

106TH CONGRESS
2D SESSION

H. R. 4208

To expedite the implementation of the per diem allowance for members of the Armed Forces subjected to lengthy or numerous deployments, to extend the allowance to the Coast Guard, and to reevaluate the eligibility criteria for the allowance, to require a study on the need for a tax credit for businesses that employ members of the National Guard and Reserve, and to require a study on the expansion of the Junior ROTC and similar military programs for young people.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2000

Ms. GRANGER introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expedite the implementation of the per diem allowance for members of the Armed Forces subjected to lengthy or numerous deployments, to extend the allowance to the Coast Guard, and to reevaluate the eligibility criteria for the allowance, to require a study on the need for a tax credit for businesses that employ members of the National Guard and Reserve, and to require a study on the expansion of the Junior ROTC and similar military programs for young people.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recruiting, Retention,
5 and Reservist Promotion Act of 2000”.

6 **SEC. 2. PER DIEM ALLOWANCE FOR LENGTHY OR NUMER-**
7 **OUS DEPLOYMENTS.**

8 (a) EXPEDITED IMPLEMENTATION.—(1) Section 435
9 of title 37, United States Code, as added by section 586(b)
10 of the National Defense Authorization Act for Fiscal Year
11 2000 (Public Law 106–65; 113 Stat. 638), is amended
12 by adding at the end the following new subsection:

13 “(g) IMPLEMENTATION.—This section shall take ef-
14 fect on the first day of the first month beginning after
15 the date of the enactment of this subsection. For purposes
16 of determining the eligibility of a member for the high-
17 deployment per diem allowance on and after that date, the
18 Secretary concerned shall consider days on which the
19 member was deployed before that date.”.

20 (2) Section 586(d) of the National Defense Author-
21 ization Act for Fiscal Year 2000 (Public Law 106–65; 113
22 Stat. 639) is amended—

23 (A) by striking “(1)” before “Section 991”; and

24 (B) by striking paragraph (2).

1 (b) INCLUSION OF COAST GUARD.—(1) Subsection
2 (a) of section 435 of title 37, United States Code, is
3 amended by inserting after “military department con-
4 cerned” the following: “, and the Secretary of Transpor-
5 tation, with respect to members of the Coast Guard when
6 it is not operating as a service in the Department of the
7 Navy,”.

8 (2) Section 991 of title 10, United States Code, is
9 amended—

10 (A) in subsection (c), by striking “of each mili-
11 tary department” and inserting “concerned”;

12 (B) in subsection (d), by striking “of the mili-
13 tary department”; and

14 (C) in subsection (e), by striking “This section”
15 and inserting “Subsection (a)”.

16 (c) EVALUATION OF ELIGIBILITY THRESHOLD.—(1)
17 Beginning six months after the date of the enactment of
18 this Act, the Secretary of Defense, in consultation with
19 the Secretary of Transportation, shall conduct a study
20 regarding—

21 (A) the extent to which the high-deployment per
22 diem allowance authorized by section 435 of title 37,
23 United States Code, is being paid to members of the
24 regular and reserve components of the Armed
25 Forces;

1 (B) the effect of the availability of the allow-
2 ance on the morale of members and on retention and
3 recruitment rates; and

4 (C) the feasibility of establishing a reduced eli-
5 gibility threshold for a members of National Guard
6 and Reserve units serving on active duty for a period
7 of more than 30 days, at possibly a reduced per
8 diem rate, to address the disruption of the member's
9 civilian employment.

10 (2) Not later than one year after the date of the en-
11 actment of this Act, the Secretary of Defense shall submit
12 to Congress a report containing the results of the study
13 and the Secretary's recommendations regarding—

14 (A) appropriate changes to the eligibility
15 threshold for the allowance and the per diem amount
16 specified in such section 435; and

17 (B) the establishment of a separate eligibility
18 threshold and per diem rate for members of Na-
19 tional Guard and Reserve units serving on active
20 duty for a period of more than 30 days.

21 (3) If the Secretary of Defense determines that the
22 threshold of 251 days of deployment during the preceding
23 365 days is too high a threshold for eligibility for the high-
24 deployment per diem allowance, the Secretary may reduce
25 the threshold to such days of deployment as the Secretary

1 considers appropriate. The Secretary shall notify the Con-
2 gress in writing of any change in the eligibility threshold
3 made under the authority of this paragraph.

4 **SEC. 3. STUDY OF TAX CREDITS AND SMALL BUSINESS**
5 **LOAN CHANGES TO ASSIST BUSINESSES THAT**
6 **EMPLOY GUARD AND RESERVE MEMBERS.**

7 (a) STUDY REQUIRED.—The Comptroller General
8 shall conduct a study to determine—

9 (1) whether members of the National Guard
10 and Reserve comprise a disproportionately large por-
11 tion of the employees of any size or type of business,
12 including small business concerns;

13 (2) the amount of Federal tax benefit which
14 would be appropriate to compensate such a business
15 for costs associated with employing members of Na-
16 tional Guard and Reserve units and having such
17 members called to active duty; and

18 (3) whether changes can be made to the small
19 business loan program, such as a targeted level of
20 loans, reduced interest rates, and reduced paperwork
21 burdens for loan applications, to assist small busi-
22 ness concerns to deal with the costs associated with
23 employing members of National Guard and Reserve
24 units and having such members called to active duty.

1 (b) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Comptroller General shall
3 submit to Congress a report containing the results of the
4 study. The report shall include legislative proposals—

5 (1) to provide the recommended tax benefit
6 identified in the study; and

7 (2) to modify the small business loan program
8 to assist small business concerns that employ mem-
9 bers of National Guard and Reserve units.

10 **SEC. 4. REPORT ON EXPANSION OF JUNIOR ROTC AND**
11 **SIMILAR MILITARY PROGRAMS FOR YOUNG**
12 **PEOPLE.**

13 (a) FINDINGS.—Congress finds that—

14 (1) the Junior Reserve Officers' Training
15 Corps, the Civil Air Patrol, the Naval Sea Cadet
16 Corps, and the Young Marines of the Marine Corps
17 League provide significant benefits for the Armed
18 Forces, including significant public relations bene-
19 fits; and

20 (2) there is substantial interest in expanding
21 the scope of these programs.

22 (b) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Secretary of Defense
24 shall submit to Congress a report providing the Sec-
25 retary's assessment of the feasibility and desirability of ex-

1 panding the Junior Reserve Officers' Training Corps pro-
2 gram of each of the military departments, the Civil Air
3 Patrol, the Naval Sea Cadet Corps, and the Young Ma-
4 rines of the Marine Corps League. The report shall include
5 such recommendations as the Secretary considers appro-
6 priate for expansion of these programs through an in-
7 crease in the number of units or participants in these pro-
8 grams, increased funding for these programs, or such
9 other means as the Secretary determines.

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