

116TH CONGRESS
2D SESSION

S. 3617

To require payment of hazardous duty pay for members of the Armed Forces performing duty in response to the Coronavirus Disease 2019, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2020

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require payment of hazardous duty pay for members of the Armed Forces performing duty in response to the Coronavirus Disease 2019, 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. HAZARDOUS DUTY PAY FOR MEMBERS OF THE**
4 **ARMED FORCES PERFORMING DUTY IN RE-**
5 **SPONSE TO THE CORONAVIRUS DISEASE 2019.**

6 (a) IN GENERAL.—The Secretary of the military de-
7 partment concerned shall pay hazardous duty pay under
8 this section to a member of a regular or reserve component
9 of the Armed Forces who—

1 (1) performs duty in response to the
2 Coronavirus Disease 2019 (COVID-19); and

3 (2) is entitled to basic pay under section 204 of
4 title 37, United States Code, or compensation under
5 section 206 of such title, for the performance of
6 such duty.

7 (b) REGULATIONS.—Hazardous duty pay shall be
8 payable under this section in accordance with regulations
9 prescribed by the Secretary of Defense. Such regulations
10 shall specify the duty in response to the Coronavirus Dis-
11 ease 2019 qualifying a member for payment of such pay
12 under this section.

13 (c) AMOUNT.—The amount of hazardous duty pay
14 paid a member under this section shall be such amount
15 per month, not less than \$150 per month, as the Secretary
16 of Defense shall specify in the regulations under sub-
17 section (b).

18 (d) MONTHLY PAYMENT; NO PRORATION.—

19 (1) MONTHLY PAYMENT.—Hazardous duty pay
20 under this section shall be paid on a monthly basis.

21 (2) NO PRORATION.—Hazardous duty pay is
22 payable to a member under this section for a month
23 if the member performs any duty in that month
24 qualifying the person for payment of such pay.

25 (e) MONTHS FOR WHICH PAYABLE.—

1 (1) IN GENERAL.—Hazardous duty pay is pay-
2 able under this section for qualifying duty performed
3 in months occurring during the period—

4 (A) beginning on January 1, 2020; and

5 (B) ending on December 31, 2020.

6 (2) RETROACTIVE PAYMENT.—Hazardous duty
7 pay under this section is payable on a retroactive
8 basis.

9 (f) CONSTRUCTION WITH OTHER PAY.—Hazardous
10 duty pay payable to a member under this section is in ad-
11 dition to the following:

12 (1) Any other pay and allowances to which the
13 member is entitled by law.

14 (2) Any other hazardous duty pay to which the
15 member is entitled under section 351 of title 37,
16 United States Code (or any other provision of law),
17 for duty that also constitutes qualifying duty for
18 payment of such pay under this section.

19 (g) EXCLUSION FROM GROSS INCOME.—For pur-
20 poses of the Internal Revenue Code of 1986, gross income
21 shall not include any amount of hazardous duty pay re-
22 ceived under this section.

23 (h) SENSE OF SENATE.—It is the sense of the Senate
24 that the Secretary of Defense should also authorize haz-
25 ardous duty pay for members of the Armed Forces not

1 under orders specific to the response to the Coronavirus
2 Disease 2019 who provide—

3 (1) healthcare in a military medical treatment
4 facility for individuals infected with the Coronavirus
5 Disease 2019; or

6 (2) technical or administrative support for the
7 provision of healthcare as described in paragraph
8 (1).

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