

107TH CONGRESS  
1ST SESSION

# H. R. 3164

To amend titles 10 and 37, United States Code, to repeal the authority of the Secretary of a military department to suspend tracking and recording the number of days that members of the armed forces are deployed for purposes of determining the eligibility of such members for the per diem allowance for lengthy or numerous deployments.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2001

Mr. MCKINNEY introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend titles 10 and 37, United States Code, to repeal the authority of the Secretary of a military department to suspend tracking and recording the number of days that members of the armed forces are deployed for purposes of determining the eligibility of such members for the per diem allowance for lengthy or numerous deployments.

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

1     **SECTION 1. RESUMPTION OF TRACKING AND RECORDING**  
2                   **DEPLOYMENT DAYS OF MEMBERS OF THE**  
3                   **ARMED FORCES TO DETERMINE ELIGIBILITY**  
4                   **FOR HIGH DEPLOYMENT PER DIEM ALLOW-**  
5                   **ANCE.**

6     (a) FINDINGS.—Congress finds the following:

7                 (1) A per diem allowance for lengthy or numer-  
8         ous deployments was enacted as part of the National  
9         Defense Authorization Act for Fiscal Year 2000 to  
10        provide an additional \$100 per day to members of  
11        the Armed Forces who are deployed more than 400  
12        days in two years.

13         (2) Deployment often places members of the  
14        Armed Forces in high risk environments, separates  
15        the members from their families, and generally in-  
16        creases the burdens placed upon the member, includ-  
17        ing reduced morale and loss of recreation, commu-  
18        nity, and education opportunities. The deployment of  
19        members during combat periods further increases  
20        the stresses and burdens associated with lengthy or  
21        numerous deployments.

22         (3) The per diem allowance was intended to  
23        recognize the challenges faced and contributions  
24        made by these members of the Armed Forces, while  
25        also providing an incentive for the Secretaries of the  
26        military departments to reduce the extended deploy-

1       ment of these members and more evenly distribute  
2       the deployment of all members.

3               (4) The per diem allowance can provide needed  
4       assistance to the family of a member of the Armed  
5       Forces who is deployed, such as providing needed  
6       funds for child day care and lessening other hard-  
7       ships associated with the member's deployment.

8               (5) Through the issuance of Executive Order  
9       13223 (66 Fed. Reg. 48201), and an October 8,  
10      2001, memorandum from Deputy Secretary of De-  
11      fense Paul Wolfowitz to the Secretaries of the mili-  
12      tary departments, the availability of the high deploy-  
13      ment per diem allowance, and the accumulation of  
14      days counted towards the 400 day per two-year eligi-  
15      bility requirement for the allowance, was suspended  
16      until further notice.

17               (6) Despite the fact that a military pay raise  
18      was recently approved, some members of the Armed  
19      Forces are still eligible and rely upon food stamps  
20      and other Government assistance, and could sub-  
21      stantially benefit from the high deployment per diem  
22      allowance.

23               (7) More than ever, the members of the Armed  
24      Forces who are deployed in support of Operation  
25      Enduring Freedom deserve and should receive the

1       high deployment per diem allowance that they earn  
2       through their service to the United States.

3       (b) REPEAL OF AUTHORITY TO SUSPEND TRACKING  
4       AND RECORDING DEPLOYMENT DAYS.—Section 991 of  
5       title 10, United States Code, is amended by striking sub-  
6       section (d).

7       (c) REPEAL OF AUTHORITY TO SUSPEND HIGH DE-  
8       PLOYMENT PER DIEM.—Section 436 of title 37, United  
9       States Code, is amended by striking subsection (f).

10       (d) EFFECTIVE DATE.—The amendments made by  
11      this section shall take effect as of October 7, 2001.

