

114TH CONGRESS
2D SESSION

S. 2749

To provide an exception from the reduced flat rate per diem for long-term temporary duty under Joint Travel Regulations for civilian employees of naval shipyards traveling for direct labor in support of off-yard work, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2016

Ms. AYOTTE (for herself, Ms. COLLINS, Mrs. MURRAY, Mr. KAINE, Ms. CANTWELL, Ms. HIRONO, Mr. SCHATZ, Mrs. SHAHEEN, Mr. WARNER, Mr. KING, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide an exception from the reduced flat rate per diem for long-term temporary duty under Joint Travel Regulations for civilian employees of naval shipyards traveling for direct labor in support of off-yard work, and for other purposes.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) The Department of Defense has instituted
6 a new flat rate per diem policy that reduces the re-

1 imbursement rate for personnel traveling on tem-
2 porary duty (TDY) longer than 30 days.

3 (2) In its report to accompany S. 1376 (114th
4 Congress), dated May 19, 2015 (Report 114–49),
5 the Committee on Armed Services of the Senate ex-
6 presses concern that the new policy should not dis-
7 courage civilian workers from volunteering for im-
8 portant temporary duty assignments. The Com-
9 mittee also expresses its view that the Department
10 should “ensure that those who volunteer for mission
11 essential travel are fully supported and encouraged”.

12 (3) On January 19, 2016, the Commander of
13 Naval Sea Systems Command (NAVSEA), Admiral
14 William Hilarides, wrote a letter expressing concerns
15 about the long-term temporary duty per diem policy
16 of the Department. In the letter, Admiral Hilarides
17 states that the new policy “has already had a nega-
18 tive impact on the Naval Shipyards’ ability to effec-
19 tively and efficiently conduct Navy ship mainte-
20 nance”. As the officer who oversees all four public
21 shipyards, he also said that the policy “has the po-
22 tential to increase the end cost of projects”.

23 (4) In the letter, Admiral Hilarides requests an
24 immediate waiver from and permanent change to the
25 long-term temporary duty per diem policy of the De-

1 partment under the Joint Travel Regulations of the
2 Department for all naval shipyard workers who sup-
3 port Navy ship maintenance.

4 (5) On March 15, 2016, the Vice Chief of
5 Naval Operations, Admiral Michelle Howard, testi-
6 fied that the temporary duty policy for civilian pub-
7 lic shipyard workers may end up costing more
8 money. She also expressed concern that any policy
9 should reflect the commitment of the Navy to “these
10 artisans and their skillsets” and ensure public ship-
11 yard workers are not paying money out of their
12 pockets for appropriate expenses.

13 **SEC. 2. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) Department of Defense civilian public ship-
16 yard workers play a critical role in maintaining the
17 ships and submarines of the United States, ensuring
18 our sailors and the commanders of the combatant
19 commands have the safe and combat-ready naval
20 vessels required to protect the economic and national
21 security interests of the United States;

22 (2) the Department must continue to scrutinize
23 costs carefully in order to eliminate waste, but in a
24 well-intentioned effort to save money, the Depart-
25 ment has pursued a misguided one-size-fits-all ap-

proach to its long-term temporary duty (TDY) per diem policy, which has adversely affected shipyard workers while potentially costing more and harming the naval readiness of the United States; and

(3) in order to reduce temporary duty expenses, the Department should eliminate unnecessary temporary duty and not cut the reimbursement rate for workers undertaking temporary duty that is essential to sustain military readiness, such as temporary duty in support of ship and submarine maintenance, modernization, and repair.

SEC. 3. EXCEPTION FROM REDUCED FLAT RATE PER DIEM FOR LONG-TERM TEMPORARY DUTY UNDER JOINT TRAVEL REGULATIONS FOR CIVILIAN EMPLOYEES OF NAVAL SHIPYARDS TRAVELING FOR DIRECT LABOR IN SUPPORT OF OFF-YARD WORK.

(a) MODIFICATION OF JOINT TRAVEL REGULATIONS.—The Joint Travel Regulations (JTR) of the Department of Defense shall be modified to provide that the reduced flat rate per diem for long-term temporary duty (TDY) otherwise imposed under paragraph 4250 of section 4 of part B of chapter 4 of the Joint Travel Regulations shall not be imposed on civilian employees of naval shipyards traveling on such duty for direct labor in sup-

1 port of off-yard work and such employees shall be paid
2 the full per diem rate for such travel.

3 (b) INAPPLICABILITY OF CURRENT REGULATIONS.—

4 The per diem rate payable to any employee described in
5 subsection (a) for travel described in that subsection that
6 occurs during the period beginning on the date of the en-
7 actment of this Act and ending on the effective date of
8 the modification required by subsection (a) shall be the
9 rate provided for as a result of the modification.

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