

FY 2002 Defense Authorizations Side-by-Side

Title/Issue	House Action (HR 107-194)	Senate Action (SR 107-62)	Conference Report H.Rept 107-333
Title III - Operations and Maintenance			
RC Commissary Benefits	Authorizes immediate eligibility for commissary benefits for RC members. Note: This P&R proposal was disapproved by OMB because continuation of benefit weakens the benefit as an incentive. Sec. 321	The Secretary concerned shall authorize a new member of the Ready Reserve to use commissary stores of the Department of Defense for a number of days accruing at the rate of two days for each month in which the member participates satisfactorily in training required under section 10147(a)(1) of this title or section 502(a) of title 32, as the case may be.	The House recedes
Title IV - Military Personnel Authorizations			
Increase in Number of Members in Certain Grades Authorized to Serve on Active Duty in Support of the Reserves	Authorizes new grade tables for all RC to limit the number of officers and senior enlisted members serving on active duty or full-time NG duty for administration of reserves or NG. Sec 415	Limitations on numbers of reserve personnel serving on active duty or full-time national guard duty in certain grades for administration of reserve components. Sec. 415	The House recedes
Active Duty End Strength Exemption for NG and Reserve Personnel Performing Funeral Honors	This P&R proposal permits these members to prepare for and perform funeral honors functions without counting against the active duty end strengths. Sec. 422	Similar Provision	The Senate recedes
Strength and Grade Limitation Accounting for Reserve Component Members on Active Duty in Support of a Contingency Operation		Authorizes to increase the limit on active duty end strengths of members of the reserve components in pay grades E-8, E-9, O-4, O-5, O-6, and general and flag officers by the number in those pay grades serving on active duty, with their consent, in support of a contingency operation. Will make it easier for the services to use volunteers to meet contingency operation mission requirements. Sec. 416	Provision not adopted
Authorization of Appropriations for Military Personnel	Authorizes \$82,279.1M for military personnel. Sec. 431	Authorizes \$82.4 billion for military personnel. Sec. 421	The House recedes with an amendment that would authorize \$82,307.3 million to be appropriated to the Department of Defense for military personnel. +\$24.7 Million for ARNG AGRs
Title V - Military Personnel Policy			
Enhanced Flexibility for Management of Senior General and Flag Officer Positions	Repeals the current limit on the total number of 4 star general officers allowed to be on active duty to provide greater flexibility for oversight and control of joint and military service operations in space. Sec. 501	Adds some general/flag officers: VC Guard Bureau to 3 stars; Nurse Corps to 2 stars; Marine Corps adds 1 3 star; Spec. Asst. to Sec Def not counted against. Sec. 501	The House recedes with clarifying amendment. The Secretary should report the results of the review to Congress no later than six months after the date of enactment of this Act, together with any recommendations for revisions to those authorizations.

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Placement on Active-Duty List of Certain Reserve Officers on Active Duty for a Period of Three Years or Less	Requires members recalled to active duty for 3 years or less to be placed on the active duty list unless the service secretary specifies otherwise. Sec. 511	Same as house provision. Sec. 512	The Senate recesses
Expanded Application of Reserve Special Selection Boards	Covers Reserve officers not considered for promotion because of administrative or material error. Sec. 512		
Exception to Baccalaureate Degree Requirement for Appointment of Reserve Officers to Grades Above First Lieutenant	Exempts enlisted members commissioned under the Army Officer Candidate School from the requirement to possess a baccalaureate degree before being promoted to Captain. Sec. 513	Extends by three years the authority of the Sec. Army to waive requirement. Sec. 511	The House recesses
Improved Disability Benefits for Certain Reserve Component Members	This P&R proposal adds overnight health care coverage when drills require member to remain overnight between successive drills due to mission requirements. Sec. 514.	Authorizes certain benefits for RC members who become injured or ill in the line of duty when they are authorized to remain overnight at an inactive duty training site. Sec. 515	The Senate recesses
Time-in-Grade Requirement for RC Officers with a Non-service Connected Disability	This P&R proposal disapproved by OMB permits an officer found medically disqualified because of a non service connected disability to retire, if eligible, at the grade currently held, provided the officer had served at least 6 months in the grade. Sec. 515		The Senate recesses with an amendment that would limit application of this provision to members whose nonservice-connected disabilities are incurred in the line of duty.
Reserve Members Considered to be Deployed for Purposes of Personnel Tempo Management	This P&R proposal clarifies definition to insure parity between AC and RC members on crediting days of deployment. Sec. 516	Amends the definition of deployment for reservists to include performance of duty that makes it impossible/infeasible to spend off duty time in the housing that the members usually occupies during off-duty time when on garrison duty. Sec. 513	The House recesses
Amendment – Covering Costs of Athletic Events Relevant to Military Duty	Allow the National Guard to use appropriated money to cover costs associated with conducting, training for and participating in athletic events relevant to military duty or military fitness requirements. Rep. Bereuter, R-Neb		The House recesses
Funeral Honors Duty Performed by Reserve and Guard Members to be Treated as Inactive-Duty Training for Certain Purposes	Authorizes reserve and NG members performing funeral honors the same rights, benefits, and protections that would be provided for inactive-duty training. Sec. 517	Provides reservists the same benefits and protections as when they are performing inactive duty training or traveling to or from inactive duty training. Sec. 563	The Senate recesses

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Members of the NG Performing Funeral Honors Duty While in Non-Federal Status	This P&R proposal specifies that NG members on funeral honors details shall be considered members of the armed forces for the purposes of meeting requirements for minimum number of service members and service affiliation on a funeral honors detail. Sec. 518	Same as House provision. (Item of interest; page 310)	The House recesses. The conferees note that section 1491(b)(2) of title 10, United States Code, requires that a funeral honors detail for a deceased veteran include at least two members of the armed forces, at least one of whom is a member of the veteran's armed force. Members of the Army National Guard of the United States and the Air National Guard of the United States are members of the armed forces even when performing in a state status. They can participate in a funeral honors detail in either a state or federal status, and should be considered as one of the required members of the armed forces.
Use of Military Leave for Funeral Honors Duty by Reserve Members and National Guardsmen	Authorizes federal employees who are members of the RC to use military leave to perform funeral honors duty. Sec. 519		The Senate recesses
Active duty end-strength exclusion for reserves on active duty of full-time NG duty for funeral honors duty		Excludes funeral honor duty from active end strength numbers. Sec. 561	The House recesses
Participation of retirees in funeral honors details		Authorizes military retirees to serve as a member of funeral honors detail; authorizes payment of allowance; retirees to not forfeit any compensation for doing so. Sec. 562	The House recesses
Space-required travel by reserves on military aircraft		Removes annual training duty from Section 18501 of Title 10, USC. Reservists performing annual training duty are already authorized to travel in a space-required status by other authority. Sec. 517	The House Recesses
MGIB Transferability - by members of the armed forces with critical military skills		Authorizes the service secretaries to permit certain service members with critical military skills to transfer up to 18 months of unused basic MGIB benefits to family members. Sec. 539. Note: DoD opposes and has proposed language for inclusion in SAP.	See Title VI
Clarification of Military Recruiter Access to Secondary School Directory Information About Students	Gives recruiters the same access to directory information as is provided to post-secondary educational institutions or to prospective employers. Sec. 584		The Senates recesses

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National Guard Challenge Program	Eliminates the \$62.5 Million statutory limit on DoD spending for National Guard Youth Challenge Program and revises the DoD cost share for each state's program from 60% to 75%. Repeals section 2033 of Title 10, U S Code, which requires any funding over the Department's statutory limit be provided to JROTC Program. Sec. 587	Authorizes payment for those in grade of E6 and below.	The House recedes with an amendment that would eliminate the \$62.5 million statutory limit on Department of Defense spending for the National Guard Youth Challenge Program, and provide that the Secretary of Defense would remain the executive agent to carry out the National Guard Challenge Program and the STARBASE Program regardless of the source of funds for the programs or any transfer of jurisdiction over the programs within the Executive Branch.
18-Month Enlistment Pilot Program	Authorizes the Army to carry out pilot program to increase participation of prior service persons in the Selected Reserve and to build the pool of participants in the IRR. Sec. 589		The Senate recedes
Per Diem Allowance for Lengthy or Numerous Deployments	Allowance shall be paid from O&M appropriations. Requires expanded report. Sec. 590		The Senate recedes with a clarifying amendment. The conferees note that the Secretary of Defense, using the authority under section 991(d) of title 10, United States Code, recently suspended the requirement for general or flag officers to manage the deployment of certain members and the accumulation of deployment days by individual members. This suspension was justified, and, by delaying the actual payment of high-deployment per diem to individual members, provides additional time for the services to analyze its impact on personnel and assignment policies. To ensure a smooth transition upon termination of this suspension, the conferees urge the Secretary of Defense to afford the services sufficient time to initiate any necessary policy changes to optimize the efficient deployment of military personnel.
Title VI - Compensation and Other Personnel Benefits			
Increase in basic pay for FY 2002	Adopted DoD rates. Sec. 601	Restructures the pay tables to provide a targeted pay raise ranging from 5 - 10%, effective 1/1/02. Sec. 601	The conference agreement includes this provision.
Basic pay rate for certain reserve commissioned officers with prior service	P&R proposal. Allows RC commissioned officers in certain grades who have accumulated the equivalent of 4 years of active duty to be paid at a higher rate. Sec. 602	Same as House. Sec. 602	The House recedes with an amendment that would make this provision effective on the date of enactment of this Act.

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RC Distributed Learning		This P&R proposal would authorize compensation for members in grades E-6 and below for distributed learning activities performed as inactive-duty training. Sec. 603	The House recedes with an amendment that would authorize compensation for members of the Selected Reserve upon successful completion of a course of instruction using electronic-based distributed learning technologies to accomplish training requirements related to unit readiness or mobilization.
Payment for unused leave in excess of 60 days accrued by members of the RC on active duty for one year or less		Amends section 501 of title 37, U.S.C., to authorize payment of unused leave in excess of 60 days accrued by Reserve component members who are on active duty for periods on one year or less. Sec. 608	The House recedes
MGIB transferability		Transfers 1/2 of unused entitlement to dependents for service members with critical skills	The House recedes
Equal treatment of reservists performing inactive-duty training for receipt of ACIP	Entitles qualified reserve aviators to be paid full amount of monthly ACIP in same amount as paid active duty aviators with the same number of years of aviation service. Sec. 616		The House recedes
Commissary benefits for new members of the Ready Reserve		Would grant new members of the Ready Reserve access to commissary stores at the rate of two days for each month in which the member participates satisfactorily in required training. Sec. 662	The House recedes
Funeral honors duty allowance for retired members.	Authorizes payment of an allowance for retired members who perform at least 2 hours of funeral honor duty. Sec. 651		The House recedes
Amendment – Honor Guard Uniforms	Provide the appropriate civilian uniforms to those veterans performing an honor guard program who demonstrate a financial need for such support. Rep Strickland, D-OH		The Senate recedes
Title VII - Health Care Provisions			
Health Care Benefits for Members of the RC	The SECDEF shall conduct a study of options for providing TRICARE benefits to all national guard and reserve personnel and their families. The report shall be submitted by March 31, 2002. Page 336	Require the Comptroller of the U.S. to conduct a study of the health care coverage of members of the Sel Res and to report on cost effective options for providing health care benefits to members of the Sel Res and their families. Sec. 715	The House recedes

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RC Medical Screening		Eliminate the requirement for an annual medical screening, a full medical exam every two years for members over 40 years of age, an annual dental screening, and dental care required of members of the Army Sel Res scheduled for deployment within 75 days after mobilization. Sec. 711	The House recedes with an amendment that would require the Comptroller General to report on the advisability, need, and cost effectiveness of providing these services.
Title X - General Provisions			
National Guard Challenge Program		The committee recommends a provision that would require the Secretary of Defense to conduct the National Guard Challenge Program and the Starbase Program. Sec. 1061	See Title V
Title XI - Civilian Personnel			
Military leave for civilian employees serving as military members of funeral honors detail		Authorizes federal employees to take military leave from their civilian employment. Sec. 564	See Title VI