

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

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### Active Force Provisions

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<b>Section 401—End Strengths for Active Forces</b> Army – 486,000 (+10k) Navy – 327,900 (+4k) USMC – 185,000 (No additional requests) Air Force – 325,100 (+4,100)	<b>Sec. 401 – End Strengths for Active Forces</b> Army – 481,000 (+5K) Navy – 327,900 (+4K) USMC – 186,000 (+1K) USAF – 325,100 (+4.1K)	Support Senate provision for USMC and House provision for other services.
<b>Section 402—Revisions in Permanent Active Duty End Strength Minimum Levels</b> Army 486,000 Navy 327,900 USMC 185,000 USAF 325,100		Support House provision, but 186,000 for USMC.
	<b>Sec. 421 Military Personnel Funding Changes</b> Authorizes additional \$1 million for pilot program for public-private partnership on military spouse telework employment. Included in Military Personnel funding authorization, unobligated balance of \$1.08 billion as reflected in Sec. 4401. Military Personnel	Support Senate provision.
	<b>Section 510 - Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer</b> Authorizes up to 3 years constructive service credit for periods of cyberspace-related experience, training, or education that is directly related to service’s operational needs. Expires 12/31/23.	Support Senate provision.
	<b>Section 510A - Authority for officers to opt-out of promotion board consideration</b> SecDef may	Support Senate provision.

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## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	authorize services to let officers opt out of consideration for promotion if: (a) the request is to allow completion of a career broadening assignment, advanced education, another valuable assignment, or a career progression requirement delayed by the assignment of education and (b) the officer hasn't previously failed promotion to the applicable grade.	
<b>Sec. 511 – Consideration of Additional Medical Evidence for Correction of Military Records and Liberal Consideration of Evidence Relating to PTSD or TBI.</b> Authorizes liberal consideration by BCMR that PTSD or TBI potentially contributed to circumstances resulting in discharge or characterization of discharge.		Support House provision.
	<b>Section 518 - Confidential review of characterization of terms of discharge of members of the Armed Forces who are survivors of sexual assault</b> Amendment would include allegations of sexual assault in the review process.	Support Senate provision, but request “uniformed services” rather than “armed forces.”
<b>Section 513—Pilot Program on Use of Video Teleconferencing Technology by Boards for the Correction of Military Records and Discharge Review Boards</b> Secretary of Defense may conduct a pilot program so that, when authorized, applicants may appear before the board without being physically present.	<b>Section 519 - Improvements to certain authorities and procedures of discharge review boards</b> Repeal 15-year statute of limitations on requests for review and allow telephonic or video conference presentation of evidence.	Support Senate provision.
<b>Section 514—Inclusion of Specific Email Address Block on Certificate of Release or Discharge From Active Duty (DD Form 214)</b> Requires inclusion.		Support House provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 515—Provision of Information on Naturalization Through Military Service</b> Secretary of Defense must ensure certain service members are informed of the availability of naturalization through military service under section 328 of the Immigration and Nationality Act (8 U.S.C. 143).</p>		Support House provision.
<p><b>Section 516 – Training Requirements</b> Training curriculum for Members of Boards for the Correction of Military Records will address the proper handling of claims in which a sex-related offense is alleged to have contributed to the original characterization of the discharge or release of the claimant.</p>		Support House provision.
<p><b>Section 517 – Confidential review of characterization of terms of discharge of members who are survivors of sex related offenses</b> Codifies current confidential process</p>		Support House provision.
	<p><b>Section 521- Revision to Manual for Courts-Martial with respect to dissemination of visual depictions of private areas or sexually explicit conduct without the consent of the person depicted</b> Require revision NLT 180 days after enactment.</p>	Support Senate provision.
	<p><b>Section 524 - Assistance of defense counsel in additional post-trial matters for accused convicted by court-martial</b> Expands assistance in post-trial actions.</p>	Support Senate provision.
<p><b>Section 524—Information for the Special Victims’ Counsel or Victims’ Legal Counsel</b> Requires that, if there is a prosecution of an alleged sex-related offense, the special victims’</p>		Support House provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
counsel or victims' legal counsel representing the victim shall receive a copy of all case information in the possession of the trial counsel, unless the information is privileged.		
<p><b>Section 525—Special Victims' Counsel Training Regarding the Unique Challenges Often Faced by Male Victims of Sexual Assault</b> Requires that baseline Special Victims' Counsel training include training on how to recognize and deal with the unique challenges often faced by male victims of sexual assault.</p>		Support House provision.
<p><b>Section 526—Garnishment To Satisfy Judgement Rendered for Physically, Sexually, or Emotionally Abusing a Child</b> Authorize the garnishment of retired pay to satisfy a judgement rendered for physically, sexually, or emotionally abusing a child.</p>		Support House provision.
<p><b>Section 527—Inclusion of Information in Annual SAPRO Reports Regarding Military Sexual Harassment and Incidents Involving Nonconsensual Distribution of Private Sexual Images</b> Requires inclusion in the annual Department of Defense Sexual Assault Prevention and Response Office Report</p>		Support House provision.
<p><b>Section 528—Inclusion of Information in Annual SAPRO Reports regarding Sexual Assaults Committed by a Member of the Armed Forces against the Member's Spouse or Other Family Member.</b> Requires inclusion in annual report.</p>		Support House provision.
<p><b>Section 529. Notification of Members of the Armed Forces Undergoing Certain Administrative Separations of Potential</b></p>		Support House provision, but request "uniformed services" rather than "armed forces."

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Eligibility for Veterans Benefits.</b> Requires notification of other-than-honorable separates that they may petition VA for certain benefits.</p>		
<p><b>Section 530 – Consistent Access to Special Victims’ Counsel for Former Dependents of Members of the Armed Forces.</b> Requires SecNav to ensure Navy policy is consistent with Army and USAF policy that provides such access.</p>		Support House provision.
	<p><b>Section 542 - Element in pre-separation counseling for members of the Armed Forces on assistance and support services for caregivers of certain veterans through the Department of Veterans Affairs</b> Establishes requirement for counseling, with participation of potential caregivers. Effective within 180 days of enactment.</p>	Support Senate provision.
<p><b>Section 544 – Extension of Suicide Prevention and Resilience Program</b> Extended to October 1, 2019</p>		Support House provision.
<p><b>Section 546 – Program to Assist Members in Obtaining Professional Credentials</b> Technical adjustment to Sec 2015 (a)(1) of Title 10. Applies to skills acquired in service *or* which apply to civilian skills (changes from *and*).</p>		Support House provision.
<p><b>Section 547 – Expanding Eligibility for the US Military Apprenticeship Program</b> Expanded to include all uniformed services</p>		Support House provision.
	<p><b>Section 544 - Pilot programs on appointment in the excepted service in the Department of Defense of physically disqualified former cadets and midshipmen</b> Authorizes Service Secretaries to carry out a pilot program. Bars participation if</p>	Support Senate provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
	disqualification resulted from misconduct or gross negligence. Authorizes civilian appointment to existing position up to GS-9 for five years or less. Participation must be voluntary. Authority expires four years after enactment.	
	<b>Section 546 - Pilot program on integration of Department of Defense and non-Federal efforts for civilian employment of members of the Armed Forces following transition from Active Duty to civilian life</b> SecDef shall conduct two-year pilot at no less than 5 locations to assess assisting active duty and reserve component members within 180 days of separation with transition to civilian employment, working with state and local agencies, colleges, employers and private or nonprofit entities. Report to Congress 1 year after establishment and final report 90 days after termination.	Support Senate provision.
	<b>Section 548 – Sexual Assault Prevention and Response Training for All Individuals Enlisted in the Armed Forces under Delayed Entry Program</b> Establishes requirement by 1/1/18.	Support Senate provision.
	<b>Section 549 - Use of assistance under Department of Defense Tuition Assistance Program for non-traditional education to develop cybersecurity and computer coding skills</b> SecDef to brief Congress NLT 60 days after enactment on feasibility/advisability of legislative action authorizing tuition assistance for this purpose at non-traditional institutions otherwise not eligible for tuition assistance use.	Support Senate provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 551—Continuation of Authority to Assist Local Educational Agencies That Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees</b> Authorize \$30.0 million for impact aid. Elsewhere in this Act, the funding table in Division D would authorize an additional \$20.0 million, for a total of \$50.0 million, for such purposes.</p>	<p><b>Section 552 - Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees</b> Authorizes \$25 million.</p>	<p>Support the House provision, and recommend including \$10 million for children with severe disabilities as listed in Senate Section 551.</p>
	<p><b>Section 551 - Impact aid for children with severe disabilities</b> Authorizes \$10 million, including \$5 million designated for schools with higher concentrations of such children.</p>	<p>Support Senate provision.</p>
<p><b>Section 555 - Five-year extension of authorities relating to the transition and support of military dependent students to local educational agencies</b> Extends through 9/30/2022</p>	<p><b>Section 553 - One-year extension of authorities relating to the transition and support of military dependent students to local educational agencies</b> Extends through 9/30/18.</p>	<p>Support House provision.</p>
<p><b>Section 553—Codification of Authority to Conduct Family Support Programs for Immediate Family Members of Members of the Armed Forces Assigned to Special Operations Forces</b> Authorizes Commander, U.S. Special Operations Command to conduct programs for immediate family members of members of the Armed Forces assigned to special operations forces</p>		<p>Support House provision.</p>
<p><b>Section 554—Reimbursement for State Licensure and Certification Costs of a Spouse of a Member of the Armed Forces Arising from Relocation to Another State</b> Authorizes the Secretary of a military department or the</p>	<p><b>Section 561 - Report on mechanisms to facilitate the obtaining by military spouses of professional licenses or credentials in other States</b> SecDef to report by 3/1/18 on the feasibility and advisability of (1) development of a joint</p>	<p>Support House provision. PCSing spouses deserve monetary support, not merely a study. We also request “uniformed services” be used rather than “armed forces.”</p>

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p>Secretary of Homeland Security to reimburse a member of the Armed Forces up to \$500 for a spouse's expenses related to obtaining licensing or certification in another State incident to a permanent change of station. This section would also require the Secretary of Defense and the Secretary of Homeland Security to work with States to improve the portability of licenses and certifications between States.</p>	<p>federal/state clearing house to process the professional license and credential information of military spouses; (2) establishment of a joint federal-state task force dedicated to the elimination of unnecessary or duplicative professional licensure and credentialing requirements among the states; (3) development of an Internet website that serves as a one-stop resource on license and credential requirements for common professionals in the states and provides assistance and other resources for military spouses.</p> <p><b>Section 563 - Mechanisms to facilitate the obtaining by military spouses of professional licenses or credentials in other States</b> Directs the Secretary of Defense to execute subsections 1 and 3 of section 561, and only to carry out the study and report on the feasibility of a joint Federal-State task force, which is subsection 2.</p>	
	<p><b>Section 557 - Direct hire authority for for childcare services providers for Department child development centers</b> SecDef may recruit and appoint qualified providers. Regulations due by 5/1/18.</p>	Support Senate provision.
	<p><b>Section 558 - Report on expanding and contracting for childcare services of the Department of Defense</b> Report on feasibility/advisability of expanding operating hours, contracting with private providers, off-base, contracting with private providers to operate DoD facilities, and expanding services to Guard/Reserve without substantially raising costs for those with</p>	Support Senate provision.



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House (H.R. 2810)	Senate (S. 1519)	TMC Position
	higher priority for care space. SecDef report due 3/1/18.	
	<b>Section 559 - Report on review of General Schedule pay grades of childcare services providers of the Department of Defense</b> SecDef report by 3/1/18, including comparison with private provider compensation, mix of grades required to recruit/retain, and budget implications of changes.	Support Senate provision.
	<b>Section 560 - Pilot program on public-private partnerships for telework facilities on military installations outside the United States</b> Within 1 year of enactment, establish up to 3-year pilot at at least two locations to assess feasibility/advisability of providing telework facilities for military spouses on OCONUS installations. Intended as public-private partnerships (only with US companies), with costs equally shared between DoD and partners. Authorizes up to \$1 million.	Support Senate provision.
<b>Section 572—Servicemembers’ Group Life Insurance</b> Effectively, would require timely notification of a member’s spouse if the member changes SGLI beneficiary designation to another person. Deletes sentence saying new designation stands even if there is no timely notification.		Support House provision
<b>Section 573—Voter Registration</b> This section would allow service members stationed in a State pursuant to military orders to vote in Federal, State and local elections in that State instead of their State of permanent residence.		<b>Oppose</b> House provision. TMC is concerned that this may dilute the flexible residency arrangements currently in place for members of the uniformed services.
<b>Section 577 – Issuance of Consolidated Pregnancy and Parenthood Instruction</b> Each military department will issue a single consolidated instruction addressing decisions,		Support House provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
actions, and requirements for members of Armed Forces related to pregnancy, postpartum period, and parenthood		
<p><b>Section 578 – Proof of Period of Military Service for Purposes of Interest Rate Limitation Under the SCRA</b>            Servicemember shall provide written notice and copy of military orders. Creditor may use independent verification of data from DMDC.</p>		Support House provision.
	<p><b>Section 583 - Authorization of support for Beyond Yellow Ribbon programs.</b> Authorize SecDef to award grants to states to assist active and reserve component members throughout the deployment cycle including outreach services on employment, housing, mental health, suicide prevention, financial counseling and more.</p>	Support Senate provision.
<p><b>Section 601—Annual Adjustment of Basic Monthly Pay</b>            Authorizes 2.4% pay raise for 2018.</p>	<p><b>Section 601 - Fiscal year 2018 increase in military basic pay</b> Authorizes 2.1% raise.</p>	Support House-proposed 2.4% raise.  TMC believes servicemembers earn and deserve the same annual pay raise as the average American’s, as determined by BLS’ Employment Cost Index.
	<p><b>Section 602 - Extension of authority to provide temporary increase in rates of Basic Allowance for Housing under certain circumstances</b> 1 year extension of authority to temporarily increase BAH in areas impacted by natural disasters or experiencing a sudden influx of personnel.</p>	Support Senate provision.
	<p><b>Section 603 - Adjustment to Basic Allowance for Housing at with-dependents rate of certain members of the uniformed services</b> Eliminate with-dependent BAH for married members who are</p>	TMC <b>opposes</b> the Senate provision. TMC believes BAH is an integral part of each member’s Regular Military Compensation, and that the amount of BAH payable to a member with dependents should not vary by whether the

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	collocated with spouse and who have dependents. Grandfathers current BAH until PCS.	member is married to a civilian or another servicemember.
<p><b>Section 602—Limitation on Basic Allowance for Housing Modification Authority for Members of the Uniformed Services Residing in Military Housing Privatization Initiative Housing</b> Temporarily prohibits the Secretary of Defense from further reducing the basic allowance for housing (BAH) below the current level for service members residing in Military Housing Privatization Initiative (MHPI) housing until 2019, based on concern of reduced BAH impact on recapitalization. Requires GAO report to HASC/SASC not later than March 1, 2018, on the Department of Defense’s management of MHPI, and plans and alternatives considered for ensuring the continued viability of MHPI projects for the life of the housing project.</p>		Support House provision.
	<p><b>Section 604 - Modification of authority of President to determine alternative pay adjustment in annual basic pay of members of the uniformed services</b> Removes “serious economic conditions affecting the general welfare” from the statutory authority of the President to waive the normal pay raise and make an alternative pay adjustment. Only remaining statutory rationale would be “national emergency”.</p>	Support Senate provision. TMC believes pay raise caps should not be imposed based on arbitrary budget determinations and agrees such Executive authority should be reserved for actual national emergencies.
<p><b>Section 616—Reimbursement for State Licensure and Certification Costs of a Member of the Armed Forces Arising from Separation from the Armed Forces.</b> Authorizes reimbursement of up to \$500 for a separating member whose move to another state and is</p>		Support the House provision, but higher priority should be given to providing such reimbursements for PCSing spouses under House NDAA Sec 554. Further, TMC requests “uniformed services” be used rather than “armed forces.”

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
subject to relicensing/recertification expenses in the new state. SecDef and SecHS shall consult with states on barriers and develop recommendations for action with report to Congress by 3/15/18.		
<p><b>Section 619 – Improved Employment Assistance for Members of the Armed Forces and Veterans.</b></p> <p>SecDef to establish database to record all training that may have application to civilian employment and make unclassified info available to states and potential employers; SecDef to ensure certification/verification of job skills/experience is rendered in a way states and potential employers can confirm accuracy/authenticity.</p>		Support House provision, but request “uniformed services” be used rather than “armed forces.”
	<p><b>Section 653 - Review and update of regulations governing debt collectors interactions with unit commanders</b> Requires update of DoDI 1344.09 and other regulations within 180 days of enactment to ensure compliance with Federal consumer protection laws on debt collection.</p>	Support Senate provision

### Guard and Reserve Provisions

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 411—End Strengths for Selected Reserve</b></p> <p>ANG +4,000 USAR+3,000 USNR +1,000</p>	<p><b>Sec. 411 – End Strengths for Selected Reserve</b></p> <p>ANG +500 USAR +500 USNR +1,000 USMCR NC</p>	Support House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
USMCR NC Air NG +900 AFR +800 USCGR NC	Air NG +900 AFR +800 USCGR NC	
<b>Section 413—End Strengths for Military Technicians (Dual Status)</b> ANG 25,507 AR 7,427 (-143) Air NG 21,893 (-210) AFR 10,160 (+99) DoD Total: 64,987	<b>Section 413—End Strengths for Military Technicians (Dual Status)</b> ANG 22,294 AR 6,492 Air NG 19,135 AFR 8,880 (Reflects conversion of 12.6% of technicians to civilian positions)	Support House provision.
<b>Section 414—Fiscal Year 2018 Limitation on Number of Non-Dual Status Technicians</b> DoD Total: 2,460  <b>Section 501—Modification of Requirements Relating to Conversion of Certain Military Technician (Dual Status) Positions to Civilian Positions</b> Reduce the clerical and administrative dual status technician conversions to title 5, United States Code, civilians required by FY17 NDAA from 20 percent to 10 percent and extend date of completion of until October 1, 2018.e Secretary of Defense due NLT March 1, 2018.	<b>Section 414—Fiscal Year 2018 Limitation on Number of Non-Dual Status Technicians</b> Zero, reflecting FY17 NDAA requirement to convert these positions to civilian employees by 10/1/17.	Support House provision.
<b>Section 502—Pilot Program on Use of Retired Senior Enlisted ANG Members of the Army National Guard as ANG Recruiters,</b> Authorize pilot program; report due 1/1/20.		Support House provision.
<b>Section 503—Equal Treatment of Orders To Serve on Active Duty under Section 12304a and 12304b of Title 10, United States Code</b>		Support House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p>Authorize Reserve Component members activated under these sections to receive pre-mobilization and transitional TRICARE health care.</p>		
<p><b>Section 504—Direct Employment Pilot Program for Members of the National Guard and Reserve</b>            Authorize pilot program to provide job placement assistance. SecDef to report to HASC/SASC by January 31, 2022. Authority expires September 30, 2020, but SecDef may extend up to 2 fiscal years.</p>		<p>Support House provision.</p>
	<p><b>Section 511 - Consolidation of authorities to order members of the reserve components of the Armed Forces to perform duty</b> SecDef must reduce the number of statutory authorities to no more than 8, grouped into 4 categories to which specific pay and benefits may be aligned, to include: (a) active service in support of contingency type operations of other actions in support of a combatant command; (b) other active service consisting of training, administration, operational support and full-time support of the reserve components; (c) duty performed under direct military supervision while not in active service and partial-day service; (d) remote duty completed while not under direct military supervision, including completion of correspondence courses and telework. SecDef must distinguish among duty performed under titles 10, 14, and 32, preserve capacity to track previous duty categories, minimize disruptions of pay and benefits for affected members and adhere to the principal that a</p>	<p>Support Senate provision.</p>

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
	members should receive pay and benefits commensurate with the nature and performance of the duties. SecDef must provide draft implementing legislation by 4/30/19.	
	<p><b>Section 512 - Establishment of Office of Complex Investigations within the National Guard Bureau</b>            To assist in investigations of sexual assault by Guard members, or investigations in circumstances involving Guard members in which other DoD law enforcement agencies have no or limited jurisdiction, or such other circumstances as Chief NGB directs.</p>	Support Senate provision.
	<p><b>Section 513 - Review of effects of personnel requirements and limitations on the availability of members of the National Guard for the performance of funeral honors duty for veterans.</b> Require SecDef to review impact of National Guard active duty ceiling and other matters affecting the National Guard or Reserve Components on the ability of the armed forces to perform funeral honors for veterans. Report to Congress NLT 6 months after enactment.</p>	Support Senate provision.
	<p><b>Section 547 - Two-year extension of suicide prevention and resilience program for the National Guard and Reserves</b> Extends until 10/1/20.</p>	Support Senate provision.
	<p><b>Section 632 - Technical correction regarding election to participate in modernized retirement system for non-regular component members experiencing a break in service</b></p>	Support Senate provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 701—Physical Examinations for Members of a Reserve Component Who Are Separating From the Armed Forces</b> require the Secretary of Defense to provide a physical examination upon request to a member of a Reserve Component upon separation from service, provided that the member had deployed for more than 30 days within the last 2 years prior to the service member’s separation date.</p>		Support House provision.
	<p><b>Section 703 - Modification of eligibility for TRICARE Reserve Select and TRICARE Retired Reserve of certain members of the reserve components</b> Allows FEHBP-eligible reservists to enroll in TRICARE Reserve Select or TRICARE Retired Reserve.</p>	Support Senate provision, but funding should be added for this purpose rather than compelling military beneficiaries to pay for it through higher pharmacy copays.
<p><b>Section 706 – Expansion of Sexual Trauma Counseling and Treatment for Members of the Reserve Components.</b> Strikes “active duty” requirement and extends to trauma suffered while on active duty, IDT or IADT.</p>		Support House provision.

### Retired Issues

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p><b>Section 633 - Promotion of financial literacy concerning retirement among members of the Armed Forces.</b> Development of financial literacy programs for members of the armed forces to assist in better understand retirement options and planning for</p>	Support Senate provision.



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House (H.R. 2810)	Senate (S. 1519)	TMC Position
	retirement. Also, the development of information on the comparative value of lump sum versus monthly payments of retired pay with conventional retired pay.	
	<p><b>Section 637 - Technical corrections for use of member's current pay grade and years of service in a division of property involving disposable retired pay</b></p> <p>Clarifies that the division of retired pay with a former spouse is to be calculated based on the amount of retired pay the member would have been due on the date of the divorce decree, dissolution, annulment, or legal separation, increased by any subsequent COLA adjustments. Effective for divorces that become final after 12/23/16.</p>	Support Senate provision.
<p><b>Section 1105—Appointment of Retired Members of the Armed Forces to Positions In or Under the Department of Defense</b> This section would amend section 3326 of title 5, United States Code, to allow the Secretary of Defense to appoint recently retired members of the Armed Forces to fill emergency needs.</p>		Support House provision.

### Survivor Issues

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 621—Findings and Sense of Congress regarding the Special Survivor Indemnity Allowance</b> Expresses sense of Congress that: (a) the Special Survivor Indemnity Allowance was created as a stop gap measure to assist widowed spouses by reducing the Survivor Benefit Plan/</p>	<p><b>Section 638 - Permanent extension and cost-of-living adjustments of Special Survivor Indemnity Allowances under the survivor benefit plan</b></p>	TMC supports the House provision expressing Congress' intent to eliminate the SBP-DIC offset and the role of the SSIA in working toward that goal.

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<p>Dependency Indemnity Compensation offset required by law and (b) the dollar-for-dollar SBP-DIC reduction in payment to surviving spouses should be fully repealed at the first opportunity.</p>	<p>Permanently extend authority to pay the Special Survivor Indemnity Allowance. Require annual COLA adjustments to SSIA beginning in 2019.</p>	<p>TMC believes strongly the offset should be eliminated as soon as possible, and merely COLA-adjusting the current SSIA level is insufficient progress toward that goal.</p> <p>TMC believes the FY18 NDAA should at least provide a series of significantly greater annual SSIA increases over a period of at least several years to demonstrate Congress' commitment to progress toward eliminating the offset.</p> <p>TMC also believes this effort must be funded with additional federal funds and that forcing military beneficiaries to fund their own SSIA payments is fundamentally inappropriate.</p> <p>TMC understands the difficulties faced by the Armed Services Committees in identifying adequate offsets within their purview, and urges every effort to persuade House and Senate leadership to assist in identifying non-HASC/SASC offsets needed to make the necessary progress.</p>
	<p><b>Section 631 - Adjustment to the Survivor Benefit Plan for members electing lump sum payments of retired pay under the modernized retirement system for members of the uniformed services</b> Maintains SBP annuities for survivors whose sponsors took lump sum payments under the new retirement system as if no lump sum retired pay had been taken. SBP premiums also must continue to be paid by retiree as if no lump sum had been taken.</p>	<p>Support Senate provision.</p>

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

### Veterans/Other

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 576 – Extension of Authority of the SecVA to Provide for the Conduct of Medical Disability Examinations by Contract Physicians</b> Extended to 12/31/2018</p>		Support House provision.
	<p><b>Sec. 636 – Authority for Service Secretaries to Provide for Care of Remains of Those Who Die on Active Duty and Are Interred in a Foreign Cemetery</b> Authorizes provision of enduring care of such remains if the burial location was designated by the Secretary.</p>	Support Senate provision.
	<p><b>Section 1084 - Reconsideration of claims for disability compensation for veterans who were the subjects of mustard gas or lewisite experiments during World War II</b> Require the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, to reconsider all claims for compensation under chapter 11 of title 38, United States Code, that were denied before the date of the enactment of this Act, and make a disability determination in connection with full-body exposure to mustard gas or Lewisite during active military, naval, or air service during World War II. Require the Secretary of Veterans Affairs or the Secretary of Defense to presume that a veteran experienced full-body exposure to mustard gas</p>	Support Senate provision.

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House (H.R. 2810)	Senate (S. 1519)	TMC Position
	or Lewishite, unless proven otherwise, when reconsidering a claim.	

### Health Care Provisions

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p><b>Section 701 - TRICARE Advantage demonstration program</b> Require the Secretary of Defense, in consultation with the Secretary of Health and Human Services, to establish a demonstration program, not later than 1 year after enactment, to enable TFL beneficiaries to enroll in highly-rated Medicare Advantage plans. Demonstration shall be at least 5 years long in areas with large concentrations of TFL-eligibles. Authorizes MTFs as Medicare Advantage demonstration providers, and may include TRICARE pharmacy benefits for TFL participants. All TFL-eligibles in demonstration area will be enrolled, but may opt out. SecDef and SecHHS to jointly determine distribution of costs and savings. SecDef to report within one year after enactment on implementation, to include description of plans, covered benefits, premiums, copays/cost shares, if any; number of eligibles and enrollees, average annual out-of-pocket costs; and outcome metrics for qualify improved outcomes, access, and beneficiary experience. Final report due NLT 4 years after enactment. SecDef and SecHHS may waive normal Social Security/Medicare requirements as necessary for the demonstration.</p>	<p>Support Senate provision. TMC has long endorsed such an initiative, but believes it will be essential to ensure all affected beneficiaries receive complete information on the program well in advance of implementation, and their ability to opt out of participation at any time is not constrained in any way.</p>

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
<p><b>Section 702—Mental Health Examinations Before Members Separate From the Armed Forces</b> Require that service members receive a mental health examination, as well as a physical examination, before separation from active duty.</p>		Support House provision. TMC feels that this sort of requirement will help alleviate the stigma from mental illnesses.
	<p><b>Section 702 - Continued access to medical care at facilities of the uniformed services for certain members of the reserve components</b> Preserves current eligibility for TRICARE Reserve Select and TRICARE Retired Reserve eligibles</p>	Support Senate provision.
<p><b>Section 704 – Mental Health Assessments for Servicemembers Deployed in Support of A Contingency Operation.</b> Requires person-to-person assessment every 180 during deployment (deletes current 1/1/19 sunset of requirement).</p>		Support House provision.
	<p><b>Section 704 - Expedited evaluation and treatment for prenatal surgery under the TRICARE program</b> Secretary of Defense to implement processes and procedures to ensure TRICARE beneficiary whose pregnancy is complicated with a fetal condition or suspected fetal condition, receives at the discretion of the covered beneficiary, expedited evaluation, non-directive counseling, and treatment from a perinatal or pediatric specialist capable of providing surgical management and intervention in utero.</p>	Support Senate provision.
<p><b>Section 705 – Counseling and Treatment for Substance Abuse Disorders and Chronic Pain Management for Separating Members.</b> Adds both topics to counseling/treatment requirements.</p>		Support House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p><b>Section 705 - Specification that individuals under the age of 21 are eligible for hospice care services under the TRICARE program</b></p>	<p>Support Senate provision. Medicare rules currently prohibit TRICARE coverage of hospice care services for children receiving curative healthcare treatments, which provide important quality of life services.</p>
	<p><b>Section 706 - Modifications of cost-sharing requirements for the TRICARE Pharmacy Benefits Program and treatment of certain pharmaceutical agents</b>                      Imposes copay for mail-order generic drugs in FY18 equal to retail generic copay (\$10 for FY18), rising to \$11 in FY21.                      Retail brand copay: Rises from current \$24 to \$28 for 2018, with \$2 annual increases through 2023.                      Mail-order brand copay: Raises to equal retail copay (only benefit for mail order will be 90 days vs 30 days for same copay)                      Mail-order non-formulary copay: Rises from current \$49 to \$54 for 2018, with \$4/\$5 annual increases through 2023 (\$75)                      No changes to cost-sharing amounts for survivors of members who died on Active Duty or for disabled retirees and their family members.                      No cost for MTF medications.                      Adds conforming amendment (consistent with Sec 703) to extend TRICARE pharmacy benefits to FEHBP-eligible Reserve members enrolled in TRICARE Retired Reserve.                      For years after 2026, SecDef shall adjust annually to reflect changes in drug and dispensing costs, rounded to the nearest dollar (eliminates current COLA adjustment process).</p>	<p>TMC <b>opposes</b> the Senate-proposed increases in pharmacy copays, which are not based on anything but the objective of shifting more costs to beneficiaries.</p> <p>TMC believes the statutory COLA-based adjustment process for such copays already established by Congress remains appropriate.</p> <p>TMC believes many of the current copays already are excessive. For example, DoD already pays little or nothing for many generic medications, as the current \$10 retail generic copay already exceeds what DoD would have been charged for the drug if there were no copay. In fact, Walmart and other large pharmacies offer hundreds of generic drugs to people with no health insurance for a \$4 copay.</p> <p>Before any further copay increases are imposed, TMC believes a broad assessment must be undertaken to assess current copays against (a) plans offered by very large civilian employers (b) what large commercial pharmacies charge people with no insurance, and (c) the extent to which a career of service and sacrifice in uniform should merit better coverage than that offered by the largest civilian employers.</p>

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p>SecDef may exclude TRICARE coverage for any drug deemed of little or no value to beneficiaries and DoD, and may treat a non-generic drug as generic for co-pay purposes.</p> <p>SecDef also may adopt special reimbursement procedures/methods/amounts to encourage use of high-value products and discourage use of low-value products, as determined by SecDef.</p>	<p>TMC also believes such copays should be established by statute rather than leaving the setting and adjusting of cost-shares to DoD officials who history has shown have a predisposition to shifting more costs to beneficiaries for arbitrary budget reasons.</p>
	<p><b>Section 707 - Consolidation of cost-sharing requirements under TRICARE Select and TRICARE Prime</b> Eliminate the grandfathering of current cost-sharing requirements enacted in Sec 701 of the FY17 NDAA for currently serving and retired beneficiaries enrolled in the TRICARE program prior to January 1, 2018. Effectively imposes large fee hikes for retirees in this group as of 1/1/18. Chapter 61 disability retirees and survivors of members who died on active duty retain current fee structure.</p>	<p>TMC <b>opposes</b> the Senate provision. The proposed very large fee increases would violate grandfathering commitments made by Congress in the FY2017 NDAA not to dramatically change benefit rules after members have been induced to complete decades of arduous service.</p>
	<p><b>Section 708 - TRICARE technical amendments</b> Changes mainly to conform with implementation of TRICARE Select.</p> <p>Also authorizes SecDef to establish cost-sharing requirements for any services not specifically addressed in statutory tables for TRICARE Prime and TRICARE Select.</p>	<p><b>Oppose</b> Senate provision.</p>
	<p><b>Section 709 - Contraception coverage parity under the TRICARE program</b> Requires coverage of contraception services (including all FDA-approved methods and patient education and counseling) for all female covered beneficiaries under the TRICARE program, and bars any cost-</p>	<p>Support Senate provision.</p>

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	sharing for pregnancy prevention care via MTFs or TRICARE pharmacy programs. Effective 10/1/18.	
<p><b>Section 713—Regular Update of Prescription Drug Pricing Standards Under TRICARE Retail Pharmacy Program</b> Requires that contracts with a TRICARE pharmacy program contractor include requirements to ensure regular updates to the provision of information regarding the pricing standard for prescription drugs.</p>		Support House provision.
<p><b>Section 714—Residency Requirements for Podiatrists</b> Requires the Secretary of Defense to ensure podiatrists in the Armed Forces have successfully completed a three year podiatric medicine and surgical residency.</p>		Support House provision.
<p><b>Section 715- Training Requirement for Health Care Professionals Prescribing Opioids for Treatment of Pain in the Armed Forces.</b> SecDef shall ensure training requirements (at least 12 hrs every 3 years) or licensure in state the requires equivalent or greater training.</p>		Support House provision.
	<p><b>Section 721 - Modification of priority for evaluation and treatment of individuals at military treatment facilities</b> Authorize the Secretary of Defense to waive the priority of covered beneficiaries to receive evaluation and treatment at military treatment facilities in order to provide evaluation and treatment for: (1) Persons severely wounded or injured by acts of terror in the United States; or (2) Residents of the United States severely wounded or injured by acts of terror outside the United States.</p>	Support Senate provision.
	<p><b>Section 722 - Selection of directors of military treatment facilities and tours of duty of such</b></p>	Support Senate provision.



## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p><b>directors</b> NLT 1/1/19, SecDef shall develop common qualifications and core competencies required for selection as MTF director and establish a minimum tour length for MTF directors. MTF directors assigned after 1/1/19 will have tour of at least three years, or longer if SecDef so designates. SecDef may waive on case-by-case basis if SecDef determines there is good cause.</p>	
	<p><b>Section 725 - Pilot program on establishment of integrated health care delivery systems</b> Within one year after enactment, SecDef, in conjunction with SecVA and SecHHS, will conduct a pilot program of not less than 5 years duration to establish integrated health care delivery systems among the military health system, other federal health systems, and private sector integrated health systems. Task Force established to develop plan to implement the pilot will include senior health representatives from DoD, DVA, CMS, private sector health system and private sector health information technology organizations, plus additional private sector designees as SecDef considers appropriate. Task Force to submit plan to SecDef NLT 180 days after enactment. SecDef report to HASC/SASC NLT 270 days after enactment.</p>	Support Senate provision.
<p><b>Section 721—One Year Extension of Pilot Program for Prescription Drug Acquisition Cost Parity in the TRICARE Pharmacy Benefits Program</b> Extends the authority of the Secretary of Defense to conduct a pilot program for prescription drug acquisition cost parity in the</p>		<b>Oppose</b> House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
TRICARE pharmacy program until September 30, 2019		
<p><b>Section 722—Pilot Program on Health Care Assistance System</b> Requires the Secretary of Defense to carry out a pilot program for health care assistance services for TRICARE Select and Prime beneficiaries with complex medical conditions, by assisting them in understanding, accessing and navigating TRICARE programs, providing them information to make informed decisions with their providers and improving their health outcomes. Authorized for five years beginning 1/1/18. Report to Congress by January 1, 2021.</p>		Support House provision.
<p><b>Section 723—Research of Chronic Traumatic Encephalopathy</b> Authorizes not more than \$25.0 million in DHP funds in grants to medical researchers and universities for advanced development for research, development, test, and evaluation for early detection of chronic traumatic encephalopathy.</p>		Support House Provision.
<p><b>Section 724 - Sense of Congress on Eligibility of Victims of Acts of Terror for Evaluation and Treatment at Military Treatment Facilities</b> Codifies in law the sense of Congress that civilians covered by this section would include United States victims of domestic and international terrorism.</p>		Support House provision.
<p><b>Section 726 - Report on implementation of GAO recommendations.</b> Secretary of Defense shall submit a report not later than 180 days after enactment of this act to the congressional defense committees on the</p>		Support House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
implementation by the Department of Defense of the recommendations from the Government Accountability Office report entitled “Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations”		
<p><b>Section 727 - Authorization of Intergovernmental Agreements for the Provision of Health Screenings.</b> Includes health screenings for conditions relating to exposure of perflouroctanesuflonic acid near former defense sites</p>		Support House provision.
<p><b>Section 728 - Study on safe opioid prescribing practices.</b> The Secretary of Defense shall conduct a study on the effectiveness of the training provided to military health care providers regarding opioid prescribing practices, initiatives in opioid safety, the use of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, and other related training.</p>		Support House provision.
<p><b>Section 729 - Tick-borne diseases.</b> Secretary of Defense may authorize grants to medical researchers and universities to support testing ticks for the purpose of improving the detection and diagnosis of tick-borne diseases.</p>		Support House provision.
<p><b>Section 730 - Report.</b> For 2018-2021, SecDef shall submit to Congress a report on DoD’s (1) activities and programs with respect to infectious disease; (2) priority areas with respect to infectious disease; and (3)</p>		Support House provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
current policy and planning documents with respect to infectious disease.		
<p><b>Section 731 - Provision of support by Department of Defense to Department of Veterans Affairs regarding electronic health record system.</b></p> <p>SecDef can support VA with implementation of EHR system that is derivative of Genesis, and will conduct and annual review of interoperability.</p>		Support House provision.
<p><b>Section 732 - Increased collaboration with NIH to combat triple negative breast cancer.</b></p>		Support House provision.
<p><b>Section 733 - Encouraging transition of military medical professionals into employment with Veterans Health Administration</b></p> <p>Secretary of Defense shall establish a program to encourage an individual who serves in the Armed Forces with a military occupational specialty relating to the provision of health care to seek employment with the Veterans Health Administration when the individual has been discharged or released from service</p>		Support House provision.
	<p><b>Section 731 - Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund</b></p> <p>Extends one year until 9/30/19.</p>	Support Senate provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p><b>Section 732 - Additional emergency uses for medical products to reduce deaths and severity of injuries caused by agents of war</b>                      If emergency use of unapproved product, or in cases when emergency use of an approved product can't be authorized absent threat of biological/chemical/radiological/nuclear agent, SecDef may authorize (with certain preconditions) emergency use outside CONUS to reduce deaths or severity of harm to servicemembers caused by risk or agent of war.</p>	Support Senate provision.
	<p><b>Section 733 - Prohibition on conduct of certain medical research and development projects</b>                      Until at least 90 days after SecDef provides Congress written certification the project is designed to directly protect, enhance or restore the health and safety of servicemembers.</p>	Support Senate provision.
	<p><b>Section 734 - Modification of determination of average wait times at urgent care clinics and pharmacies at military medical treatment facilities under pilot program</b> Average wait times must be determined using a formula derived from best health industry practices.</p>	Support Senate provision.
	<p><b>Section 735 - Report on plan to improve pediatric care and related services for children of members of the Armed Forces</b>                      SecDef to report to Congress NLT 180 days after enactment a plan to align TRICARE preventive pediatric care with ACA standards, Medicaid standards, and recommendations by organizations that specialize in pediatrics. Must include (a) uniform definition of "pediatric medical necessity" for MTF and TRICARE providers that aligns with</p>	Support Senate provision.

## Senate and House Provisions for the FY 2018 National Defense Authorization Act

House (H.R. 2810)	Senate (S. 1519)	TMC Position
	<p>recommendations of organizations specializing in pediatrics; (b) plan to revise certification requirements for DoD residential treatment centers to expand children’s access; (c) plan to develop measures to evaluate/improve access/coordination and outcomes of pediatric care; (d) plan to include access assessment in annual TRICARE report to Congress; (e) plan to improve quality of and access to behavioral health care, including intensive outpatient and partial hospitalization services; (f) plan to mitigate impacts of PCS on care continuity for children with special medical or behavioral health needs; and (g) plan to mitigate deficiencies in data collection/utilization/analysis to improve care and services.</p>	