

S 3001

Duncan Hunter National Defense Authorization Act for Fiscal Year 2009

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: May 12, 2008

Current Status: Became Public Law No: 110-417.

Latest Action: Became Public Law No: 110-417. (Oct 14, 2008)

Law: 110-417 (Enacted Oct 14, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3001>

Sponsor

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

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported Original Measure	May 12, 2008

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
110 HCONRES 442	Related bill	Oct 3, 2008: Resolution agreed to in Senate Pursuant to the order of the Senate of October 2, 2008, without amendment by Unanimous Consent.
110 S 3002	Related document	Sep 18, 2008: Held at the desk.
110 S 3003	Related document	Sep 18, 2008: Held at the desk.
110 S 3004	Related document	Sep 18, 2008: Held at the desk.
110 HR 5658	Companion bill	Jun 3, 2008: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 758.
110 HR 1084	Related bill	Mar 7, 2008: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 609.

(This measure has not been amended since it was passed by the House on September 24, 2008. The summary of that version is repeated here.)

Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 - Expresses the sense of Congress that the Honorable Duncan Hunter, Representative from California, has discharged his official duties with integrity and distinction, has served the House of Representatives and the American people selflessly, and deserves the sincere gratitude of Congress and the Nation.

Division A: Department of Defense Authorizations - Title I: Procurement - Subtitle A: Authorization of

Appropriations - (Sec. 101) Authorizes appropriations for FY2009 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, and for the Joint Improvised Explosive Device Defeat Fund.

(Sec. 104) Authorizes appropriations for FY2009 for: (1) defense-wide procurement; and (2) National Guard and reserve equipment.

Subtitle B: Army Programs - (Sec. 111) Directs the Secretary of Defense (Secretary), for FY2011 and thereafter, to ensure that, in each budget submission to the President, a separate, dedicated procurement line item is designated for five specified elements of the Future Combat Systems (FCS) program, to the extent that the budget submission includes funding for such elements.

(Sec. 112) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2008 to state that in the case of the FCS program, the prime contractor shall be considered a lead systems integrator until 45 days after the Secretary of the Army certifies to the congressional defense and appropriations committees that such contractor is no longer serving as a lead systems integrator.

(Sec. 113) Requires a report from the Assistant Secretary of Defense for Networks and Information Integration to the defense and appropriations committees on Army tactical radio fielding plans by March 30, 2009. Prohibits more than 75% of the FY2009 funds authorized under this Act for Army tactical radio systems from being obligated or expended until 30 days after such report is received.

(Sec. 114) Directs the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) to certify to the defense and appropriations committees that the Army reconnaissance helicopter has: (1) been certified; (2) been restructured as an Army acquisition program; (3) satisfactorily completed a limited user test; and (4) been approved to enter milestone C. Prohibits more than 20% of the FY2009 funds authorized for such helicopter from being obligated or expended until 30 days after such report is received.

(Sec. 115) Prohibits Army procurement funds from being obligated or expended for procurement of the Stryker Mobile Gun system until the Under Secretary certifies to the defense and appropriations committees the approval of an Army plan to mitigate all system deficiencies. Requires semiannual reports through 2011 from the Secretary of the Army on the status of Army actions to mitigate all such deficiencies. Authorizes the Secretary to waive the funding prohibition if the Secretary: (1) determines that continued procurement of system vehicles will provide a vital combat capability to the Armed Forces; and (2) notifies the defense and appropriations committees of such waiver and the reasons therefor.

Subtitle C: Navy Programs - (Sec. 121) Earmarks specified Navy procurement funds for commencement of the nuclear

refueling and complex overhaul of the aircraft carrier U.S.S. Theodore Roosevelt during FY2009. Authorizes the Secretary of the Navy to enter into a contract for such purposes.

(Sec. 122) Amends the NDAA for Fiscal Year 2006 to authorize additional adjustments to the per-vessel cost limits under the littoral combat ship program for fluctuations attributable to economic inflation after FY2009 or to the insertion of new technology.

(Sec. 123) Requires a report from the Secretary to the defense and appropriations committees on F/A-18 aircraft procurement, including a recommendation as to whether Congress should authorize a multiyear procurement contract for such aircraft.

(Sec. 124) Amends the NDAA for Fiscal Year 2008 to authorize the Secretary of the Navy to enter into contracts for advance procurement and construction of components for the Virginia-class submarine program if such Secretary determines that cost savings or construction efficiencies may be achieved through such contracts.

Subtitle D: Air Force Programs - (Sec. 131) Amends the John Warner National Defense Authorization Act for Fiscal Year 2007 (Warner Act) to require the Secretary of the Air Force to maintain at least 74 (under law current law, all) of the KC-135E aircraft retired after FY2006 in a condition that would allow recall for future service.

(Sec. 132) Amends the NDAA for Fiscal Year 2004 to repeal multiyear contracting authority for the procurement of tanker aircraft.

(Sec. 133) Requires a report from the Secretary to the defense and appropriations committees regarding the competition for the KC-(X) tanker aircraft that was terminated on September 10, 2008. Directs the Secretary to: (1) reassess the requirements for aerial refueling that were validated by the Joint Requirements Oversight Council; and (2) report reassessment results to such committees.

(Sec. 134) Earmarks specified Air Force procurement funds for advance procurement of F-22A fighter aircraft. Limits the obligation of such funds until 15 days after a national interest certification from the President to the defense and appropriations committees.

Subtitle E: Joint and Multiservice Matters - (Sec. 141) Directs the Secretary to include with annual defense budget materials: (1) an annual plan for the procurement of aircraft for the Navy and Air Force; and (2) a certification that future-year budgets provide for the funding of such aircraft at levels sufficient to cover plan requirements. Outlines: (1) the aircraft covered under the plan and certification; and (2) annual aircraft procurement plan requirements. Provides that, when an annual budget is insufficient to cover procurement plan requirements, the Secretary shall include an assessment of the risks associated with the resulting reduced force structure.

(Sec. 142) Requires a report from the Secretary to the defense and appropriations committees on body armor acquisition strategy.

(Sec. 143) Directs the Secretary to report to the defense and appropriations committees on the small arms requirements of the Armed Forces and the U.S. industrial base. Requires that, if the Army small arms assessments identifies gaps and a new individual weapon is required to address such gaps, then the Secretary shall procure such weapon using full and open contract competition.

(Sec. 144) Directs the Secretary to: (1) establish a policy and acquisition strategy for intelligence, surveillance, and reconnaissance payloads and ground stations for manned and unmanned aerial vehicle systems, to be applicable

throughout DOD, to achieve integrated research, development, test and evaluation, and procurement commonality; and (2) submit such policy and strategy to the defense, appropriations, and intelligence committees.

(Sec. 145) Requires the Secretary of the Navy to report to the defense and appropriations committees on future jet carrier trainer requirements.

Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations - (Sec. 201) Authorizes appropriations for FY2009 for the Armed Forces for research, development, test, and evaluation (RDT&E). Earmarks specified amounts for the Defense Science and Technology Program.

Subtitle B: Program Requirements, Restrictions, and Limitations - (Sec. 211) Amends the Warner Act to require additional determinations as part of the FCS milestone review.

(Sec. 212) Directs the Assistant Secretary of Defense, Networks and Information Integration to report to the defense and appropriations committees assessing FCS communications network and software.

(Sec. 213) Requires the Secretary of the Army, for 2009 through 2015, to submit a selected acquisition report for each FCS manned ground vehicle variant.

(Sec. 214) Directs the Secretary, for FY2010 and thereafter, to ensure that a separate line item and program element is designated for the Sky Warrior Unmanned Aerial Systems project.

(Sec. 215) Requires the Under Secretary to notify the defense and appropriations committees within five days after completion of specified actions with respect to a program baseline, cost estimate, and technology readiness assessment for the Warfighter Information Network-Tactical (WIN-T) Increment 3 program. Prohibits the obligation or expenditure of more than 50% of the FY2009 funds authorized for the program until 15 days after such notification is received.

(Sec. 216) Requires the Secretaries of the Army and Air Force, for FY2009 and thereafter, to fund specified joint cargo aircraft expenditures only through amounts made available for procurement or RDT&E.

(Sec. 217) Requires the Secretary to develop and submit to Congress a plan to conduct and support research, development, and demonstration of technologies that could evolve into the next generation of overhead non-imaging infrared systems. Prohibits the obligation of more than 50% of amounts authorized for the Air Force Third Generation Infrared Surveillance program until 30 days after such plan is submitted.

(Sec. 218) Directs the Secretary to develop and submit to the defense and appropriations a multiyear roadmap to develop advanced energy storage technologies and sustain domestic advanced energy storage technology manufacturing capabilities and a supply chain to ensure that DOD has assured access to advanced energy storage technologies to support current and emerging military needs. Requires a report from the Secretary to such committees on FY2008-FY2010 DOD expenditures for such technology.

(Sec. 219) Requires the Secretary to: (1) establish mechanisms under which the director of a defense laboratory may utilize up to 3% of the funds made available to such laboratory through DOD for research and development of technologies in support of military missions; and (2) report annually to the defense and appropriations committees on the use of such authority. Terminates such authority at the end of FY2012.

(Sec. 220) Requires, as of October 1, 2012, each DOD airborne intelligence collection system connected to the Distributed Common Ground/Surface System to have the capability to operate with the Network-Centric Collaborative

Targeting System. Authorizes case-by-case waivers of such requirement by the Chairman of the Joint Requirements Oversight Council.

(Sec. 221) Prohibits the obligation or expenditure of more than 70% of the RDT&E funds authorized for the enhanced AN/TPQ-36 radar system until the Secretary of the Army reports to the defense and appropriations committees describing the plan to transition the Counter-Rockets, Artillery, and Mortars program to a program of record.

Subtitle C: Missile Defense Programs - (Sec. 231) Amends the NDAA for Fiscal Year 2002 to require the Director of Operational Test and Evaluation (OT&E) to annually characterize the operational effectiveness, suitability, and survivability of the ballistic missile defense (BMD) system and elements that have been fielded or tested during the preceding fiscal year.

(Sec. 232) Directs the: (1) Secretary to enter into an agreement with the National Academy of Sciences (NAS) for an independent study of concepts and systems for boost phase missile defense; and (2) NAS to report its findings, conclusions, and recommendations to the Secretary and defense and appropriations committees. Provides funding.

(Sec. 233) Prohibits any DOD funds for FY2009 or thereafter from being obligated or expended for procurement, site activation, construction, preparation of equipment for, or deployment of a long-range missile defense system in Europe until: (1) the host nation has signed and ratified the missile defense basing and status of forces agreements that allow for the stationing in their country of the radar, site, and personnel needed to carry out such deployment; (2) 45 days have elapsed following receipt by the defense and appropriations committees of a report required under the NDAA for Fiscal Year 2008 concerning an independent assessment for ballistic missile defenses in Europe; and (3) the Secretary has certified to such committees that the proposed interceptor to be deployed under such system has demonstrated a high probability of working in an operationally effective manner and the ability to accomplish the mission.

(Sec. 234) Directs the Secretary to review, and report to Congress on, U.S. BMD policy and strategy.

(Sec. 235) Requires the OT&E Director to: (1) review and evaluate testing conducted on the first Airborne Laser system aircraft; and (2) report to the Secretary and Congress on such system's operational effectiveness, suitability, and survivability. Prohibits funding for a second or subsequent aircraft under such program until the later of: (1) the date that the Secretary certifies to Congress as to the system's effectiveness; or (2) 60 days after receipt of the report required under section 232, above.

(Sec. 236) Earmarks specified RDT&E funds for the activation and deployment of the AN/TPY-2 forward-based X-band radar to a classified location. Prohibits the availability of such funds until the Secretary reports to the defense committees on such deployment.

Subtitle D: Reports - (Sec. 241) Requires biennial reports from the Secretary to the defense and appropriations committees on the conduct and outcomes of joint and service concept development and experimentation.

(Sec. 242) Directs the Secretary to: (1) carry out an independent assessment of the participation of historically black colleges and universities, minority-serving institutions, Hispanic-serving institutions, tribal colleges and universities, and other minority postsecondary institutions in DOD research and educational programs and activities; and (2) report assessment results to the defense and appropriations committees.

(Sec. 243) Directs the Secretary to report to the defense committees on implementation of recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

Subtitle E: Other Matters - (Sec. 251) Requires that, if a decision is made within DOD to proceed to operational use of a personnel protective system or other designated system, before Milestone C approval of that system, the Secretary shall report to the defense and appropriations committees on the status of survivability and live-fire testing of that system. Removes the requirement that the OT&E Director monitor and review all DOD operational test and evaluation.

(Sec. 252) Amends the NDAA for Fiscal Year 2008 to include within a required report certain descriptions and analyses concerning interoperability and security of information technologies for sharing health care information between DOD and the Department of Veterans Affairs. Requires the Director of the Department of Defense-Department of Veterans Affairs Interagency Program Office to develop or adopt technology-neutral information technology infrastructure guidelines and standards for use by such departments to effectively select and utilize information technologies.

(Sec. 253) Requires the Under Secretary to: (1) assess the feasibility of consolidating various technology transition programs into a unified effort managed by a senior DOD official; and (2) report on such assessment to the defense and appropriations committees. Repeals the requirement for an annual technology transition initiative report.

(Sec. 254) Requires the: (1) Secretary to conduct an assessment of selected covered acquisition programs to identify vulnerabilities in the supply chain of each program's information processing systems that potentially compromise the level of trust in such systems; (2) Under Secretary to assess various methods of verifying the trust of semiconductors procured by DOD from commercial sources for use in mission-critical components of potentially vulnerable defense systems; (3) the lead person for managing risk in the supply chain for covered acquisition programs to develop a strategy for managing the risk assessed under (1) and (2), above; (4) Secretary to develop a policy and actions for ensuring trust in the integrated circuit development and production process; and (5) Secretary to submit to the defense and appropriations committees the assessments, strategy, and policy and actions undertaken or developed under this section.

(Sec. 255) Directs the Secretary and the Chairman of the Joint Chiefs of Staff (JCS) to: (1) assess a joint approach to the future development of vertical lift aircraft and rotorcraft for all military services; and (2) report assessment results to the defense and appropriations committees.

(Sec. 256) Directs the Secretary to designate a senior DOD official as the executive agent for printed circuit board technology.

(Sec. 257) Authorizes funds for conventional prompt global strike capability development only for those activities expressly delineated in the expenditure plan for FY2008-FY2009 as required under the NDAA for Fiscal Year 2008 and submitted to the defense and appropriations committees, or those activities otherwise expressly authorized by Congress. Requires the Secretary to: (1) report to the defense and appropriations committees on the technology applications developed during FY2009 pursuant to such activities; (2) review each nonnuclear prompt global strike concept with respect to which the President requests funding in the FY2010 budget; and (3) report review results to the defense and appropriations committees.

Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations - (Sec. 301) Authorizes appropriations for FY2009 for operation and maintenance (O&M) for the Armed Forces and specified activities and agencies of DOD.

Subtitle B: Environmental Provisions - (Sec. 311) Authorizes the Secretary or Secretary of the military department concerned, when engaged in a military operation (including construction) that may or will result in an adverse impact to one or more protected wildlife habitat or species, to make payments to a conservation banking program or a federally approved "in-lieu-fee" mitigation sponsor.

(Sec. 312) Authorizes the Secretary to transfer specified funds to the Moses Lake Wellfield Superfund Site Special Account to reimburse the Environmental Protection Agency (EPA) for costs incurred in overseeing a remedial investigation and feasibility study performed by the Army.

(Sec. 313) Amends the Sikes Act to allow DOD cooperative agreement authority for the management of natural resources to include certain maintenance and improvement of natural resources located off of a DOD installation.

(Sec. 314) Requires the Secretary to: (1) expedite the use of unexploded ordnance detection technology developed through research funded by DOD or developed by entities other than DOD; and (2) report to the defense committees on amounts allocated and activities undertaken with respect to such technology.

(Sec. 315) Directs the Secretary to report to Congress a review of DOD policies concerning the sale and disposal of used motor vehicle lubricating oil, along with an evaluation of the feasibility and desirability of implementing policies to require closed loop recycling of used oil.

(Sec. 316) Directs the Secretary to establish a program to control and eradicate the brown tree snake population from military facilities in Guam and to ensure that military activities, including the transport of civilian and military personnel and equipment to and from Guam, do not contribute to the spread of such snakes.

Subtitle C: Workplace and Depot Issues - (Sec. 321) Requires the Director of the Office of Management and Budget (OMB) to: (1) review the definition of "inherently governmental function" to ensure that only officers or employees of the federal government or members of the Armed Forces perform inherently governmental functions or other critical functions necessary for the mission of a federal department or agency; (2) develop a single definition that would address any deficiencies found; (3) provide criteria to ensure that officers, employees, or members holding such positions have sufficient expertise and technical capability to perform such inherently governmental or critical functions; and (4) report to specified congressional committees on actions taken.

(Sec. 322) Directs the Secretary to contract with an independent nonprofit entity or federally funded research and development corporation (FFRDC) for a study on the capability and efficiency of DOD depots to provide the logistics capabilities and capacity necessary for national defense. Requires: (1) an interim and final report from the entity or FFRDC chosen to the defense committees; and (2) the Comptroller General (CG) to review the final report and submit to such committees an assessment of the feasibility of the recommendations.

(Sec. 323) Directs the CG to submit to the defense and appropriations committees a review on the high-performing organization initiatives of DOD.

(Sec. 324) Prohibits the Secretary of the Air Force from consolidating aircraft repair facilities and personnel of the active Air Force with such facilities and personnel of the Air National Guard until: (1) the Secretary of the Air Force reports to the defense committees on the criteria being used to evaluate the feasibility of consolidating such functions into a total-force approach; (2) the Secretary of the Air Force submits to such committees the findings of a Rand Corporation feasibility study on implementation of such consolidation; (3) the Chief of the National Guard Bureau submits to such committees an assessment of the proposed consolidation; and (4) the Secretary of Defense certifies that such consolidation is in the national interest and will not adversely affect recruitment, retention, or execution of the Air National Guard mission.

(Sec. 325) Directs the Secretary of the Air Force to submit to the defense committees: (1) the Air Force plan for implementing the direction of the Base Closure and Realignment Commission for the consolidation of transactional workloads from the civilian personnel offices within the service components and defense agencies, while retaining

sufficient positions and personnel to support the civilian workforce; and (2) biannual updates of such plan until January, 2012.

(Sec. 326) Requires a report from the Secretary of the Air Force to Congress on the effect of the reduction in firefighters on Air Force bases during the three preceding fiscal years.

(Sec. 327) Includes Army depots in Arkansas, Illinois, and New York within covered depots for which the Secretary of a military department shall invest a prescribed percentage into their capital budgets.

Subtitle D: Energy Security - (Sec. 331) Directs the Secretary, simultaneously with an annual report concerning DOD progress in meeting energy performance goals, to report to the defense and appropriations committees on operational energy management and the implementation of a required operational energy strategy.

(Sec. 332) Directs the Secretary, in the case of analyses and force planning processes used to establish logistics capability requirements and inform acquisition decisions, to require that such analyses and processes consider the requirements for, and vulnerability of, fuel logistics. Requires the Secretary to: (1) develop and implement a methodology to enable the implementation of a fuel efficiency key performance parameter in the requirements development process; (2) require that the life-cycle cost analysis for new capabilities include the fully burdened cost of fuel during analysis of alternatives and evaluation of alternatives and acquisition program design trades; (3) prepare a plan for implementing the requirements of this section; (4) report to the defense and appropriations committees on progress made in implementing the requirements; and (5) within a three-year period after the enactment of this Act, notify such committees that the Secretary has complied with such requirements.

(Sec. 333) Directs the Secretary to study, and report to the defense and appropriations committees on, the feasibility of using solar and wind energy to provide electricity for expeditionary forces.

(Sec. 334) Directs the Secretary to study, and report to the defense and appropriations committees on, alternatives to reduce the life cycle emissions of alternative and synthetic fuels (including coal-to-liquid fuels).

(Sec. 335) Directs the Secretary to: (1) conduct a technical and operational assessment of risks imposed to mission critical DOD installations, facilities, and activities by extended power outages; (2) develop integrated prioritized plans to eliminate, reduce, or mitigate such risks; and (3) report annually to Congress on such efforts.

Subtitle E: Reports - (Sec. 341) Requires a report from the CG to the defense committees on the readiness of the regular and reserve components of the Armed Forces.

(Sec. 342) Directs the Secretary, at the same time as submission of the DOD budget for FY2010, to submit to the defense committees a plan to enhance the combat skills of Navy and Air Force personnel.

(Sec. 343) Requires a report from the CG to the defense committees on the use of Army Reserve and National Guard forces as an operational reserve.

(Sec. 344) Directs the CG to report to the defense committees on the correlation between the preparation and operational use of the Army's reserve forces.

(Sec. 345) Requires the CG to report to the defense committees on the adequacy of the funding, staffing, and organization of DOD's Military Munitions Response Program.

Subtitle F: Other Matters - (Sec. 351) Extends through 2013 required reports concerning DOD compliance in meeting conditions prior to the obligation of funds for a defense business system modernization with a cost in excess of \$1 million.

(Sec. 352) Requires the Secretary concerned to ensure that an item authorized to be loaned, given, or exchanged is demilitarized to the extent necessary to render the item unserviceable in the interest of public safety.

(Sec. 353) Repeals the requirement that the Secretary of the Air Force provide A-10 aircraft training and support to other military departments.

(Sec. 354) Directs the Secretary, at the same time as submission of the defense budget for FY2010 and thereafter, to submit to the President a consolidated budget justification display that covers all programs and activities of the Air Force Air Sovereignty Alert mission.

(Sec. 355) Requires the Secretary of the Air Force to revise its Air Freight Transportation Regulation Number 5, dated January 15, 1999, to conform with Defense Transportation Regulations to ensure that freight covered by Regulation 5 is carried in accordance with commercial best practices based upon a mode-neutral approach.

(Sec. 356) Authorizes the Secretary of the Army to convey to the California Department of Forestry and Fire Protection three C-12 aircraft determined to be surplus to Army needs.

(Sec. 357) Amends the Warner Act to prohibit the Commander of the Air Combat Command from using more than four of the 18 B-52 aircraft retired under such Act as maintenance ground training aircraft.

(Sec. 358) Directs the Secretary to take certain steps to ensure an adequate number of military working dogs to meet and sustain DOD mission requirements, and that such dogs are procured as efficiently as possible and at the best value while maintaining the necessary level of quality and encouraging increased domestic breeding.

Title IV: Military Personnel Authorizations - Subtitle A: Active Forces - (Sec. 401) Sets forth authorized end strengths for active-duty forces as of the end of FY2009.

(Sec. 402) Revises the permanent active-duty minimum end strength levels for the Army, Navy, Marine Corps, and Air Force.

Subtitle B: Reserve Forces - (Sec. 411) Sets forth authorized end strengths as of the end of FY2009 for members of the Selected Reserve and reserve personnel on active duty in support of the reserves.

(Sec. 413) Sets forth minimum end strengths for FY2009 for Army and Air Force dual status military technicians.

(Sec. 414) Provides a FY2009 limitation on the number of non-dual status Army and Air Force military technicians.

(Sec. 415) Sets, during FY2009, the maximum number of reserve personnel authorized to be on active duty for operational support.

(Sec. 416) Authorizes the President to waive any end strength limitation of reserve personnel authorized to be on active duty when a designation of a major disaster or emergency is in effect.

Subtitle C: Authorization of Appropriations - (Sec. 421) Authorizes appropriations for FY2009 for military personnel.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy Generally - (Sec. 501) Requires that, in the

calculation of years of active service for a regular Army warrant officer for mandatory retirement purposes, such calculation shall include only years of active service as a warrant officer.

(Sec. 502) Requires a commission or warrant for the promotion of a deceased member to a higher grade to include a certification by the Secretary concerned that, at the time of death, the member was qualified for appointment to the higher grade.

(Sec. 503) Increases from: (1) 302 to 307 the authorized number of Army general officers on active duty; (2) 80 to 81 the authorized number of Marine Corps general officers on active duty; and (3) 12 to 65 the number of joint duty officers that may be excluded from active-duty end strength limitations. Increases the percentage of general and flag officers that may be appointed above the grade of major general or rear admiral. Reserves such percentage increase in Army general officers for those serving in acquisition positions. Reserves five of the newly-designated exempt joint duty officers for general or flag officers who serve in acquisition positions, including one assignment in the Defense Contract Management Agency.

(Sec. 504) States that an officer serving as the Staff Judge Advocate to the Commandant of the Marine Corps shall have the grade of major general. Excludes such position from Marine Corps end strengths for officers above the grade of brigadier general.

(Sec. 505) Makes reserve officers eligible to serve on military boards of inquiry for the separation of regular officers for substandard performance and other reasons.

(Sec. 506) Requires a report from the Secretary to the defense committees on the implementation of a special general and flag officer authority, including validated and required joint duty assignments and the process used to validate such assignments. Prohibits the Secretary from implementing such authority until one year after the submission of such report. Provides a revised distribution limit for active-duty general and flag officers after the implementation date. Excludes certain officers, including those serving in joint duty assignments and the officer serving as Attending Physician to the Congress, from the revised limits.

Authorizes the President to appoint general and flag officer grades in excess of the revised limits in connection with offsetting reductions. Sets the authorized end strength limits, for general and flag officers serving on active duty, after the implementation date at: (1) 225 for the Army; (2) 160 for the Navy; (3) 208 for the Air Force; and (4) 60 for the Marine Corps.

Allows the Secretary to designate up to 324 general and flag officer positions for joint duty assignments. Excludes those positions from the revised general and flag officer end strengths. Provides an additional exclusion for general and flag officers assigned to temporary joint duty assignment billets, as well as certain reserve officers on temporary joint duty assignments.

Subtitle B: Reserve Component Management - (Sec. 511) Extends to the Secretary of the Air Force the authority to defer until age 60 the mandatory separation of reserve dual-status military technicians.

(Sec. 512) Increases the authorized end strength for the following officers and enlisted personnel serving in support of the reserves: (1) Army National Guard and Marine Corps Reserve officers; (2) Air National Guard officers; and (3) Army National Guard enlisted personnel.

(Sec. 513) Allows National Guard officers to be considered for promotion when ordered to or serving on active duty in

support of a contingency operation.

(Sec. 514) Allows reserve officers assigned to duties with the Selective Service System or as National Guard property and fiscal officers to be retained in active status until age 62 (currently, 60). Extends similarly such retention authority with respect to certain reserve officers serving in the grades of major, lieutenant colonel, colonel, or brigadier general.

(Sec. 515) Authorizes the Secretaries of the Army or Air Force to retain reserve officers in the grade of lieutenant general beyond the mandatory retirement age for years of service, up until the officer becomes 66.

(Sec. 516) Authorizes the Secretary concerned to retain until age 68 National Guard and reserve chaplains and officers serving in health profession specialties.

(Sec. 517) Authorizes all National Guard officers (current law allows only such officers in command of a National Guard unit) to retain their state status while serving on active duty when authorized by the President and with the consent of the state governor or the commanding general of the District of Columbia National Guard, as applicable. Allows such consent or authorization to be given in advance when establishing the succession of command of a unit.

(Sec. 518) Directs the Secretary of the Navy to: (1) conduct a study of policies and procedures used by the Marine Corps Reserve during FY2001-FY2008 to govern the assignment of members of the Marine Corps in the Individual Ready Reserve; and (2) report study results to the defense committees.

Sec. 519) Requires a report from the Secretary to the defense and appropriations committees on the collection by DOD of information on the civilian skills, qualifications, and professional certifications of members of the reserves that are relevant to military manpower requirements, and the matching of such skills with applicable billets (assignments).

Subtitle C: Joint Qualified Officers and Requirements - (Sec. 521) Revises provisions concerning joint duty requirements for promotion to a general or flag officer position to reflect changes made under the Warner Act. Makes technical, conforming, and clerical changes to joint specialty terminology, including references to a joint qualified officer in lieu of a joint specialty officer.

(Sec. 523) Requires officers to be joint qualified in order to be appointed to grade O-7. Revises joint officer promotion objectives to recognize joint experience from any venue.

(Sec. 524) Conforms provisions concerning length of joint duty assignments to reflect changes made under the Warner Act.

(Sec. 525) Authorizes the JCS Chairman to exempt up to three (currently, one) reserve general and flag officers on the JCS from general and flag officer end strength limits.

(Sec. 526) Excludes from authorized end strength limits for reserve general and flag officers serving in an active status those Army, Navy, Marine Corps, and Air Force reserve officers serving in joint duty assignments.

(Sec. 527) Requires the JCS Chairman to submit to Congress information on joint education courses available through DOD for the pursuit of joint careers by officers.

Subtitle D: General Service Authorities - (Sec. 531) Increases from six to eight years the maximum authorized reenlistment term.

(Sec. 532) Allows a member who is the husband of a woman who gives birth to be given up to ten days of leave in

connection with such birth.

Sec. 533) Authorizes each department Secretary to carry out a pilot program under which regular officers and enlisted members may be inactivated from active duty in order to meet personal or professional needs, and afterward returned to active duty. Excludes from such pilot program officers and members receiving certain bonuses. Limits: (1) participation to 20 officers and 20 enlisted members per year per department; and (2) to three years the period of inactivation. Reduces military pay and allowances, including special and incentive pays, during the program period, but requires the continuation of active duty-level medical and dental care. Prohibits the promotion of participating officers and enlisted members during the inactivation period. Requires each Secretary to submit to the defense and appropriations committees an interim and final report on programs conducted. Commences on January 1, 2009, and terminates on December 31, 2012, the authority to conduct a pilot program.

Subtitle E: Education and Training - (Sec. 540) Sets at 4,400 the maximum annual enrollment at the military academies for academic years 2008-2009 and thereafter.

(Sec. 541) Permits students, officers, and representatives of a foreign country to attend a U.S. military academy for periods of up to two weeks if determined that such attendance will contribute significantly to the development of foreign language, cross-cultural interactions and understanding, and cultural immersion of cadets or midshipmen.

(Sec. 542) Increases from 25 to 125 the number of defense industry employees authorized to receive instruction at any one time at the Naval Post Graduate School.

(Sec. 543) Revises provisions authorizing the following officials to confer appropriate degrees upon graduates of such institutions: (1) the President of the National Defense Intelligence College; (2) the President of the National Defense University; (3) the Commandant of the United States Army Command and General Staff College; (4) the Commandant of the United States Army War College; (5) the President of the Naval Post Graduate School; (6) the President of the Naval War College; (7) the President of the Marine Corps University; and (8) the commander of the Air University. Requires: (1) the Secretary of Education to recommend approval of the degree to be conferred; (2) accreditation of the curriculum leading to such degree; and (3) the Secretary of Defense to notify the defense committees with respect to each degree-granting authority under this section.

(Sec. 544) Requires the United States Air Force Institute of Technology to charge tuition to any attendees other than members and civilian employees of the Air Force.

(Sec. 545) Increases from 21 to 23 the authorized number of permanent professors at the U.S. Air Force Academy.

(Sec. 546) States that only reserve members separating under honorable conditions (currently, conditions other than dishonorable) are eligible to use educational assistance provided under the Montgomery GI Bill for up to ten years after such separation. Makes such amendment effective with respect to any person who: (1) separates on or after the date of enactment of the NDAA for Fiscal Year 2008 (January 28, 2008); and (2) has not used any educational assistance as of the date of enactment of this Act.

(Sec. 547) Conforms the maximum limits for education loan repayment programs for reserve health professionals to the maximum limits authorized for active-duty health professionals.

(Sec. 548) Directs the Secretary to: (1) develop and implement a plan to establish and support 3,700 Junior Reserve Officers' Training Corps (ROTC) units not later than the end of FY2020; (2) work with local educational agencies (LEAs)

to increase the employment in Junior ROTC units of retired military members, especially those wounded or injured while deployed in a contingency operation; and (3) report to the defense and appropriations committees upon completion of the support plan.

(Sec. 549) Authorizes the Secretary of the Army to correct, and make any necessary payments in connection with, amounts of Army College Fund benefits to which members or former members may be entitled under an Army Incentive Program contract. Terminates such authority at the end of 2009.

(Sec. 550) Authorizes the Secretary concerned to enter into partnerships with educational institutions to improve the accessibility and flexibility of college courses available to eligible members of the Armed Forces.

Subtitle F: Defense Dependents' Education - (Sec. 551) Earmarks specified DOD O&M funds for assistance to: (1) LEAs that benefit dependents of military personnel and DOD civilian employees; and (2) schools with enrollment changes due to base closures, force structure changes, or force relocations.

(Sec. 552) Earmarks specified DOD O&M funds for impact aid for children with severe disabilities.

(Sec. 553) Amends the Warner Act to direct the Secretary to work collaboratively with the Secretary of Education to ease the transition of military dependent students from DOD dependent schools to other schools and among schools of LEAs. Terminates such requirement at the end of FY2013.

(Sec. 554) Amends the Elementary and Secondary Education Act of 1965 to change from 5,000 to 6,500 the requisite number of federally-connected children that must attend schools of a school district in order for that district to qualify for impact aid.

Subtitle G: Military Justice - (Sec. 561) Provides that a military protective order issued by a military commander shall remain in effect until such commander terminates the order or issues a replacement order.

(Sec. 562) Requires the commander of a military installation to notify the appropriate civilian authorities in the event that a military protective order is issued against a member and any individual involved in the order does not reside on a military installation.

(Sec. 563) Directs the Secretary to implement a centralized, case-level database for the collection and maintenance of information regarding sexual assaults involving a member of the Armed Forces. Requires the: (1) Secretary to submit to the defense and appropriations a database implementation plan; and (2) database to be used to develop sexual assault-related reports to Congress as required under various defense authorization Acts and federal armed forces provisions. Directs the Secretary to report to the defense committees: (1) the current status of the Defense Incident-Based Reporting System; and (2) how that System will relate to the sexual assault database.

Subtitle H: Decorations, Awards, and Honorary Promotions - (Sec. 571) Authorizes the Secretary concerned to replace, on a one-time basis and without charge, a military decoration upon request of the recipient or the immediate next-of-kin of a deceased recipient.

(Sec. 572) Authorizes and requests the President to award the Medal of Honor to former Chief Master Sergeant Richard L. Etchberger for acts of valor during the Vietnam War.

Subtitle I: Military Families - (Sec. 581) Authorizes DOD to provide a burial flag to: (1) a surviving spouse, or remarried surviving spouse, of a military decedent if the person authorized to direct the disposition of remains is someone other

than a spouse; and (2) each child of the decedent.

(Sec. 582) Authorizes the Secretary to establish programs to provide tuition assistance and other support to spouses of members for pursuing education and/or training that expands employment and portable career opportunities.

(Sec. 583) Expresses the sense of Congress that the Secretaries concerned should provide honor guard details for the funerals of veterans.

Subtitle J: Other Matters - (Sec. 591) Prohibits a DOD officer or employee from interfering with the provision of legal advice to the JCS Chairman and to the JCS.

(Sec. 592) Requires that payments of claims resulting from the decision of a board of correction of military records to set aside a conviction by court-martial include interest at a rate determined by the Secretary concerned, unless that Secretary determines that payment of interest is inappropriate under the circumstances. Applies this section to any decision to set aside a court-martial made on or after October 1, 2007.

(Sec. 593) Extends through December 31, 2010, a limitation on the reduction of personnel of agencies responsible for the review and correction of military records.

(Sec. 594) States that the limitation on DOD assistance to a state National Guard Youth Challenge Program may not be construed as a limitation on the amount of assistance that may be provided by other sources.

(Sec. 595) Authorizes members and veterans present but not in uniform during the playing of the national anthem to render the military salute in the same manner as members in uniform.

(Sec. 596) Establishes the Military Leadership Diversity Commission to evaluate and assess policies that provide opportunities for the promotion and advancement of minority members of the Armed Forces, including members who are senior officers. Requires a Commission report to the President and Congress. Terminates the Commission 60 days after submission of such report.

(Sec. 597) Authorizes the Secretary to conduct a demonstration project to encourage retired military nurses to serve as faculty at civilian nursing schools. Requires a project report from the Secretary to the defense and appropriations committees.

(Sec. 598) Requires the Secretary to submit to the defense committees a plan for the participation in and hosting of international sports activities, competitions, and events.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances - (Sec. 601) Waives any FY2009 pay increases tied to increases in the General Schedule of Compensation for government employees. Increases by 3.9%, effective January 1, 2009, the rates of basic pay for military personnel.

(Sec. 602) Makes permanent (currently, ends on December 31, 2008) the prohibition on charges for meals received at military medical treatment facilities by members receiving continuous care for an injury, illness, or disease incurred in or aggravated by service in Operations Iraqi Freedom or Enduring Freedom or other designated combat zone.

(Sec. 603) Increases from \$180 to \$290 per day the maximum authorized reimbursement for temporary lodging expenses in connection with a permanent change of station.

(Sec. 604) Requires the Secretary concerned to pay each member of a married couple, both of whom are members who

reside together with dependents, a full family separation allowance when both members are simultaneously assigned to duty under the following conditions: (1) permanent duty stations where dependents are not authorized; (2) deployed ships for more than 30 days; or (3) temporary duty away from the member's permanent duty station for more than 30 days.

(Sec. 605) Extends through 2009 the authority for income replacement payments (matching of civilian compensation) for reserve members experiencing extended and frequent mobilization for active-duty service.

Subtitle B: Bonuses and Special and Incentive Pays - (Sec. 611) Extends through 2009 specified authorities currently scheduled to expire at the end of 2008 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 616) Increases the maximum bonus and stipend amounts authorized for nurse officer candidates. Conforms the stipend authorized for baccalaureate students in nursing or other health professions under the health professions stipend program to that paid to participants in the Armed Forces Health Professions Scholarship Program.

(Sec. 617) Allows nuclear officer incentive pay agreements to be of any duration beyond a minimum of three years. (Currently, such agreements allow for a three, four, or five-year period.)

(Sec. 618) Makes technical amendments to various provisions to conform to changes in special and incentive pays adopted in the NDAA for Fiscal Year 2008.

(Sec. 619) Authorizes the Secretary concerned to pay a skill proficiency bonus annually to a member entitled to basic pay or inactive-duty training pay or enrolled in an officer training program who is also in training to acquire, or has acquired, proficiency in a critical foreign language or expertise in foreign cultural studies. Includes certain Senior ROTC members under the bonus program. Authorizes the Secretary concerned to pay incentive pay to a person already enrolled in an officer training program to also participate in an education or training program to acquire such proficiency or expertise. Includes certain Senior ROTC members under the incentive pay program. Authorizes the Secretary to pay incentive pay for members of the Senior ROTC or the Marine Corps Platoon Leaders Class who participate in a language immersion program to acquire such proficiency or expertise. Limits the latter pay to \$3,000 per year. Requires annual reports, from the Secretary to the OMB Director and Congress, on the payment of incentive pay under this section. Terminates incentive pay authority at the end of 2013. Directs the Secretary to conduct a pilot program through 2013 to provide a skill proficiency bonus to a reserve member in an active status while such member participates in an education or training program to acquire such proficiency or expertise. Requires a report from the Secretary to Congress on pilot program results.

(Sec. 620) Designates qualified psychologists, registered nurses, and other mental health practitioners as the Secretary concerned may designate as critically-short wartime specialties for which individuals in such professions will be eligible for a health professions bonus of up to \$100,000 for each 12-month period of obligated service for which they agree to serve in an active status in the reserves. Terminates such designation at the end of 2009. Authorizes the payment of an accession bonus of up to \$400,000 for an officer who: (1) is a graduate of an accredited school of psychology; (2) holds a valid state license to practice as a doctoral level psychologist; and (3) agrees to remain on active duty in such a position for at least four years. Terminates such bonus at the end of 2009. Authorizes the payment of a retention bonus of up to \$25,000 each year for an officer who: (1) is a psychologist in a pay grade below O-7; (2) has at least eight years of creditable service or has completed any active-duty service commitment incurred for psychology education and training; (3) has completed initial residency training; (4) holds a valid state license to practice as a doctoral level psychologist; and (5) enters into a written agreement to remain on active duty as a psychologist for up to four years after completion of any

other service commitment.

Subtitle C: Travel and Transportation Allowances - (Sec. 621) Authorizes an additional weight allowance of up to 500 pounds for the shipment of professional books and equipment belonging to the spouse of a member making a change of permanent station.

(Sec. 622) Entitles a member, in connection with an evacuation from a permanent station in a foreign area, to the transportation of family household pets. Authorizes the Secretary to prescribe regulations limiting the types, size, and number of pets for which such transportation may be provided.

Subtitle D: Retired Pay and Survivor Benefits - (Sec. 631) Extends to the survivors of members who die while serving on active duty the receipt of a special survivor indemnity allowance for persons affected by a required Survivor Benefit Plan (SBP) annuity offset due to the concurrent receipt of dependency and indemnity compensation.

(Sec. 632) Requires the Secretary to determine if the phased elimination of the two-tier SBP annuity computation and related Supplemental Survivor Benefit Plan resulted in some annuitants receiving a smaller annuity than they would have if the two-tier system had not been eliminated, and, if so, to restore the annuity to the higher amount.

Subtitle E: Commissary and Nonappropriated Fund Instrumentality Benefits and Operations - (Sec. 641) Provides for the use of surcharge proceeds derived from initiatives that provide reserve members, retired members, and other members eligible for commissary benefits, but without access to commissary stores, improved access through the use of mobile equipment.

(Sec. 642) Directs the Secretary to establish a Resale Activities Review Board to determine whether material sold or rented, or proposed to be sold or rented, on DOD property is sexually explicit and therefore barred from sale or rental. Requires the Board to meet within one year after appointment of its members.

Subtitle F: Other Matters - (Sec. 651) Provides that the estate of a member who dies while on active duty other than as a result of the member's misconduct, or is retired or separated due to a combat-related disability, shall not be required to repay any portion of a previously-paid bonus or similar benefit. Requires the full amount of any such bonus or benefit to be paid within 90 days of such death, retirement, or separation. Authorizes the Secretary concerned to continue payment of any unpaid portion of such a bonus or benefit when such Secretary determines that imposition of the repayment or termination requirements would be contrary to a personnel policy or management objective, against equity and good conscience, or contrary to the best interests of the United States.

Title VII: Health Care and Wounded Warriors Provisions - Subtitle A: Improvements to Health Benefits - (Sec. 701) Extends through FY2009 the prohibition against increasing the charges for: (1) premium and copayments under TRICARE (a DOD managed health care program) Prime; and (2) premiums under TRICARE Standard for members of the reserves.

(Sec. 702) Limits to specified amounts during FY2009 the copayments for generic, formulary, and nonformulary drugs provided through the TRICARE retail pharmacy program.

(Sec. 703) Directs the Secretary to provide chiropractic services to active-duty personnel at 11 additional military treatment facilities that do not currently provide such services.

(Sec. 704) Requires premiums for coverage under TRICARE Standard for: (1) fiscal years after 2009 to be based upon the actual cost of providing benefits for the two preceding fiscal years; and (2) FY2009 to be based upon the reported

cost of such benefits during FY2006-FY2007.

(Sec. 705) Authorizes the Secretary to develop a plan to establish a program to build cooperative health care arrangements and agreements between military installations projected to grow and local and regional non-military health care systems. Requires the Secretary to report annually to the defense committees on any such plan.

(Sec. 706) Requires the Secretaries of Defense and Veterans Affairs, before a facility may be designated a combined DOD-VA medical facility, to issue a signed agreement that specifies a binding operational agreement on the following areas: (1) governance; (2) patient priority categories; (3) budgeting; (4) staffing and training; (5) construction; (6) physical plant management; (7) contingency planning; (8) quality assurance; and (9) information technology.

Subtitle B: Preventive Care - (Sec. 711) Directs the Secretary to waive all copayments for TRICARE beneficiaries other than Medicare-eligible beneficiaries who currently pay for preventive services. Allows the Secretary to refund copayments of Medicare-eligible beneficiaries.

(Sec. 712) Directs the Secretary to: (1) conduct a three-year demonstration project to evaluate the efficacy of providing incentives to encourage healthy behaviors on the part of eligible military health system beneficiaries; (2) develop a wellness assessment to be offered to beneficiaries enrolled in the project; and (3) annually, during the project's duration, evaluate the project and report to the defense committees on its effectiveness in improving health risk measures of participants.

(Sec. 713) Requires the Secretary to: (1) establish a smoking cessation program under the TRICARE program, to be made available to all TRICARE beneficiaries who are not Medicare-eligible; (2) submit to the defense and appropriations committees a program implementation plan; and (3) report to such committees on such program. Provides program funding.

(Sec. 714) Directs the Secretary, during the period beginning on January 1, 2009, and ending on December 31, 2011, to conduct a demonstration project to evaluate the efficacy of providing an annual preventive health services allowance to members serving on active duty for more than 30 days who meet medical and dental readiness requirements. Limits project participation to 1,500 from each service branch. Provides for an annual allowance of \$500 for members without dependents and \$1,000 for members with dependents. Requires the Secretary to: (1) specify the types of preventive health services that may be procured through the use of such allowance; (2) monitor and record the health of members receiving the allowance and their dependents; and (3) report to Congress in 2010 and 2012 on project status.

(Sec. 715) Authorizes the Secretary to include, in currently-required studies and demonstration projects relating to the delivery of military health and medical care, additional studies and demonstration projects to: (1) provide awards and incentives to members and covered beneficiaries who obtain health promotion and disease prevention services under the TRICARE program; (2) provide awards and incentives to military health care professionals to encourage and reward the implementation of innovative health care programs; (3) improve the medical and dental readiness of members of the reserves; and (4) improve the continuity of health care services for family members of mobilized reserve personnel.

Subtitle C: Wounded Warrior Matters - (Sec. 721) Directs the Secretary to establish within DOD a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injury incurred by members while serving on active duty. Requires: (1) collaboration with the Secretary of Veterans Affairs, institutions of higher education, and other appropriate public and private entities in the carrying out of center responsibilities; (2) the center to develop a registry of information for the tracking of center patients, to be known as the Hearing Loss and Auditory System Injury Registry; (3) the coordination of center care and benefits with the VA's National Center for

Rehabilitative Auditory Research and the auditory system impairment services of the Veterans Health Administration; and (4) the Secretaries of Defense and Veterans Affairs to jointly ensure the utilization of Registry information by appropriate DOD and VA hearing specialist personnel.

(Sec. 722) Amends the NDAA for Fiscal Year 2008 to allow for the treatment of all military eye injuries (currently, only eye injuries incurred in combat) at the center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of military eye injuries.

(Sec. 723) Requires the Secretaries of Defense and Veterans Affairs to jointly: (1) establish a center of excellence in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations; (2) ensure center collaboration with DOD, VA, institutions of higher education, and other appropriate public and private entities; and (3) report to Congress on center activities.

(Sec. 724) Amends the Wounded Warrior Act to direct the Secretary to provide referrals for legal assistance, where appropriate, to wounded warriors, their families, and their primary caregivers.

(Sec. 725) Expresses the sense of Congress that the requirement under the NDAA for Fiscal Year 2008 to conduct basic science and translational research on traumatic brain injury includes pilot programs designed to test the efficacy of clinical approaches, including the use of pharmacological agents.

(Sec. 726) Directs the Secretaries of Defense and Veterans Affairs to jointly: (1) take appropriate action to continue the operations of the Senior Oversight Committee until December 31, 2009; and (2) report to Congress on the advisability of the further extension of the Committee after such date.

(Sec. 727) Requires, with respect to eligibility for retirement due to disability, a presumption that a disability was incurred on active duty unless there is clear and unmistakable evidence that the disability existed before entering into active duty and was not aggravated by active service.

Subtitle D: Other Matters - (Sec. 731) Requires the Secretary to report to the defense and appropriations committees on including dependents of military retirees in the Extended Care Health Option (ECHO) program for a limited transitional period following retirement.

(Sec. 732) Directs the Secretary to ensure that dependents enrolled in the ECHO program who are mentally retarded, have a serious physical disability, or an extraordinary physical or psychological condition are eligible to receive a maximum of \$36,000 per year for therapy services.

(Sec. 733) Requires the: (1) Secretary to establish within DOD a task force to examine matters relating to the prevention of suicide by members of the Armed Forces; (2) task force to report to the Secretary recommendations on a comprehensive policy designed to prevent such suicides; and (3) task force to report to the Secretary on all other task force activities. Requires all such reports to be transmitted to the defense committees. Terminates the task force 90 days after submission of the latter report.

(Sec. 734) Authorizes the provision of certain military transitional health care for members separated from active duty who agree to become members of the Selected Reserve of the Ready Reserve.

(Sec. 735) Extends to all members of the Selected Reserve (current law allows the benefit only for members of the Selected Reserve of the Army) eligibility for certain preparatory medical and dental services for members assigned to units scheduled for deployment within 75 days after mobilization. Authorizes the Secretary concerned to provide such

services to other members of the Selected Reserve and Individual Ready Reserve with a deployment responsibility, if such services are necessary to meet applicable standards of member medical and dental readiness. Authorizes the Secretary to waive during a national emergency the copayments or other charges paid by such members for enrollment in the TRICARE dental insurance program when the Secretary determines that such waiver would facilitate or ensure the deployment readiness of a unit or individual. Requires a report from the Secretary to the defense committees on DOD policies and procedures to ensure the medical and dental readiness of members of the Armed Forces.

Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Acquisition Policy and Management - (Sec. 801) Directs the Secretary to: (1) commission a study and report by an independent commission or a FFRDC to assess the effectiveness of DOD processes for the generation of urgent operational need requirements, as well as the acquisition processes used to fulfill such requirements; and (2) submit study and report results to the defense and appropriations committees.

(Sec. 802) Directs the Secretary to issue guidance regarding: (1) the application of a domestic industrial base evaluation factor during source selection for a major defense acquisition program (MDAP)

Actions Timeline

- **Oct 14, 2008:** Signed by President.
- **Oct 14, 2008:** Became Public Law No: 110-417.
- **Oct 6, 2008:** Presented to President.
- **Sep 27, 2008:** Resolving differences -- Senate actions: Senate agreed to the House amendment to the bill by Unanimous Consent.(consideration: CR S9977-9981; text as Senate agreed to House amendment: CR S9977)
- **Sep 27, 2008:** Senate agreed to the House amendment to the bill by Unanimous Consent. (consideration: CR S9977-9981; text as Senate agreed to House amendment: CR S9977)
- **Sep 27, 2008:** Message on Senate action sent to the House.
- **Sep 27, 2008:** Cleared for White House.
- **Sep 24, 2008:** Mr. Skelton moved to suspend the rules and pass the bill, as amended.
- **Sep 24, 2008:** Considered under suspension of the rules. (consideration: CR H9090-9216)
- **Sep 24, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 3001.
- **Sep 24, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Sep 24, 2008:** Considered as unfinished business. (consideration: CR H9231)
- **Sep 24, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 392 - 39 (Roll no. 631).(text: CR H9090-9206)
- **Sep 24, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 392 - 39 (Roll no. 631). (text: CR H9090-9206)
- **Sep 24, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 24, 2008:** Message on House action received in Senate and at desk: House amendment to Senate bill.
- **Sep 18, 2008:** Received in the House.
- **Sep 18, 2008:** Message on Senate action sent to the House.
- **Sep 18, 2008:** Held at the desk.
- **Sep 18, 2008:** Senate ordered measure printed as passed.
- **Sep 17, 2008:** Considered by Senate. (consideration: CR S8931-8933)
- **Sep 17, 2008:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay. 88 - 8. Record Vote Number: 201.(text: CR 9/18/2008 S9042-9163)
- **Sep 17, 2008:** Passed Senate with amendments by Yea-Nay. 88 - 8. Record Vote Number: 201. (text: CR 9/18/2008 S9042-9163)
- **Sep 17, 2008:** See also S.3002, S.3003, and S.3004.
- **Sep 16, 2008:** Considered by Senate. (consideration: CR S8814-8821, S8821, S8824-8826, S8828, S8830-8831, S8836-8837)
- **Sep 16, 2008:** Cloture on the measure invoked in Senate by Yea-Nay Vote. 61 - 32. Record Vote Number: 200. (consideration: CR S8826; text: CR S8826)
- **Sep 16, 2008:** Motion by Senator Reid to recommit to Senate Committee on Armed Services with instructions to report back with an amendment [SA5292] fell post-cloture in Senate. (consideration: CR S8826)
- **Sep 15, 2008:** Considered by Senate. (consideration: CR S8506-8512, S8517-8520, S8521-8523)
- **Sep 12, 2008:** Considered by Senate. (consideration: CR S8457-8471)
- **Sep 12, 2008:** Cloture motion on the measure presented in Senate. (consideration: CR S8470; text: CR S8470)
- **Sep 11, 2008:** Considered by Senate. (consideration: CR S8333-8334, S8339-8342, S8361-8364)
- **Sep 10, 2008:** Considered by Senate. (consideration: CR S8228-8256, S8264-8266)
- **Sep 9, 2008:** Motion to proceed to measure considered in Senate. (consideration: CR S8159-8161)
- **Sep 9, 2008:** Measure laid before Senate by motion.
- **Sep 9, 2008:** Motion by Senator Reid to recommit to Senate Committee on Armed Services with instructions to report back with an amendment [SA 5292] made in Senate. (consideration: CR S8159-8160)
- **Sep 8, 2008:** Motion by Senator Reid to reconsider the vote by which cloture was not invoked on the motion to proceed to the measure (Record Vote Number 195) agreed to in Senate by Unanimous Consent.
- **Sep 8, 2008:** Motion to proceed to the measure measure considered in Senate. (consideration: CR S8104-8110)
- **Sep 8, 2008:** Cloture on the motion to proceed to the measure invoked in Senate by Yea-Nay Vote. 83 - 0. Record Vote Number: 197. (consideration: CR S8109-8110; text: CR S8109-8110)

- Aug 1, 2008:** Motion to proceed to measure considered in Senate. (consideration: CR S7983, S7984-7987)
- **Jul 31, 2008:** Motion to proceed to measure considered in Senate. (consideration: CR S7811-7845, S7878-7880)
 - **Jul 31, 2008:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 51 - 39. Record Vote Number: 195. (consideration: CR S7879; text: CR S7879)
 - **Jul 31, 2008:** Motion by Senator Reid to reconsider the vote by which cloture was not invoked on the motion to proceed to the measure (Record Vote Number 195) entered in Senate.
 - **Jul 30, 2008:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S7759-7768)
 - **Jul 30, 2008:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S7759; text: CR S7759)
 - **May 12, 2008:** Introduced in Senate
 - **May 12, 2008:** Committee on Armed Services. Original measure reported to Senate by Senator Levin. With written report No. 110-335.
 - **May 12, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 732.
 - **Apr 16, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 6.
 - **Apr 9, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 4.
 - **Apr 8, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 2.
 - **Apr 3, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Apr 2, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 5.
 - **Apr 1, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 7.
 - **Apr 1, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 3.
 - **Mar 12, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Mar 11, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 110-394, pt. 1.
 - **Mar 6, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Mar 5, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Mar 4, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Feb 28, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Feb 27, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Feb 26, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.
 - **Feb 6, 2008:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral.