

111TH CONGRESS
1ST SESSION

H. R. 3449

To mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2009

Ms. SHEA-PORTER (for herself, Mr. BRADY of Pennsylvania, Mr. WALZ, Mr. HOLT, Mr. COURTNEY, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MCGOVERN, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. BORDALLO, Mr. CARNAHAN, Ms. GIFFORDS, Ms. HARMAN, Mr. LOEBSACK, Ms. LORETTA SANCHEZ of California, Mr. ABERCROMBIE, Mr. MICHAUD, Mr. JONES, Mr. HARE, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. JOHNSON of Georgia, and Ms. WASSERMAN SCHULTZ) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom.

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. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Military
3 Readiness Through Stability and Predictability Deploy-
4 ment Policy Act”.

5 **SEC. 2. MINIMUM PERIODS OF REST AND RECUPERATION**
6 **FOR UNITS OF THE ARMED FORCES BE-**
7 **TWEEN DEPLOYMENTS.**

8 (a) **REGULAR COMPONENTS.—**

9 (1) **IN GENERAL.—**No unit of the Armed
10 Forces specified in paragraph (3) may be deployed
11 in support of a covered military operation unless the
12 period between the most recent previous deployment
13 of the unit and a subsequent deployment of the unit
14 is equal to or longer than the period of such most
15 recent previous deployment.

16 (2) **SENSE OF CONGRESS ON OPTIMAL MINIMUM**
17 **PERIOD BETWEEN DEPLOYMENTS.—**It is the sense
18 of Congress that the optimal minimum period be-
19 tween the most recent previous deployment of a unit
20 of the Armed Forces specified in paragraph (3) and
21 a subsequent deployment of the unit in support of
22 a covered military operation should be equal to or
23 longer than twice the period of such most recent
24 previous deployment.

1 (3) COVERED UNITS.—Subject to subsection
2 (e), the units of the Armed Forces specified in this
3 paragraph are as follows:

4 (A) Units of the regular Army and mem-
5 bers assigned to those units.

6 (B) Units of the regular Marine Corps and
7 members assigned to those units.

8 (C) Units of the regular Navy and mem-
9 bers assigned to those units.

10 (D) Units of the regular Air Force and
11 members assigned to those units.

12 (b) RESERVE COMPONENTS.—

13 (1) IN GENERAL.—No unit of the Armed
14 Forces specified in paragraph (3) may be deployed
15 in support of a covered military operation unless the
16 period between the most recent previous deployment
17 of the unit and a subsequent deployment of the unit
18 is at least three times longer than the period of such
19 most recent previous deployment.

20 (2) SENSE OF CONGRESS ON MOBILIZATION
21 AND OPTIMAL MINIMUM PERIOD BETWEEN DEPLOY-
22 MENTS.—It is the sense of Congress that the units
23 of the reserve components of the Armed Forces
24 should not be mobilized continuously for more than
25 one year, and the optimal minimum period between

1 the previous deployment of a unit of the Armed
2 Forces specified in paragraph (3) and a subsequent
3 deployment of the unit in support of a covered mili-
4 tary operation should be five years.

5 (3) COVERED UNITS.—The units of the Armed
6 Forces specified in this paragraph are as follows:

7 (A) Units of the Army Reserve and mem-
8 bers assigned to those units.

9 (B) Units of the Army National Guard and
10 members assigned to those units.

11 (C) Units of the Marine Corps Reserve and
12 members assigned to those units.

13 (D) Units of the Navy Reserve and mem-
14 bers assigned to those units.

15 (E) Units of the Air Force Reserve and
16 members assigned to those units.

17 (F) Units of the Air National Guard and
18 members assigned to those units.

19 (c) EXEMPTIONS.—The limitations in subsections (a)
20 and (b) do not apply—

21 (1) to special operations forces as identified
22 pursuant to section 167(i) of title 10, United States
23 Code; and

24 (2) to units of the Armed Forces needed, as de-
25 termined by the Secretary of Defense, to assist in

1 the redeployment of members of the Armed Forces
2 from a covered military operation to another oper-
3 ational requirement or back to their home stations.

4 (d) WAIVER BY THE PRESIDENT.—The President
5 may waive the limitation in subsection (a) or (b) with re-
6 spect to the deployment of a unit of the Armed Forces
7 to meet a threat to the national security interests of the
8 United States if the President certifies to Congress within
9 30 days that the deployment of the unit is necessary for
10 such purposes.

11 (e) WAIVER BY MILITARY CHIEF OF STAFF OR COM-
12 MANDANT FOR VOLUNTARY MOBILIZATIONS.—

13 (1) ARMY.—With respect to the deployment of
14 a member of the Army who has voluntarily re-
15 quested mobilization, the limitation in subsection (a)
16 or (b) may be waived by the Chief of Staff of the
17 Army.

18 (2) NAVY.—With respect to the deployment of
19 a member of the Navy who has voluntarily requested
20 mobilization, the limitation in subsection (a) or (b)
21 may be waived by the Chief of Naval Operations.

22 (3) MARINE CORPS.—With respect to the de-
23 ployment of a member of the Marine Corps who has
24 voluntarily requested mobilization, the limitation in

1 subsection (a) or (b) may be waived by the Com-
2 mandant of the Marine Corps.

3 (4) AIR FORCE.—With respect to the deploy-
4 ment of a member of the Air Force who has volun-
5 tarily requested mobilization, the limitation in sub-
6 section (a) or (b) may be waived by the Chief of
7 Staff of the Air Force.

8 (f) DEFINITIONS.—In this Act:

9 (1) COVERED MILITARY OPERATION.—The term
10 “covered military operation” means—

11 (A) Operation Iraqi Freedom; and

12 (B) Operation Enduring Freedom, includ-
13 ing participation in the NATO International
14 Security Assistance Force (Afghanistan).

15 (2) DEPLOYMENT.—The term “deployment” or
16 “deployed” means the relocation of forces and mate-
17 riel to desired areas of operations and encompasses
18 all activities from origin or home station through
19 destination, including staging, holding, and move-
20 ment in and through the United States and all thea-
21 ters of operation.

22 (3) UNIT.—The term “unit” means a unit that
23 is deployable and is commanded by a commissioned
24 officer of the Army, Navy, Air Force, or Marine
25 Corps serving in the grade of major or, in the case

1 of the Navy, lieutenant commander, or a higher
2 grade.

3 (g) EFFECTIVE DATE.—This Act shall take effect on
4 the date of the enactment of this Act.

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