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**AMENDMENT TO H.R. 5658, AS REPORTED  
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

Page 254, strike line 14 and all that follows through page 255, line 8, and insert the following new section:

1 **SEC. 705. PREMIUM REFUND FOR MEMBERS IN TRICARE**  
2 **RESERVE SELECT PROGRAM.**

3 Section 1076d(d) of title 10, United States Code, is  
4 amended by adding at the end the following new para-  
5 graph:

6 “(6) Not later than March 31, 2010, and each  
7 March 31 thereafter, the Secretary shall make a  
8 payment to each member of a reserve component  
9 covered by TRICARE Standard under this section—

10 “(A) in the case of a member without de-  
11 pendents whose premium payments for the pre-  
12 ceding year exceeded 33 percent of the average  
13 cost of providing benefits during the year to a  
14 member without dependents covered by  
15 TRICARE Standard under this section, an  
16 amount equal to the amount by which such pay-  
17 ments exceeded 28 percent of the average cost  
18 of providing such benefits; and

1           “(B) in the case of a member with depend-  
2           ents whose premium payments for the pre-  
3           ceding year exceeded 33 percent of the average  
4           cost of providing benefits during the year to a  
5           member with dependents covered by TRICARE  
6           Standard under this section, an amount equal  
7           to the amount by which such payments exceed-  
8           ed 28 percent of the average cost of providing  
9           such benefits.”.

