

En Bloc Amendments to H.R. 2810**Subcommittee on Military Personnel
En Bloc # 1**

Log #	Sponsor	Description
005	Bordallo	Directs DeCA to provide briefing on Guam commissaries' vendors
018r1	Larsen	Extends DFAS garnishment authority to include judgements for child abuse
029r1	Jones	Provision of hyperbaric oxygen therapy for certain members of the armed forces.
033	Cook	Directs the establishment of a pilot program that provides job placement assistance and employment services to members of the National Guard and Reserves.
044r2	Tsongas	Requires a briefing by the Office of the Secretary of Defense on the military services' ability to provide childcare development services on military installations.
063	Wilson	Would stabilize military families in the event of a PCS that is not advantageous to work or school for the family members
066	Scott	Changes "Regular Update of Prescription Drug Pricing Standard Under TRICARE Retail Pharmacy Program."
074	O'Rourke	Requires a mental health examination for service members before they transition from military along with existing physical exam, thus bringing the transition exam into alignment with the standard Periodic Health Assessment.
087	Speier	Directs the SecNav to revise policy to make former dependents of members of the Armed Forces eligible for representation by a Victim's Legal Counsel if the dependent was the victim of an alleged sex-related offense by a member of the Armed Forces.

**Amendment to H.R. 2810
National Defense Authorization Act for Fiscal Year 2018**

Offered by: Madeleine Z. Bordallo, Guam

In the appropriate place in the report to accompany H.R. 2810, insert the following new Directive Report Language:

Local Purchasing Contracts for the Defense Commissary Agency

The committee is aware that significant savings in Second Destination Travel costs may be realized by the Defense Commissary Agency (DeCA) by pursuing contracts with local distributors and vendors in the Pacific region. The Department of Defense Inspector General has recently verified that DeCA can maintain quality, selection and cost savings by exercising local purchase with Fresh Fruits and Vegetable. The committee believes that DeCA should explore every opportunity available to reduce second destination transportation cost and that utilizing existing contracts could provide commissary customers with greater variety while providing significant transportation savings to the Department of Defense. Additionally, an expansion of local products and distributor contracts will strengthen local economic partnerships with DeCA. Therefore, the committee directs the Secretary of Defense to provide a briefing to the committee not later than January 1, 2018, on the following:

- (1) The current percentage of goods that are provided by local vendors, to include commodity category and dollar value of sales, and an analysis of historical data for the past five years.
- (2) The cost of Second Destination Transportation to provide commissary goods to the Commissaries on Guam.
- (3) The feasibility of whether using local distributors for items other than Fresh Fruits and Vegetables will reduce the cost of Second Destination Transportation while maintaining savings to beneficiaries
- (4) Initiatives undertaken or explored that seek to encourage and promote local vendor and distributor access to commissaries on Guam.

AMENDMENT TO H.R. 2810
OFFERED BY MR. LARSEN OF WASHINGTON

At the appropriate place in title V, add the following new section:

1 **SEC. 5** . **GARNISHMENT TO SATISFY JUDGMENT REN-**
2 **DERED FOR PHYSICALLY, SEXUALLY, OR**
3 **EMOTIONALLY ABUSING A CHILD.**

4 (a) **GARNISHMENT AUTHORITY.**—Section 1408 of
5 title 10, United States Code, is amended by adding at the
6 end the following new subsection:

7 “(1) **GARNISHMENT TO SATISFY A JUDGMENT REN-**
8 **DERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY**
9 **ABUSING A CHILD.**—(1) Subject to paragraph (2), any
10 payment of retired pay that would otherwise be made to
11 a member shall be paid (in whole or in part) by the Sec-
12 retary concerned to another person if and to the extent
13 expressly provided for in the terms of a child abuse gar-
14 nishment order.

15 “(2) A court order providing for the payment of child
16 support or alimony or, with respect to a division of prop-
17 erty, specifically providing for the payment of an amount
18 of the disposable retired pay from a member to the spouse
19 or a former spouse of the member, shall be given priority

1 over a child abuse garnishment order. However, the limita-
2 tions on the amount of disposable retired pay available for
3 payments set forth in paragraphs (1) and (4)(B) of sub-
4 section (e) do not apply to a child abuse garnishment
5 order.

6 “(3) In this section, the term ‘court order’ includes
7 a child abuse garnishment order.

8 “(4) In this subsection, the term ‘child abuse garnish-
9 ment order’ means a final decree issued by a court that—

10 “(A) is issued in accordance with the laws of
11 the jurisdiction of that court; and

12 “(B) provides in the nature of garnishment for
13 the enforcement of a judgment rendered against the
14 member for physically, sexually, or emotionally abus-
15 ing a child.

16 “(5) For purposes of this subsection, a judgment ren-
17 dered for physically, sexually, or emotionally abusing a
18 child is any legal claim perfected through a final enforce-
19 able judgment, which claim is based in whole or in part
20 upon the physical, sexual, or emotional abuse of an indi-
21 vidual under 18 years of age, whether or not that abuse
22 is accompanied by other actionable wrongdoing, such as
23 sexual exploitation or gross negligence.

24 “(6) If the Secretary concerned is served with more
25 than one court order with respect to the retired pay of

1 a member, the disposable retired pay of the member shall
2 be available to satisfy such court orders on a first-come,
3 first-served basis, with any such process being satisfied
4 out of such moneys as remain after the satisfaction of all
5 such processes which have been previously served.

6 “(7) The Secretary concerned shall not be required
7 to vary normal pay and disbursement cycles for retired
8 pay in order to comply with a child abuse garnishment
9 order.”.

10 (b) APPLICATION OF AMENDMENT.—Subsection (l)
11 of section 1408 of title 10, United States Code, as added
12 by subsection (a), shall apply with respect to a court order
13 received by the Secretary concerned on or after the date
14 of the enactment of this Act, regardless of the date of the
15 court order.



AMENDMENT TO H.R. 2810
OFFERED BY MR. JONES OF NORTH CAROLINA

At the appropriate place in title VII, insert the following new section:

1 **SEC. 7___ . PROVISION OF HYPERBARIC OXYGEN THERAPY**
2 **FOR CERTAIN MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) HBOT TREATMENT.—

5 (1) IN GENERAL.—Chapter 55 of title 10,
6 United States Code, is amended by inserting after
7 section 1074n the following new section:

8 **“§ 1074o. Provision of hyperbaric oxygen therapy for**
9 **certain members**

10 “(a) IN GENERAL.—The Secretary may furnish
11 hyperbaric oxygen therapy available at a military medical
12 treatment facility to a covered member if such therapy is
13 prescribed by a physician to treat post-traumatic stress
14 disorder or traumatic brain injury.

15 “(b) COVERED MEMBER DEFINED.—In this section,
16 the term ‘covered member’ means a member of the armed
17 forces who is—

18 “(1) serving on active duty; and

1 “(2) diagnosed with post-traumatic stress dis-
2 order or traumatic brain injury.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such chapter is amended
5 by inserting after the item relating to section 1074n
6 the following new item:

 “1074o. Provision of hyperbaric oxygen therapy for certain members.”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 subsection (a) shall take effect 90 days after the date of
9 the enactment of this Act.



AMENDMENT TO H.R. 2810
OFFERED BY MR. COOK OF CALIFORNIA

At the appropriate place in title V, insert the following new section:

1 **SEC. 5 . DIRECT EMPLOYMENT PILOT PROGRAM FOR**
2 **MEMBERS OF THE NATIONAL GUARD AND RE-**
3 **SERVE.**

4 (a) PROGRAM AUTHORITY.—The Secretary of De-
5 fense may carry out a pilot program to enhance the efforts
6 of the Department of Defense to provide job placement
7 assistance and related employment services directly to
8 members in the National Guard and Reserves.

9 (b) ADMINISTRATION.—The pilot program shall be
10 offered to, and administered by, the adjutants general ap-
11 pointed under section 314 of title 32, United States Code.

12 (c) COST-SHARING REQUIREMENT.—As a condition
13 on the provision of funds under this section to a State
14 to support the operation of the pilot program in the State,
15 the State must agree to contribute an amount, derived
16 from non-Federal sources, equal to at least 30 percent of
17 the funds provided by the Secretary of Defense under this
18 section.

1 (d) DIRECT EMPLOYMENT PROGRAM MODEL.—The
2 pilot program should follow a job placement program
3 model that focuses on working one-on-one with a member
4 of a reserve component to cost-effectively provide job
5 placement services, including services such as identifying
6 unemployed and under employed members, job matching
7 services, resume editing, interview preparation, and post-
8 employment follow up. Development of the pilot program
9 should be informed by State direct employment programs
10 for members of the reserve components, such as the pro-
11 grams conducted in California and South Carolina.

12 (e) EVALUATION.—The Secretary of Defense shall
13 develop outcome measurements to evaluate the success of
14 the pilot program.

15 (f) REPORTING REQUIREMENTS.—

16 (1) REPORT REQUIRED.—Not later than Janu-
17 ary 31, 2022, the Secretary of Defense shall submit
18 to the Committees on Armed Services of the Senate
19 and the House of Representatives a report describ-
20 ing the results of the pilot program. The Secretary
21 shall prepare the report in coordination with the
22 Chief of the National Guard Bureau.

23 (2) ELEMENTS OF REPORT.—A report under
24 paragraph (1) shall include the following:

1 (A) A description and assessment of the ef-
2 fectiveness and achievements of the pilot pro-
3 gram, including the number of members of the
4 reserve components hired and the cost-per-
5 placement of participating members.

6 (B) An assessment of the impact of the
7 pilot program and increased reserve component
8 employment levels on the readiness of members
9 of the reserve components.

10 (C) Any other matters considered appro-
11 priate by the Secretary.

12 (g) DURATION OF AUTHORITY.—

13 (1) IN GENERAL.—The authority to carry out
14 the pilot program expires September 30, 2020.

15 (2) EXTENSION.—Upon the expiration of the
16 authority under paragraph (1), the Secretary of De-
17 fense may extend the pilot program for not more
18 than two additional fiscal years.



Amendment to the Committee Report to Accompany HR 2810

At the appropriate place in the committee report, add the following:

Request for Briefing on the Provision of Services at Department of Defense-run Child Development Centers (CDCs)

Offered by Ms. Tsongas (D-MA)

The committee is concerned about staffing shortages at childcare centers on military installations. These facilities provide important services to the families of our men and women in uniform and allow the military to tap the potential of important demographics of society that otherwise might not be able to contribute to our national defense. On-base childcare is also an important workplace benefit that servicemembers and their families depend on as part of their total military compensation. The committee is further concerned that the civilian hiring freeze issued by the Administration in January 2017 has furthered these shortages. Therefore the committee directs the Secretary of Defense to brief the House Armed Services Committee by December 1, 2017 on:

- Current staffing deficiencies at service-run child development centers (CDCs), to include part-time and preschool programs;
- Whether the hiring freeze created any collateral effects on the services' ability to fill child-care positions (e.g. reduced administrative staff at personnel offices, etc.);
- How long the hiring process takes for filling individual child-care positions including information on what kinds of background checks are involved;
- An assessment of whether streamlined hiring authorities help fill vacancies faster;
- A discussion of the kinds of incentives that would help recruit child-care workers in areas where filling these positions is a challenge. How child care fee assistance programs could be improved to fill any gaps in availability; and
- How the Department intends to ensure that non-installation Child Development Centers address the unique developmental needs of servicemember families should military families have to seek outside care.

AMENDMENT TO H.R. 2810
OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of subtitle A of title VI, add the following
new section:

1 **SEC. 6___ . HOUSING TREATMENT FOR CERTAIN MEMBERS**
2 **OF THE ARMED FORCES, AND THEIR**
3 **SPOUSES AND OTHER DEPENDENTS, UNDER-**
4 **GOING A PERMANENT CHANGE OF STATION**
5 **WITHIN THE UNITED STATES.**

6 (a) HOUSING TREATMENT.—

7 (1) IN GENERAL.—Chapter 7 of title 37, United
8 States Code, is amended by inserting after section
9 403 the following new section:

10 **“§ 403a. Housing treatment for certain members of**
11 **the Armed Forces, and their spouses and**
12 **other dependents, undergoing a perma-**
13 **nent change of station within the United**
14 **States**

15 **“(a) HOUSING TREATMENT FOR CERTAIN MEMBERS**
16 **WHO HAVE A SPOUSE OR OTHER DEPENDENTS.—**

17 **“(1) HOUSING TREATMENT REGULATIONS.—**

18 The Secretary of Defense shall prescribe regulations
19 that permit a member of the armed forces described

1 in paragraph (2) who is undergoing a permanent
2 change of station within the United States to re-
3 quest the housing treatment described in subsection
4 (b) during the covered relocation period of the mem-
5 ber.

6 “(2) ELIGIBLE MEMBERS.—A member de-
7 scribed in this paragraph is any member who—

8 “(A) has a spouse who is gainfully em-
9 ployed or enrolled in a degree, certificate or li-
10 cense granting program at the beginning of the
11 covered relocation period;

12 “(B) has one or more dependents attend-
13 ing an elementary or secondary school at the
14 beginning of the covered relocation period;

15 “(C) has one or more dependents enrolled
16 in the Exceptional Family Member Program; or

17 “(D) is caring for an immediate family
18 member with a chronic or long-term illness at
19 the beginning of the covered relocation period.

20 “(b) HOUSING TREATMENT.—

21 “(1) CONTINUATION OF HOUSING FOR THE
22 SPOUSE AND OTHER DEPENDENTS.—If a spouse or
23 other dependent of a member whose request under
24 subsection (a) is approved resides in Government-
25 owned or Government-leased housing at the begin-

1 ning of the covered relocation period, the spouse or
2 other dependent may continue to reside in such
3 housing during a period determined in accordance
4 with the regulations prescribed pursuant to this sec-
5 tion.

6 “(2) EARLY HOUSING ELIGIBILITY.—If a
7 spouse or other dependent of a member whose re-
8 quest under subsection (a) is approved is eligible to
9 reside in Government-owned or Government-leased
10 housing following the member’s permanent change
11 of station within the United States, the spouse or
12 other dependent may commence residing in such
13 housing at any time during the covered relocation
14 period.

15 “(3) TEMPORARY USE OF GOVERNMENT-OWNED
16 OR GOVERNMENT-LEASED HOUSING INTENDED FOR
17 MEMBERS WITHOUT A SPOUSE OR DEPENDENT.—If
18 a spouse or other dependent of a member relocates
19 at a time different from the member in accordance
20 with a request approved under subsection (a), the
21 member may be assigned to Government-owned or
22 Government-leased housing intended for the perma-
23 nent housing of members without a spouse or de-
24 pendent until the member’s detachment date or the
25 spouse or other dependent’s arrival date, but only if

1 such Government-owned or Government-leased hous-
2 ing is available without displacing a member without
3 a spouse or dependent at such housing.

4 “(4) EQUITABLE BASIC ALLOWANCE FOR HOUS-
5 ING.—If a spouse or other dependent of a member
6 relocates at a time different from the member in ac-
7 cordance with a request approved under subsection
8 (a), the amount of basic allowance for housing pay-
9 able may be based on whichever of the following
10 areas the Secretary concerned determines to be the
11 most equitable:

12 “(A) The area of the duty station to which
13 the member is reassigned.

14 “(B) The area in which the spouse or
15 other dependent resides, but only if the spouse
16 or other dependent resides in that area when
17 the member departs for the duty station to
18 which the member is reassigned, and only for
19 the period during which the spouse or other de-
20 pendent resides in that area.

21 “(C) The area of the former duty station
22 of the member, but only if that area is different
23 from the area in which the spouse or other de-
24 pendent resides.

1 “(c) RULE OF CONSTRUCTION RELATED TO CERTAIN
2 BASIC ALLOWANCE FOR HOUSING PAYMENTS.—Nothing
3 in this section shall be construed to limit the payment or
4 the amount of basic allowance for housing payable under
5 section 403(d)(3)(A) of this title to a member whose re-
6 quest under subsection (a) is approved.

7 “(d) HOUSING TREATMENT EDUCATION.—The regu-
8 lations prescribed pursuant to this section shall ensure the
9 relocation assistance programs under section 1056 of title
10 10 include, as part of the assistance normally provided
11 under such section, education about the housing treatment
12 available under this section.

13 “(e) DEFINITIONS.—In this section:

14 “(1) COVERED RELOCATION PERIOD.—(A) Sub-
15 ject to subparagraph (B), the term ‘covered reloca-
16 tion period’, when used with respect to a permanent
17 change of station of a member of the armed forces,
18 means the period that—

19 “(i) begins 180 days before the date of the
20 permanent change of station; and

21 “(ii) ends 180 days after the date of the
22 permanent change of station.

23 “(B) The regulations prescribed pursuant to
24 this section may provide for a lengthening of the

1 covered relocation period of a member for purposes
2 of this section.

3 “(2) DEPENDENT.—The term ‘dependent’ has
4 the meaning given that term in section 401 of this
5 title.

6 “(3) PERMANENT CHANGE OF STATION.—The
7 term ‘permanent change of station’ means a perma-
8 nent change of station described in section 452(b)(2)
9 of this title.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of chapter 7 such title is
12 amended by inserting after the item relating to sec-
13 tion 403 the following new item:

“403a. Housing treatment for certain members of the armed forces, and their
spouses and other dependents, undergoing a permanent change
of station within the United States.”.

14 (b) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date of the enactment
16 of this Act, and shall apply with respect to permanent
17 changes of station of members of the Armed Forces that
18 occur on or after October 1 of the fiscal year that begins
19 after such date of enactment.



AMENDMENT TO H.R. 2810
OFFERED BY M _____

At the appropriate place in title VII, insert the following new section:

1 **SEC. 7**____. **REGULAR UPDATE OF PRESCRIPTION DRUG**
2 **PRICING STANDARD UNDER TRICARE RETAIL**
3 **PHARMACY PROGRAM.**

4 Section 1074g(d) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graph:

7 “(3) With respect to the TRICARE retail pharmacy
8 program described in subsection (a)(2)(E)(ii), the Sec-
9 retary shall ensure that a contract entered into with a
10 TRICARE pharmacy program contractor includes require-
11 ments described in section 1860D–12(b)(6) of the Social
12 Security Act (42 U.S.C. 1395w–112(b)(6)) to ensure the
13 provision of information regarding the pricing standard
14 for prescription drugs.”.



AMENDMENT TO H.R. 2810
OFFERED BY MR. O'ROURKE OF TEXAS

At the appropriate place in title VII, insert the following new section:

1 **SEC. 7___ . MENTAL HEALTH EXAMINATIONS BEFORE MEM-**
2 **BERS SEPARATE FROM THE ARMED FORCES.**

3 (a) **IN GENERAL.**—Section 1145(a)(5)(A) of title 10,
4 United States Code, is amended by inserting “and a men-
5 tal health examination conducted pursuant to section
6 1074n of this title” after “a physical examination”.

7 (b) **CONFORMING AMENDMENT.**—Section 1074n(a)
8 of such title is amended by inserting “(and before separa-
9 tion from active duty pursuant to section 1145(a)(5)(A)
10 of this title)” after “each calendar year”.



AMENDMENT TO H.R. 2810
OFFERED BY MS. SPEIER OF CALIFORNIA
(National Defense Authorization Bill)

At the appropriate place in title V, add the following
new section:

1 **SEC. 5___ . CONSISTENT ACCESS TO SPECIAL VICTIMS'**
2 **COUNSEL FOR FORMER DEPENDENTS OF**
3 **MEMBERS OF THE ARMED FORCES.**

4 Not later than one year after the date of the enact-
5 ment of this Act, the Secretary of the Navy shall revise
6 Navy policy regarding the eligibility of former dependents
7 of members of the Armed Forces to representation by a
8 Victims' Legal Counsel so that Navy policy is consistent
9 with Army and Air Force policy regarding Special Victims'
10 Counsel, which provides that a former dependent is eligible
11 for such representation if, while entitled to legal assist-
12 ance, the dependent was the victim of an alleged sex-re-
13 lated offense by a member of the Armed Forces.

