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# FY2017 National Defense Authorization Act: Selected Military Personnel Issues

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# Summary

Military personnel issues typically generate significant interest from many Members of Congress and their staffs. The Congressional Research Service (CRS) has selected a number of the military personnel issues considered in deliberations on H.R. 4909 as passed by the House on May 26, 2016, and S. 2943 as passed by the Senate on July 21, 2016. Updates to this report will follow the final enacted bill. This report provides a brief synopsis of sections in each bill that pertain to selected personnel policies. These include issues such as military end-strengths, pay and benefits, military healthcare (TRICARE), military retirement, and other major policy issues.

This report focuses exclusively on the annual national defense authorization act (NDAA) legislative process. It does not include language concerning appropriations, or tax implications of policy choices, topics that are addressed in other CRS products. Issues that have been discussed in the previous year's defense personnel reports are designated with an asterisk in the relevant section titles of this report.

# Contents



## Figures



## Appendixes



## Contacts

# Introduction

Each year, the House and Senate arrmed services committees take up national defense authorization bills. The House of Representatives passed the National Defense Authorization Act for Fiscal Year 2017 (H.R. 4909) on May 26, 2016. The Senate passed its NDAA bill (S. 2943) on June 14, 2016. These bills contain numerous provisions that affect military personnel, retirees, and their family members. Provisions in one version are sometimes not included in the other, are treated differently by, or are identical in both versions. Following passage of these bills by the House and by the Senate, a conference committee has been convened to resolve the differences between the respective chambers' versions of the bill.

This report is intended to highlight selected personnel-related issues that may generate high levels of congressional and constituent interest.

Related CRS products are identified in each section to provide more detailed background information and analysis of the issues. For each issue, a CRS analyst is identified and contact information is provided.

Some issues discussed in this report previously were addressed in the National Defense Authorization Act for Fiscal Year 2016 (P.L. 114-92) and discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted), or other reports. Those issues that were considered previously are designated with an asterisk in the relevant section titles of this report.

# *Active Duty End-Strengths

**Background:** The authorized active duty end-strengths[1] for FY2001, enacted in the year prior to the September 11 terrorist attacks, were as follows: Army (480,000), Navy (372,642), Marine Corps (172,600), and Air Force (357,000). Over the next decade, in response to the demands of wars in Iraq and Afghanistan, Congress increased the authorized personnel strength of the Army and Marine Corps. However, in recent years Congress began reversing these increases in light of the withdrawal of U.S. forces from Iraq in 2011, the drawdown of U.S. forces in Afghanistan beginning in 2012, and budgetary constraints. End-strengths for the Air Force and Navy have been generally declining since 2001. Authorized end-strengths for FY2016 are in **Figure 1.**

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 401** would authorize a total FY2017 active duty end-strength of 1,310,615 including | **Sec. 401** would authorize a total FY2017 active duty end-strength of 1,281,900 including |
| 480,000 for the Army | 460,000 for the Army |
| 324,615 for the Navy | 322,900 for the Navy |
| 185,000 for the Marine Corps | 182,000 for the Marine Corps |
| 321,000 for the Air Force | 317,000 for the Air Force |
| **Sec. 402** would amend 10 U.S.C. | |

[1] The term "end-strength" refers to the authorized strength of a specified branch of the military at the end of a given fiscal year, while the term authorized strength means "the largest number of members authorized to be in an armed force, a component, a branch, a grade, or any other category of the armed forces." 10 U.S.C. §101(b)(11). As such, end-strengths are maximum strength levels. Congress also sets minimum strength levels for the active component, which may be identical to or lower than the end-strength.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| §691 to set minimum end-strengths as follows:<br>480,000 for the Army<br>324,615 for the Navy<br>185,000 for the Marine Corps<br>321,000 for the Air Force | |

**Discussion:** In comparison to FY2016 authorized end-strengths, the Administration's FY2017 budget proposed lowering end-strengths for all services. The Senate bill approved end-strengths identical to the Administration's request. The House bill approved higher end-strengths than the Administration's request. The House-proposed increase is most noticeable for the Army (+5,000 compared to FY2016 authorized end-strength), although the Marine Corps and Air Force increased as well. The House provision reduced Navy end-strength, although this was higher than the Administration request by 1,715. Section 402 of the House bill adjusted the minimum end-strengths required by 10 U.S.C. §619 to a level equal to the authorized end-strengths set in Section 401.

**Figure 1. FY2017 Proposed Active Duty End-Strength**

Comparison of FY2016 Enacted with H.R. 4909 and S.2943

| | FY2016 Enacted | House-Passed FY2017 | | | Senate-Passed FY2017 | | |
|---|---|---|---|---|---|---|---|
| | | Number | | Change from FY2016 | Number | | Change from FY2016 |
| Army | 475,000 | 480,000 | ⇧ | 5,000 | 460,000 | ⇩ | -15,000 |
| Navy Reserve | 329,200 | 324,615 | ⇩ | -4,585 | 322,900 | ⇩ | -6,300 |
| Marine Corps | 184,000 | 185,000 | ⇧ | 1,000 | 182,000 | ⇩ | -2,000 |
| Air Force | 320,715 | 321,000 | ⇧ | 285 | 317,000 | ⇩ | -3,715 |
| **Total Active Duty End-Strength** | **1,308,915** | **1,310,615** | ⇧ | **1,700** | **1,281,900** | ⇩ | **-27,015** |

**Notes:** An up arrow indicates a proposed increase from the FY2016 authorization, and a down arrow indicates a proposed decrease from the FY2016 authorization.

The Administration strongly objects to Section 401 of the House bill, stating that it, along with Section 411, "would force the Department to take additional risk in training and readiness of the current force, as well as investment in and procurement of future capabilities."2 It also objects to Section 402 of the House bill.

CBO estimated that if the end-strengths in Section 401 of the House bill were implemented, "the net growth in active-duty personnel of 1,700 service members [in comparison to FY16 authorized levels] would increase costs to DOD by $1.2 billion over the 2017-2021 period."[3] It estimated that if the end-strengths of Section 401 of the Senate bill were implemented, "the total decline in

[2] Office of Management and Budget, *Statement of Administration Policy (*H.R. 4909*)*, May 16, 2016, p.3.

[3] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 10.

active-duty personnel of 27,015 service members [in comparison to FY16 authorized levels] would reduce costs to DOD by $17.1 billion over the 2017-2021 period."[4]

**Reference(s):** Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) and similar reports from earlier years.

**CRS Point of Contact:** (name redacted), x7-.....

# *Selected Reserves End-Strength

**Background:** The overall authorized end-strength of the Selected Reserves[5] has declined by about 6% over the past 15 years (874,664 in FY2001 versus 818,000 in FY2016). Much of this can be attributed to the reductions in Navy Reserve strength during this period. There were also modest shifts in strength for some other components of the Selected Reserve. The authorized end-strengths for the Selected Reserve in FY2016 are in **Figure 2**.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 411** would authorize a total FY2017 Selected Reserve end-strength of 833,200 including: | **Sec. 411** would authorize a total FY2017 Selected Reserve end-strength of 808,200 including: |
| Army National Guard: 350,000<br>Army Reserve: 205,000<br>Navy Reserve: 58,000<br>Marine Corps Reserve: 38,500<br>Air National Guard: 105,700<br>Air Force Reserve: 69,000<br>Coast Guard Reserve: 7,000 | Army National Guard: 335,000<br>Army Reserve: 195,000<br>Navy Reserve: 58,000<br>Marine Corps Reserve: 38,500<br>Air National Guard: 105,700<br>Air Force Reserve: 69,000<br>Coast Guard Reserve: 7,000 |

**Discussion:** For FY2017, the Administration requested a reduction in authorized Selected Reserve end-strength for four of the seven reserve components and increases for two. The Senate bill proposed end-strengths identical to the Administration request. The end-strengths authorized in the House bill were identical to the Administration's request for all but the Army National Guard and Army Reserve. The House bill would increase the Army National Guard's end-strength to 350,000 and the Army Reserve's end-strength to 205,000.

[4] Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 9.

[5] The Selected Reserves contain those units and individuals designated as so essential to initial wartime missions that they have priority over all other Reserves. Members of the Selected Reserve are generally required to perform one weekend of training each month and two weeks of training each year, for which they receive pay and benefits. Some members of the Selected Reserve perform considerably more military duty than this, while others may only be required to perform the two weeks of annual training each year or other combinations of time. Members of the Selected Reserve can be involuntarily ordered to active duty under all of the principal statutes for reserve activation.

**Figure 2. FY2017 Proposed Reserve End-Strength**

Comparison of FY2016 Enacted with H.R. 4909 and S.2943

| | FY2016 Enacted | House-Passed FY2017 | | | Senate-Passed FY2017 | | |
|---|---|---|---|---|---|---|---|
| | | Number | | Change from FY2016 | Number | | Change from FY2016 |
| Army National Guard | 342,000 | 350,000 | ⇧ | 8,000 | 335,000 | ⇩ | -7,000 |
| Army Reserve | 198,000 | 205,000 | ⇧ | 7,000 | 195,000 | ⇩ | -3,000 |
| Navy Reserve | 57,400 | 58,000 | ⇧ | 600 | 58,000 | ⇧ | 600 |
| Marine Corps Reserve | 38,900 | 38,500 | ⇩ | -400 | 38,500 | ⇩ | -400 |
| Air National Guard | 105,500 | 105,700 | ⇧ | 200 | 105,700 | ⇧ | 200 |
| Air Force Reserve | 69,200 | 69,000 | ⇩ | -200 | 69,000 | ⇩ | -200 |
| Coast Guard Reserve | 7,000 | 7,000 | | 0 | 7,000 | | 0 |
| **Total Reserve End-Strength** | **818,000** | **833,200** | ⇧ | **15,200** | **808,200** | ⇩ | **-9,800** |

**Notes:** An up arrow indicates a proposed increase from the FY2016 authorization and down arrow indicates a proposed decrease from the FY2016 authorization.

The Administration strongly objects to Section 411 of the House bill, stating that it, along with Section 401, "would force the Department to take additional risk in training and readiness of the current force, as well as investment in and procurement of future capabilities."[6]

CBO estimated that if the end-strengths in Sections 411 and 412 (concerning reserves on active duty in support of the reserves) of the House bill were implemented, it "would increase costs for salaries and expenses for selected reservists by almost $2.0 billion over the 2017-2021 period."[7] It estimated that if the end-strengths of Sections 411 and 412 of the Senate bill were implemented, "those provisions would decrease costs for salaries and expenses for selected reservists by $1.8 billion over the 2017-2021 period."[8]

**Reference(s):** Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) and similar reports from earlier years.

**CRS Point of Contact:** (name redacted), x7-.....

# *Military Pay Raise

**Background:** Increasing concern with the overall cost of military personnel, combined with long-standing congressional interest in recruiting and retaining high-quality personnel to serve in the all-volunteer military, have continued to focus interest on the military pay raise. Section 1009 of Title 37 United States Code provides a permanent formula for an automatic annual increase in

[6] Office of Management and Budget, *Statement of Administration Policy (*H.R. 4909*)*, May 16, 2016, p.3.

[7] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 10.

[8] Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 9.

basic pay that is indexed to the annual increase in the Employment Cost Index (ECI). The increase in basic pay for 2017 under this statutory formula will be 2.1% unless either (1) Congress passes a law to provide otherwise; or (2) the President specifies an alternative pay adjustment under subsection (e) of 37 U.S.C. §1009. Increases in basic pay are typically effective at the start of the calendar year, rather than the fiscal year.

Congress has not included a provision specifying an increase in basic pay for the past three years (2014-2016). For each of these years the President invoked the alternative pay adjustment authority of 37 U.S.C. §1009(e), setting the pay raise below the ECI in each case.[9] The FY2017 President's Budget requested a 1.6% military pay raise, lower than the statutory formula of 2.1%.

| House-passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 601** specifies that the automatic increase in basic pay under the statutory formula of 37 U.S.C. §1009 shall take effect, "notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment..." | **Sec. 601** would waive the automatic increase in basic pay under the statutory formula of 37 U.S.C. §1009, and specifies that the pay raise shall be 1.6%. |

**Discussion:** The House bill would require that the statutory formula go into effect, resulting in a 2.1% pay raise for all servicemembers effective on January 1, 2017. The Senate bill would waive the automatic adjustment to basic pay specified in 37 U.S.C. §1009 and provide an increase of 1.6%, effective January 1, 2017.

The Administration objects to Section 601 of the House bill, stating that "The President's FY 2017 pay proposal would allow the Department to achieve a proper balance between DOD's obligation to provide competitive pay to service members and its responsibility to provide troops the finest training and equipment possible."[10]

With regard to Section 601 of the Senate bill, CBO noted: "Under current law, the across-the-board increase will be 2.1 percent, and CBO estimates the increase will cost $1.4 billion in 2017. This section would reduce that pay raise by 0.5 percentage points, to 1.6 percent. CBO estimates that such a change would reduce the cost of the pay raise by $338 million in 2017 and by almost $2.3 billion over the 2017-2021 period."[11]

**Reference(s):** For an explanation of the pay raise process and historical increases, see CRS In Focus IF10260, *Military Pay Raise*, by (name redacted). Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted), and similar reports from earlier years.

**CRS Point of Contact:** (name redacted), x7-.....

[9] For example, Congress did not enact a provision specifying an increase in basic pay for 2016. Thus, absent presidential action, the automatic formula would have provided an increase equal to the ECI (2.3%). However, on August 28, 2015, President Obama sent a letter to Congress invoking 37 U.S.C. §1009(e) to set the pay raise for 2016 at 1.3%. Letter available at https://www.whitehouse.gov/the-press-office/2015/08/28/letter-president-alternative-pay-plan-uniformed-services.

[10] Office of Management and Budget, *Statement of Administration Policy (*H.R. 4909*)*, May 16, 2016, p.4.

[11] Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 10.

# *Housing Allowances

**Background:** Under current law, all servicemembers are entitled to either government-provided housing or a housing allowance. For those living in the United States, the housing allowance is known as Basic Allowance for Housing (BAH). BAH is based on three factors: paygrade (rank), geographic location, and whether or not the servicemember has dependents. Paygrade and dependency status are used to determine the type of accommodation—or "housing profile"—appropriate for the servicemember (for example, one-bedroom apartment, two-bedroom townhouse, or three-bedroom single family home). Geographic location is used to determine the average costs associated with each of these housing profiles. BAH rates are higher in some areas than others, but servicemembers of similar paygrade and dependent status should be able to pay for roughly comparable housing regardless of their duty location.

| House-passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| No similar provision | **Sec. 604** would add a new statutory provision defining how BAH would be calculated for certain members of the Armed Forces beginning on January 1, 2018. In comparison to the existing formula, significant changes involve eliminating dependents as a factor in setting BAH rates, requiring the rate be based on actual housing expenses, and reducing BAH for servicemembers who share housing. |

**Discussion:** The Senate bill would alter the way in which BAH is calculated in several ways. For covered servicemembers, BAH would be based only on geographic location and paygrade of recipient, eliminating dependents as a factor in the rate determination. The Senate bill would base BAH on actual servicemember housing expenditures up to a maximum amount for a given location/paygrade, rather than the current specified rate. The provision would also change how BAH is paid to servicemembers who share the same living quarters, reducing it in relationship to the number of people sharing the quarters. That is, if two or more servicemembers were to occupy the same housing, the amount of the allowance could not exceed "the amount of the allowance otherwise payable to such member ... divided by ... the total number of members occupying such housing." The new formula would apply to certain members of the Armed Forces beginning on January 1, 2018. Members covered by the new provision would include servicemembers who first become entitled to basic pay on or after January 1, 2018, certain reserve and retired personnel ordered to active duty, and a servicemember entitled to the existing BAH on December 31, 2017, "within a particular housing or overseas area" and who "after that date, loses uninterrupted eligibility to receive a basic allowance for housing within an area of the United States or an area outside the United States, as applicable." The Senate provision would require the Secretary of Defense to submit the proposed regulations to implement this provision to the congressional defense committees by March 31, 2017.

The Administration has strongly objected to Section 604 stating that the provision would, among other things, "inappropriately penalize some service members over others" including dual-military couples and servicemembers choosing to share housing with other members. The Administration is also concerned with potential effects of this provision on recruitment and

retention, and on payments under VA educational assistance programs that are based on BAH rates.[12]

CBO estimates that implementing Section 604 would reduce BAH spending by $2 billion over the 2018-2021 period.[13]

**Reference:** CRS Report RL33446, *Military Pay: Key Questions and Answers*, by (name redacted) and (name redacted) .

**CRS Point of Contact:** (name redacted), x7-.....

# *Military Retirement System

**Background:** The military retirement system is a funded, noncontributory, defined benefit system that provides a monthly annuity to servicemembers after 20 years of qualifying service.[14] In the National Defense Authorization Act for FY2016 (P.L. 114-92) a number of changes were enacted intended to modernize and reform the existing military retirement system. These changes will go into effect on January 1, 2018, for servicemembers entering on or after that date and those with 12 years or less of service on that date who are eligible and elect to enroll in the new system.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 622** would allow continuation pay for full Thrift Savings Plan (TSP) members who have completed 8 to 12 years of service and would make changes to how continuation pay is calculated. | **Sec. 633** would allow continuation pay for full Thrift Savings Plan (TSP) members who have completed 8 to 12 years of service and would make changes to how continuation pay is calculated.<br>**Sec. 631** would clarify timing for cadets, midshipmen, and inactive reservists to be eligible to opt into the new retirement system.<br>**Sec. 635** would express the sense of Congress that default TSP contributions under the retired pay reform should be to a Roth plan. |

**Discussion:** The military retirement system has historically been viewed as a significant incentive in retaining a career military force and any changes are closely followed by active duty military and veteran's groups. Reductions in the retired pay multiplier from 2.5% to 2.0% for those joining on or after January 1, 2018, under the new system created last year have raised concerns about the services' ability to retain certain occupational specialties at the mid-career point. The FY2016 NDAA (P.L. 114-92) authorized DOD to provide continuation pay as a retention incentive at the completion of 12 years of service in return for an additional 4-year commitment to service. Similar provisions in the 2017 House and Senate bills would amend the continuation pay provision to authorize DOD the flexibility to pay continuation pay at any point between 8 to 12 years of service in return for an agreement for continued service of not less than 3 additional years. This provision would provide DOD more latitude in managing the personnel system

[12] Office of Management and Budget, *Statement of Administration Policy (*S. 2943*)*, June 7, 2016, p.7-8.

[13] Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 10.

[14] Disability retirees may be eligible for retired pay prior to 20 years of service.

through targeted continuation pay based on retention trends for specific military occupational specialties.

Section 622 of the House bill would also amend 37 U.S.C. §356 provisions for calculating continuation pay minimums for active and reserve component members.[15] It also would allow members of a reserve component performing active Guard or Reserve duty when they accept continuation pay to receive the same maximum pay[16] as active duty members. The Senate bill does not include a similar provision. CBO estimates that implementing the changes proposed in S. 2943 would increase spending by $1.5 billion and H.R. 4909 would cost an additional $2.2 billion over the 2018 to 2021 period.[17] The Administration supports the enhanced flexibility for continuation pay in the bill; however, it would prefer even more flexibility in continuation pay timing and amounts. The Administration proposes extending the pay window up to 16 years of service and removing the mandatory minimum amount for all servicemembers.[18]

Section 635 of the Senate bill would express the sense of Congress that default contributions to the TSP should be to a Roth plan. A Roth plan is taxable at the time of contribution but qualified distributions are not included in taxable income, allowing earnings to accrue tax-free. As such, a Roth plan is typically a better savings vehicle for young, low-income individuals who typically have a lower tax burden (e.g., junior officers and enlisted servicemembers) than they would expect to have in retirement.[19]

Finally, Section 631 of the Senate bill would amend 10 U.S.C. §1409 to allow cadets, midshipmen, and reservists who are in inactive duty status prior to January 1, 2018, a 30-day election period for the new retirement system following commissioning or transfer to active duty or active status.

**Reference(s):** CRS Report RL34751, *Military Retirement: Background and Recent Developments*, by (name redacted) . CRS Report RL34397, *Traditional and Roth Individual Retirement Accounts (IRAs): A Primer*, by (name redacted) . Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) and similar reports from earlier years.

**CRS Point of Contact**: (name redacted), x7 -.....

# Benefits to Former Spouses of Military Servicemembers

**Background:** Military servicemembers are eligible to receive retired pay after 20 qualifying years of service. In 1982, Congress enacted the Uniformed Services Former Spouses' Protection Act (USFSPA) which allowed state courts to treat disposable military retired pay as divisible

[15] Current law specifies a multiple of 2.5 for active component members and 0.5 for reserve component members.

[16] The FY2016 NDAA specified a maximum of 15.5 times monthly base pay for active component members (minimum 2.5 times plus up to 13 times monthly base pay) and a maximum of 6.5 times monthly base pay for reserve component members (0.5 times plus up to 6 times monthly base pay).

[17] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 13. Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 13.

[18] Office of Management and Budget, *Statement of Administration Policy (*H.R. 4909*)*, May 16, 2016, p. 3.

[19] There are some income limitations on eligibility to contribute to Roth IRAs.

property in divorce cases.[20] In addition, the law allows certain former spouses to remain eligible to receive certain military benefits or privileges. The USFSPA has since been modified on a number of occasions.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 625** would change the Uniformed Services Former Spouse Protection Act to use rank and years of service at time of divorce to calculate spousal share of retired pay. | **Sec. 642** would change the Uniformed Services Former Spouse Protection Act to use rank and years of service at time of divorce to calculate spousal share of retired pay. |

**Discussion:** Currently up to 50% of a servicemember's disposable military retired pay may be divisible by the court in a single divorce case. The amount of retired pay due to a servicemember is calculated based on the member's pay grade and years of service at the time of retirement. Sections 625 and 642 are similar provisions that would change the definition of disposable retired pay to use the rank and years of service at time of divorce rather than retired pay grade. This provision would not affect any divorce settlements that occurred prior to the date of enactment. Some believe that the current law, which allows division of the retired pay at the time of retirement and not at the time of divorce, creates an inequity for the servicemember and subsequent spouses. Others note that many state laws and courts already account for potential inequities in the division of community property, and that changes at the federal level could have unintended consequences for legal processes at the state level.

**Reference(s):** CRS Report R40589, *Concurrent Receipt: Background and Issues for Congress*, by (name redacted) , CRS Report RL34751, *Military Retirement: Background and Recent Developments*, by (name redacted) **,** and CRS Report RL31663, *Military Benefits for Former Spouses: Legislation and Policy Issues*, by (name redacted) .

**CRS Point of Contact**: (name redacted), x7 -.....

# *Survivor Benefits

**Background**: A military retiree may have a portion of his or her monthly retired pay withheld in order to provide, after his or her death, a monthly survivor benefit to a surviving spouse or other eligible recipients. This is known as the Survivor Benefit Plan (SBP). When a servicemember dies, their survivor's payment through the SBP is usually 55% of the retired basic pay that the member would otherwise have been eligible to receive. For those servicemembers who die while on active duty, the base amount is calculated at 75% of their basic pay. For reservists who die during inactive-duty training (IADT), the base amount reflects their years of service, which causes the SBP payment to be less than if the member died on active duty. Section 641 of the FY2016 NDAA (P.L. 114-92), authorized servicemembers to enroll a current spouse as an SBP beneficiary if their former spouses are deceased. A limited open enrollment is currently available until November 24, 2016, through the Defense Finance and Accounting Service (DFAS) for eligible retirees to retroactively enroll their current spouse in the Survivor Benefit Plan.[21]

[20] P.L. 97-252, codified in 10 U.S.C. §1408.

[21] DFAS, Former Spouse SBP Coverage Open Season, at http://www.dfas.mil/retiredmilitary/provide/sbp/FS-SBP-open-season-16.html.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 623** would extend authority for the special survivor indemnity allowance. | **Sec. 643** would permanently extend payment of special survivor indemnity allowances under SBP. |
| **Sec. 624** would provide benefits under SBP for survivors of reserve component members who die in the line of duty during inactive-duty training. | **Sec. 644** would authorize deductions of SBP premiums from combat-related special compensation when retired pay not sufficient. |
| | **Sec. 645** would express a sense of Congress that members of the Armed Forces should be able to to designate payment of the death gratuity to a trust for a special needs individual. |
| | **Sec. 646** would require an independent assessment of SBP. |

**Discussion:** Surviving spouses who receive both an annuity from DOD as a beneficiary of the SBP and from the Department of Veterans' Affairs (VA) Dependency and Indemnity Compensation (DIC) have their SBP payments reduced by the amount of DIC.[22] Special Survivor Indemnity Allowance (SSIA) is a payment made to such surviving spouses to offset that reduction. Currently, SSIA is set to expire at the end of FY2017.[23] Section 623 of the House-passed H.R. 4909 would extend the authority for (SSIA) through FY2018 at the monthly rate of $310. It would also require the Secretary of Defense to submit a report on those individuals affected by the offset no later than 90 days after enactment of this act. Section 643 of the Senate version S. 2943 would make the SSIA permanent at the $310 monthly rate. CBO estimates that nearly 65,000 surviving spouses would receive the SSIA in FY2018 and that the House provision would increase direct spending for SSIA by $240 million over the period 2017-2026 while the Senate provision would increase spending by $2.2 billion over the period 2018-2026.[24]

Section 624 of the House-passed H.R. 4909 would eliminate the disparity in how SBP benefits are calculated for survivors of reservists who die in the line of duty during inactive-duty training (IADT) and those who die on active duty. Based on DOD data on IADT deaths and payments to affected survivors, CBO estimates that nearly 50 current SBP annuitants and 10 new SBP annuitants each year would receive higher monthly annuities under Section 624.[25] CBO also estimates the average increase in monthly annuities would be more than $900 in FY2017, growing to nearly $1,100 in FY2026, and would increase direct spending for SBP annuities by $13 million over the period 2017–2026.[26]

In addition, the Senate bill includes three provisions that are not in the House bill:

[22] For more on the SBP and DIC offset, see CRS Report R40757, *Veterans' Benefits: Dependency and Indemnity Compensation (DIC) for Survivors*, by (name redacted) ; and CRS Report RL31664, *The Military Survivor Benefit Plan: A Description of Its Provisions*, by (name redacted) .

[23] CRS Report RL31664, *The Military Survivor Benefit Plan: A Description of Its Provisions*, by (name redacted) .

[24] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 21. Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p.37.

[25] Ibid.

[26] Ibid.

- Section 644 would allow DOD to withhold monthly SBP payments from Combat Related Special Compensation (CRSC). CRSC is considered "special compensation," not retired pay, and thus cannot currently be used to cover SBP premiums.
- Section 645 expresses a sense of Congress that DOD should explore options for members of the Armed Forces to designate payment of the death gratuity to a trust for those who require the protection of a trust such as minor children, incapacitated adults, and those with special needs.[27]
- Section 646 would direct the Secretary of Defense to appoint a federally funded research and development center (FFRDC) to provide an independent assessment of SBP with recommendations to the armed services committees of the House and Senate. Required elements of this report include the effectiveness of the SBP to provide for survivors of servicemembers dying on active duty and while in reserve active-status, comparison of the benefits of the SBP with those of other government and private sector employees, and the feasibility and advisability of providing survivor benefits through alternative commercially available insurance products.

**Reference(s):** CRS Report R40757, *Veterans' Benefits: Dependency and Indemnity Compensation (DIC) for Survivors*, by (name redacted) ; CRS Report R40589, *Concurrent Receipt: Background and Issues for Congress*, by (name redacted) .

**CRS Point of Contact**: (n ame redacted), x7 -.....

# TRICARE Reform

**Background:** TRICARE is the DOD-administered health benefits program that covers active duty servicemembers, uniformed services retirees, their family members, and survivors. The Administration's FY2017 Budget proposed a package of health care enrollment fees, deductible, and co-pay changes phased in over several years. The proposals included

- replacing the TRICARE Prime, Standard, Extra options with TRICARE Select and TRICARE Preferred options featuring an annual enrollment period and a new benefit structure with enrollment fees, annual deductibles, co-payments, and annual catastrophic cap;
- annual enrollment fees for Medicare-enrolled retirees (with grandfathering of those Medicare-enrolled retirees already receiving TRICARE benefits at the time of enactment); and
- increased pharmacy co-pays for retirees and military family members, but not active duty members.

In addition to discretionary savings in the Defense Health Program appropriations account, the proposal would reduce TRICARE for Life expenditures. TRICARE for Life is funded on an accrual basis with each of the uniformed services making an annual payment to a fund known as the Medicare Eligible Retiree Health Care Fund (MERCHF). The MERHCF covers the accruing liability for the cost of future medical treatment provided to Medicare eligible uniformed services

[27] The NDAA for FY2015 (§624, P.L. 113-291) provided military members and retirees the option to direct payment of a SBP annuity for a dependent child with a disability to a Special Needs Trust (SNT). For more information see DFAS, "Special Needs Trust (SNT)," at http://www.dfas.mil/retiredmilitary/provide/sbp/SNT.html.

retirees and dependents by the TRICARE for Life program. For fiscal year 2017, the contribution to be paid into the MERHCF by each of the uniformed services will be $4,252 per active duty servicemember and $1,723 per reserve component member.[28] The Congressional Budget Office (CBO) analysis of TRICARE proposals in the President's Budget estimated that over the period of 2016 to 2026

- the pharmacy co-payment increases would save DOD $2.8 billion;
- the new TRICARE for Life enrollment fee would save $1.4 billion;
- the consolidation of TRICARE plans would cost DOD $0.2 billion; and
- the proposals would increase Medicare spending by $0.4 billion.[29]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 701** would establish TRICARE Preferred as a self-managed, preferred-provider network option replacing TRICARE Standard and Extra. It would also establish annual enrollment fees and fixed dollar co-payments for active duty family members. A TRICARE Preferred annual enrollment fee could be established 90 days following submission of a report to Congress on access to care, network adequacy, and beneficiary satisfaction. | **Sec. 701** would establish TRICARE Choice as a self-managed, preferred-provider network option replacing TRICARE Standard and Extra. It would also establish new annual enrollment fees and co-payments for retired military servicemembers who are not eligible for Medicare coverage under either the new TRICARE Choice and under TRICARE Prime. In addition, it would establish a new TRICARE Supplemental that would provide secondary coverage to other employer sponsored health insurance. Beneficiaries under the program would pay an enrollment fee of one-half of the enrollment fee that would be assessed under TRICARE Choice. |

**Discussion:** Both House and Senate versions of Section 701 would make significant changes to TRICARE, the health benefits program for members and retirees of the uniformed services and their families. Currently, TRICARE benefits are provided in the form of several different plans, of which the most popular are TRICARE Prime, an HMO option, and TRICARE Standard/Extra, a fee-for-service option in which beneficiaries can manage their own care, but pay less out of pocket if they use providers that are in the TRICARE network. Under current law, active duty members are not charged for medical care. Their dependents also face no charges if they enroll in Prime, but they do have to pay deductibles and co-insurance to use Standard/Extra. Retirees, survivors, and their family members are charged enrollment fees and co-payments to enroll in and use Prime, and they must pay deductibles and co-insurance, but not an enrollment fee, to use Standard/Extra.

[28] Department of Defense Office of the Actuary, Valuation of the Medicare-Eligible Retiree Health Care Fund, September 30, 2014, page 8, http://actuary.defense.gov/Portals/15/Documents/MERHCF%20Val%20Rpt%202014.pdf?ver=2015-12-31-093434-467.

[29] Congressional Budget Office, *Proposals for Health Care Programs-CBO's Estimate of the President's Fiscal Year 2017 Budget*, March 29, 2016, p. 7, https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/dataandtechnicalinformation/51431-HealthPolicy.pdf.

The House version of Section 701 would change how TRICARE benefits are provided to some of those groups. In addition, the families of servicemembers who begin active duty after the end of 2017 would face a different payment structure. Two groups would see no changes under this provision: active duty servicemembers regardless of when they join the service, and the families of servicemembers who joined the service prior to the beginning of calendar year 2018. House Section 701's other notable changes would include the following: (1) the TRICARE Standard/Extra option would be renamed TRICARE Preferred. All beneficiaries who currently use Standard/Extra would be required to enroll in either TRICARE Preferred or Prime to maintain their health benefits; (2) there would be new TRICARE Prime and TRICARE Preferred enrollment fees for the family members of those active duty members who first join the uniformed services on or after January 1, 2018. Those members and their families also would face higher fees and cost shares if they eventually become eligible for a military retirement annuity and choose to continue to use TRICARE; and (3) current non-Medicare eligible retirees, survivors, and their families would face an enrollment fee for those who wish to use TRICARE Preferred.

Similarly, the Senate version of Section 701 would make notable changes including, but not limited to (1) TRICARE Standard/Extra would be renamed TRICARE Choice; (2) current retirees, survivors, and their families would have to pay enrollment fees to obtain benefits under either TRICARE Prime or TRICARE Choice. The fees would be higher than current enrollment fees for TRICARE Prime and TRICARE Standard/Extra (which currently has no enrollment fee). Those beneficiaries also would have higher co-payments under TRICARE Prime, and those who use TRICARE Choice would have a new schedule of co-payments; and (3) non-Medicare eligible retirees, survivors, and their dependents would have their enrollment fees reduced by half if they maintain other health insurance (such as through an employer) and use their TRICARE benefit only as a second payer.

Neither provision would adopt the Administration's proposal to introduce enrollment fees for TRICARE for Life (a Medicare supplemental-type plan). The Statement of Administration Policy (SAP) for H.R. 4909 objected to lower estimated cost savings under House Section 701 as well as the increased complexity from service date eligibilities.[30] The SAP for S. 2943 supported Senate Section 701.[31]

CBO estimated House Section 701 would reduce discretionary costs by about $115 million over the 2017-2021 period and would reduce mandatory spending by $12 million over the 2018-2026 period.[32] CBO estimated that Senate Section 701 would reduce discretionary costs by about $1.9 billion over the 2017-2021 period and would reduce mandatory spending by $43 million over the 2018-2026 period.[33]

Beneficiary cost-sharing is further discussed below in the TRICARE Beneficiary Cost-Sharing and TRICARE Pharmacy Co-payment sections.

**CRS Point of Contact**: (name redacted), x7...

[30] Congressional Budget Office, H.R. 4909, *National Defense Authorization Act for Fiscal Year 2017 As reported by the House Committee on Armed services*, Cost Estimate, May 11, 2016, pp. 13-14, 21.

[31] Office of Management and Budget, *Statement of Administration Policy (*S. 2943*)*, June 7, 2016, p. 6.

[32] Congressional Budget Office, H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017 As reported by the House Committee on Armed services*, Cost Estimate, May 11, 2016, pp. 13-14, 21.

[33] Congressional Budget Office, S. 2943 *National Defense Authorization, As reported by the Senate Committee on Armed services on May 18, 2016*, Cost Estimate June 10, 2016, pp. 17, 36.

# *TRICARE Beneficiary Cost-Sharing

**Background:** In its FY2017 budget request, the Administration proposed to replace the TRICARE Prime, Standard, and Extra health plan options with a consolidated plan, to increase co-pays for pharmaceuticals, and to establish a new enrollment fee for future enrollees in the TRICARE-for-Life program (that acts like a Medigap supplement plan for Medicare-enrolled beneficiaries).[34] The House-passed bill would consolidate TRICARE Standard and Extra into a new TRICARE Preferred plan. The Senate-passed bill would consolidate them into a new TRICARE Choice plan.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 701** would establish annual enrollment fees and fixed dollar co-payments for active duty family members and retirees who join the armed services on or after January 1, 2018, and enroll in TRICARE Preferred or in TRICARE Prime. This section would also establish an annual enrollment fee for TRICARE Preferred for beneficiaries who were in the active duty or retired categories prior to January 1, 2018. | **Sec. 701** would establish annual enrollment fees and a cost-share table for calendar year 2018 for both TRICARE Prime and TRICARE Choice that would establish rates for annual enrollment fees, annual deductibles, annual catastrophic caps, and co-payments for inpatient visits, outpatient visits, and other services. The provision would gradually increase the annual enrollment fee for military retirees and their families under TRICARE Choice over a period of five years through 2023. Subsequently, annual enrollment fees for military retirees and their families in TRICARE Choice after 2023, and for military retirees and their families under TRICARE Prime after 2018, would increase by the annual percent of the Consumer Price Index for Health Care Services. |

**Discussion:** Section 701 of the House-passed bill would establish annual enrollment fees and fixed dollar co-payments for active duty family members whose sponsors join, and retirees who will have joined the uniformed services on or after January 1, 2018, and enroll them in a new TRICARE Preferred option (similar to current TRICARE Standard/Extra) or in TRICARE Prime, the current managed-care option. The Secretary of Defense would be authorized to establish an annual enrollment fee for TRICARE Preferred (currently TRICARE Standard/Extra does not have an enrollment fee) for beneficiaries who were in the active duty or retired categories prior to January 1, 2018. However, the Secretary could not establish this annual enrollment fee until 90 days after the Comptroller General of the United States submits a report, not later than February 1, 2020, to the armed services committees on access to care, network adequacy, and beneficiary satisfaction under TRICARE Preferred compared to the baseline review.

Under this legislation, both current and future active duty servicemembers would continue to have no out-of-pocket costs. Current active duty family member and military retiree users of

[34] Office of the Undersecretary of Defense (Comptroller) Chief Financial Officer, *United States Department of Defense Fiscal Year 2016 Budget Request Overview*, February 2015, pp. 6-12 to 6-15.

TRICARE Standard and Tricare Extra would be covered by the new TRICARE Preferred plan. Users would continue to have access to their own choice of private providers without a referral. The new annual enrollment fee for current users would be $100 for individuals and $200 for families starting in 2020.

Future TRICARE users (those whose sponsor will not have entered service until after January 1, 2018) would pay more. New active-duty family members would pay $300 per year for an individual policy or $600 per year for a family policy to enroll, while future retirees who will have joined the service after 2020 would pay $425 for an individual or $850 annually for a family policy.

New beneficiaries who want to use Prime would be able to do so. Active-duty families would pay $180 annually for an individual policy or $360 for a family policy, while retirees would pay $325 for an individual or $650 for a family.

Under the new TRICARE Preferred option, users would have no annual deductible, but would pay set fees out of pocket. For example, emergency room visits would cost $40 in network for active-duty families, and $60 for retirees. The catastrophic yearly cap would be at $1,000 for active-duty families and $3,000 for retirees.

For Prime users, no annual deductibles would apply unless users chose to receive care without a referral. In that case, they would face a $300 deductible for individual plans or $600 for a family deductible, with the same catastrophic cap as TRICARE Preferred users.

Under the Senate-passed version of Section 701, the fee-for-service plan, TRICARE Standard/Extra, would be renamed TRICARE Choice and dependents of active-duty members who enroll in that plan would be required to make co-payments for care administered by private providers in TRICARE's network.

Current retirees, survivors, and their families would have to pay enrollment fees to obtain benefits under either TRICARE Prime or TRICARE Choice. The fees would be higher than current enrollment fees for TRICARE Prime and TRICARE Standard/Extra (which currently has no enrollment fee). Those beneficiaries also would have higher co-payments under TRICARE Prime, and those who use TRICARE Choice would have a new schedule of fixed co-payments instead of the percent-of-charge co-payments currently required by TRICARE Standard/Extra.

Certain disabled retirees and survivors of members who die on active duty would have no enrollment fees and the same cost sharing as active-duty family members.

Retirees, survivors, and their dependents would have their enrollment fees reduced by half if they maintain other health insurance (such as through an employer) and use their TRICARE benefit only as a second payer. This option would be referred to as "TRICARE Supplemental."

The enrollment fee for TRICARE Prime would increase in 2018 by a specified amount and would then be adjusted annually at the same rate of growth as the Consumer Price Index for medical services. The enrollment fee for TRICARE Choice would increase annually by specified amounts each year from 2018 through 2023. All co-payments would increase each year by the rate of the cost-of-living adjustment for military retired pay.

**Reference(s):** Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted), CRS Report R43647, *FY2015 National Defense Authorization Act: Selected Military Personnel Issues*, and CRS Report R43184, *FY2014 National Defense Authorization Act: Selected Military Personnel Issues*.

**CRS Point of Contact**: (name redacted), x7...

# *TRICARE Pharmacy Co-payments

**Background:** TRICARE beneficiaries have access to a pharmacy program that allows outpatient prescriptions to be filled through military pharmacies, TRICARE mail-order pharmacy, and TRICARE retail network and non-network pharmacies. Active duty servicemembers have no pharmacy co-payments when using military pharmacies, TRICARE Pharmacy Home Delivery, or TRICARE retail network pharmacies. Military pharmacies provide free-of-charge a 90-day supply of formulary medications for prescriptions written by either civilian or military providers. Non-formulary medicines generally are not available at military pharmacies. It is DOD policy to use generic medications instead of brand-name medications whenever possible. The 2016 NDAA (P.L. 114-92) (1) allowed a one-time $3 increase to retail and mail order pharmacy co-pays, and (2) required refills for maintenance drug prescriptions (e.g., cholesterol, blood pressure) to be filled through mail order or military pharmacies, thereby eliminating the option to have these prescriptions filled through relatively higher-cost retail pharmacies. The Administration's FY2017 budget request proposed a series of annual increases in the amount of co-payments for fiscal years 2017 through 2025.[35] DOD estimated the increases would avoid $300 million in fiscal year 2017 and $2 billion over the fiscal years 2017 to 2021.[36]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| No provision | **Sec. 702** would modify cost- sharing amounts for the TRICARE pharmacy benefits program for years 2017 through 2025. After 2025, DOD could establish cost-sharing amounts equal to the cost-sharing amounts for the previous year adjusted by an amount, if any, to reflect increases in costs of pharmaceutical agents and pharmacy dispensing fees. |

**Discussion:** The House-passed bill did not include a provision to allow a pharmacy co-payment increase. Under existing law the co-payment amounts would automatically increase at the same rate as the annual increase in retired pay.[37] Section 702 of the FY2016 NDAA (P.L. 114-92) overrode the statutory increase and substituted a $3 increase that took effect on February 1, 2016. Prior to that, Section 702 of FY2015 NDAA (P.L. 113-291) included a pharmacy co-payment increase that took effect on February 1, 2015.

Section 702 of the Senate-passed bill would modify cost-sharing amounts for the TRICARE pharmacy benefits program annually each year from 2017 through 2025. After 2025, DOD would be authorized to establish cost-sharing amounts equal to the cost-sharing amounts for the previous year adjusted by an amount, if any, to reflect increases in costs of drugs and pharmacy dispensing fees. Beneficiaries would continue to receive drugs at no cost in military medical treatment facilities, and there would be no changes to cost-sharing amounts for survivors of members who died on active duty or for disabled retirees and their family members.

[35] Department of Defense Office of the Under Secretary of Defense (Comptroller) Chief Financial Officer, *Overview Fiscal Year 2017 Budget Request*, 2016, p. 6-14.

[36] Ibid., p. 6-6.

[37] 10 U.S.C. §1074g(a)(6)(C).

Section 702 would authorize the Secretary of Defense, based upon recommendations by the Department of Defense Pharmacy and Therapeutics Committee and review by the Uniform Formulary Beneficiary Advisory Panel, to exclude from coverage any drug that the Secretary determines provides little or no value to covered beneficiaries and DOD. Additionally, the Secretary would give preferential status to any non-generic drugs on the TRICARE formulary by treating it, for the purposes of cost-sharing, as a generic product under the TRICARE retail pharmacy and mail order options.

CBO estimated that implementing Section 702 would reduce DOD's net discretionary pharmacy costs by about $640 million over the 2017-2021 period. CBO further estimated that Section 702 would reduce net health care spending for TRICARE for Life beneficiaries (who are eligible for Medicare) by $2.7 billion over the 2017-2026 period. Pharmacy spending for those beneficiaries is paid out from the DOD Medicare-Eligible Retiree Health Care Fund (MERCHF), a mandatory account. CBO estimated that implementing Section 702 would reduce accrual payments into the MERHCF (that funds the TRICARE for Life program) by about $1.5 billion over the 2018-2021 period.[38]

A Statement of Administration Policy lamented that the Administration's fee increase proposal was not included in the House-passed bill.[39] The Statement of Administration Policy expressed appreciation that the Administration's fee increase proposal was included in the Senate-passed bill.[40]

**Reference(s)**: Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted), CRS Report R43647, *FY2015 National Defense Authorization Act: Selected Military Personnel Issues*, and CRS Report R43184, *FY2014 National Defense Authorization Act: Selected Military Personnel Issues*.

**CRS Point of Contact:** Don Jansen, x7-.....

# Administration of the Defense Health Agency and Military Medical Treatment Facilities

**Background:** The Defense Health Agency (DHA) was formed October 1, 2013, as a joint, integrated combat support agency. Its purpose is to enable Armed Forces medical services to provide a medically ready force and a ready medical force to combatant commands. It currently manages shared services as well as the TRICARE program and acts as the market manager for the National Capital Region enhanced Multi-Service Market, which includes Walter Reed National Military Medical Center and Fort Belvoir Community Hospital. The service surgeons general currently oversee management of military treatment facilities (MTFs).[41]

[38] Congressional Budget Office, S. 2943 *National Defense Authorization, As reported by the Senate Committee on Armed services on May 18, 2016*, Cost Estimate June 10, 2016, pp. 8, 18, 31 and 33.

[39] Congressional Budget Office, H.R. 4909, National Defense Authorization Act for Fiscal Year 2017 As reported by the House Committee on Armed services, Cost Estimate, May 11, 2016, pp. 13-14, 21.

[40] Office of Management and Budget, *Statement of Administration Policy (*S. 2943*)*, June 7, 2016, p. 6.

[41] Military treatment facility (MTF) is a term for military hospitals, outpatient clinics, and dental clinics generally and is used interchangeably with "military medical facility."

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 702** would, beginning October 1, 2018, make the Director of the DHA responsible for the administration of MTFs to include budget, information technology, administrative policy and management, and any other matter the Secretary of Defense determines appropriate. | **Sec. 721** would require the Secretary of Defense to disestablish the services' medical departments and consolidate their activities into the Defense Health Agency. |
| **Sec. 703** would amend Title 10 of the United States Code to include new Section 1073d specifying requirements for MTFs. The Secretary of Defense would be required to submit an update to the Military Health System Modernization Study dated May 29, 2015. | **Sec. 725** would authorize DOD to realign the infrastructure and services offered at MTFs. |

**Discussion:** Section 702 of the House-passed bill would transfer responsibility for management of military treatment facilities throughout DOD to the Defense Health Agency. The facility commanders would retain responsibility for ensuring the readiness of military and civilian personnel staffing the facility and for furnishing health care and medical treatment, but would no longer have authority over policy, budgeting, information technology, staffing, and purchasing.

Section 703 would amend Title 10 of the United States Code to include new Section 1073d specifying requirements for military medical treatment facilities. The Secretary of Defense would be required to submit an update to the Military Health System Modernization Study dated May 29th, 2015.[42]

Section 721 of the Senate-passed bill would require the Secretary of Defense to disestablish the service medical departments and consolidate all of their activities into the DHA. Before doing so, the Secretary would be required to wait until 60 days after DOD submits a consolidation plan to the armed services committees. This section would also require GAO to review the consolidation plan within 180 days after it is submitted.

Section 721 also would consolidate all medical operations in DHA under the leadership of an officer of the Armed Forces in the grade of lieutenant general or vice admiral. The new DHA would have four main parts: (1) an organization responsible for all military medical treatment facilities; (2) an organization responsible for medical professional recruitment and retention activities, medical education and training, research and development activities, and executive agencies for medical operations or activities; (3) an organization responsible for the activities and duties currently performed by DHA; and (4) an organization responsible for improving and maintaining operational medical force readiness capabilities and to sustain combat casualty care and trauma readiness of military health care providers. A major general or rear admiral upper half would serve as head of each of these four organizations.

Section 721 would also authorize the DHA Director to conduct DOD medical operations and would amend Sections 3036, 5137, and 8036 of Title 10, United States Code, to designate the

[42] Available at: health.mil/Reference.../Review-of-MHS-Modernization-Study

service surgeons general as principal advisors and as chief medical advisors for their respective services and to Director DHA.

Section 725 would authorize the secretary of a military department to realign the infrastructure of or modify the health care services provided by an MTF if a realignment would better (1) ensure the delivery of safe, high-quality health care services; (2) adapt health care in a facility to changes in private sector health care delivery models; or (3) maintain the medical force readiness skills of health care. The Secretary of Defense would be required to submit a report to the armed services committees before using this authority and the report would be reviewed by GAO.

The Statement of Administration Policy on the House-passed bill objected to the House provisions.[43] The Statement of Administration Policy on S. 2943 strongly objected to Section 721, stating:

> The Administration strongly objects to Section 721, which would radically restructure the military health system. The language severs the relationship between each Service and its medical department, jeopardizing the ability of the Department to readily provide operational medical support. It also would separate the accountability for medical support to military missions and the responsibility for the quality of care from operational missions. Both functions are critically important to maintain the documented success in saving lives on the battlefield. The Defense Health Agency is both a DOD entity and a Combat Support Agency; however, when working operational support issues, there is considerable difference between having an accountable leader with knowledge of the mission in the Service chain of command versus a leader outside of that chain, as provided by Section 721. The Department agrees that standardization of common clinical and business processes will lead to more effective and efficient care, and commits to substantially accelerating achievement of a common, enterprise approach consistent with the Services' operational readiness requirements. The Department looks forward to working with the Congress to ensure that the Military Health System provides state-of-the-art, quality care to all it serves, on and off the battlefield, while maintaining critical readiness capability to support the military mission.[44]

**CRS Point of Contact**: (name redacted), x7...

# *Active and Reserve Enlistment Qualifications

**Background:** Current law for reserve component enlistees (10 U.S.C. §12102) requires that they be either citizens or lawful permanent residents, or have previously served in the Armed Forces. Current law for active component enlistees (10 U.S.C. §504) requires that they be (1) a national of the United States (i.e., either a citizen or a non-citizen who owes permanent allegiance to the United States—a category limited primarily to those born in American Samoa), (2) a lawful permanent resident, or (3) a person described in the Compact of Free Association between the United States and Micronesia, the Marshall Islands, and Palau. These citizenship requirements may be waived under 10 U.S.C. §504 "if the Secretary determines that such enlistment is vital to the national interest."

[43] Office of Management and Budget, *Statement of Administration Policy*, H.R. 4909, May 16, 2016, p. 9, https://www.whitehouse.gov/sites/default/files/omb/legislative/sap/114/saphr4909r_20160516.pdf.

[44] Officee of Management and Budget, *Statement of Administration Policy*, S. 2943, June 7, 2016, p. 7, https://www.whitehouse.gov/sites/default/files/omb/legislative/sap/114/saps2943s_20160607.pdf.

| House-passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| No similar provision | **Sec. 537** would amend 10 U.S.C. §12102(b) to specify that persons enlisting in the reserve components meet the citizenship/residency requirements specified in 10 U.S.C. §504(b), which governs active component enlistments. |

**Discussion:** The Senate bill would amend the statutory requirements to enlist in the reserve components so they would be tied to the citizenship/residency requirements for the active component.

**CRS Point of Contact:** (name redacted), x7-.....

# Military Parental Leave

**Background:** Chapter 40 of Title 10 United States Code provides the authority for military leave entitlement, accumulation and use. On January 28, 2016, Secretary of Defense Ashton Carter announced that DOD would be establishing new policies for maternity and parental leave as part of the department's "Force of the Future" initiative designed to attract and retain talent in the Armed Forces. Existing DOD policy defined maternity leave as, "a convalescent period up to 6 weeks following pregnancy and childbirth." The new policy, as announced, extended the period of maternity leave up to 12 weeks. DOD also sought legislative action to extend parental leave up to 14 days. Parental leave for a servicemember whose spouse gives birth was first authorized in the National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417) and is currently authorized for a maximum of 10 days. Since 2006 (P.L. 109-163), a servicemember who adopts a child is eligible for up to 21 days of leave to be used in connection with an adoption. In dual-service married couples, only one servicemember is eligible to take this leave in connection with the adoption. Parental leave is in addition to regular accrued annual leave.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 522** would amend Section 701(i) of Title 10, United States Code, to provide adoption leave to the second parent of a dual military couple.<br>**Sec. 529** would allow parental leave of at least 14 days for a servicemember whose spouse gives birth. It would allow a total of 36 days of leave (split between parents) for adoption of a child by married dual-service couples. | **Sec. 532** would allow a military primary caregiver to take up to 6 weeks of leave (in addition to convalescent leave) in connection with the birth or adoption of a child. It would allow a secondary caregiver to take 21 days of leave in connection with such an event. Finally, it would prohibit members of the Armed Forces from granting any leave that is not authorized by law. |

**Discussion:** Provisions in the House-Passed NDAA would extend parental leave for military servicemembers from 10 days to 14 days and would allow two parents in a dual-service couple to take 36 days leave in connection with a qualifying adoption to be shared between the two servicemembers. The Senate version of the bill would allow 6 weeks of parental leave to the primary caregiver, in addition to any convalescent leave. A secondary caregiver, in the case of birth or adoption, would be authorized to take up to 21 days of leave in connection with the event. The Senate version would modify Section 704 of Title 10 United States Code explicitly to

prohibit any leave from being awarded to military servicemembers outside of what is authorized by statute. DOD supports the House provision extending parental leave from 10 to 14 days, but opposes the House's proposal for 36 days of shared leave for dual military couples who adopt, as it would grant a greater benefit than that provided to a member with a civilian spouse.[45]

The Administration strongly objects to the Senate provision as it would constrain the Secretary's discretion to make leave policies and "create significant problems in managing our force readiness."[46] The Administration has also expressed concerns about potential inequities in the Senate "primary caregiver" language, as in military-civilian marriages the servicemember would always be designated as the primary caregiver (regardless of whether they actually act as such) and thus would always qualify for the 6-week benefit in excess of the 21-day parental leave.[47]

Approximately 60% of the active duty force has a dependent spouse and/or children and 6.4% are in a dual-military marriage.[48] Supporters of paid parental leave suggest that it encourages workforce recruitment and retention by making Armed Forces benefits more competitive with private sector benefits, and that additional leave helps support the well-being of military families. Those opposed to lengthening military maternity and parental leave suggest that it could negatively impact military readiness due to lost duty time and potentially undermanned units.

**Reference(s):** CRS Insight IN10436, *Military Maternity and Parental Leave Policies*, by (name r edacted) .

**CRS Point of Contact**: (name redacted), x7 -.....

# *Defense Commissary System

**Background:** Over the past few years, Congress has been concerned with improving the Defense Commissary (DeCA) system but there have been no changes enacted. In FY2016, Congress authorized $1.4 billion in commissary funding—$100 million more than the President's budget request.[49] The President's FY2017 budget request proposed $1.2 billion for commissaries, a reduction of $200 million in subsidies for stateside commissaries from FY2016.[50] Authorized patrons currently include active duty military members, Guard and Reserve component members, retired personnel and their families, 100% disabled veterans, Medal of Honor recipients, and DOD civilians stationed at U.S. installations overseas.

The FY2016 NDAA (Section 651, P.L. 114-92) required the Secretary of Defense to submit a report to the armed services committees with a plan to obtain budget-neutrality for DeCA and the military exchange system. The FY2016 NDAA specified that any changes to the commissary system must maintain current levels of patron savings and satisfaction. The report, *Plan to Obtain Budget Neutrality for Commissary and Exchange System*, was released by DOD on June 7,

[45] Ibid.

[46] Secretary of Defense, *Department of Defense Concerns with* H.R. 4909 *as Passed by House and* S. 2943 *as passed by Senate*, July 13, 2016.

[47] Ibid.

[48] Department of Defense, *2014 Demographics: Profile of the Military Community*, 2014, p. 131, at http://download.militaryonesource.mil/12038/MOS/Reports/2014-Demographics-Report.pdf.

[49] P.L. 114-92, See §651. Plan to obtain budget-neutrality for the defense commissary system and the military exchange system, and §652. Comptroller General of the United States report on the Commissary Surcharge, Non-appropriated Fund, and Privately-Financed Major Construction Program.

[50] Department of Defense Office of the Under Secretary of Defense (Comptroller) Chief Financial Officer, *Overview Fiscal Year 2017 Budget Request*, February 9, 2016, Figure 6-1. Pay & Benefits Funding (PDF p. 53).

2016.[51] This report acknowledges that "privatization would not be able to replicate the range of benefits, level of savings and geographic reach provided by DeCA while achieving budget neutrality." Some critics of privatization maintain that there are too many unknowns and that this report and others should be fully evaluated by DOD and Congress before initiating a pilot program.

In addition, Section 652 of the FY2016 NDAA required the Comptroller General of the United States to submit a report on the Commissary Surcharge, Non-appropriated Fund, and Privately-Financed Major Construction Program. This Government Accountability Office (GAO) report is pending.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 631** would provide protections and enhancement of access to and savings at commissaries and exchanges.<br>**Sec. 632** would authorize acceptance of Military Star Card at commissaries. | **Sec. 661** would provide protection and enhancement of access to and savings at commissaries and exchanges. |

**Discussion**: Section 631 of House bill and Section 661 of the Senate bill are similar provisions that would allow DeCA to set prices for merchandise sold in commissaries based on market conditions and customer demand. Under current law,[52] DeCA is required to set prices at levels necessary to recover the actual cost of the merchandise plus any costs to replace damaged, deteriorated, or lost inventory. According to CBO, DeCA is expected to implement this provision by offering private label goods under a variable pricing program that would allow DeCA to add a markup to those private label goods and use the proceeds to offset its operating costs.[53] CBO estimates that proceeds from the markup in prices would decrease direct spending by less than $500,000 over the next decade (2017-2026).[54]

According to the House committee report on H.R. 4909 (H.Rept. 114-537), this strategy would reduce reliance on appropriated funds without compromising patrons' benefits from the retail system or the revenue generated by DOD's Non-Appropriated Fund Instrumentality (NAFI).[55] DeCA could use flexible product pricing, but would need to maintain the current level of savings. The report would also direct DOD to report to Congress on the feasibility of allowing Purple Heart recipients or veterans with a 30% disability rating or higher to access commissaries and military exchange stores to better serve disabled veterans that live near military installations.[56] The DOD inspector general would also be required to evaluate the performance of DeCA's new fresh fruit and vegetables delivery contract. This evaluation is due to Congress by March 1, 2017, comparing the local sourcing model used in Europe and the Pacific.

[51] Department of Defense, *Plan to Obtain Budget Neutrality for Commissary and Exchange System*, May 2016, at http://www.inhofe.senate.gov/download/?id=F0D2678F-60C4-497F-AFCA-0319C84F9A57&download=1.

[52] The commissary benefit is codified in 10 U.S.C., chapter 147.

[53] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 26.

[54] Ibid.

[55] H.Rept. 114-537, *Part 1—National Defense Authorization Act for Fiscal Year 2017*.

[56] Ibid., p. 163.

Section 632 of the House-passed H.R. 4909 would allow commissary stores to accept the Military Star Card as a form of payment. The Military Star Card is a credit card administered under the Exchange Credit Program by the Army and Air Force Exchange Service (AAFES).

**Reference(s):** CRS Report R44019, *Fact Sheet: Selected Highlights of the FY2016 Defense Budget Debate and the National Defense Authorization Acts (H.R. 1735 and S. 1356)*, by (name redacted); CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted)

**CRS Point of Contact**: (name redacted), x7 -.....

# Servicemember Education, Training, and Transition

**Background:** In the past few decades, Congress has enacted legislation and appropriated funds for servicemember off-duty education (tuition assistance), credentialing programs, and transition services to support servicemembers and veterans in successfully translating military skills and experience into post-service education and employment opportunities. Three programs of note are the Transition Assistance Program (TAP);[57] the Credentialing Opportunities Online (COOL);[58] and the DOD Skillbridge program, which is also known as the Job Training, Employment Skills Training, Apprenticeships, and Internships (JTEST-AI) program.[59]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 561** would modify the quality assurance requirements for military skills credentialing programs. | **Sec. 561** would limit tuition assistance funds to professional development courses. |
| **Sec. 563** would require a report by DOD and the Coast Guard on the Military-to-Mariner Transition program. | **Sec. 562** would modify the quality assurance requirements for military skills credentialing programs. |
| **Sec. 566** would authorize DOD to initiate a job placement pilot program for members of the National Guard and Reserve. | **Sec. 563** would provide DOD installation access to certain institutions of higher education that provide advice and support to servicemembers. |
| **Sec. 569** would require pre-separation counseling on treatment and resources for substance abuse. | **Sec. 564** would prioritize processing of transportation worker identification credential (TWIC) for separating servicemembers. |
| **Sec. 569A** would require notification about veterans' disability compensation deductions for separating servicemembers. | |
| **Sec. 569B** would require a report on the JTEST-AI program. | |

[57] The military Transition Assistance Program (TAP) was established in the National Defense Authorization Act (NDAA) for Fiscal Year 1991 (P.L. 101-510, Section 502) and codified in 10 U.S.C. §1142. This program provides counseling services and workshops to help service members transition into the civilian workforce.

[58] The COOL program is authorized by Section 2015 of Title 10 United States Code and it provides funded vouchers to help service members pay for exams and maintenance of civilian certifications and licenses. The program is funded through COOL funds, tuition assistance funds, and through individual GI Bill benefits.

[59] JTEST-AI includes civilian job training for transitioning military service members up to six months prior to separation. It includes both apprenticeships and internships. The training must offer a high probability of employment and be provided to the service member at little or no cost.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 599A** would require a report on availability of college credit for skills acquired during military service. | |
| **Sec. 3510** would prioritize processing of transportation security cards for separating servicemembers. | |
| **Sec. 3511** would require training on transportation security card opportunities to be included in TAP. | |

**Discussion:** Section 561 of the House-passed bill and Section 562 of the Senate-passed bill would modify standards that establish eligibility requirements for civilian certification and licensing programs to be included in DOD's COOL program. Section 561 of the Senate version would limit tuition assistance funds to education and training that are likely to contribute to the member's professional development as recommended in 2015 by the Military Compensation and Retirement Modernization Commission out of concerns about duplication of education assistance programs and lack of adequate oversight on the use of TA funds.[60] Sections 563, 569B, and 599A of the House bill would require DOD reports on specific transition initiatives to help servicemembers qualified to operate maritime vessels to obtain merchant mariner licenses and certifications, to assess the availability of college credit for skills acquired during military service, and to evaluate the usage of the JTEST-AI program.

Section 3510 of the House version and Section 564 of the Senate version would expedite processing of applications for transportation worker identity credentials (TWIC) for separating military servicemembers.[61] Section 3510 and 3511 of the House version would also require DOD to provide information and application for such cards to separating servicemembers as part of TAP. Sections 569 and 569A of the House bill would require DOD to provide notification about recoupment of separation payments, and to provide counseling on substance abuse during mandatory TAP training.

Finally, Section 566 of the House bill would authorize DOD to carry out a pilot program to provide job placement/employment services directly to reserve component members.

**Reference(s):** CRS In Focus IF10347, *Military Transition Assistance Program (TAP): An Overview*, by (name redacted) , and CRS Report R42790, *Employment for Veterans: Trends and Programs*, coordinated by (name redacted) .

**CRS Point of Contact**: (name redacted), x7 -.....

# Changes to General and Flag Officer Grades and Positions

**Background:** The most senior officers in the military are known as general officers (Army, Air Force, and Marine Corps) or flag officers (Navy).[62] At the highest level such general and flag

[60] *Report of the Military Compensation and Retirement Modernization Commission*, January 29, 2015, p. 168.

[61] The TWIC is required by the Maritime Transportation Security Act for workers who need access to secure areas of maritime facilities and vessels.

[62] In the Army, Air Force, and Marine Corps, they include the grades of brigadier general, major general, lieutenant general, and general. In the Navy, they include the grades of rear admiral (lower half), rear admiral, vice admiral, and (continued...)

officers (GFOs) hold the most visible and important military positions in the DOD, including the Chairman of the Joint Chiefs of Staff, the chiefs of the four military services, and the combatant commanders. The most senior GFOs hold the rank of general or admiral ("4-star," paygrade O-10), followed by lieutenant general and vice admiral ("3-star," paygrade O-9), major general and rear admiral ("2-star," paygrade O-8), and brigadier general and rear admiral—lower half ("1-star," paygrade O-7). The total number of GFOs in each grade is limited by statute (10 U.S.C. §§525, 526, and 12004), and Congress has designated that certain positions in the Armed Forces must be filled by general or flag officers of a particular grade. Congress periodically reviews and revises the number, duties, and compensation of GFOs.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 501** would modify 10 U.S.C. §525 and 526 to increase the maximum number of Marine Corps officers above the rank of Major General from 15 to 17, and reduce the maximum number of Marine Corps officers in the rank of Major General from 62 to 61. It would also modify 10 U.S.C. §5045 to increase the maximum number of Deputy Commandants in the Marine Corps from 6 to 7.<br>**Sec. 910** specifies that a "commander of a service or functional component command under a commander of a combatant command shall be no higher than lieutenant general or vice admiral." It would also require DOD to "reduce the total number of officers in the grade of general or admiral on active duty by five positions."<br>**Sec. 911** would require the establishment of a "unified command for cyber operations," and specifies that the commander of this organization shall hold the grade of general or admiral. | **Sec. 501** would amend Chapters 32 and 1201 of Title 10 to provide new limits on the number of active component and reserve component GFOs serving in the military departments and joint positions. It would add new Sections 525a, 526a, and 12004a to Title 10 that would replace the existing limitations in sections 525, 526, and 12004, effective December 31, 2017. The new limits would reduce the number of GFOs by 25%, with the reductions weighted toward the higher grades.<br>**Sec. 502** would eliminate certain statutory requirements that specific positions be held by a GFO. This elimination of statutory grade would primarily affect positions in the medical, legal, personnel, legislative liaison, chaplain, and reserve communities. |

**Discussion:** Section 910 of the House bill would require that the service and functional component commanders who serve under a combatant commander[63] hold a rank no higher than lieutenant general or vice admiral. Section 910 would also require DOD to reduce the total number of active duty generals and admirals by five (as of April 30th, 2016, there were 38 such officers). Section 911 would require the establishment of a new unified combatant command for

(...continued)

admiral. Such officers are sometimes referred to by the number of stars in their rank insignia (e.g., a one-star general, a three star admiral, etc.)

[63] Combatant commands – such as U.S. Central Command, U.S. Strategic Command, and U.S. Transportation Command -- are military commands which have broad, continuing missions and which are typically composed of forces from two or more military departments. There are currently nine combatant commands, all headed by a "combatant commander" who holds the grade of general or admiral ("four star" officers).

cyber operations, to be led by an admiral or general. The current U.S. Cyber Command, led by Admiral Michael Rogers, is a subordinate command of the U.S. Strategic Command.

The Senate bill would reduce the number of authorized active and reserve GFOs by 25%, effective September 31, 2017. For active component GFOs, the reductions would be weighted more heavily toward higher-ranking GFOs. For example, the maximum number of active component GFOs currently authorized at the 3-star and 4-star level is 206; under the proposed Senate language, this number would drop to 111. The Senate bill would also eliminate certain statutory grade requirements, primarily in the medical, legal, personnel, legislative liaison, chaplain, and reserve communities, that specified positions be held by a GFO. Without statutory grade requirements, DOD could set the grades at a higher, lower, or identical grade, but would still need to manage general and flag officer numbers within the overall general and flag officer caps specified in law.

The Administration objects to Section 501 of the Senate bill to reduce the number of authorized GFOS by 25% by the end of calendar year 2017 and calls for a review of GFO roles and potential impacts of reductions before action is taken.[64] CBO has estimated that this provision would have an insignificant effect on direct spending or revenues.[65] The Administration also objects to Sections 910 and 911 of the House bill.[66]

**Reference(s):** CRS Report R44389, *General and Flag Officers in the U.S. Armed Forces: Background and Considerations for Congress*, by (name redacted) and CRS Report R42077, *The Unified Command Plan and Combatant Commands: Background and Issues for Congress*, by (name redacted)

**CRS Point of Contact:** (name redacted), x7-.....

# *Joint Duty Assignments

**Background:** Chapter 38 of Title 10 U.S.C. concerns the management of active duty officers who are "particularly trained in, and oriented toward, joint matters."[67] Officers are required to complete certain educational requirements and duty assignments to become such "joint qualified officers." In recent years, there has been some debate over whether current qualification requirements lead to the development of officers with an appropriate mix of service and joint experiences.

Currently, the definition of joint matters is

> ... matters related to the achievement of unified action by integrated military forces in operations conducted across domains such as land, sea, or air, in space, or in the information environment, including matters relating to—
>
> (A) national military strategy;
>
> (B) strategic planning and contingency planning;
>
> (C) command and control of operations under unified command;

[64] Office of Management and Budget, *Statement of Administration Policy (*S. 2943*)*, June 7, 2016, p. 8.

[65] Congressional Budget Office, *Cost Estimate* S. 2943 *National Defense Authorization Act for Fiscal Year 2017*, June 10, 2016, p. 46

[66] Office of Management and Budget, *Statement of Administration Policy (*H.R. 4909*)*, May 16, 2016.

[67] 10 U.S.C. §661(a).

(D) national security planning with other departments and agencies of the United States;

(E) combined operations with military forces of allied nations; or

(F) acquisition matters addressed by military personnel and covered under chapter 87 of this title.[68]

To become a joint qualified officer, an individual must complete specific joint professional military education requirements, and complete a "full tour of duty in a joint assignment" or other assignments that demonstrate mastery of joint matters.[69] Joint duty assignments are normally at least two years for general and flag officers (GFOs) and three years for other officers, although the Secretary of Defense may waive this requirement.[70]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 912** would amend 10 U.S.C. 664 to<br>-Reduce the length of a joint duty assignment to 2 years for officers who are not GFOs.<br>-Eliminate tour length waivers for officers with "critical occupational specialties."<br>-Eliminate the requirement that the Secretary of Defense ensure average tour lengths comply with specified minimum tour lengths for individuals.<br>-Provide more flexibility to Secretary of Defense to exclude certain service from the tour length requirements. | **Sec. 507** contains similar language |
| **Sec. 913** would amend the definition of "joint matters" in 10 U.S.C. 668, and would allow a wider array of positions to qualify as joint duty | **Sec. 508** contains similar language |

**Discussion:** Both the House and Senate bills would modify the statutory criteria for joint duty assignments, including standardizing the length of a joint duty assignment at two years for all officers. Thus, a two year joint duty assignment—rather than a three year assignment—would qualify as a "full tour of duty" for officers who are not GFOs. Both bills would expand the definition of joint matters "to better capture the breadth of duties and positions that comprise joint matters experience."[71] For example, matters relating to "intelligence, fires, movement and maneuver, protection or sustainment of operations under unified command" would be considered as joint matters. Additionally, the Secretary of Defense would be allowed to designate other joint matters in regulation. Finally, the definition of joint duty assignment would be modified to require that "the preponderance of the duties of the officer involve joint matters."

[68] 10 U.S.C. §668(a)(1).

[69] 10 U.S.C. §661(c).

[70] 10 U.S.C. §664.

[71] H.Rept. 114-537, p. 233.

**Reference(s):** CRS Report R44496, *Military Officer Personnel Management: Key Concepts and Statutory Provisions*, by (name redacted) and CRS Report R44474, *Goldwater-Nichols at 30: Defense Reform and Issues for Congress*, by (name redacted) .

**CRS Point of Contact:** (name redacted), x7-.....

# Selective Service

**Background:** The Military Selective Service Act (MSSA) provides the statutory authority for the federal government to maintain a Selective Service System (SSS) as an independent federal agency responsible for delivering appropriately qualified civilian men for induction into the Armed Forces of the United States as authorized by Congress. The MSSA requires most males between the ages of 18 and 26 who are citizens or residents of the United States to register with Selective Service. Women in the United States have never been required to register for the draft. Men who fail to register may be subject to criminal penalties, loss of eligibility for certain federal or state employment opportunities and education benefits, and denial of security clearances. Documented or undocumented immigrants who fail to register may not be able to obtain United States citizenship.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 528** would require a report on the purpose and utility of the registration system under the MSSA. | **Sec. 591** would expand selective service registration requirements to women.<br>**Sec. 1066-1073** would establish a National Commission on Military, National, and Public Service. |

**Discussion:** Recent DOD policy changes that have opened all military occupational specialties (MOSs) including ground combat positions to women have called into question the Selective Service registration exemption for women. While some feel that women should now be required to register, others have questioned the need to maintain the registration requirement and other provisions of the MSSA. Section 591 of the Senate bill would expand selective service registration requirements to women who attain the age of 18 on or after January 1, 2018. The House bill does not contain a similar provision. Section 528 of the House bill would require a detailed review and report on the Selective Service System including its benefits and viability, as well as an analysis of potential DOD manpower needs in the event of an emergency requiring mass mobilization. Sections 1066 through 1073 of the Senate bill would establish an independent commission to be known as the National Commission on Military, National, and Public Service to examine these and other questions. This 11-member commission would include appointees by the Administration and senior members of the House, Senate, and armed services committees. The provision would establish the commission over a period of 30 months and authorize $15 million in funding.

CBO estimates Section 591 of the Senate bill would reduce direct spending for Pell grants by $27 million and federal student loans by $2 million over the 2018-2026 period. This estimate is based on a projection that by the 2026-2027 school year, approximately 8,000 women would become ineligible for these education benefits due to failure to register for Selective Service.

**Reference(s):** CRS Report R44452, *The Selective Service System and Draft Registration: Issues for Congress*, by (name redacted) , CRS Insight IN10414, *Women and the Selective Service*, by (name redacted) , CRS Report R42075, *Women in Combat: Issues for Congress*, by (name reda cted) .

CRS Point of Contact: (name redacted), x7 -.... .

# *Military Sexual Assault and Sexual Harassment

**Background:** Over the past decade, the issues of sexual assault and sexual harassment in the military have generated a good deal of congressional and media attention. In 2005, DOD issued its first department-wide sexual assault policies and procedures (DOD Directive 6495.01 and DOD Instruction 6495.02).[72] These policy documents built on recommendations from the Joint Task Force for Sexual Assault Prevention and Response and congressional requirements specified in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (P.L. 108-375). In the same year, the task force transitioned into a permanent office, the Sexual Assault Prevention and Response Office (SAPRO), which serves as DOD's primary oversight body for all of the service-level programs. In May 2013, DOD released its first Sexual Assault Prevention and Response (SAPR) strategic plan with an update in January 2015.[73] Between 2012 and 2016, DOD has taken a number of steps to implement its own strategic initiatives as well dozens of congressionally mandated actions related to military justice and investigations, sexual assault prevention, victim services, and reporting and accountability.[74]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| *Military Justice and Investigations* | *Military Justice and Investigations* |
| **Sec. 545** would modify burden of proof requirements for military retaliation investigations. | **Sec. 541** would require the Secretary concerned to report to a complainant the results of an investigation of a retaliation complaint. |
| **Sec. 546** would require training for those investigating allegations of retaliation, particularly with respect to the reporting of sex-related offences. | **Sec. 542** would require training for DOD personnel who investigate claims of retaliation in connection with reports of sexual assault. |
| *Reporting and Accountability* | *Victim Services* |
| **Sec. 542** would extend reporting requirements for military sexual assault and would modify reporting deadlines. | **Sec. 536A** would require additional consideration by discharge review boards of claims asserting Post-Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI) in connection with sexual trauma. |
| | **Sec. 554** would require a medical separation prior to administrative separation for members with PTSD or TBI in connection with sexual assault. |
| | *Reporting and Accountability* |
| | **Sec. 543** would require DOD to include retaliation in annual military |

[72] A full list of all current DOD and Service-level policies related to military sexual assault can be found at http://www.sapr.mil/index.php/DOD-policy/DOD-and-service-policy.

[73] Department of Defense, *Sexual Assault Prevention and Response Strategic Plan,* January 26, 2015, at http://www.sapr.mil/public/docs/reports/SecDef_SAPR_Memo_Strategy_Atch_20150126.pdf.

[74] For more information on congressional activity prior to 2013 see CRS Report R43168, *Military Sexual Assault: Chronology of Activity in Congress and Related Resources*, by (name redacted) .

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| | sexual assault reports.<br>**Sec. 544** would require DOD to establish metrics for evaluating prevention and response to retaliation in connection with reports of sexual assault.<br>**Sec. 551** would extend reporting requirements for military sexual assault and would modify reporting deadlines.<br>*Prevention*<br>**Sec. 550** would modify the definition of sexual harassment in 10 U.S.C. §1561(i) for purposes of investigating complaints of harassment by commanding officers. |

**Discussion:** DOD's Sexual Assault Prevention and Response Office (SAPRO) is required by law (P.L. 111-383) to report statistics and analysis of sexual assault in the military on an annual basis. Section 542 of the House bill would extend annual reporting requirements from March 1, 2017, to January 31, 2021, while the Senate bill (Section 551) would extend reporting requirements to 2025 and would move the deadline for delivery of annual reports to Congress from April 30 to March 31. The Senate bill would also clarify how sexual assaults are reported in the annual report. The estimated cost for preparing the FY2015 report was $6.9 million.[75]

The FY2015 DOD Annual Report on Sexual Assault in the Military included findings from focus groups on sexual assault prevention and response and from the 2015 Military Investigation and Justice Experience Survey.[76] Feedback from these studies indicates that servicemembers have concerns about retaliation associated with reporting instances of sexual assault. There has been some concern that the various types and definitions of retaliation are not well understood, leading to confusion in investigations and reporting of retaliation. Both the House (Section 546) and Senate (Section 542) bills would increase training requirements for investigators. Section 545 of the House bill would modify burden of proof requirements to align them more closely with other retaliation investigation law. Sections 543 and 544 of the Senate bill would require DOD to develop and annually report on metrics that evaluate efforts to prevent and respond to retaliation in connection with reports of military sexual assault.

Congress has raised concerns about the character of discharge for certain veterans who experienced sexual trauma while serving in the military. Other-than-honorable discharges can prevent servicemembers from being eligible for certain veteran's benefits. Servicemembers may appeal these decisions through a discharge review board. Currently by law (10 U.S.C. §§1177 and 1553) those servicemembers with PTSD or TBI in connection with combat have certain additional medical assessments prior to administrative separation and enhanced discharge review board consideration. The Senate bill would amend the law to apply to servicemembers and veterans who experienced PTSD or TBI in connection with sexual trauma.

[75] This includes $5,440,000 in expenses and $1,497,000 in DOD labor. Department of Defense Sexual Assault and Prevention Office, *Department of Defense Annual Report on Sexual Assault in the Military*, May 2, 2016.

[76] Ibid., Annexes 2 and 3.

Section 550 of the Senate bill would modify the definition of sexual harassment in 10 U.S.C. 1561(i) for purposes of investigating complaints of harassment by commanding officers. In DOD, sexual harassment falls under the Military Equal Opportunity Program and sexual assault is managed by the SAPRO. The Senate has expressed concerns that "the existing definition of sexual harassment has caused the military services to consider sexual harassment as a violation of equal opportunity policy instead of an adverse behavior that data have demonstrated is on the spectrum of behavior that can contribute to an increase in the incidence of sexual assault."

**Reference(s):** See also CRS Report R43168, *Military Sexual Assault: Chronology of Activity in Congress and Related Resources*, by (name redacted) ; CRS Report R43213, *Sexual Assaults Under the Uniform Code of Military Justice (UCMJ): Selected Legislative Proposals*, by (name redacted) . Previously discussed in CRS Report R44120, *FY2016 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) and similar reports from earlier years.

**CRS Point of Contact**: (name redacted), x7 -...., (name redacted) x7 -.....

# Child Abuse and Domestic Violence

**Background:** There are approximately 1.1 million dependent children of active duty military servicemembers.[77] According to DOD statistics, in FY2014, there were 7,676 confirmed cases of child abuse or neglect in military homes, which was an increase of 10% from the previous year and a 10-year high.[78] While rates of child abuse among military families remain below those of the general population, these statistics have raised concerns about prevention, management, and reporting of abuse in the Armed Forces.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 541** would require reporting of child abuse and neglect to state child welfare services. | **Sec. 577** would require reporting of child abuse and neglect to state child welfare services. |
| **Sec. 543** would require an annual family advocacy program report regarding child abuse and domestic violence. | **Sec. 578** would require DOD domestic schools and certain local educational agencies that receive Impact Aid to establish procedures for requiring criminal background checks |

**Discussion:** DOD's child and domestic abuse prevention, education, and training initiatives are implemented through the Family Advocacy Program (FAP).[79] The FAP also responds to suspected instances of domestic abuse, provides victim advocacy services, and collects and reports data as required by law and regulation.[80] Current law and regulations require some data sharing between DOD and the states on known or suspected instances of child abuse and neglect in which the child's caretaker is a member of the Armed Forces or the member's spouse.[81] Sections 541 and

[77] Department of Defense, *2014 Demographics: Profile of the Military Community*, 2014, p. 141, at http://download.militaryonesource.mil/12038/MOS/Reports/2014-Demographics-Report.pdf.

[78] Ryan, Missy, "The Number of Child Abuse Cases in the Military Hits a Decade High," *The Washington Post*, September 2, 2015.

[79] 32 C.F.R. part 61.

[80] 10 U.S.C. §1787, 42 U.S.C. §13031, and 28 CFR part 81.

[81] 10 U.S.C. §1787. State laws may also apply at military installations within the state.

577 of the House and Senate bills would require DOD military and civilian personnel who suspect instances of child abuse and neglect to directly notify the appropriate state child welfare agency in addition to designated DOD representatives. The House version of the bill would also require training for DOD personnel on mandatory reporting requirements and on identifying evidence of child abuse and neglect.

Section 543 of the House bill would require an annual Family Advocacy Program Report to Congress that includes data on instances of child abuse and domestic abuse. Proponents of this provision believe that it will improve reporting and oversight of abuse in military families.

Finally, Section 578 of the Senate bill would require all DOD domestic schools and certain local educational agencies that receive Impact Aid to establish procedures for requiring employee criminal background checks, including searches of State-based child abuse and neglect registries and National Sex Offender databases. These procedures would be required within two years of enactment. This provision would also authorize federal and state officials to charge reasonable fees for conducting background checks.

**Reference(s):** CRS Report R40899, *The Child Abuse Prevention and Treatment Act (CAPTA): Background, Programs, and Funding*, by (name redacted); CRS In Focus IF10335, *DOD Domestic School System: Background and Issues*, by (name redacted) ; CRS Report R44221, *Impact Aid, Title VIII of the Elementary and Secondary Education Act: A Primer*, by (name redac ted) .

**CRS Point of Contact:** (name redacted), x7 -.....

# Uniform Code of Military Justice Reform

**Background:** In 2013, upon the recommendation of then-Chairman of the Joint Chiefs of Staff General Martin Dempsey, then-Secretary of Defense Chuck Hagel directed the General Counsel of the Department of Defense (General Counsel) to complete a comprehensive review of the Uniform Code of Military Justice (UCMJ, codified at Chapter 47 of Title 10 of the United States Code) and its implementation through the Manual for Courts-Martial (MCM) and service regulations.[82] Additionally, Secretary Hagel directed the General Counsel to consider the report and recommendations of the Response Systems to Adult Sexual Assault Crimes Panel, a separate and independent review of the systems used to investigate and resolve adult sexual assault and related offenses in the military.[83] The General Counsel established the Military Justice Review Group (MJRG) with a focus on reviewing the structure and operation of the UCMJ and MCM.[84] Specifically, the MJRG was tasked with completion of two reports: (1) legislative proposal to modify the UCMJ, and (2) proposed implementing rules in the MCM.[85] As a result of the work of

[82] Memorandum from Secretary of Defense, *Subject: Comprehensive Review of the Uniform Code of Military Justice*, Department of Defense, October 18, 2013, http://www.DOD.gov/DODgc/images/mjrg_secdef_memo.pdf.http://www.DOD.gov/DODgc/images/mjrg_secdef_memo.pdf

[83] Department of Defense, Military Justice Review Group, *Report of the Military Justice Review Group, Part I: UCMJ Recommendations*, December 22, 2015, p. 5, http://www.DOD.gov/DODgc/images/report_part1.pdf.

[84] Military Justice Review Group website, available at http://www.DOD.gov/DODgc/mjrg.html.

[85] *Id.*

the MJRG, on December 28, 2015, the Department of Defense submitted the Military Justice Act of 2016[86] to Congress.[87]

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Division E—Titles LX-LXXII** would make many revisions to Chapter 47 of Title 10 of the United States Code including some substantial edits and additions to the punitive articles. | **Division E—Titles LI-LXII** would make several amendments to Chapter 47 of Title 10 of the United States Code. |

**Discussion:** The proposed statutory changes comprise a comprehensive revision to the UCMJ, including statutory additions and substantive amendments.[88] The House language addresses various aspects of military justice including, but not limited to, courts-martial composition, trial procedure, sentencing, and appellate matters. For example, with respect to sentencing, if enacted the government would now have the ability to appeal a sentence adjudged if the sentence violates the law or is plainly unreasonable; previously the right to appeal was only available to the servicemember.[89] However, it may be argued that the most substantive revisions in the proposed language are focused on the punitive articles (i.e., the offenses for which a servicemember may be court-martialed). Many offenses previously addressed by Executive Order through the General Article[90] would now be identified by specific statutory sections as part of a general reorganization of the punitive articles.[91] Additionally, the proposed language creates four new offenses: (1) Article 93a—prohibited activities with military recruit and trainee by person in position of special trust,[92] (2) Article 121a—fraudulent use of credit cards, debit cards, and other access devices,[93] (3) Article 123—offenses concerning government computers,[94] and (4) Article 132—retaliation.

The Senate language also addresses various aspects of military justice including, but not limited to, courts-martial composition, trial procedure, sentencing, and appellate matters. Although both the House and Senate proposals are referred to as the "Military Justice Act of 2016," differences do exist between the House and Senate language. For example, as discussed above, the House language would allow the government to appeal a sentence adjudged if the sentence violates the law or is plainly unreasonable; the Senate language would require the creation of military-specific sentencing parameters and criteria and an adjudged sentence that diverts from the criteria and parameters would be appealable by the government.[95] The Senate language, if enacted, would also attempt to reorganize the punitive articles with the most significant difference from the

[86] Department of Defense, *Military Justice Act of 2016*, http://www.DOD.gov/DODgc/images/military_justice2016.pdf.

[87] Department of Defense, "Department of Defense Forwards to Congress Proposed Changes to the Uniform Code of Military Justice," press release, December 28, 2015, http://www.DOD.gov/DODgc/images/press_release_dec.pdf.

[88] *Id.*

[89] H.R. 4909, Title LXVII, Section 6701.

[90] 10 U.S.C. §1408.

[91] H.R. 4909, Title LXIX.

[92] *Id.* at 6910.

[93] *Id.* at §6913.

[94] *Id.* at §6949.

[95] S. 2943, Title LVIII, §5261.

House language focused on proposed changes to offenses related to rape and sexual assault.[96] Specifically, Article 120 would add the use of "position, rank, or authority to coerce the acquiescence of the other person in the sexual act" as a prohibited act and punishable by court-martial.[97]

**Reference(s):** CRS Report R41739, *Military Justice: Courts-Martial, an Overview*, by (name red acted) .

**CRS Point of Contact:** (name redacted), x7 -.....

# *Medal of Honor

**Background:** The Medal of Honor (MOH) is the military's highest award for valor "above and beyond the call of duty." In recent years, the MOH review process has been criticized by some as being lengthy and bureaucratic, which may have led to some records being lost and conclusions drawn based on competing eyewitness and forensic evidence.[98] The reluctance to retroactively award the MOH or to upgrade other awards is generally based on efforts to maintain the integrity of the award and the awards process. This reluctance has led many to believe that the system of awarding the MOH is overly restrictive and that certain individuals are denied earned medals. As a result, DOD periodically reviews inquiries by Members of Congress and reevaluates its historical records.[99] On January 6, 2016, DOD announced the results of its year-long review of military awards and decorations.[100] This included review of the timeliness of the MOH process and review by all the military departments of the Distinguished Service Cross, Navy Cross, Air Force Cross, and Silver Star Medal recommendations since September 11, 2001, for actions in Iraq and Afghanistan. The results of the Service Cross and Silver Star Review are due to the Secretary of Defense on September 30, 2017.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 581** would require review regarding award of Medal of Honor to certain Asian American and Native American Pacific Islander war veterans.<br>**Sec. 582** would authorize award of medals for acts of valor.<br>**Sec. 583** would authorize award of the Medal of Honor to Gary M. Rose for acts of valor during the Vietnam War. | **Sec. 586** would authorize award of the Medal of Honor to Charles S. Kettles for acts of valor during the Vietnam War.<br>**Sec. 587** would authorize award of the Medal of Honor to Gary M. Rose for acts of valor during the Vietnam War. |

[96] *Id.* at §5330.

[97] *Id.*

[98] See "Medal of Honor (MoH) Process," CRS Report R43647, *FY2015 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) .

[99] See "Congressional and Other Efforts to Award the Medal of Honor," CRS Report 95-519, *Medal of Honor: History and Issues*, by (name redacted) .

[100] Defense Department Announces Results of Military Decorations and Awards Review, Press Release No: NR-004-16, January 7, 2016, at http://www.defense.gov/News/News-Releases/News-Release-View/Article/641775/defense-department-announces-results-of-military-decorations-and-awards-review. The complete list of changes to the military decorations and awards program can be found at: http://www.defense.gov/Portals/1/Documents/Military-Decorations-and-Awards-Review-Results.pdf.

| House-Passed H.R. 4909 | Senate-Passed S. 2943 |
|---|---|
| **Sec. 584** would authorize award of the Medal of Honor to Charles S. Kettles for acts of valor during the Vietnam War. | |

**Discussion:** Section 581 of the House-passed H.R. 4909 would require the Secretary of Defense to conduct a review of the service records of certain eligible veterans of the Korean and Vietnam Wars who are of Asian American or Native American Pacific Island descent, and waive the time limitation for consideration of the award. Additionally, veterans of the Korean or Vietnam Wars who did not receive a medal could apply within one year from the date of enactment of this bill for a similar review. Meanwhile, veterans who previously earned specified awards for service during the Korean or Vietnam Wars may be reviewed to determine if their service warrants an award upgrade.

Section 582 of the House-passed H.R. 4909 would waive the time limitation and authorize the MOH for acts of valor during Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Freedom's Sentinel, and Operation Inherent Resolve. In addition, Section 582 includes consideration for awarding medals such as the Distinguished-Service Cross, Navy Cross, Air Force Cross, and the Silver Star during these recent operations. No medal may be awarded under this section after December 31, 2019. This section calls for a review similar to DOD's year-long report on military awards and decorations, and its review of 1,000 Service Crosses and 100 Silver Stars recommended for valorous actions in Iraq and Afghanistan since September 11, 2001.[101]

Sections 583 and 584 of the House-passed H.R. 4909 would waive the time limitation to authorize awarding the MOH to two servicemembers, Gary M. Rose and Charles S. Kettles, for acts of valor during the Vietnam War. These provisions are also included in the Senate version (S. 2943) of the FY2017 NDAA as Sections 586 (Kettles) and 587 (Rose). If enacted, these men would be entitled to a monthly stipend of $1,299.61 and other benefits as MOH recipients.[102] The initial payment would include a lump sum amount for payments retroactive to the date of the act of valor. According to estimates by the Congressional Budget Office, awarding these two medals from the Vietnam War would increase direct spending by $1 million in 2017, and increase direct spending by $3 million over 2017–2026, if all four of the MOH provisions in the House-passed H.R. 4909 are enacted.[103]

**Reference(s):** CRS Report 95-519, *Medal of Honor: History and Issues*, by (name redacted) , and CRS Report R43647, *FY2015 National Defense Authorization Act: Selected Military Personnel Issues*, coordinated by (name redacted) ; and the Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016.

**CRS Point of Contact**: (name redacted), x7 -.....

[101] Lisa Ferdinando, "Pentagon Announces Changes to Military Decorations and Awards Program," DOD News, January 7, 2016, at http://www.defense.gov/News-Article-View/Article/641860/pentagon-announces-changes-to-military-decorations-and-awards-program. Note: Then-Defense Secretary Chuck Hagel initiated the review in 2014 to improve the military awards program by harnessing lessons learned from conflicts in Iraq and Afghanistan.

[102] See "Courtesies and Privileges Afforded MoH Recipients," CRS Report 95-519, *Medal of Honor: History and Issues*, by (name redacted) . Note: MOH monthly stipend rate of $1,299.61 has not changed since December 1, 2014.

[103] Congressional Budget Office, *Cost Estimate* H.R. 4909 *National Defense Authorization Act for Fiscal Year 2017*, May 11, 2016, p. 25.

# Appendix A. Reports and Studies

Congress often requests or requires pilot studies and reports within provisions of the National Defense Authorization Act and in associated committee reports. This Appendix includes reports that would be required by the House and Senate bills. Future updates will include a final list of required reports following the enactment of the FY2017 NDAA.

**Table A-1. Reports Relating to Issues of Military Personnel in H.R. 4909**

Below are the sections and summaries in H.R. 4909 on required reports, reports, studies, and other matters pertaining to military personnel policy.

| Title | Summary |
|---|---|
| H.R. 4909—**Sec. 333**<br>Report on average travel costs of members of the reserve components. | Would require the Secretary of Defense to submit a report on the travel expenses of reserve components members associated with performing active duty service, active service, full-time National Guard duty, active Guard and Reserve Duty, and inactive-duty training. |
| H.R. 4909—**Sec. 345**<br>Study on DOD's space-available travel system. | Would require DOD to commission an independent study on the space-available travel system and to submit to Congress a summary of the results within 180 days after entering into a contract. |
| H.R. 4909—**Sec. 527**<br>Pilot program on consolidated Army recruiting. | Would direct the Secretary of the Army to establish a pilot program (minimum three-year duration) to consolidate the recruiting efforts of the Regular Army, Army Reserve, and Army National Guard. Requires the Secretary to submit to HASC an interim report on the pilot program's progress during the first year and a final report within 180 days of program completion. |
| H.R. 4909—**Sec. 528**<br>Report on purpose and utility of registration system under Military Selective Service Act. | Would require the Secretary of Defense to submit a report to the House and Senate armed services committees on the current and future need for a centralized registration system under the Military Selective Service Act and the potential impact of expanding the registration requirements to include women. |
| H.R. 4909—**Sec. 542**<br>Extension of the requirement for annual report regarding sexual assaults and coordination with release of family advocacy report. | Would extend the annual reporting requirement until 2021 for DOD's annual report on sexual assault cases involving military servicemembers under their jurisdiction. The provision would also require the Secretary of Defense to provide this report simultaneously with the DOD Family Advocacy Report for that year. |
| H.R. 4909—**Sec. 543**<br>Requirement for annual family advocacy program report regarding child abuse and domestic violence. | Would require the Secretary of Defense to submit an annual report (simultaneously with the annual sexual assault report) on child abuse and domestic abuse incident data from the DOD Family Advocacy Program central registry of abuse cases. |
| H.R. 4909—**Sec. 544**<br>Improved DOD prevention of and response to hazing in the Armed Forces. | Would require the Secretary of Defense to provide an annual report to armed services committees on the implementation of these programs and anti-hazing policies and to address requirements in Section 534 of P.L. 112-239. |
| H.R. 4909—**Sec. 547**<br>Career military justice litigation track for judge advocates. | Would require the Secretary of each military department to establish a career military justice litigation track for judge advocates in the Armed Forces, and to submit a report on the progress of implementing the career litigation track within 12 months. |

| Title | Summary |
|---|---|
| H.R. 4909—**Sec. 563**<br>Military-to-mariner transition. | Would require the Secretary of Defense and Secretary of the department in which the Coast Guard is operating to jointly report to Congress on steps taken or planned by the DOD and Homeland Security with regard to credentialing processes for former servicemembers seeking a U.S. Merchant Mariner license. |
| H.R. 4909—**Sec. 566**<br>Direct employment pilot program for members of the National Guard and Reserve. | Would authorize the Secretary of Defense to carry out a pilot program aimed at enhancing efforts to provide members of the National Guard and Reserves with direct job placement assistance and related employment services and report to the armed services committees no later than January 2021 on the results of the pilot program. |
| H.R. 4909—**Sec. 567**<br>Prohibition on establishment, maintenance, or support of Senior Reserve Officers' Training Corps (ROTC) units at educational institutions that display Confederate battle flag. | Would require an annual report to the congressional defense committees that identifies each program unit located at an educational institution displaying the Confederate flag, and describes the measures taken to terminate the program. |
| H.R. 4909—**Sec. 568**<br>Report on composition of service academies. | Would require the Comptroller General to submit a report examining the demographic composition of military service academies. |
| H.R. 4909—**Sec. 569B**<br>Report and guidance regarding JTEST-AI, and Internships and SkillBridge initiatives for members of the Armed Forces who are being separated. | Would require the Under Secretary of Defense for Personnel and Readiness to make publicly available and submit to the amed services committees a report evaluating the success of the Job Training, Employment Skills Training, Apprenticeships, and Internships (known as JTEST–AI) and SkillBridge initiatives. |
| H.R. 4909—**Sec. 591**<br>Burial of cremated remains in Arlington National Cemetery of certain persons whose service is deemed to be active service. | Would require a report to the armed services and veterans committees regarding the interment and inurnment capacity of Arlington National Cemetery and recommendations for actions to ensure maximum capacity is not met in the near future. |
| H.R. 4909—**Sec. 599**<br>Pilot program on advanced technology for alcohol abuse prevention. | Would require the Secretary of Defense to establish a pilot program to examine feasibility of using portable breathalyzers, a cloud based platform, and digital applications to collect data and monitor the progress of alcohol abuse prevention programs and to submit to the armed services committees (1) an initial report on the pilot program's implementation and (2) a final report on findings and recommendations with respect to using advanced technology in the military's alcohol abuse prevention efforts. |
| H.R. 4909—**Sec. 599A**<br>Report on availability of college credit for skills acquired during military service. | Would direct the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, to submit to Congress a report on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces leaving the military. |
| H.R. 4909—**Sec. 599C**<br>Report on extending protections for student loans for active duty borrowers | Would require the Secretary of Defense, in consultation with the Secretary of Education, to submit to Congress a report detailing the information, assistance, and efforts to support and inform active duty members of the Armed Forces of their rights and resources available regarding student loans. |

| Title | Summary |
|---|---|
| H.R. 4909—**Sec. 702**<br>Reform of administration of the Defense Health Agency and military medical treatment facilities. | Would require the Comptroller General to submit to the congressional defense committees a review of the Secretary of Defense's preliminary plan and final plans for the reform of the administration of the Defense Health Agency. |
| H.R. 4909—**Sec. 703**<br>Military medical treatment facilities. | Would update reporting requirements for the Military Health System Modernization Study outlined in Section 713(a)(2) of the FY2015 NDAA (P.L. 113-291; 128 Stat. 3414) to include commentary on the modifications to military medical treatment facilities and would require the Secretary of Defense to submit to the congressional defense committees an implementation plan to restructure or realign these military medical treatment facilities and relocate the graduate medical education and residency programs. |
| H.R. 4909—**Sec. 708**<br>Joint Trauma System. | Would require the Secretary of Defense to submit and implement a plan to establish a Joint Trauma System within the Defense Health Agency that promotes improved trauma care. Upon submission of the initial plan to the armed services committees, the Comptroller General must submit a review of the Secretary's plan including any recommendations. |
| H.R. 4909—**Sec. 712**<br>Study on improving continuity of health care coverage for Reserve Components. | Would instruct the Secretary of Defense to conduct a study and report to Congress on options for health care coverage that improves continuity of care provided to current and former Reserve members. |
| H.R. 4909—**Sec. 733**<br>Use of mefloquine for malaria. | Would require the Secretary to conduct an annual review of mefloquine prescriptions at all military medical treatment facilities. |
| H.R. 4909—**Sec. 734**<br>Applied behavior analysis. | Would instruct the Secretary of Defense to ensure that the reimbursement rates for providers of applied behavior analysis at least remain equal to the rates that were in effect on March 31, 2016. Would require the Assistant Secretary of Defense for Health Affairs to conduct and submit to Congress an analysis of comparative commercial insurance claims to set future rates. |
| H.R. 4909—**Sec. 741**<br>Mental health resources for members of the military services at high risk of suicide. | Would require the Secretary of Defense to develop a methodology to assess the rate of suicide and suicide attempts among servicemembers, and to report to armed services committees on the nature and effectiveness of the preventative and treatment activities carried out. |
| H.R. 4909—**Sec. 744**<br>Long-term study on health of helicopter and tiltrotor pilots. | Would require the Secretary of Defense to carry out a long-term study on potential links between the operation of helicopter and tiltrotor aircraft and serious medical conditions experienced by career helicopter and tiltrotor pilots and to brief Congress on the progress of the study no later than June 6, 2017. |
| H.R. 4909—**Sec. 745**<br>Pilot program for prescription drug acquisition cost parity in the TRICARE pharmacy benefits program. | Would authorize the Secretary of Defense to conduct a pilot program to evaluate whether extending additional discounts for prescription drugs filled at retail pharmacies will maintain or reduce prescription drug costs for DOD and to submit a preliminary report detailing the implementation plan, an interim report on the pilot program within the first 180 days, and a final report detailing the results of the pilot program and any recommendations to expand the existing TRICARE pharmacy benefits program. |
| H.R. 4909—**Sec. 746**<br>Study on display of wait times at urgent care clinics, pharmacies, and emergency rooms of military medical treatment facilities. | Would require the Secretary of Defense to conduct a study on the feasibility of placing electronic signs to display average wait times to see a medical professional at each urgent care clinic, pharmacy, and emergency room of military medical treatment facilities and to report to Congress on the estimated costs for wait time displays. |

| Title | Summary |
|---|---|
| H.R. 4909—**Sec. 747**<br>Report on feasibility of including acupuncture and chiropractic services for retirees under TRICARE program. | Would require the Secretary of Defense to submit a report to the congressional defense committees on the feasibility of including acupuncture and chiropractic services under the TRICARE program to beneficiaries who are retired servicemembers. |
| H.R. 4909—**Sec. 748**<br>Clarification of submission of reports on longitudinal study on traumatic brain injury. | Would clarify that Section 1080 of the FY2016 NDAA (P.L. 114-92), which terminates requirements for DOD to submit certain reports to Congress, should not apply to reports outlined under Section 721 of the FY2007 NDAA (P.L. 109-364), which instructed the Secretary of Defense to conduct a longitudinal study on traumatic brain injury incurred by members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom. |
| H.R. 4909—**Sec. 750**<br>Studies on preventing the diversion of opioid medications. | Would instruct the Secretary of Defense to study and report to Congress on the DOD programs that dispense drugs to patients and examine their feasibility and effectiveness in preventing the diversion of opioid medications. |
| H.R. 4909—**Sec. 910**<br>Reduction in general officer and flag officer grades and positions. | Would amend 10 U.S.C. §164(e) to include a requirement that any officer serving as a commander of a service or functional component command under a commander of a combatant command shall be of a grade no higher than lieutenant general or vice admiral and would require the Secretary of Defense to reduce the total number of active duty general or admiral grade officers by five positions. The Secretary would be required to submit to the congressional defense committees a report on how the DOD plans to implement these position reductions. (See above section on "Changes to General and Flag Officer Grades and Positions.") |
| H.R. 4909—**Sec. 914**<br>Independent assessment of combatant command structure. | Would require the Secretary of Defense to hire an independent entity with appropriate expertise to conduct an assessment on combatant command structure, and to submit a report to the congressional defense committees on the findings and recommendations of the independent assessment. |

## Table A-2. Reports Relating to Issues of Military Personnel in S. 2943

Below are the sections and summaries in S. 2943 on required reports, studies, and other matters.

| Title | Summary |
|---|---|
| S. 2943—**Sec. 501**<br>Reform of distribution and authorized strength of general and flag officers. | Would instruct the Secretary of Defense to submit to the House and Senate armed services committees an annual report specifying the quantities of general officers and flag officers counted toward service-specific and statutory limits previously outlined. |
| S. 2943—**Sec. 543**<br>Inclusion in annual reports on sexual assault prevention and response efforts of the Armed Forces of information on complaints of retaliation in connection with reports of sexual assault in the Armed Forces. | Would add language to Section 1631(b) of P.L. 111-383, which established the requirement for Secretary of Defense to forward to Congress the annual reports from each military department regarding sexual assault prevention and response efforts. The additional language would require the Secretaries to include detailed information on each claim of retaliation in connection with a report of sexual assault. |

| Title | Summary |
|---|---|
| S. 2943—**Sec. 549**<br>Pilot programs on military justice career track for judge advocates. | Would instruct the Secretaries of each military department to carry out a pilot program to assess the feasibility and advisability of a military justice career track for judge advocates in the Armed Forces. The Secretary of Defense would be required to submit a report to armed services committees describing and assessing the pilot programs, and providing recommendations as to whether the programs should be made permanent. |
| S. 2943—**Sec. 551**<br>Extension and clarification of annual reports regarding sexual assault involving members of the Armed Forces. | Would extend the annual reporting requirements regarding sexual assault involving members of the Armed Forces from 2017 to 2025. Would further amend Section 1631 of P.L. 111-383 to clarify the scope of sexual assaults covered by the reporting requirement. |
| S. 2943—**Sec. 564**<br>Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces. | Would instruct the Secretary of Defense to consult with the Secretary of Homeland Security to give priority in the processing of applications for a Transportation Worker Identification Credential (TWIC) to applicants who are members of the Armed Forces who are undergoing separation, discharge, or release from the Armed Forces under honorable conditions. The Secretaries of Defense and Homeland Security would be required to jointly submit a report to Congress on the implementation of these TWIC priority processing requirements. |
| S. 2943—**Sec. 575**<br>Comptroller General of the United States analysis of unsatisfactory conditions and overcrowding at public schools on military installations. | Would require the Comptroller General to conduct an analysis of the condition and capacity of public schools on military installations, specifically highlighting issues of unsatisfactory conditions, facility deficiencies, safety concerns, and overcrowding. The Comptroller General would be required to submit a report to Congress on the assessment within 12 months. |
| S. 2943—**Sec. 580**<br>Comptroller General of the United States report on Exceptional Family Member Programs. | Would require the Comptroller General to submit a report to the armed services committees on the aspects of each Exceptional Family Member Program (EFMP) of the Armed Forces and examine their implementation, management, impact, and effectiveness. |
| S. 2943—**Sec. 593**<br>Annual reports on progress of the Army and the Marine Corps in integrating women into military occupational specialties and units recently opened to women. | Would require the Chief of Staff of the Army and the Commandant of the Marine Corps to each submit to the armed services committees an annual report on the status of the each department's implementation of the Secretary of Defense's March 9, 2016, policy to open to women the military occupational specialties/units that were previously closed to women. The Commander of the United States Special Operations Command (SOCOM) would be instructed to submit an annual report on the status of the SOCOM's implementation of the Secretary of Defense's March 9, 2016, policy. |
| S. 2943—**Sec. 594**<br>Report on career progression tracks of the Armed Forces for women in combat arms units. | Would require the Secretary of Defense to submit a report to Congress providing a description of the enlisted and officer career progression tracks for women in combat arms units of each department of the Armed Forces. |
| S. 2943—**Sec. 594**<br>Report on discharge by warrant officers of pilot and other flight officer positions in the Navy, Marine, Corps, and Air Force currently | Would require the Secretary of the Navy and Secretary of the Air Force to each submit a report to the armed services committees on the feasibility and advisability of allowing warrant officers to discharge pilots and other flight officer positions that currently are discharged by commissioned officers. |

| Title | Summary |
|---|---|
| discharged by commissioned officers. | |
| S. 2943—**Sec. 622**<br>Period for relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station. | Would amend 10 U.S.C §1784 by adding text that promotes military family stability when undergoing a permanent change of station. Would require the Comptroller General to submit a report to Congress assessing the various effects of relocation on military families, examining the percentage of military spouses employed, and analyzing potential DOD actions to enhance the stability of military families undergoing a permanent change of station. The report would also examine DOD's funding of military family support programs and the relevant cost-effectiveness. |
| S. 2943—**Sec. 646**<br>Independent assessment of the Survivor Benefit Plan. | Would direct the Secretary of Defense to appoint a federally funded research and development center to provide an independent assessment of the Survivor Benefit Plan (SBP). The Secretary would be required to submit a report to the armed services committees on the results of the assessment and any recommendations for legislative or administrative action. |
| S. 2943—**Sec. 705**<br>Enhancement of use of telehealth services in military health system. | Would instruct the Secretary of Defense to incorporate the use of telehealth services and mobile health applications in all direct care and purchased care components of the military health system. The Secretary would be required to submit an initial report to the armed services committees describing the full range of telehealth services to be made available, the co-payments and cost shares, and a plan to develop standardized payment methods to reimburse health care providers for telehealth services. The Secretary would also be required to submit a final report describing the various impacts made by the use of telehealth services and the satisfaction of covered beneficiaries and health care providers with the telehealth services furnished by the DOD. |
| S. 2943—**Sec. 707**<br>Pilot program to provide health insurance to members of the reserve components of the Armed Forces. | Would allow the Secretary of Defense and the Director of the Office of Personnel Management (OPM) to jointly establish a pilot program to provide commercial health insurance coverage to eligible reserve component members. If carried out, the pilot program would last for at least five years and include a variety of national and regional health benefits plans that meet specified criteria. The Secretary of Defense, in consultation with the Secretary of Homeland Security, would be instructed to provide the Director of the OPM with recommendations, data, and strategic guidance to assist in program implementation. |
| S. 2943—**Sec. 708**<br>Pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma. | Would allow the Secretary of Defense to carry out a pilot program to assess the feasibility and advisability of using intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma. The pilot program would be carried out through competitive grants awarded to community partners, which are defined as private health care organizations or institutions that participate in TRICARE and meet additional criteria. |
| S. 2943—**Sec. 721**<br>Consolidation of the medical departments of the Army, Navy, and Air Force into the Defense Health Agency. | Would instruct the Secretary of Defense to disestablish the medical departments of the Armed Forces and consolidate all activities of such departments into the Defense Health Agency (DHA). Before taking any action to consolidate the medical departments, the Secretary would be required to submit to the armed services committees a consolidation plan (which would be reviewed by the Comptroller General) outlining the organization structure and leadership authorities, while also ensuring the continuity of health care services and maintaining the medical force readiness capabilities of the military health system. The Secretary would also be required to submit a report to Congress on the consolidation requirements, anticipated effects, expected cost savings, a proposed timeline, and any additional legislative authorities required to complete the disestablishment and consolidation. *(Related to Sec. 702 of H.R. 4909.)* |

| Title | Summary |
|---|---|
| S. 2943—**Sec. 722**<br>Accountability for the performance of the military health care system of certain positions in the system. | Would require the Secretary of Defense and the Secretaries of the military departments to incorporate certain measures of accountability into the annual employee performance review which examine the employee's contribution to the performance of the military health care system. The Secretary would be required to submit a report to the armed services committees on the incorporation of measures of accountability into the annual performance reviews for designated positions. |
| S. 2943—**Sec. 725**<br>Authority to realign infrastructure of and health care services provided by military treatment facilities. | Would authorize the Secretary of a military department to realign the infrastructure or modify provided health care services of a military treatment facility if such changes will ensure higher quality care, promote faster delivery of services, or better serve to maintain the medical readiness skills and core competencies of health care providers. Before taking any action to realign infrastructure or modify health care services, the Secretary of Defense would be required to submit a report to the armed services committees on any proposed changes which shall also be reviewed by the Comptroller General. |
| S. 2943—**Sec. 726**<br>Acquisition of medical support contracts for TRICARE program. | Would instruct the Secretary of Defense to conduct new competitions for all expiring medical support contracts with private sector entities under the TRICARE program, other than the overseas medical support contract, and would provide guidelines for contract competition and innovation. The Comptroller General would be required to submit a report to the armed services committees assessing the Secretary's compliance with these contract competition requirements. |
| S. 2943—**Sec. 728**<br>Improvement of health outcomes and control of costs of health care under TRICARE program through programs to involve covered beneficiaries. | Would instruct the Secretary of Defense to implement specific programs to increase the patient involvement in health care decisions and improvement of health outcomes. The Secretary would be required to submit a report to the armed services committees on the implementation of these programs and their observed impact. |
| S. 2943—**Sec. 729**<br>Establishment of centers of excellence for specialty care in the military health system. | Would instruct the Secretary of Defense to establish regional centers of excellence for the provision of military specialty care at major DOD medical centers. Would require the Secretary to submit a report to the armed services committees that outlines a plan for the establishment of these centers of excellence. |
| S. 2943—**Sec. 735**<br>Adjustment of medical services, personnel authorized strengths, and infrastructure in military health system to maintain readiness and core competencies of health care providers. | Would instruct the Secretary of Defense to implement certain measures to maintain the critical wartime medical readiness skills and core competencies of health care providers within the Armed Forces. The Secretary would be required to submit a report to the armed services committees outlining the planned modifications and detailing the changes to be implemented regarding medical services, military treatment facilities, and personnel in the military health system. Would also require the Comptroller General to submit a report to the armed services committees assessing the Secretary's implementation of these measures. |
| S. 2943—**Sec. 751**<br>Pilot program on expansion of use of physician assistants to provide mental health care to members of the Armed Forces. | In order to meet the increasing demand for mental health care providers, the Secretary of Defense would be instructed to conduct a pilot program to assess the feasibility of expanding DOD's use of physician assistants in psychiatric medicine through the establishment of a psychiatry fellowship program for physician assistants. The Secretary would be required to submit to the armed services committees an initial report detailing the pilot program and an updated final report including program outcomes. |
| S. 2943—**Sec. 752**<br>Implementation of plan to eliminate certain graduate | Would instruct the Secretary of Defense to implement a phased plan to eliminate graduate medical education programs of the DOD that do not directly support the operational medical force readiness requirements for Armed Forces health care providers or the medical readiness of the Armed Forces. The Secretary |

| Title | Summary |
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| medical education programs of Department of Defense. | would be required to submit a report to the armed services committees detailing and assessing the phased plan. |
| S. 2943—**Sec. 760**<br>Assessment of transition to TRICARE program by families of members of reserve components called to active duty and elimination of certain charges for such families. | Would instruct the Secretary of Defense to complete an assessment of the extent to which families of members of the reserve components of the Armed Forces called to active duty experience difficulties in transitioning from private health care arrangements to the TRICARE program. The Secretary would be required to submit a report to the armed services committees detailing the results of the assessment and recommendations for further legislative action. |
| S. 2943—**Sec. 762**<br>Report on plan to improve pediatric care and related services for children of members of the Armed Forces. | Would require the Secretary of Defense to submit a report to the armed services committees detailing a plan to improve pediatric care and related services for children of members of the Armed Forces. |
| S. 2943—**Sec. 763**<br>Comptroller General report on health care delivery and waste in military health system. | Would require the Comptroller General to submit an annual report to the armed services committees assessing various issues relating to the delivery of health care in the military health system, with particular emphasis on identifying potential waste and inefficiency. |
| S. 2943—**Sec. 901**<br>Under Secretary of Defense for Research and Engineering and related acquisition position in the Office of the Secretary of Defense. | Would amend 10 U.S.C. §133 to define the qualifications and duties of the Under Secretary of Defense for Research and Engineering, the Assistant Secretary of Defense for Acquisition Policy and Oversight, and other positions. The Secretary of Defense would be required to submit to the congressional defense committees a plan for the implementation of the required changes. Would also require the Secretary to submit a report setting comprehensive recommendations for such conforming and other amendments to law as the Secretary considers appropriate. |
| S. 2943—**Sec. 921**<br>Joint Chiefs of Staff and related combatant command matters. | Would require the Chairman of the Joint Chiefs of Staff to report the national military strategy every two years, either by preparing a new national military strategy or updating a previously prepared strategy, which then would be submitted to the armed services committees along with a report on the risk assessment. |
| S. 2943—**Sec. 924**<br>Pilot program on organization of subordinate commands of a unified combatant command as joint task forces. | Would direct the Secretary of Defense to carry out a pilot program on organizing the subordinate commands of a unified combatant command in the form of joint task forces. The Secretary would be required to submit to Congress a development plan to implement such a program and a report analyzing each plan. |
| S. 2943—**Sec. 941**<br>Organizational strategy for the Department of Defense. | Would instruct the Secretary of Defense to formulate and issue an organizational strategy for the Department of Defense. The Secretary would be required to submit a report to the armed services committees describing the proposed actions and any recommendations for further legislative action. The Comptroller General would also be instructed to submit a report every 6 months assessing the actions taken under this section. |
| S. 2943—**Sec. 942**<br>Department of Defense management overview by the Secretary of Defense. | Would require the Secretary of Defense to submit to the armed services committees a detailed report on the management of DOD. |
| S. 2943—**Sec. 945**<br>Management of defense | Would direct the Secretary of Defense to coordinate with the Director of National Intelligence to carry out a pilot program to assess the feasibility and |

| Title | Summary |
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| clandestine human intelligence collection. | advisability of establishing a military division within the Directorate of Operations of the Central Intelligence Agency. The Secretary and Director would be required to submit to the appropriate congressional committees an initial report on the actions taken to implement the pilot program, and a final report assessing the program and results. |
| S. 2943—**Sec. 963**<br>Improvements to authorities and procedures for the correction of military records. | Would require each Secretary concerned to submit a report to Congress describing and assessing the progress made in developing and implementing training requirements for correction of military records. |
| S. 2943—**Sec. 964**<br>Comptroller General of the United States review of integrity of Department of Defense whistleblower program. | Would require the Comptroller General to submit to the armed services committees a report reviewing the integrity of the Department of Defense whistleblower program and assessing its effectiveness. |

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