

S 1438

National Defense Authorization Act for Fiscal Year 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Sep 19, 2001

Current Status: Became Public Law No: 107-107.

Latest Action: Became Public Law No: 107-107. (Dec 28, 2001)

Law: 107-107 (Enacted Dec 28, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/1438>

Sponsor

Name: Sen. Levin, Carl [D-MI]

Party: Democratic • **State:** MI • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
107 HR 2586	Companion bill	Jun 18, 2002: Indefinitely postponed by Senate by Unanimous Consent.
107 HCONRES 288	Related bill	Dec 14, 2001: Message on Senate action sent to the House.
107 HRES 316	Procedurally related	Dec 13, 2001: Motion to reconsider laid on the table Agreed to without objection.
107 S 1417	Related document	Oct 5, 2001: Held at the desk.
107 S 1418	Related document	Oct 5, 2001: Held at the desk.
107 S 1419	Related document	Oct 5, 2001: Held at the desk.
107 S 1416	Related bill	Sep 12, 2001: Placed on Senate Legislative Calendar under General Orders. Calendar No. 155.
107 S 1155	Related bill	Jun 29, 2001: Read twice and referred to the Committee on Armed Services. (text of measure as introduced: CR S7205-7225)

National Defense Authorization Act for Fiscal Year 2002 - **Division A: Department of Defense Authorizations - Title I: Procurement - Subtitle A: Authorization of Appropriations** - Authorizes appropriations for FY 2002 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 2002 for: (1) defense-wide procurement; (2) the Defense Inspector General; (3) the chemical demilitarization program; and (4) defense health programs.

Subtitle B: Army Programs - Amends the National Defense Authorization Act for Fiscal Year 1985 to repeal certain limitations concerning the bunker defeat munitions acquisition program.

(Sec. 112) Amends the National Defense Authorization Act for Fiscal Year 1998 to extend through FY 2002 a pilot program on sales of manufactured articles and services of Army industrial facilities without regard to their availability from commercial sources. Limits the program to one facility.

(Sec. 113) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Spence Act) to authorize the Secretary of Defense (Secretary) to waive interim armored vehicles comparative evaluations currently required of the Secretary of the Army upon the submission of a certification to the defense and appropriations committees that testing of the costs and operational effectiveness of such vehicles have been successfully completed. Requires the Secretary of the Army to: (1) develop and provide resources for an experimental program; and (2) conduct an operational evaluation of the initial interim combat brigade team (for which such vehicles are being developed). Limits vehicle procurements until the Secretary has met certain congressional reporting and certification requirements.

Subtitle C: Navy Programs - Amends the Spence Act to: (1) increase from five to seven the number of Virginia class submarines the Secretary of the Navy is authorized to procure; and (2) extend through FY 2007 the authorized period for such procurement.

(Sec. 122) Authorizes the Secretary of the Navy, beginning with the 2002 program year, to enter into a multiyear contract for the procurement of engines for F/A-18E/F aircraft. Requires a certification, followed by a 30-day waiting period, prior to any such procurement.

(Sec. 123) Prohibits the production rate for V-22 Osprey aircraft from being increased above the minimum sustaining rate for which funds are authorized by this Act until the Secretary certifies Congress with respect to the successful operational testing.

(Sec. 124) Requires the Secretary to report to Congress on the status of the V-22 before the resumption of flight testing, and to notify Congress on the waiver, if any, of any item capability or other requirement specified in the joint operational requirements document for such aircraft.

Subtitle D: Air Force Programs - Authorizes the Secretary of the Air Force, after certain congressional certification and beginning with the 2002 program year, to enter into a new multiyear procurement contract to procure up to 60 additional C-17 aircraft.

Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations - Authorizes appropriations for FY 2002 for the armed forces for research, development, test, and evaluation (RDT&E). Earmarks specified amounts for basic and applied research projects.

(Sec. 203) Authorizes supplemental appropriations of \$1 million for FY 2001 defense-wide RDT&E.

Subtitle B: Program Requirements, Restrictions, and Limitations - Directs the Secretary to: (1) assess the requirements for naval surface fire support of ground forces operating in the littoral environment, including the role of an advanced fire support missile system for Navy combatant vessels; and (2) report results to the defense and appropriations committees.

(Sec. 212) Directs the Secretary to develop and demonstrate advanced technologies and concepts leading to advanced radar systems for naval and other applications. Requires a report to the defense and appropriations committees.

(Sec. 213) Amends prior defense authorization Acts to repeal limitations on total costs of engineering and manufacturing development under the F-22 aircraft program.

(Sec. 214) Amends the Spence Act to prohibit funds appropriated to DOD during FY 2002 from being obligated for the procurement of an anthrax vaccine until certain submissions from the Secretary to the defense and appropriations committees. (Currently, only funds authorized to be appropriated by the Spence Act are prohibited from being so used.)

(Sec. 215) Earmarks specified RDT&E funds for the cooperative DOD/Department of Veterans Affairs medical research program.

(Sec. 216) Directs the Secretary of the Air Force to ensure that engineering and manufacturing development under the C-5 aircraft reliability enhancement and reengining program includes kit development for at least on C-5A aircraft.

Subtitle C: Ballistic Missile Defense - Directs the Secretary to establish criteria for the transfer of responsibility for a ballistic missile defense program from the Director of the Ballistic Missile Defense Organization (BMDO) to the Secretary of a military department. Requires the Secretary to notify the defense and appropriations committees of any such transfer.

(Sec. 232) Revises program element requirements for ballistic missile defense programs. Requires the Secretary to: (1) ensure that each such program that enters engineering and manufacturing development is assigned a separate, dedicated program element; (2) annually establish cost, schedule, testing, and performance goals for such programs for the period covered by the annual future-years defense program submitted to Congress; and (3) submit to the defense and appropriations committees an annual plan for programs that enter engineering and manufacturing development. Requires internal DOD review of program goals. Requires the: (1) BMDO Director to develop a plan for the successful demonstration of program critical technologies; (2) Comptroller General (CG), in each of FY 2002 and 2003, to assess the extent to which the BMDO achieves its goals (requiring a report to the defense and appropriations committees); and (3) Director of Operational Test and Evaluation to annually assess the adequacy and sufficiency of the BMDO test program.

(Sec. 233) Earmarks specified RDT&E funds for research, development, and demonstration activities at Department of Energy national laboratories in support of BMDO missions.

(Sec. 234) Directs the Secretary to ensure that each DOD budget request: (1) is designed to provide comprehensive testing of ballistic missile defense programs during early development; and (2) includes necessary funding to support and improve test infrastructures and provide adequate test assets. Outlines requirements for early stage system development, with specific requirements for ground-based, mid-course interceptor systems.

(Sec. 235) Authorizes the Secretary, using specified RDT&E funds made available for the BMDO, to carry out

construction projects to establish and operate the Missile Defense System Test Bed. Limits such amounts to \$500 million. Authorizes the Secretary, in connection with such projects, to provide assistance to local communities to meet the need for increased municipal or community services resulting from such construction.

Subtitle D: Air Force Science and Technology for the 21st Century - Air Force Science and Technology for the 21st Century Act - Expresses the sense of Congress that the Secretary of the Air Force should: (1) continue and improve efforts to ensure the advocacy of science and technology within the Air Force budgetary decisionmaking process; (2) complete and adopt a policy directive for changes in Air Force science and technology budgetary and nonbudgetary decisions; (3) review the long-term challenges and short-term objectives of Air Force science and technology programs; and (4) ensure that development and science and technology planning and investment activities are carried out for future space war fighting systems and future nonspace war fighting systems. Directs such Secretary to: (1) reinstate and implement a revised Air Force science and technology development planning process, and report to Congress on the implementation of such process; and (2) carry out a study to determine how changes to the Air Force science and technology program implemented during the past two years affect future Air Force capabilities. Requires a report to Congress on study results.

Subtitle E: Other Matters - Requires the commander of the United States Joint Forces Command to establish a capability to evaluate and ensure joint interoperability of unmanned aerial vehicle systems.

(Sec. 262) Directs the Secretary of the Navy to carry out a demonstration project to increase access to Navy facilities by small businesses and universities engaged in science and technology research beneficial to the naval fleet. Requires a report to Congress.

(Sec. 263) Requires the Director of Operational Test and Evaluation to ensure that safety concerns developed during the operational test and evaluation of a weapon system under a major defense acquisition program are timely communicated to the program manager for consideration in the acquisition decisionmaking process.

Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations - Authorizes appropriations for FY 2002 for operation and maintenance (O&M) for the armed forces and specified activities and agencies of DOD.

(Sec. 302) Authorizes appropriations for FY 2002 for: (1) working capital and revolving funds; and (2) the Armed Forces Retirement Home.

(Sec. 304) Authorizes the transfer of up to \$150 million from the National Defense Stockpile Transaction Fund to specified military O&M accounts for FY 2002.

(Sec. 305) Earmarks authorized O&M funds for: (1) the relocation and renovation of the North Chicago Department of Veterans Affairs Medical Center; and (2) the Defense Language Institute Foreign Language Center for an expanded Arabic language program.

Subtitle B: Environmental Provisions - Directs the Secretary to develop and maintain an inventory of defense sites that are known or suspected to contain unexploded ordnance, abandoned military munitions, or munitions constituents. Requires such sites to be assigned a relative priority for response. Requires the inventory and priority lists to be updated annually. Excludes from such inventory: (1) any location outside the United States; (2) military munitions resulting from combat operations; (3) operating storage and manufacturing facilities; and (4) operational ranges.

(Sec. 312) Requires the Secretary to establish within each DOD environmental restoration account a program element for

the remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

(Sec. 313) Directs that a currently-required annual report from the Secretary to Congress on DOD environmental restoration activities include a comprehensive assessment of the extent of unexploded ordnance, discarded munitions, and munitions constituents at current and former DOD facilities, including an estimate of the aggregate projected costs to remediate such materials.

(Sec. 314) Repeals a provision which terminates, for bonds executed after December 31, 1999, the requirement of a surety bond in connection with a Federal procurement contract for environmental response activities under the defense environmental restoration program.

(Sec. 315) Repeals the requirement of an annual report from the Secretary to Congress on payments made to contractors for environmental response costs.

(Sec. 316) Amends the National Defense Authorization Act for Fiscal Year 1998 to extend through FY 2003 a pilot program for the sale of air pollution emission reduction incentives. Requires a program report from the Secretary to specified congressional committees.

(Sec. 317) Expresses the sense of Congress that the Secretary should work to implement in DOD fuel efficiency reforms meeting specified criteria. Directs the Secretary to carry out a program to significantly improve the energy efficiency of DOD facilities through 2010, with specified energy reduction goals by 2005 and 2010. Outlines strategies to be followed by the Secretary to improve DOD energy efficiency. Requires annual progress reports through 2010 from the Secretary to the defense and appropriations committees.

(Sec. 318) Directs the Secretary to coordinate with the Administrator of General Services to ensure that only hybrid vehicles are procured by the Administrator for the DOD fleet of light duty trucks that are not in a fleet to which the Energy Policy Act of 1992 applies. Authorizes the Secretary to waive such requirement in special cases. Requires the Secretary, for FY 2005 and thereafter, to procure hybrid vehicles or alternative fueled vehicles for such fleet in excess of the purchase requirements outlined in the Energy Policy Act. Requires a report from the Secretary to Congress.

(Sec. 319) Authorizes the Secretary of the Navy, using O&M environmental restoration funds, to pay a specified amount to the Hooper Sands Special Account within the Hazardous Substance Superfund for certain environmental response costs in connection with the Hooper Sands site in South Berwick, Maine.

(Sec. 320) Authorizes the Secretary to conduct studies regarding mitigation needs in connection with the Port of Orange and Sabine River (Texas) and the Philadelphia Naval Shipyard (Pennsylvania). Requires a report to the defense committees.

Subtitle C: Commissaries and Nonappropriated Fund Instrumentalities - Directs the Secretary of the military department concerned to authorize the use of commissary stores for new members of the Ready Reserve at the rate of two days for each month in which the member participates satisfactorily in any required training.

(Sec. 332) Directs the Secretary concerned to pay the Defense Commissary Agency an amount to be determined for any use of a commissary facility other than commissary sales or operations in support of such sales.

(Sec. 333) Adds to information authorized to be protected from public disclosure by the Secretary information gathered through sales scanners in a commissary and providing the following: (1) data relating to sales of goods or services; (2) demographic information on customers; (3) information pertaining to commissary transactions and operations; and (4)

business programs, systems, and applications (including software) relating to commissary operations that were developed with funding derived from commissary surcharges. Authorizes the Secretary, using competitive procedures, to enter into a contract to sell all such protected information or to grant to a business a license to use the commissary's business programs.

(Sec. 334) Authorizes the Secretary to enter into rebate agreements with producers of food provided in commissary stores as a supplemental food under DOD's supplemental food program. Limits such agreement to a one-year period.

(Sec. 335) Empowers the United States to settle claims of expenditures of nonappropriated fund instrumentalities relating to shoplifting and theft detection and prevention.

Subtitle D: Workforce and Depot Issues - Authorizes the Secretary to waive current limitations on the performance of depot-level maintenance of materiel if the Secretary determines such action necessary for national security and notifies Congress of such waiver and the reasons therefor.

(Sec. 342) Prohibits amounts expended from FY 2002 through 2005 depot-level maintenance and repair funds for the performance of a depot-level maintenance and repair workload by non-Federal personnel at a Center of Industrial and Technical Excellence from being counted against the limitation on private-sector performance of depot-level maintenance.

(Sec. 343) States that provisions requiring a private purchaser to hold the United States harmless in all purchases of defense articles shall not apply in the case of a claim that damages or injury arose from Government failure to comply with quality, schedule, or cost performance requirements of the sales contract.

(Sec. 344) Revises the deadline for an annual report on the conversion of DOD commercial and industrial functions.

(Sec. 345) Requires the Secretary of the Army to report annually to Congress on the use of non-Federal entities to provide services to the Army.

(Sec. 346) Requires the Army Workload and Performance System and any System revisions to be developed so that its functionality and identity are in compliance with all statutory requirements. Requires: (1) annual progress reports from the Secretary of the Army to Congress; and (2) annual CG evaluations of such reports.

Subtitle E: Defense Dependents Education - Earmarks specified O&M funds for assistance to local educational agencies that benefit dependents of military personnel and DOD civilian employees, including payments for reductions in the number of military dependent students as a result of the closure or realignment of military installations.

(Sec. 352) Earmarks specified O&M funds for impact aid for children with severe disabilities, as authorized under the Spence Act.

(Sec. 353) Allows a military dependent who is educated in a home school setting, but is eligible to enroll in a school of the defense dependents' education system, to use or receive auxiliary services of that school without being required to enroll or register in the school.

(Sec. 354) Requires the CG to study and report to Congress on the adequacy of the pay and other elements of compensation provided for teachers in the defense dependents' education system established under the Defense Dependents' Education Act of 1978.

Subtitle F: Other Matters - Authorizes the Secretary to make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting such veterans.

(Sec. 362) Amends the Spence Act to authorize the Secretary of the Navy to order up to 100,000 additional work stations under the Navy-Marine Corps Intranet contract, subject to approval by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Chief Information Officer of DOD. Allows thereafter an additional order of up to 150,000 work stations, subject to the same approval. Requires a report from such Secretary to Congress whenever the authority is used. Requires the CG to review the impact of the Intranet program on information technology costs of working capital funded industrial facilities of the Navy, and submit review results to Congress. Requires such Secretary to assign to the Intranet program a Navy employee whose sole responsibility is to oversee and direct the program.

(Sec. 363) Requires the CG to study and report to the defense committees on the interconnectivity of networks of the National Guard's distributive training technology project with other Federal, State, and local networks, including those involved in emergency preparedness and response.

(Sec. 364) Amends the National Defense Authorization Act for Fiscal Year 1998 to extend through FY 2003 the termination and certain reporting dates with respect to the warranty claims recovery pilot program.

(Sec. 365) Directs the Secretary to complete the ongoing evaluation of all test programs regarding the transportation of household goods for military personnel, and to report results to Congress.

(Sec. 366) Expresses the sense of Congress that the Secretary should provide essential public safety and security support for the 2002 Winter Olympic Games in Salt Lake City, Utah.

Title IV: Military Personnel Authorizations - Subtitle A: Active Forces - Sets forth the authorized end strengths for active-duty forces as of the end of FY 2002. Increases certain permanent end strength minimum levels.

(Sec. 403) Increases by one-half percent the authorized daily average number of enlisted members on active duty in pay grade E-8.

Subtitle B: Reserve Forces - Sets forth the authorized end strengths as of the end of FY 2002 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 2002 for Army and Air Force dual status military technicians.

(Sec. 414) Places specified FY 2002 limitations on the number of non-dual status technicians authorized to be employed by the Army and Air Force.

(Sec. 415) Replaces provisions providing authorized end strengths for reserve officers serving on active duty or full-time National Guard duty for administrative purposes with limitations on the number of reserve officers and senior enlisted members serving on such duty for administration of the reserve components. Authorizes the Secretary to increase such number by up to five percent in the national interest.

Subtitle C: Other Matters Relating to Personnel Strengths - Increases from one to two percent the amount by which the fiscal year end strength limits may be increased. Authorizes the President to waive any end strength limitation during any war or national emergency.

(Sec. 422) Exempts from annual active-duty end strength limits all National Guard and reserve personnel on active duty to perform funeral honors functions.

Subtitle D: Authorization of Appropriations - Authorizes appropriations for FY 2002 for military personnel.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy - Repeals the current limitation on the number of active-duty officers in the grades of admiral and general.

(Sec. 502) Authorizes the Secretary to delegate to either the Under or Deputy Secretary of Defense for Personnel and Readiness the authority to certify the satisfactory performance, for retirement purposes, of officers in grades above major general and rear admiral.

(Sec. 503) Authorizes the Secretary concerned to correct a person's military record in accordance with a recommendation made by a special board. Directs such Secretary to ensure that an involuntary board-separated person receives appropriate relief as a result of such correction. Restores such person retroactively, upon his or her consent, to the same status, rights, and entitlements as the person would have had if such record had not needed correction. Outlines actions to be taken if a person does not so consent. Makes final a recommendation of a special board not to correct such records. Allows judicial review of the actions or recommendations of a selection board only if the person has first been considered by a special board, with specified time limits. Allows judicial review of the decision by the Secretary concerned not to convene a special board for such purpose.

(Sec. 504) Reduces the time-in-grade required before eligibility for promotion of first lieutenants and lieutenants (junior grade) from two years to 18 months for officers who achieve such time-in-grade before October 1, 2005.

(Sec. 505) Authorizes the Secretary concerned to promote without prior selection board consideration all fully qualified active-duty or reserve first lieutenants or lieutenants (junior grade) who are on an approved all-fully-qualified-officers list. Requires such list to be treated in the same manner as a promotion list. Outlines procedures with respect to officers found to be not fully qualified for promotion.

(Sec. 506) Authorizes the Secretary concerned to adjust the date of rank of an active-duty or reserve officer appointed to a higher grade if the appointment is to a grade below O-7 and is delayed by reason of unusual circumstances that cause an unintended delay in the processing or approval of either a report of a promotion selection board or the promotion list established on the basis of such a report.

(Sec. 507) Authorizes the Secretary concerned to defer the mandatory retirement or separation from service of an officer for up to 30 days after completion of an evaluation requiring hospitalization or medical observation to determine such officer's entitlement to such retirement or separation due to physical disability.

(Sec. 508) Authorizes the Secretary concerned, upon termination of a suspension by the President of certain laws relating to military promotion, retirement, and separation due to national security, to extend by up to 90 days the otherwise required separation or retirement date of an officer originally covered by the suspension provision.

(Sec. 509) Exempts from the limitation on the number of retired officers authorized to be ordered back to active duty those ordered to serve as defense or service attaches.

(Sec. 510) Authorizes a Navy officer serving limited duty in a grade not below lieutenant commander to be detailed by the Secretary of the Navy as Officer in Charge of the United States Navy Band.

Subtitle B: Reserve Component Personnel Policy - Provides for the retroactive application of placement on the reserve active status list of certain reserve officers on active duty for a period of three years or less.

(Sec. 512) Provides an additional exception to the requirement of a baccalaureate degree prior to appointment of reserve officers to grades above first lieutenant for a person whose original appointment: (1) as an Army Reserve officer is through the Officer Candidate School program; or (2) as a Marine Corps Reserve officer is through the Marine Corps meritorious commissioning program.

(Sec. 513) Removes the requirement that a reserve member, in order to be eligible for certain disability and other benefits, must have incurred or aggravated an injury, illness, or disease while remaining overnight between successive periods of inactive-duty training at a site that is outside reasonable commuting distance from such member's residence.

(Sec. 514) Allows reserve officers above major or lieutenant commander who have served satisfactorily in such grade for at least six months (usually three years is required) to be credited with service in that grade if the person is retired solely because of a physical disability as determined, at a minimum, by a medical evaluation board.

(Sec. 515) Provides housing requirements under which reserve members shall be considered to be deployed for purposes of managing deployments of all personnel.

(Sec. 516) Requires a member of the Individual Ready Reserve or inactive National Guard to be physically examined to determine fitness for military duty or promotion, attendance at a school of the armed forces, or other action related to career progression.

(Sec. 517) Requires a reserve officer on the active status list who is eligible for retirement due to failure of promotion, years of service, selection for early removal, or age to be transferred to the Retired Reserve if the officer is qualified for the Retired Reserve and does not request not to be so transferred. (Currently, such officer must be transferred to the Retired Reserve if he or she is qualified and specifically requests such transfer.) Provides identical requirements with respect to reserve warrant officers and reserve enlisted personnel eligible for discharge or retirement due to years of service or age.

(Sec. 518) Repeals the eligibility of a member of the reserves traveling for annual training duty to travel in a space-required status on military aircraft between the member's home and the place of training.

(Sec. 519) Authorizes the employing agency to pay both the employee and Government contributions for health care coverage under the Federal Employee Health Benefits Program for certain reservists called to active duty in support of a contingency operation.

Subtitle C: Joint Specialty Officers and Joint Professional Military Education - Requires each officer on the active-duty list on the date of enactment of this Act who has not before been nominated for the joint specialty and each officer who is placed on such list after such date, and who meet certain current requirements, to automatically be considered to be nominated for the joint specialty. Requires, for three years after the enactment of this Act, officers in the joint specialty to be promoted at a rate not less than the rate for officers of the same service branch in the same grade and competitive category.

(Sec. 522) Allows joint service credit for service in a temporary joint task force assignment not involved in combat or combat-related operations only under very limited circumstances, including a certification by the Secretary that such service qualifies for such credit.

(Sec. 523) Authorizes the Secretary to award retroactive joint service credit for participation in specified military operations, on a case-by-case basis.

(Sec. 524) Requires certain additional information in an annual report from the Secretary concerning joint officer management.

(Sec. 525) Prohibits, for appointments after September 30, 2007, officers on the active-duty list from being appointed to the grade of brigadier general or rear admiral (lower half) unless the officer has been selected for the joint specialty. Requires the Secretary to submit to Congress a draft proposal for legislative changes needed to implement such requirement.

(Sec. 526) Requires the Secretary to provide for an independent study of the joint officer management system and the joint professional military education system. Requires the entity conducting the study to report study results to Congress.

(Sec. 527) Makes the Secretary the executive agent for funding professional development education operations of all components of the National Defense University, including the Joint Forces Staff College. Requires the Secretary to prepare an annual budget for such operations, and to submit a separate budget request therefor in budget materials submitted to Congress. Provides operations funding through annual O&M funds.

(Sec. 528) Authorizes the Secretary to permit private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University, with a limit of ten such employees at any one time. Requires the Secretary to certify to the defense committees that such instruction will further the national security interest. Requires such students to pay tuition and maintain an appropriate standard of conduct.

(Sec. 529) Directs the Secretary, during FY 2002, to continue the concept validation test of reserve joint professional military education begun in FY 2001 at the National Defense University. Authorizes a pilot program. Provides funding.

Subtitle D: Military Education and Training - Authorizes the: (1) Commandant of the Defense Language Institute to confer an Associate of Arts degree in a foreign language; and (2) President of the Marine Corps University to confer the degree of master of strategic studies. Directs the Secretary of the Navy to establish a board of advisors for the Marine Corps University for certifying the strategic studies degree.

(Sec. 533) Increases from 40 to 60 the number of foreign students authorized to be admitted to each of the military service academies. Authorizes the Secretary to waive, in whole or in part, the requirement for reimbursement for instruction of such students.

(Sec. 534) Increases from 17 to 31 years of age on December 31 of the year of commission the maximum age for appointment as a cadet or midshipman in Senior ROTC scholarship programs. Allows such members to enlist in any component of the armed forces (currently, only a reserve component) in order to become eligible for advanced training.

(Sec. 535) Makes members who enlist in a regular (currently, only reserve) component of the armed forces eligible for advanced training.

(Sec. 536) Authorizes the Secretary of the Army to modify the service obligation of certain ROTC cadets in military junior colleges receiving financial assistance to reduce or eliminate the troop program unit service obligation and replace it with an active duty service obligation.

(Sec. 537) Repeals the current limit on the total number of authorized Junior ROTC units.

(Sec. 538) Modifies the nurse officer candidate accession program to allow such students to receive a monthly stipend while attending an educational institution under such program as long as the student is ineligible for a Senior ROTC program maintained at such institution.

(Sec. 539) Eliminates the requirement that participation in the reserve health professionals stipend program require training in specialties critically needed in wartime. Authorizes the Secretary concerned to enter into an agreement with a person studying medicine or dentistry under which the person accepts a reappointment or redesignation within such person's reserve component and agrees to residency training in return for a monthly stipend to complete such education. Requires one year of service for each six months for which the stipend is provided.

(Sec. 540) Provides a basic housing allowance for the Chaplain, Corps of Cadets, United States Military Academy.

Subtitle E: Recruiting and Accession Programs - Directs the Secretary of the Army, between October 1, 2003, and December 31, 2007, to carry out a pilot program for increasing participation of prior service personnel in the Selected Reserve and providing assistance in building the pool of participants in the Individual Ready Reserve. Limits to 10,000 the number of new enlistments authorized under the program. Requires an implementation and program results report from such Secretary to the defense committees.

(Sec. 542) Amends the National Defense Authorization Act for Fiscal Year 2000 with respect to the Army's College First Program (also known as Delayed Entry) to: (1) increase from two years to 30 months the maximum period of delayed entry after the receipt of higher education or technical or vocational training; (2) require a person to be enrolled in and pursuing a program of education before the payment of a monthly allowance during the delay period; (3) make the allowance paid equal to the subsistence allowance paid to certain members of the Senior Reserve Officers' Training Corps; (4) allow a member of the Selected Reserve to be paid an allowance only for months during which such member performs satisfactorily in training; (5) make those who receive such allowance ineligible for the defense educational loan repayment program; and (6) require pro rata recoupment of the allowance for a person who fails to complete the full period of required service.

(Sec. 543) Amends the Spence Act to: (1) include the Army Reserve in a certain recruiting pilot program; and (2) extend the authorized period and reporting dates under such program.

(Sec. 544) Requires each local educational agency receiving assistance under the Elementary and Secondary Education Act of 1965 to: (1) provide military recruiters the same access to secondary school students as is generally provided to higher educational institutions or prospective employers; and (2) provide access to student names, addresses, and telephone numbers. Allows a student or parent to request not to allow information to be released for such purpose.

(Sec. 545) Extends permanently (currently terminates at the end of FY 2001) the authority to use military recruiting funds for small meals and refreshments served during recruiting functions.

(Sec. 546) Directs the Secretary to review and report to the defense committees on the health and disability benefit programs available to recruits and officer candidates engaged in training, education, or other types of programs while not yet on active duty and to cadets and midshipmen attending the service academies.

Subtitle F: Decorations, Awards, and Posthumous Commissions - Authorizes the President to award the Medal of Honor to: (1) Humbert R. Versace for acts of valor as a prisoner of war during the Vietnam War; (2) Jon E. Swanson for acts of valor as a pilot during the Vietnam War; and (3) Ben L. Salomon for acts of valor as a surgeon during World War II.

(Sec. 552) Requires the Secretary of each military department to review the records of certain Jewish American or Spanish American war veterans to determine whether such veteran should be awarded the Medal of Honor, and to recommend to the President those veterans who should receive such award. Waives time limitations concerning such award.

(Sec. 553) Authorizes a person awarded a Medal of Honor to be issued a duplicate of such Medal. Amends the Federal criminal code to include the duplicate within prohibitions on the unauthorized use of the Medal of Honor. Authorizes the replacement of stolen military decorations.

(Sec. 554) Makes Robert R. Ingram of Jacksonville, Florida, eligible retroactively after March 1966 for the special pension provided in conjunction with the award of the Medal of Honor.

(Sec. 555) Waives certain time limitations with respect to the award of: (1) the Silver Star to Wayne T. Alderson for gallantry during World War II; and (2) the Distinguished Flying Cross to certain persons recommended by the Secretary of the Navy for their service during World War II.

(Sec. 556) Expresses the sense of Congress that the Secretary should consider awarding: (1) the Korea Defense Service Medal for persons who served during the Korean Conflict; (2) the Cold War Service Medal for persons who served satisfactorily on active duty during the Cold War; and (3) the Vietnam Service Medal for members awarded the Armed Forces Expeditionary Medal for participation in Operation Frequent Wind during the evacuation of Vietnam on April 29-30, 1975.

(Sec. 557) Commends the decision announced by the Deputy Secretary of Defense to approve the creation of a new award of a medal for the defense of freedom, to be awarded to DOD civilian employees who are killed or wounded as a result of hostile action. Expresses the sense of Congress that the Secretary should: (1) move expeditiously to produce and award such medal; and (2) develop a more comprehensive, uniform policy for the award of decorations to DOD military and civilian personnel.

(Sec. 558) Authorizes and requests the President to posthumously appoint Ella E. Gibson to the grade of captain in the Chaplains Corps of the Army.

Subtitle G: Funeral Honors Duty - Authorizes the Secretary concerned to pay a funeral honors duty allowance to members in a retired status who perform such duty for at least two hours.

(Sec. 562) Considers as inactive-duty training funeral honors duty performed by National Guard and reserve personnel not on active duty at the time.

(Sec. 563) Authorizes the use of military leave by members of the Reserve or National Guard for the performance of funeral honors duty.

(Sec. 564) Authorizes the Secretary concerned, upon a showing of financial need, to provide articles of clothing considered suitable as a civilian uniform to an appropriate organization for use by persons participating in a funeral honors detail.

Subtitle H: Military Spouses and Family Members - Directs the Secretary to examine existing DOD and other Federal, State, and nongovernmental employment assistance programs with the objective of improving retention of military personnel by increasing the employability of military spouses and assisting such spouses in gaining access to financial and other assistance for job training and education. Requires the Secretary to report examination results to the defense

committees. Requires the Secretary to review and report on DOD policies that affect employment and educational opportunities for military spouses in order to further expand such opportunities. Authorizes the Secretary of a military department to make available to a non-DOD entity space in non-excess facilities to provide employment-related training for military spouses. Requires the Secretary to work with the Director of the Office of Personnel Management and other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of military spouse employment. Requires the Secretary to: (1) seek to develop partnerships with private firms to enhance military spouse employment opportunities; and (2) work with the U.S. Chamber of Commerce and other appropriate entities to facilitate the formation of such partnerships. Directs the Secretary to examine ways to incorporate hiring preferences for qualified military spouses into contracts between DOD and private-sector entities.

(Sec. 572) Authorizes the Secretary to include, in surveys of the effectiveness of Federal programs for military families and the need for new programs, the survey of family members of retired members, as well as the survivors of deceased retired members and of members who died while on active duty.

(Sec. 573) Defines the situation under which classified information concerning persons in a missing military status shall be considered to have been made reasonably available to their immediate family.

(Sec. 574) Authorizes the Secretary to provide transportation to annual meetings of next-of-kin of persons unaccounted for from conflicts after World War II.

(Sec. 575) Amends the National Defense Authorization Act for Fiscal Year 2000 to revise appointment requirements with respect to the Defense Task Force on Domestic Violence.

Subtitle I: Military Justice and Legal Assistance Matters - Amends the Uniform Code of Military Justice (UCMJ) to establish as the applicable standard of blood alcohol content with regard to the operation of a military vehicle, aircraft, or vessel the limit under the law of the State in which the conduct occurred, with a maximum limit of 0.10 grams per 100 milliliters of blood.

(Sec. 582) Amends the UCMJ to require, for cases involving capital offenses committed after December 31, 2002, at least 12 persons to sit as members of the court-martial.

(Sec. 583) Authorizes the Secretary concerned to accept voluntary legal services for the civil affairs of military personnel and their dependents. Makes persons providing such services Federal employees for purposes of legal malpractice.

Subtitle J: Other Matters - Amends the National Defense Authorization Act for Fiscal Year 1994 to remove the requirement that the Secretary must notify Congress 90 days in advance of making any changes in the ground combat exclusion policy (excluding women) of the armed forces, but allows implementation of such a change only after 30 days of continuous congressional session.

(Sec. 592) Earmarks O&M funds as the funding source for per diem allowances made for lengthy or numerous deployments.

(Sec. 594) Authorizes the advance payment of storage costs in lieu of the transportation of privately owned vehicles in connection with a change of permanent duty station.

(Sec. 595) Amends the National Defense Authorization Act for Fiscal Year 1996 to repeal the requirement of a final report from the CG relating to Army end strength allocations.

(Sec. 596) Terminates after FY 2002 the current limitation on the expenditure of funds for the National Guard Challenge program (a civilian youth opportunities program). Requires the Secretary to remain the executive agent for that program and the STARBASE program (a DOD science, mathematics, and technology education improvement program) regardless of its funding source or any transfer of program jurisdiction.

(Sec. 597) Requires the Secretary to report to the defense committees on the legislative and policy changes necessary to implement the recommendation of the Defense Science Board that all officers be given initial regular commissions.

(Sec. 598) Expresses the sense of Congress that the Secretary, when considering officers for the position of Commander, United States Transportation Command, should not rely upon officers of any one service, but instead select the best qualified officer from all the service branches.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances - Waives any FY 2002 pay increases tied to increases in the General Schedule of Compensation for Government employees. Increases, effective January 1, 2002, the rates of basic pay for military personnel.

(Sec. 602) Revises eligibility requirements for basic pay rates for certain reserve commissioned officers with prior service as enlisted members or warrant officers.

(Sec. 603) Allows members of the Selected Reserve to receive compensation for a period of instruction or duty in satisfaction of educational requirements upon the successful completion of a course of instruction using electronic-based distributed learning methodologies to accomplish training requirements related to unit readiness or mobilization.

(Sec. 604) Revises provisions concerning the basic allowance for subsistence (BAS) to: (1) provide the prior-year monthly rate basis of such allowance for purposes of applying certain food-cost increases to such amount; and (2) allow the Secretary to prescribe a higher BAS for enlisted members for whom mess facilities are not available. Extends until January 1, 2002, certain BAS transitional authority.

(Sec. 605) Makes all military personnel (currently limited to those in pay grade E-4 or above) eligible for basic allowance for housing while between permanent duty stations.

(Sec. 606) Increases from \$200 to \$400 the officer active-duty uniform allowance limit while still being eligible for an additional uniform allowance.

(Sec. 607) Authorizes payment of a family separation allowance for members electing to serve an unaccompanied tour of duty because the movement of a dependent is denied due to certified medical reasons.

Subtitle B: Bonuses and Special and Incentive Pays - Extends through 2002 specified authorities currently scheduled to expire at the end of 2001 with respect to certain special pay and bonus programs within the regular and reserve armed forces.

(Sec. 615) Includes as a basis for hazardous duty incentive pay the performance of maritime visit, boarding, search, and seizure operations in support of maritime drug interdiction operations.

(Sec. 616) Makes eligible for a career continuation bonus aviation and surface warfare officers who are within one year of the completion of (currently, only after the completion of) any active duty service incurred for undergraduate training.

(Sec. 617) Directs the Secretary of the Navy to prescribe new rates of monthly submarine duty incentive pay. (Currently,

there are specific rates depending on grade and years of service.) Limits the maximum amount to \$1,000.

(Sec. 618) Conforms the dental officer accession bonus termination date with the termination date for the special pay and bonus programs above.

(Sec. 619) Authorizes the Secretary to pay a bonus to an eligible person who enlists, reenlists, or voluntarily extends an enlistment in the reserves for assignment to the Ready Reserve if such enlistment, reenlistment, or voluntary extension is for either three or six years beyond the current obligation. Makes eligible for such bonus a person qualified in a skill or specialty designated as a critically short wartime skill or specialty.

(Sec. 620) Authorizes members entitled to the 15-year career status bonus to receive the bonus in certain installments (currently, only in a lump-sum).

(Sec. 621) Authorizes the Secretary concerned, through December 31, 2002, to pay an accession bonus to a person who executes an agreement to accept an officer commission and serve on active duty for the period specified. Limits such bonus to \$60,000.

(Sec. 622) Authorizes the Secretary concerned to purchase U.S. savings bonds for members who: (1) before completing three years of active-duty service, enter into a commitment to perform qualifying service; (2) after completing at least three but no more than nine years of active duty, enter into such a commitment; or (3) after completing nine years of active duty, enter into such a commitment. Defines as qualifying service service performed on active duty in a specialty designated as critical to meet wartime or peacetime requirements that is at least six years in addition to any period of currently-obligated service. Directs the Secretary concerned to purchase \$5,000 of such bonds for those in category 1, \$15,000 for those in category 2, and \$30,000 for those in category 3. Requires pro rata repayment of bond amounts for unserved periods, with an authorized waiver when against equity and good conscience or contrary to the best interests of the United States. Provides funding for such program through FY 2002 military personnel funds.

(Sec. 623) Authorizes the Secretary concerned to allow members who are involuntarily retained on active duty under stop-loss authority (during wartime or national emergency, or for national security reasons) to continue to receive special and incentive pays at unreduced rates.

(Sec. 624) Authorizes the Secretary to provide retroactive payment of imminent danger pay to members who served in specified areas in connection with Operation Enduring Freedom for duty performed between September 19 and October 31, 2001.

Subtitle C: Travel and Transportation Allowances - Makes the per diem rate for travel performed upon a change of permanent station and certain other military travel equal to the standard travel allowance for civilian employees and their dependents, unless the Secretaries concerned determine that a higher rate for military personnel is appropriate.

(Sec. 632) Revises provisions concerning the payment or reimbursement of temporary subsistence expenses to: (1) make officers eligible for such payments; and (2) raise the maximum authorized daily rate to \$180.

(Sec. 633) Increases to \$550 the maximum reimbursement of members for mandatory pet quarantine fees for household pets.

(Sec. 634) Increases, for pay grades E-1 through E-4, the weight allowance for the transportation of baggage and household effects in connection with a change of permanent duty station.

(Sec. 635) Makes eligible for the primary dislocation allowance: (1) a member whose dependents actually move away from the member's place of residence in connection with a member's move to his or her first permanent duty station; and (2) a family consisting of two married members, without dependents, when one of the members actually moves with the spouse to a new permanent duty station and is assigned to military family quarters.

(Sec. 636) Authorizes the payment of a partial dislocation allowance of \$500 for members ordered to move for Government convenience.

(Sec. 638) Authorizes the payment of travel and transportation allowances incident to eligible relatives attending the burial of a deceased member of the armed forces for an attendant accompanying such a relative when the accompanied person is unable to travel unattended and there is no other eligible relative qualified to serve as the attendant. Authorizes the payment of such attendant's expenses if a deceased member is interred in a cemetery maintained by the American Battle Monuments Commission, but prohibits such amount from exceeding the rates for two days and the time necessary for such travel. Authorizes the Secretary to provide round trip travel and transportation allowances for the family of a deceased member who died while classified as a prisoner of war or missing in action during the Vietnam conflict and whose remains are returned to the United States.

(Sec. 639) Authorizes the payment of a transportation allowance for a member posted to a duty station outside the continental United States for the child of such member if such child is an exchange student attending a school outside the United States for no more than one year under a program approved by the school inside the United States at which such child is normally enrolled.

Subtitle D: Retirement and Survivor Benefit Matters - Authorizes a member or former member who is entitled to military retired pay and veterans' disability compensation to be paid both concurrently, subject to the enactment of qualifying offsetting legislation. Prohibits concurrent payment with respect to a retiree with less than 20 years' creditable service. Authorizes the payment of special compensation for retirees with service-connected disabilities rated at 60 percent in FY 2002. Increases the amount of special compensation for retirees with disabilities rated at: (1) 80 percent or higher in FY 2003; and (2) 70 percent or higher in FY 2005.

(Sec. 642) Requires the Secretary concerned to pay an annuity to the surviving spouse of a member who dies in the line of duty while on active duty. Provides for the computation of such annuity.

Subtitle E: Other Matters - Authorizes the payment of unused accrued leave in excess of 60 days for a member of the reserves serving on active duty, full-time National Guard duty, or active duty for training for a period of more than 30 days but not more than 365 days.

(Sec. 652) Authorizes the Secretary to provide assistance for families of military personnel serving on active duty during FY 2002 in connection with Operation Enduring Freedom, in order to ensure that children of such families obtain needed child care, education, and youth services.

(Sec. 653) Amends the Public Health Service Act and other Federal law to authorize transitional compensation and other commissary benefits for dependents of commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration who are separated from such service for dependent abuse.

(Sec. 654) Authorizes the Secretary concerned, in order to recruit and retain members with critical military skills, to permit such members who have completed at least six years of service, are entitled to basic educational assistance under the Montgomery GI Bill, and agree to perform at least four years of additional service to elect to transfer up to 18 months of

such educational entitlement to their spouse, child, or combination thereof. Requires the member to designate the transferee(s) and allocation of such entitlement, allowing the designation to be revoked at any time. Provides additional requirements for children accepting an entitlement, as well as additional administrative requirements. Allows approval of transfers of entitlement only to the extent of the availability of appropriations. Requires annual entitlement transfer reports from the Secretary to the defense and veterans' committees, and requires the Secretary to submit to Congress a plan for implementation of such program. Provides program funding through FY 2002 military personnel funds.

Title VII: Health Care Provisions - Subtitle A: TRICARE Program Improvements - Amends the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) to direct the Secretary to establish a sub-acute care benefits program for the same types of health care authorized under CHAMPUS. Requires such program to include a uniform skilled nursing facility benefit and a home health care benefit as provided under title XVIII (Medicare) of the Social Security Act.

Directs the Secretary to establish a program to provide extended benefits, including comprehensive health care and case management services, for eligible dependents (dependents of members on active duty for more than 30 days) to assist in the reduction of the disabling effects of a qualifying condition of a dependent (mental retardation, a serious physical disability, or an extraordinary physical or psychological condition). Requires specified copayments.

Directs the Secretary to continue custodial care services under the individual case management program for eligible beneficiaries beyond its delimiting date upon a determination that discontinuation of such services would result in inadequate services and be unjust to the beneficiary. Requires a report from the Secretary on the feasibility and desirability of establishing new initiatives to improve the availability of long-term care for members and retired members and their families.

(Sec. 702) Amends CHAMPUS to authorize the provision in military medical facilities of hearing aids to military dependents, but only when the dependent has a profound hearing loss. Includes certain accessories, repair, and replacement within the authority to provide a prosthetic device to such dependents.

(Sec. 703) Defines the type of durable medical equipment authorized to be provided to military dependents under CHAMPUS to include those which can: (1) improve, restore, or maintain the function of a body part, or minimize or prevent the deterioration of a function or condition; or (2) maximize the patient's function consistent with physiological or medical needs. Authorizes certain customization of such equipment to achieve therapeutic benefits or assure proper functioning. Allows durable equipment to be provided on a rental basis.

(Sec. 704) Authorizes rehabilitative therapy as part of such dependent care.

(Sec. 705) Directs the Secretary to carry out, and report to the defense committees on, a study to determine the adequacy of the scope and availability of outpatient mental health benefits provided to members and covered beneficiaries under TRICARE.

(Sec. 706) Authorizes the payment of travel expenses for an adult who must accompany a covered TRICARE beneficiary for the receipt of covered specialty services at a facility more than 100 miles from the beneficiary's residence.

(Sec. 707) Requires (current law authorizes) amounts paid to another provider of services under TRICARE to be determined by joint regulations among specified administering Secretaries. Requires a contract for the provision of such services by either institutional or noninstitutional providers to include a clause that prohibits the provider from billing any covered person for charges for services in excess of the amount paid for those services under such joint regulations.

(Sec. 708) Amends the TRICARE Program to: (1) terminate, during the one-year period beginning on the enactment of this Act, the requirement of competitive selection of contractors to financially underwrite the delivery of services; and (2) allow the Secretary to reduce the nine-month grace period for a new contractor to begin to provide managed care support under the program if a shorter period is determined sufficient and the Secretary notifies the defense committees at least 60 days earlier.

Subtitle B: Senior Health Care - Amends Federal provisions establishing the Department of Defense Medicare-Eligible Retiree Health Care Fund to: (1) revise and add definitions; and (2) authorize the Secretary to enter into an agreement with any department Secretary for participation by that department in the Fund. Requires funding for such Fund to be derived from funds available for the health care programs of the participating military departments for members who are entitled to retired pay and are Medicare-eligible, as well as their Medicare-eligible dependents. Authorizes certain Fund transfers for covered costs, including payments to military treatment facilities. Requires the CG to report to the Secretary and Congress on regulations prescribed for determining the amounts to be transferred from the Fund.

Subtitle C: Studies and Reports - Directs the CG to carry out and report to Congress on a study of the: (1) needs of members of the reserves and National Guard and their families for health care benefits; and (2) adequacy and quality of the health care provided to women under CHAMPUS.

(Sec. 723) Repeals an obsolete reporting requirement under a prior defense authorization Act.

(Sec. 724) Requires the CG to report to the defense committees on the advisability, need, and cost effectiveness of providing certain medical and dental services to members of the Selected Reserve scheduled for deployment within 75 days after mobilization.

Subtitle D: Other Matters - Prohibits the Secretary from taking any action that would require military retirees to receive health care solely through DOD.

(Sec. 732) Requires the Secretary to implement procedures under which a military medical treatment facility may charge civilians who are not covered CHAMPUS beneficiaries fees representing the cost of trauma and other medical care provided to such civilians.

(Sec. 733) Allows the Secretary to waive the limitation against the use of DOD funds for human experimental research with respect to a specific research project to advance the development of a medical product necessary to the armed forces if the project is carried out in accordance with all other applicable laws.

(Sec. 734) Authorizes the Secretary and the Secretary of Veterans Affairs to jointly carry out a pilot program for the performance of physical examinations required in connection with the separation of military personnel. Requires the Secretary of Veterans Affairs to perform the examinations under the program, and to be reimbursed therefor by the Secretary. Requires the program to begin by July 1, 2002, and terminate on December 31, 2005. Requires a joint interim and final program report to Congress.

(Sec. 735) Amends the Spence Act to repeal the authority of the Secretary to require that a covered TRICARE beneficiary inform his or her primary care manager of any health care received from a civilian provider or in a specialized treatment facility. Outlines conditions under which the Secretary may waive a prohibition against requiring a nonavailability of health care statement or preauthorization in the case of a covered beneficiary enrolled in TRICARE Standard. Precludes the Secretary from waiving such statement or preauthorization in the case of maternity care. Requires an implementation report from the Secretary to the defense committees.

(Sec. 736) Revises provisions authorizing transitional health care to members involuntarily separated from active duty (and their dependents) to include under such care members of the reserves separated from active duty in support of a contingency operation if the active duty is for more than 30 days, members involuntarily retained in support of a contingency operation, and members required to remain on active duty for less than one year in support of a contingency operation.

(Sec. 737) Amends the Spence Act to extend through December 31, 2003, the health care management demonstration program.

(Sec. 738) Authorizes the Secretaries of Defense and Veterans Affairs to jointly carry out a pilot program under which graduate medical education and training is provided to military physicians and physician employees of both departments through one or more programs carried out in DOD and Department of Veterans Affairs medical facilities and centers. Requires the program to begin by August 1, 2002, and terminate on July 31, 2007. Requires annual program reports from the Secretaries during the program period.

Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Procurement

Management and Administration - Requires the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) to manage the procurement of goods and services for DOD. Requires the Secretary to establish and implement a management structure for such procurement comparable to the structure that applies to the DOD procurement of products. Delegates such management authority among designated officials within each defense agency. Outlines contracting responsibilities of such officials, including that contracts or task orders be in the best interests of DOD. Requires the Under Secretary to issue guidelines in the management structure regarding how such officials should carry out their responsibilities.

Requires the Secretary to establish a single data collection system to provide management information with regard to each purchase of services by a military department or defense agency in excess of the simplified acquisition threshold, regardless of the form of the purchase. Directs the Secretary to issue and implement a policy that applies to DOD procurement services a program review structure similar to the one developed for and applied to the DOD procurement of weapon systems.

Requires the CG, after the Secretary and the Under Secretary take the actions required under this section, to submit to the defense committees an assessment of their compliance.

(Sec. 802) States as a goal that DOD use improved management practices to achieve, over ten fiscal years, savings in the procurement of services in a fiscal year equal to ten percent of the total amount of such DOD expenditures for FY 2000. Requires an annual report during such period from the Sec

Actions Timeline

- **Dec 28, 2001:** Signed by President.
- **Dec 28, 2001:** Signed by President.
- **Dec 28, 2001:** Became Public Law No: 107-107.
- **Dec 28, 2001:** Became Public Law No: 107-107.
- **Dec 20, 2001:** Presented to President.
- **Dec 20, 2001:** Presented to President.
- **Dec 14, 2001:** Message on Senate action sent to the House.
- **Dec 13, 2001:** Rules Committee Resolution H. Res. 316 Reported to House. Rule provides for consideration of the conference report to S. 1438 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions.
- **Dec 13, 2001:** Rule H. Res. 316 passed House.
- **Dec 13, 2001:** Mr. Stump brought up conference report H. Rept. 107-333 for consideration under the provisions of H. Res. 316. (consideration: CR H10073-10080)
- **Dec 13, 2001:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Dec 13, 2001:** The previous question was ordered without objection.
- **Dec 13, 2001:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 382 - 40 (Roll no. 496).
- **Dec 13, 2001:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 13, 2001:** On agreeing to the conference report Agreed to by the Yeas and Nays: 382 - 40 (Roll no. 496).
- **Dec 13, 2001:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 96 - 2. Record Vote Number: 369.(consideration: CR S13113, S13118-13138)
- **Dec 13, 2001:** Senate agreed to conference report by Yea-Nay Vote. 96 - 2. Record Vote Number: 369. (consideration: CR S13113, S13118-13138)
- **Dec 13, 2001:** Pursuant to the provisions of H. Con. Res. 288, enrollment corrections on S. 1438 have been made.
- **Dec 12, 2001:** Conference report filed: Conference report H. Rept. 107-333 filed.(text of conference report: CR H9333-9751)
- **Dec 12, 2001:** Conference report H. Rept. 107-333 filed. (text of conference report: CR H9333-9751)
- **Dec 11, 2001:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 11, 2001:** Conferees agreed to file conference report.
- **Nov 1, 2001:** Conference committee actions: Conference held.
- **Nov 1, 2001:** Conference held.
- **Oct 31, 2001:** Conference committee actions: Conference held.
- **Oct 31, 2001:** Conference held.
- **Oct 23, 2001:** Message on Senate action sent to the House.
- **Oct 17, 2001:** Mr. Stump asked unanimous consent to take from the Speaker's table and consider.
- **Oct 17, 2001:** Considered by unanimous consent. (consideration: CR H6945-7098)
- **Oct 17, 2001:** The House struck all after the enacting clause and inserted in lieu thereof the provisions of a similar measure H.R. 2586. Agreed to without objection.
- **Oct 17, 2001:** Passed/agreed to in House: On passage Passed without objection.(text: CR H6945-7096)
- **Oct 17, 2001:** On passage Passed without objection. (text: CR H6945-7096)
- **Oct 17, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 17, 2001:** Mr. Stump moved that the House insist upon its amendment, and request a conference.
- **Oct 17, 2001:** On motion that the House insist upon its amendment, and request a conference Agreed to by voice vote. (consideration: CR H7096)
- **Oct 17, 2001:** Mr. Skelton moved that the House instruct conferees.
- **Oct 17, 2001:** DEBATE - The House proceeded with one hour of debate on the motion to instruct conferees. The instructions contained in the motion require the managers on the part of the House to agree to the provisions contained in section 652 of the Senate bill, relating to Survivor Benefit Plan eligibility of survivors of retirement-ineligible members of the uniformed services who die on active duty.
- **Oct 17, 2001:** The previous question was ordered without objection.
- **Oct 17, 2001:** On motion that the House instruct conferees Agreed to by voice vote. (consideration: CR H7096-7097)

Oct 17, 2001: Motion to reconsider laid on the table Agreed to without objection.

- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Armed Services for consideration of the Senate bill and the House amendment, and modifications committed to conference: Stump, Hunter, Hansen, Weldon (PA), Hefley, Saxton, McHugh, Everett, Bartlett, McKeon, Watts (OK), Thornberry, Hostettler, Chambliss, Skelton, Spratt, Ortiz, Evans, Taylor (MS), Abercrombie, Meehan, Underwood, Allen, and Snyder.
- **Oct 17, 2001:** 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: Goss, Bereuter, and Pelosi.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Education and the Workforce for consideration of secs. 304, 305, 1123, 3151, and 3157 of the Senate bill, and secs. 341, 342, 509, and 584 of the House amendment and modifications committed to conference: Castle, Isakson, and Miller, George.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of secs. 314, 316, 601, 663, 3134, 3141, 3143, 3152, 3153, 3159, 3171-3181, and 3201 of the Senate bill, and secs. 601, 3131, 3132, and 3201 of the House amendment, and modifications committed to conference: Tauzin, Barton, and Dingell.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Government Reform for consideration of secs. 564, 622, 803, 813, 901, 1044, 1047, 1051, 1065, 1075, 1102, 1111-1113, 1124-1126, 2832, 3141, 3144, and 3153 of the Senate bill, and secs. 333, 519, 588, 802, 803, 811-819, 1101, 1103-1108, 1110, and 3132 of the House amendment, and modifications committed to conference: Burton, Weldon (FL), and Waxman.
- **Oct 17, 2001:** The Speaker appointed conferees Provided that Mr. Davis of Virginia is appointed in lieu of Mr. Weldon (FL) for consideration of secs. 803 and 2832 of the Senate bill, and secs. 333 and 803 of the House amendment, and modifications committed to conference.
- **Oct 17, 2001:** The Speaker appointed conferees Provided that Mr. Horn is appointed in lieu of Mr. Weldon (FL) for consideration of secs. 811-819 of the House amendment, and modifications committed to conference.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on House Administration for consideration of secs. 572, 574-577, and 579 of the Senate bill, and sec. 552 of the House amendment, and modifications committed to conference: Ney, Mica, and Hoyer.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on International Relations for consideration of secs. 331, 333, 1201-1205, 1211-1218 of the Senate bill, and secs. 1011, 1201, 1202, 1205, 1209, Title XIII, and sec. 3133 of the House amendment, and modifications committed to conference: Hyde, Gilman, and Lantos.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 821, 1066, and 3151 of the Senate bill, and secs. 323 and 818 of the House amendment, and modifications committed to conference: Sensenbrenner, Smith (TX), and Conyers.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Resources for consideration of secs. 601, 663, 2823, and 3171-3181 of the Senate bill, and secs. 601, 1042, 2841, 2845, 2861-2863, 2865, and Title XXIX of the House amendment, and modifications committed to conference: Gibbons, Radanovich, and Rahall.
- **Oct 17, 2001:** The Speaker appointed conferees Provided that Mr. Udall (CO) is appointed in lieu of Mr. Rahall for consideration of secs. 3171-3181 of the Senate bill, and modifications committed to conference.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Science for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference: Boehlert, Smith (MI), and Hall (TX).
- **Oct 17, 2001:** The Speaker appointed conferees Provided that Mr. Ehlers is appointed in lieu of Mr. Smith (MI) for consideration of sec. 1124 of the Senate bill, and modifications committed to conference.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Small Business for consideration of secs. 822-824 and 1068 of the Senate bill, and modifications committed to conference: Manzullo, Combest, and Velazquez.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of secs. 563, 601, and 1076 of the Senate bill, and secs. 543, 544, 601, 1049, and 1053 of the House amendment, and modifications committed to conference: Young (FL), LoBiondo, and Brown (FL).
- **Oct 17, 2001:** The Speaker appointed conferees Provided that Mr. Pascrell is appointed in lieu of Ms. Brown (FL) for consideration of sec. 1049 of the House amendment, and modifications committed to conference.
- **Oct 17, 2001:** The Speaker appointed conferees - from the Committee on Veterans' Affairs for consideration of secs. 538, 539, 573, 651, 717, and 1064 of the Senate bill, and sec. 641 of the House amendment, and modifications committed to conference: Smith (NJ), Bilirakis, and Filner.
- **Oct 17, 2001:** Mr. Stump moved that the House close portions of the conference.
- **Oct 17, 2001:** On motion to close portions of the conference Agreed to by the Yeas and Nays: 420 - 0 (Roll No. 391). (consideration: CR H7098)

- **Oct 17, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 17, 2001:** Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference.
- **Oct 17, 2001:** Senate disagreed to House amendment, agreed to request for conference, and appointed conferees. Levin, Kennedy, Byrd, Lieberman, Cleland, Landrieu, Reed, Akaka, Nelson, of FL, Nelson, of NE, Carnahan, Dayton, Bingaman, Warner, Thurmond, McCain, Smith, of NH, Inhofe, Santorum, Roberts, Allard, Hutchinson, Sessions, Collins and Bunning.
- **Oct 4, 2001:** Message on Senate action sent to the House.
- **Oct 4, 2001:** Received in the House.
- **Oct 4, 2001:** Held at the desk.
- **Oct 2, 2001:** Considered by Senate. (consideration: CR S10027-10055)
- **Oct 2, 2001:** Cloture invoked in Senate by Yea-Nay Vote. 100 - 0. Record Vote Number: 289.
- **Oct 2, 2001:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 99 - 0. Record Vote Number: 290.(text of S. 1438 as passed Senate: CR 10/02/2001 S10168-10252)
- **Oct 2, 2001:** Passed Senate with amendments by Yea-Nay Vote. 99 - 0. Record Vote Number: 290. (text of S. 1438 as passed Senate: CR 10/02/2001 S10168-10252)
- **Oct 2, 2001:** See also S. 1417, S. 1418, and S. 1419.
- **Oct 2, 2001:** Senate ordered measure printed as passed.
- **Oct 1, 2001:** Considered by Senate. (consideration: CR S9956-9968)
- **Sep 26, 2001:** Considered by Senate. (consideration: CR S9833-9845)
- **Sep 26, 2001:** Cloture motion on the bill presented in Senate. (consideration: CR S9937)
- **Sep 25, 2001:** Considered by Senate. (consideration: CR S9763-9800)
- **Sep 24, 2001:** Considered by Senate. (consideration: CR S9694-9734)
- **Sep 21, 2001:** Measure laid before Senate. (consideration: CR S9565-9580)
- **Sep 20, 2001:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 163.
- **Sep 19, 2001:** Introduced in Senate
- **Sep 19, 2001:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.