

officer on mandatory home leave may be permitted to use military lodging referred to in subsection (h).

(g) **USER FEE AUTHORITY.**—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit cards for customer purchases, including expenses related to card network use and related transaction processing fees.

(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

(h) **DEFINITIONS.**—In this section:

(1) The term “MWR facilities” includes—

(A) MWR retail facilities, as that term is defined in section 1063(e) of this title; and

(B) military lodging operated by the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

(2) The term “Medal of Honor recipient” has the meaning given that term in section 1074h(c) of this title.

(3) The terms “veteran”, “former prisoner of war”, and “service-connected” have the meanings given those terms in section 101 of title 38.

(4) The terms “caregiver” and “family caregiver” have the meanings given those terms in section 1720G(d) of title 38.

(5) The term “Foreign Service officer” has the meaning given that term in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903).

(6) The term “mandatory home leave” means leave under section 903 of the Foreign Service Act of 1980 (22 U.S.C. 4083).

(Added Pub. L. 115-232, div. A, title VI, § 621(b)(1), Aug. 13, 2018, 132 Stat. 1798; amended Pub. L. 116-92, div. A, title VI, § 641(a), Dec. 20, 2019, 133 Stat. 1430.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1065 was renumbered section 1063 of this title.

AMENDMENTS

2019—Pub. L. 116-92, § 641(a)(1), substituted “veterans, caregivers for veterans, and Foreign Service officers” for “veterans and caregivers for veterans” in section catchline.

Subsecs. (f) to (h). Pub. L. 116-92, § 641(a)(2), (3), added subsec. (f) and redesignated former subsecs. (f) and (g) as (g) and (h), respectively.

Subsec. (h)(5), (6). Pub. L. 116-92, § 641(a)(4), added pars. (5) and (6).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-92, div. A, title VI, § 641(b), Dec. 20, 2019, 133 Stat. 1431, provided that: “The amendments made

by this section [amending this section] shall take effect on January 1, 2020, as if originally incorporated in section 621 of Public Law 115-232.”

EFFECTIVE DATE

Pub. L. 115-232, div. A, title VI, § 621(b)(3), Aug. 13, 2018, 132 Stat. 1799, provided that: “Section 1065 of title 10, United States Code, as added by paragraph (1), shall take effect on January 1, 2020.”

§ 1066. Use of commissary stores and MWR facilities: protective services civilian employees

(a) **ELIGIBILITY OF PROTECTIVE SERVICES CIVILIAN EMPLOYEES.**—An individual employed as a protective services civilian employee at a military installation may be permitted to purchase food and hygiene items at a commissary store or MWR retail facility located on that military installation.

(b) **USER FEE AUTHORITY.**—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit cards for customer purchases, including expenses related to card network use and related transaction processing fees.

(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

(c) **DEFINITIONS.**—In this section:

(1) The term “MWR retail facility” has the meaning given that term in section 1063 of this title.

(2) The term “protective services civilian employee” means a position in any of the following series (or successor classifications) of the General Schedule:

(A) Security Administration (GS-0080).

(B) Fire Protection and Prevention (GS-0081).

(C) Police (GS-0083).

(D) Security Guard (GS-0085).

(E) Emergency Management (GS-0089).

(Added Pub. L. 116-283, div. A, title VI, § 631(a), Jan. 1, 2021, 134 Stat. 3681.)

CHAPTER 55—MEDICAL AND DENTAL CARE

Sec.

1071. Purpose of this chapter.

1072. Definitions.

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1073c. Administration of Defense Health Agency and military medical treatment facilities.

1073d. Military medical treatment facilities.

1073e. Protection of armed forces from infectious diseases.

1073f. Health care fraud and abuse prevention program.

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1074b.	Medical and dental care: Academy cadets and midshipmen; members of, and designated applicants for membership in, Senior ROTC.	1086.	Contracts for health benefits for certain members, former members, and their dependents.
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1076a.	TRICARE dental program.	1095c.	TRICARE program: facilitation of processing of claims.
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1076c.	Dental insurance plan: certain retirees and their surviving spouses and other dependents.	1095e.	TRICARE program: beneficiary counseling and assistance coordinators.
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1076e.	TRICARE program: TRICARE Retired Reserve coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60.	1095g.	TRICARE program: waiver of recoupment of erroneous payments caused by administrative error.
1076f.	TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty.	1096.	Military-civilian health services partnership program.
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1079.	Contracts for medical care for spouses and children: plans.	1098.	Incentives for participation in cost-effective health care plans.
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1105.	Specialized treatment facility program.
1106.	Submittal of claims: standard form; time limits.
1107.	Notice of use of an investigational new drug or a drug unapproved for its applied use.
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1110a.	Notification of certain individuals regarding options for enrollment under Medicare part B.
1110b.	TRICARE program: extension of dependent coverage.

AMENDMENT OF ANALYSIS

Pub. L. 117–81, div. A, title VII, § 701(c)(2), (d), Dec. 27, 2021, 135 Stat. 1779, provided that, effective Oct. 1, 2022, this analysis is amended by striking item 1090a and inserting new items 1090a “Identifying and treating eating disorders” and 1090b “Commanding officer and supervisor referrals of members for mental health evaluations”. See 2021 Amendment note below.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117–81, div. A, title VII, §§ 701(c)(2), 713(b), 714(a)(2), 716(c), Dec. 27, 2021, 135 Stat. 1779, 1784, 1786, 1789, added items 1073f, 1090a, 1090b, 1104a, and 1110 and struck out former items 1090a “Commanding officer and supervisor referrals of members for mental health evaluations” and 1110 “Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions”.

Pub. L. 116–283, div. A, title VII, § 712(b), Jan. 1, 2021, 134 Stat. 3692, added item 1073e.

2019—Pub. L. 116–92, div. A, title VII, § 702(b)(3), Dec. 20, 2019, 133 Stat. 1436, added items 1097a and 1099 and struck out former items 1097a “TRICARE Prime: automatic enrollments; payment options” and 1099 “Health care enrollment system”.

2018—Pub. L. 115–232, div. A, title X, § 1081(a)(13), Aug. 13, 2018, 132 Stat. 1984, inserted period at end of item 1077a.

2017—Pub. L. 115–91, div. A, title VII, § 703(a)(2), Dec. 12, 2017, 131 Stat. 1435, added item 1074o.

2016—Pub. L. 114–328, div. A, title VII, §§ 702(a)(2), 703(a)(2), 704(b), 711(b), 728(b)(2), Dec. 23, 2016, 130 Stat. 2195, 2198, 2201, 2214, 2234, added items 1073c, 1073d, 1076f, and 1077a, and substituted “Recurring reports and publication of certain data” for “Recurring reports” in item 1073b.

Pub. L. 114–328, div. A, title VII, §§ 701(a)(2), (b)(2), (j)(2), (k), Dec. 23, 2016, 130 Stat. 2184, 2185, 2192, 2193, applicable with respect to the provision of health care under the TRICARE program beginning on Jan. 1, 2018, added items 1075 and 1075a and substituted “TRICARE Reserve Select” for “TRICARE Standard” in item 1076d, “TRICARE Retired Reserve” for “TRICARE Standard” in item 1076e, “TRICARE program” for “CHAMPUS” in item 1079a, and “and preauthorizations under TRICARE Prime” for “for specialty health care” in item 1095f.

2015—Pub. L. 114–92, div. A, title VII, § 711(b), Nov. 25, 2015, 129 Stat. 864, added item 1095g.

2014—Pub. L. 113–291, div. A, title VII, §§ 701(a)(2), 704(b), 711(b), Dec. 19, 2014, 128 Stat. 3408, 3413, 3414, added items 1074n, 1079c, and 1097d.

2011—Pub. L. 112–81, div. A, title VII, § 702(a)(2), 704(b), 711(a)(2), Dec. 31, 2011, 125 Stat. 1471, 1473, 1476, added items 1074m, 1078b, and 1090a.

Pub. L. 111–383, div. A, title VII, § 702(a)(2), Jan. 7, 2011, 124 Stat. 4245, added item 1110b.

2009—Pub. L. 111–84, div. A, title VII, §§ 705(b), 707(b), Oct. 28, 2009, 123 Stat. 2375, 2376, added items 1076e and 1110a.

2008—Pub. L. 110–181, div. A, title XVI, § 1617(b), Jan. 28, 2008, 122 Stat. 449, as amended by Pub. L. 110–417, [div. A], title X, § 1061(b)(14), Oct. 14, 2008, 122 Stat. 4613, added item 1074f.

2006—Pub. L. 109–364, div. A, title VII, § 707(b), Oct. 17, 2006, 120 Stat. 2284, added item 1097c.

Pub. L. 109–364, div. A, title VII, § 706(e), Oct. 17, 2006, 120 Stat. 2282, struck out item 1076b “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” and substituted “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” for “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation” in item 1076d, effective Oct. 1, 2007.

Pub. L. 109–163, div. A, title VII, §§ 701(f)(2), 702(a)(2), Jan. 6, 2006, 119 Stat. 3340, 3342, substituted “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” for “TRICARE program: coverage for members of the Ready Reserve” in item 1076b and “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation” for “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty” in item 1076d.

2004—Pub. L. 108–375, div. A, title V, § 555(a)(2), title VI, § 607(a)(2), title VII, §§ 701(a)(2), 733(a)(2), 739(a)(2), title X, § 1084(d)(7), Oct. 28, 2004, 118 Stat. 1914, 1946, 1981, 1998, 2002, 2061, added items 1073b, 1074b, 1076d, and 1092a, reenacted item 1076b without change, and struck out item 1075 “Officers and certain enlisted members: subsistence charges”.

2003—Pub. L. 108–136, div. A, title XVI, § 1603(b)(2), Nov. 24, 2003, 117 Stat. 1690, added item 1107a.

Pub. L. 108–106, title I, § 1115(b), Nov. 6, 2003, 117 Stat. 1218, added item 1076b.

2001—Pub. L. 107–107, div. A, title VII, §§ 701(a)(2), (f)(2), 731(b), 732(a)(2), 736(c)(2), title X, § 1048(a)(10), Dec. 28, 2001, 115 Stat. 1158, 1161, 1169, 1173, 1223, struck out item 1074b “Transitional medical and dental care: members on active duty in support of contingency operations”, transferred item 1074i to appear after item 1074h, and added items 1074j, 1074k, 1079b, and 1086b.

2000—Pub. L. 106–398, § 1 [[div. A], title VII, § 706(a)(2), 728(a)(2), 751(b)(2), 758(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A–175, 1654A–189, 1654A–194, 1654A–200, added items 1074h, 1074j, 1095f, and 1110.

1999—Pub. L. 106–65, div. A, title VII, §§ 701(a)(2), 711(b), 713(a)(2), 714(b), 715(a)(2), 716(a)(2), 722(b), Oct. 5, 1999, 113 Stat. 680, 687, 689–691, 695, added items 1073a, 1074g, 1076a, 1095c, 1095d, 1095e, and 1097b and struck out former items 1076a “Dependents’ dental program” and 1076b “Selected Reserve dental insurance”.

1998—Pub. L. 105–261, div. A, title VII, §§ 711(b), 712(a)(2), 721(a)(2), 734(b)(2), 741(b)(2), Oct. 17, 1998, 112 Stat. 2058, 2059, 2065, 2073, 2074, added items 1094a, 1095b, 1097a, 1108, and 1109.

1997—Pub. L. 105–85, div. A, title VII, §§ 738(b), 764(b), 765(a)(2), 766(b), Nov. 18, 1997, 111 Stat. 1815, 1826–1828, added items 1074e, 1074f, 1106, and 1107 and struck out former item 1106 “Submittal of claims under CHAMPUS”.

1996—Pub. L. 104–201, div. A, title VII, §§ 701(a)(2)(B), 703(a)(2), 733(a)(2), Sept. 23, 1996, 110 Stat. 2587, 2590, 2598, substituted “Certain primary and preventive health care services” for “Primary and preventive health care services for women” in item 1074d and added items 1076c and 1079a.

Pub. L. 104–106, div. A, title VII, §§ 705(a)(2), 735(d)(2), 738(b)(2), Feb. 10, 1996, 110 Stat. 373, 383, added item 1076b and substituted “Performance of abortions: restrictions” for “Restriction on use of funds for abor-