICATIONS FOR APPOINTMENT.—(1) Mem-
17 bers of the Readiness Board shall be selected from among
18 persons who are experts in analyzing the military readi-
19 ness of the Armed Forces, performing statistical analyses,
20 or applying best business practices that are relevant or
21 adaptable to readiness-related processes of the Armed
22 Forces.

23 (2) A member of the Readiness Board shall have or
24 qualify for the security clearance or clearances appropriate
25 for the performance of the duties of the Readiness Board.

1 (3) The Secretary shall seek to appoint to member-
2 ship on the Readiness Board retired members of the
3 Armed Forces not on active duty and civilians in a ratio
4 to each other that the Secretary determines appropriate
5 for ensuring that military and nonmilitary perspectives are
6 represented to a significant extent among the members of
7 the Readiness Board.

8 (c) PERIODS OF APPOINTMENT; VACANCIES.—(1)
9 The members of the Readiness Board shall be appointed
10 for the life of the Readiness Board.

11 (2) Any vacancy on the Readiness Board shall not
12 affect its powers, but shall be filled in the same manner
13 as the original appointment.

14 (d) TIME FOR INITIAL APPOINTMENTS.—The mem-
15 bers of the Readiness Board shall be appointed not later
16 than 15 days after the date of the enactment of this Act.

17 (e) CHAIRMAN.—The Secretary of Defense shall des-
18 ignate one of the members to be the Chairman of the
19 Readiness Board.

20 **SEC. 4. DUTIES.**

21 (a) IN GENERAL.—It shall be the duty of the Readiness Board to conduct a comprehensive investigation of
22 the state of mission readiness within all combat and com-
23 bat support commands within the Armed Forces and to
24

1 report the results of the investigation to the Secretary of
2 Defense and to Congress.

3 (b) PURPOSE.—The investigation and report of the
4 Board shall be designed to provide the Secretary of De-
5 fense and Congress with an objective baseline assessment
6 of the current state of the mission readiness of the Armed
7 Forces so as to guide future appropriations and authoriza-
8 tions of appropriations for the Department of Defense.

9 (c) INVESTIGATION.—(1) In carrying out the inves-
10 tigation, the Board shall—

11 (A) conduct an objective evaluation of the abil-
12 ity of all combat and combat support elements of the
13 Armed Forces currently to execute the tasks, at the
14 levels, experienced by the Armed Forces since the
15 end of the Persian Gulf War and all of the wartime
16 missions within acceptable timelines and levels of
17 casualties;

18 (B) determine whether, and the extent to
19 which, definitional concepts of combat readiness
20 have changed for major combat units and supporting
21 elements since 1993;

22 (C) determine and evaluate prevailing attitudes
23 within the combat and combat support commands of
24 the Armed Forces regarding the accuracy of the
25 readiness levels reported for those commands; and

1 (D) assess the adequacy of improvements to the
2 readiness reporting system used within the Depart-
3 ment of Defense and formulate recommendations for
4 actions to improve the system further, including rec-
5 ommendations relating to the authority of a com-
6 mander to adjust the evaluated readiness level of the
7 commander's unit on the basis of the commander's
8 judgment rather than the strict application of objec-
9 tive criteria.

10 (2) In carrying out its duties under this Act, the
11 Readiness Board—

12 (A) shall focus on the current state of readiness
13 of the Armed Forces, but shall also examine—

14 (i) the trends in readiness for the five
15 years preceding the year in which the Board is
16 established;

17 (ii) patterns of deployment of the Armed
18 Forces during those five years; and

19 (iii) the readiness trends that are projected
20 in the future-years defense program submitted
21 to Congress in that year under section 221 of
22 title 10, United States Code;

23 (B) may consider what if any additional equip-
24 ment and supplies are needed to improve readiness,
25 but may not consider any issue regarding the acqui-

1 sition of major weapon systems for future use by the
2 Armed Forces; and

3 (C) shall accept as being appropriate the base-
4 line threat assessments that are current during the
5 conduct of the investigation and may not examine or
6 reassess any of the existing levels of technological,
7 military, or unconventional threats that the United
8 States and its allies may potentially confront.

9 (d) COMPLETION AND REPORT.—(1) Not later than
10 one year after the date of the enactment of this Act, the
11 Readiness Board shall complete the investigation and sub-
12 mit, in a classified and an unclassified version, a report
13 on the results of the investigation to the Secretary of De-
14 fense and to Congress.

15 (2) The report shall include detailed findings and
16 conclusions, together with any recommendations for legis-
17 lation or for administrative actions that the Board con-
18 siders appropriate for improving the mission readiness of
19 the Armed Forces or for improving the evaluation and re-
20 porting of readiness to the Secretary of Defense and to
21 Congress.

22 **SEC. 5. MEETINGS.**

23 (a) SCHEDULE.—(1) The Readiness Board shall meet
24 at the call of the chairman.

1 (2) The Readiness Board shall hold its first meeting
2 not later than 15 days after the date on which all members
3 have been appointed.

4 (b) QUORUM.—A majority of the members of the
5 Readiness Board shall constitute a quorum, but a lesser
6 number of members may take an action described in sec-
7 tion 6(a) as authorized under that section.

8 **SEC. 6. POWERS.**

9 (a) INVESTIGATION.—The Readiness Board may, for
10 the purpose of carrying out this Act, conduct interviews
11 and surveys, hold hearings, sit and act at times and
12 places, take testimony, and receive evidence to the extent
13 that the Readiness Board considers appropriate in car-
14 rying out its duties under section 4.

15 (b) OBTAINING OFFICIAL DATA.—The Readiness
16 Board may secure information necessary to enable the
17 Readiness Board to carry out its duties directly from any
18 Department of Defense agency, command, or unit without
19 approval from superior command authorities, including
20 any classified information commensurate with Readiness
21 Board members' security clearances.

22 (c) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
23 request of the chairman of the Readiness Board, the Sec-
24 retary of Defense shall provide the Readiness Board with
25 administrative support, office space, transportation and

1 security services necessary for the Readiness Board to
2 carry out its duties under this Act.

3 (d) **POSTAL AND PRINTING AND BINDING SERV-**
4 **ICES.**—The Readiness Board may use the United States
5 mails and obtain printing and binding services in the same
6 manner and under the same conditions as other depart-
7 ments and agencies of the United States.

8 **SEC. 7. PERSONNEL AND OTHER ADMINISTRATIVE MAT-**
9 **TERS.**

10 (a) **COMPENSATION OF MEMBERS.**—Each member of
11 the Readiness Board shall be compensated at a rate equal
12 to the daily equivalent of the annual rate of basic pay pre-
13 scribed for level IV of the Executive Schedule under sec-
14 tion 5315 of title 5, United States Code, for each day (in-
15 cluding travel time) during which the member is engaged
16 in the performance of the duties of the Readiness Board.

17 (b) **TRAVEL.**—(1) The members of the Readiness
18 Board shall be allowed travel expenses, including per diem
19 in lieu of subsistence, at rates authorized for employees
20 of agencies under subchapter I of chapter 57 of title 5,
21 United States Code, while away from their homes or reg-
22 ular places of business in the performance of services for
23 the Readiness Board.

24 (2) To the maximum extent practicable, the members
25 and employees of the Readiness Board shall travel on mili-

1 tary aircraft, military ships, military vehicles, or other
2 military conveyances when travel is necessary in the per-
3 formance of a duty of the Readiness Board, except that
4 no such aircraft, ship, vehicle, or other conveyance may
5 be scheduled primarily for the transportation of any such
6 member or employee when the cost of commercial trans-
7 portation is less expensive.

8 (c) STAFF.—(1) The chairman of the Readiness
9 Board may, without regard to the civil service laws and
10 regulations, appoint and terminate an executive director,
11 and a staff of not more than 12 additional persons, if the
12 Readiness Board determines that an executive director
13 and staff are necessary in order for the Readiness Board
14 to perform its duties effectively. The employment of an
15 executive director shall be subject to confirmation by the
16 Readiness Board.

17 (2) The chairman may fix the compensation of the
18 executive director without regard to the provisions of
19 chapter 51 and subchapter III of chapter 53 of title 5,
20 United States Code, relating to classification of positions
21 and General Schedule pay rates, except that the rate of
22 pay for the executive director may not exceed the rate pay-
23 able for level V of the Executive Schedule under section
24 5316 of such title.

1 (d) DETAIL OF FEDERAL EMPLOYEES.—A Federal
2 Government employee may be detailed to the Readiness
3 Board without reimbursement, and such detail shall be
4 without interruption or loss of civil service status or privi-
5 lege. The Secretary shall ensure that sufficient personnel
6 are detailed to the Readiness Board to enable the Readiness
7 Board to carry out its duties effectively.

8 (e) ADDITIONAL ADMINISTRATIVE SUPPORT.—The
9 Secretary of Defense shall furnish the Readiness Board
10 any administrative and support services requested by the
11 Readiness Board.

12 (f) GIFTS.—The Readiness Board may accept, use,
13 and dispose of gifts or donations of services or property.

14 (g) FUNDING SOURCES.—The compensation, travel
15 expenses, and per diem allowances of members and em-
16 ployees of the Readiness Board shall be paid out of funds
17 available to the Department of Defense for the payment
18 of compensation, travel expenses, and per diem allowances,
19 respectively, of civilian employees of the department. The
20 other expenses of the Readiness Board shall be paid out
21 of funds available to the Department of Defense for the
22 payment of similar expenses incurred by the department.

1 **SEC. 8. TERMINATION.**

2 (a) IN GENERAL.—Subject to subsection (b), the
3 Readiness Board shall terminate 30 days after submitting
4 the report under section 4(d).

5 (b) TEMPORARY CONTINUATION.—(1) To ensure
6 ready accessibility to informed explanation and discussion
7 of the report and the proceedings of the Readiness Board,
8 the service of the Chairman of the Readiness Board and
9 one staff person designated by the Chairman shall con-
10 tinue until the end of the sixth month that begins after
11 the month in which Board terminates under subsection
12 (a).

13 (2) Funds available for the Readiness Board shall be
14 available for paying the compensation and expenses of the
15 Chairman and the staff member under section 7 during
16 the period of the continued service of the Chairman and
17 staff member under paragraph (1).

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