

117TH CONGRESS
2D SESSION

S. 4375

To amend titles 10 and 37, United States Code, to establish special pay and allowances for members of the Armed Forces assigned to cold weather operations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2022

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend titles 10 and 37, United States Code, to establish special pay and allowances for members of the Armed Forces assigned to cold weather operations, 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. SHORT TITLE.**

4 This Act may be cited as the “Don Young Arctic

5 Warrior Act”.

1 **SEC. 2. SPECIAL PAY AND ALLOWANCES FOR CERTAIN**
2 **MEMBERS OF THE ARMED FORCES ASSIGNED**
3 **TO COLD WEATHER OPERATIONS.**

4 (a) **SPECIAL PAY.—**

5 (1) **ESTABLISHMENT.**—Subchapter II of chapter
6 5 of title 37, United States Code, is amended by
7 inserting after section 336 the following new section:

8 **“§ 337. Special pay: members of the Armed Forces as-**
9 **signed to cold weather operations**

10 “(a) **SPECIAL PAY AUTHORIZED.**—The Secretary
11 concerned shall pay monthly special pay (to be known as
12 ‘arctic pay’) to a member of the Armed Forces—

13 “(1) assigned to perform cold weather oper-
14 ations; or

15 “(2) required to maintain proficiency through
16 frequent operations in cold weather.

17 “(b) **AMOUNT OF PAY.**—Special pay under this sec-
18 tion shall equal \$300 per month.

19 “(c) **RELATIONSHIP TO OTHER PAY OR ALLOW-
20 ANCES.**—Special pay under this section is in addition to
21 any other pay or allowance to which a member is entitled.

22 “(d) **SUNSET.**—No special pay may be paid under
23 this section after December 31, 2023.”.

24 (2) **CLERICAL AMENDMENT.**—The table of sec-
25 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 336
2 the following:

“337. Special pay: members of the armed forces assigned to cold weather operations.”.

7 (b) ALLOWANCE FOR BROADBAND.—

(1) ESTABLISHMENT.—Chapter 7 of title 37, United States Code, is amended by inserting after section 425 the following new section:

14 "(a) ALLOWANCE AUTHORIZED.—The Secretary con-
15 cerned shall pay, to a member of the Armed Forces in
16 the grade of E-5 or below who is assigned to a permanent
17 duty station in Alaska, a monthly allowance for
18 broadband.

19 "(b) AMOUNT.—The monthly allowance to a member
20 under this section shall be—

22 “(2) in subsequent calendar years, an amount
23 determined by the Secretary of Defense based on the
24 difference between the average costs of unlimited

1 broadband plans in Alaska and in the continental
2 United States.

3 “(c) SUNSET.—No allowance may be paid under this
4 section after December 31, 2028.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions at the beginning of such chapter is amended
7 by inserting after the item relating to section 425
8 the following:

“426. Allowance for broadband for certain members of the Armed Forces as-
signed to permanent duty stations in Alaska.”.

9 (3) EFFECTIVE DATE.—Section 426 of such
10 title, as added by paragraph (1), shall take effect on
11 the day the Secretary of Defense prescribes regula-
12 tions under paragraph (4).

13 (4) REGULATIONS.—Not later than 180 days
14 after the date of the enactment of this Act, the Sec-
15 retary of Defense shall prescribe regulations to carry
16 out section 426 of such title, as added by paragraph
17 (1).

18 (5) REPORT.—Not later than December 31,
19 2027, the Secretary of Defense shall submit to the
20 Committees on Armed Services of the Senate and
21 the House of Representatives a report containing—

22 (A) the evaluation of the Secretary of the
23 allowance under section 426 of such title, as
24 added by paragraph (1); and

(B) any recommendation of the Secretary regarding whether such allowance should be amended, extended, or made permanent.

4 (c) TRAVEL AND TRANSPORTATION ALLOWANCE.—

5 (1) ENTITLEMENT.—Not later than 90 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall prescribe regulations and
8 guidance that entitle a member of the Armed Forces
9 in the grade of E-5 or below who is assigned to a
10 permanent duty station in Alaska to a one-time al-
11 lowance for air travel for the member and depend-
12 ents of such member.

13 (2) AMOUNTS.—

1 amount of the allowance shall be equal to the
2 lesser of the following:

(ii) The actual costs of such air travel.

19 SEC. 3. PILOT PROGRAM ON CAR SHARING ON REMOTE
20 MILITARY INSTALLATIONS.

21 (a) ESTABLISHMENT.—Not later than 180 days after
22 the date of the enactment of this Act, the Secretary of
23 Defense shall seek to carry out a pilot program to allow
24 car sharing at military installations in Alaska.

1 (b) PROGRAM ELEMENTS.—To carry out a pilot pro-
2 gram under this section, the Secretary shall take steps in-
3 cluding the following:

4 (1) Seek to enter into an agreement with an en-
5 tity that—

6 (A) provides car sharing services; and
7 (B) is capable of serving all military instal-
8 lations in Alaska.

9 (2) Provide to members assigned to such instal-
10 lations the resources the Secretary determines nec-
11 essary to participate in such pilot program.

12 (3) Promote such pilot program to such mem-
13 bers.

14 (c) IMPLEMENTATION PLAN.—Not later than 90
15 days after the date the Secretary enters into an agreement
16 under subsection (b)(1), the Secretary shall submit to the
17 congressional defense committees a plan to carry out the
18 pilot program.

19 (d) DURATION.—A pilot program under this section
20 shall terminate two years after the Secretary commences
21 such pilot program.

22 (e) REPORT.—Upon the termination of a pilot pro-
23 gram under this section, the Secretary of Defense shall
24 submit to the congressional defense committees a report
25 containing the following information:

1 (1) The number of individuals who used car
2 sharing services offered pursuant to the pilot pro-
3 gram.

4 (2) The cost to the United States of the pilot
5 program.

6 (3) An analysis of the effect of the pilot pro-
7 gram on mental health and community connected-
8 ness of members described in subsection (b)(2).

9 (4) Other information the Secretary determines
10 appropriate.

11 (f) DEFINITIONS.—In this section:

12 (1) CONGRESSIONAL DEFENSE COMMITTEES.—
13 The term “congressional defense committees” has
14 the meaning given that term in section 101(a) of
15 title 10, United States Code.

16 (2) MILITARY INSTALLATION.—The term “mili-
17 tary installation” has the meaning given that term
18 in section 2801 of title 10, United States Code.

19 **SEC. 4. CLARIFICATION REGARDING LICENSURE REQUIRE-**
20 **MENTS FOR PROVISION OF NON-MEDICAL**
21 **COUNSELING SERVICES BY CERTAIN**
22 **HEALTH-CARE PROFESSIONALS.**

23 Section 1094 of title 10, United States Code is
24 amended—

1 (1) in subsection (d)(1), by inserting “, includ-
2 ing by providing non-medical counseling services in
3 connection with such practice,” after “the health
4 profession or professions of the health-care profes-
5 sional”; and

6 (2) in subsection (e), by adding at the end the
7 following new paragraph:

8 “(3) The term ‘non-medical counseling’—

9 “(A) means short-term, non-therapeutic
10 counseling that is not an appropriate substitute
11 for individuals in need of clinical therapy; and

12 “(B) includes counseling that is supportive
13 in nature and addresses issues such as general
14 conditions of living, life skills, improving rela-
15 tionships at home and at work, stress manage-
16 ment, adjustment issues (such as those related
17 to returning from a deployment), marital prob-
18 lems, parenting, and grief and loss.”.

19 **SEC. 5. IMPROVEMENTS RELATING TO BEHAVIORAL**
20 **HEALTH CARE AVAILABLE UNDER MILITARY**
21 **HEALTH SYSTEM.**

22 (a) EXPANSION OF CERTAIN BEHAVIORAL HEALTH
23 PROGRAMS AT THE UNIFORMED SERVICES UNIVERSITY
24 OF THE HEALTH SCIENCES.—

1 (1) ESTABLISHMENT OF GRADUATE PRO-
2 GRAMS.—The Secretary of Defense shall establish
3 graduate degree-granting programs in counseling
4 and social work at the Uniformed Services Univer-
5 sity of the Health Sciences.

6 (2) EXPANSION OF CLINICAL PSYCHOLOGY
7 GRADUATE PROGRAM.—The Secretary of Defense
8 shall take such steps as may be necessary to expand
9 the clinical psychology graduate program of the Uni-
10 formed Services University of the Health Sciences.

11 (3) POST-AWARD EMPLOYMENT OBLIGATION.—
12 (A) AGREEMENT WITH SECRETARY.—Sub-
13 ject to subparagraph (B), as a condition of en-
14 rolling in a degree-granting program in clinical
15 psychology, social work, or counseling at the
16 Uniformed Services University of the Health
17 Sciences, a civilian student shall enter into an
18 agreement with the Secretary of Defense pursu-
19 ant to which the student agrees that, if the stu-
20 dent does not become a member of a uniformed
21 service upon graduating such program, the stu-
22 dent shall work on a full-time basis as a covered
23 civilian behavioral health provider for a period
24 that is at least equivalent to the period during

1 which the student was enrolled in such pro-
2 gram.

3 (B) OTHER TERMS AND CONDITIONS.—An
4 agreement entered into pursuant to subparagraph
5 (A) may include such other terms and
6 conditions as the Secretary of Defense may de-
7 termine necessary to protect the interests of the
8 United States or otherwise appropriate for pur-
9 poses of this section, including terms and condi-
10 tions providing for limited exceptions from the
11 employment obligation specified in such sub-
12 paragraph.

13 (C) REPAYMENT.—

14 (i) IN GENERAL.—A civilian graduate
15 who does not complete the employment ob-
16 ligation required under the agreement en-
17 tered into pursuant to subparagraph (A)
18 shall repay to the Secretary of Defense a
19 prorated portion of the cost of attendance
20 in the program described in such subpara-
21 graph that are paid by the Secretary on
22 behalf of the civilian graduate.

23 (ii) DETERMINATION OF AMOUNT.—
24 The amount of any repayment required

1 under clause (i) shall be determined by the
2 Secretary.

3 (D) APPLICABILITY.—This paragraph shall
4 apply to civilian students who enroll in the first
5 year of a degree-granting program in clinical
6 psychology, social work, or counseling at the
7 Uniformed Services University of the Health
8 Sciences on or after the date of the enactment
9 of this Act.

10 (4) IMPLEMENTATION PLAN.—

11 (A) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the
13 Secretary shall submit to the congressional de-
14 fense committees a plan for the implementation
15 of this subsection.

16 (B) ELEMENTS.—The plan required by
17 subparagraph (A) shall include—

18 (i) a determination as to the resources
19 for personnel and facilities required for the
20 implementation of this subsection;

21 (ii) estimated timelines for such im-
22 plementation; and

23 (iii) a projection of the number of
24 graduates from the programs specified in

1 paragraph (1) upon the completion of such
2 implementation.

3 (b) SCHOLARSHIP-FOR-SERVICE PROGRAM FOR CL-
4 VILIAN BEHAVIORAL HEALTH PROVIDERS.—

5 (1) IN GENERAL.—Beginning not later than
6 two years after the date of the enactment of this
7 Act, the Secretary of Defense shall carry out a pro-
8 gram under which—

9 (A) the Secretary may provide—

10 (i) direct grants to cover tuition, fees,
11 living expenses, and any other cost of at-
12 tendance at an institution of higher edu-
13 cation to an individual enrolled in a pro-
14 gram of study leading to a graduate degree
15 in clinical psychology, social work, coun-
16 seling, or a related field (as determined by
17 the Secretary); and

18 (ii) student loan repayment assistance
19 to a credentialed behavioral health provider
20 who has a graduate degree in clinical psy-
21 chology, social work, counseling, or a re-
22 lated field (as determined by the Sec-
23 retary); and

24 (B) in exchange for such assistance, the
25 recipient shall commit to work as a covered ci-

1 vilian behavioral health provider in accordance
2 with paragraph (2).

3 (2) POST-AWARD EMPLOYMENT OBLIGA-
4 TIONS.—

5 (A) IN GENERAL.—Subject to subparagraph
6 (B), as a condition of receiving assistance
7 under paragraph (1), the recipient of such as-
8 sistance shall enter into an agreement with the
9 Secretary of Defense pursuant to which the re-
10 cipient agrees to work on a full-time basis as a
11 covered civilian behavioral health provider for a
12 period that is at least equivalent to the period
13 during which the recipient received assistance
14 under such paragraph.

15 (B) OTHER TERMS AND CONDITIONS.—An
16 agreement entered into pursuant to subparagraph
17 (A) may include such other terms and
18 conditions as the Secretary of Defense may de-
19 termine necessary to protect the interests of the
20 United States or otherwise appropriate for pur-
21 poses of this section, including terms and condi-
22 tions providing for limited exceptions from the
23 post-award employment obligation specified in
24 such subparagraph.

25 (3) REPAYMENT.—

1 (A) IN GENERAL.—An individual who re-
2 ceives assistance under paragraph (1) and does
3 not complete the employment obligation re-
4 quired under the agreement entered into pursu-
5 ant to paragraph (2) shall repay to the Sec-
6 retary of Defense a prorated portion of the fi-
7 nancial assistance received by the individual
8 under paragraph (1).

9 (B) DETERMINATION OF AMOUNT.—The
10 amount of any repayment required under sub-
11 paragraph (A) shall be determined by the Sec-
12 retary.

13 (4) IMPLEMENTATION PLAN.—Not later than
14 one year after the date of the enactment of this Act,
15 the Secretary of Defense shall submit to the con-
16 gressional defense committees a plan for the imple-
17 mentation of this subsection.

18 (c) INTERNSHIP PROGRAMS FOR CIVILIAN BEHAV-
19 IORAL HEALTH.—

20 (1) ESTABLISHMENT OF PROGRAMS.—The Sec-
21 retary of Defense shall establish paid pre-doctoral
22 and post-doctoral internship programs for the pur-
23 pose of training clinical psychologists to work as cov-
24 ered civilian behavioral health providers.

25 (2) EMPLOYMENT OBLIGATION.—

1 (A) IN GENERAL.—Subject to subparagraph (B), as a condition of participating in an
2 internship program under paragraph (1), an individual shall enter into an agreement with the
3 Secretary of Defense pursuant to which the individual agrees to work on a full-time basis as
4 a covered civilian behavioral health provider for
5 a period that is at least equivalent to the period
6 of participation by the individual in such intern-
7 ship program.

8 (B) OTHER TERMS AND CONDITIONS.—An
9 agreement entered into pursuant to subparagraph (A) may include such other terms and
10 conditions as the Secretary of Defense may determine necessary to protect the interests of the
11 United States or otherwise appropriate for purposes of this section, including terms and conditions providing for limited exceptions from the
12 employment obligation specified in such sub-
13 paragraph.

14 (3) REPAYMENT.—

15 (A) IN GENERAL.—An individual who par-
16 ticipates in an internship program under para-
17 graph (1) and does not complete the employ-
18 ment obligation required under the agreement

1 entered into pursuant to paragraph (2) shall
2 repay to the Secretary of Defense a prorated
3 portion of the cost of administering such pro-
4 gram with respect to such individual and of any
5 payment received by the individual under such
6 program.

7 (B) DETERMINATION OF AMOUNT.—The
8 amount of any repayment required under sub-
9 paragraph (A) shall be determined by the Sec-
10 retary.

11 (4) IMPLEMENTATION PLAN.—Not later than
12 one year after the date of the enactment of this Act,
13 the Secretary of Defense shall submit to the con-
14 gressional defense committees a plan for the imple-
15 mentation of this subsection.

16 (d) RETENTION BONUSES FOR CERTAIN BEHAV-
17 IORAL HEALTH PROVIDERS.—

18 (1) RETENTION BONUS.—From amounts avail-
19 able in the Department of Defense Civilian Work-
20 force Incentive Fund established under section
21 9902(a)(3) of title 5, United States Code, the Sec-
22 retary of Defense may pay an incentive payment of
23 not more than \$50,000 annually per employee to
24 employees described in paragraph (2) for the pur-
25 poses of retaining such employees.

1 (2) ELIGIBLE RECIPIENTS OF BONUS.—Employees described in this paragraph are covered civilian behavioral health providers in the following professions:

- 5 (A) Clinical psychologists.
- 6 (B) Social workers.
- 7 (C) Counselors.

8 (e) REPORT ON BEHAVIORAL HEALTH WORK-
9 FORCE.—

10 (1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an analysis of the behavioral health workforce under the direct care component of the TRICARE program and submit to the congressional defense committees a report containing the results of such analysis.

17 (2) ELEMENTS.—The report required under paragraph (1) shall include, with respect to the workforce specified in such paragraph, the following:

20 (A) The number of positions authorized for military behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

- 1 (B) The number of positions authorized for
2 civilian behavioral health providers within such
3 workforce, and the number of such positions
4 filled, disaggregated by the professions de-
5 scribed in paragraph (3).
- 6 (C) For each military department, the
7 ratio of military behavioral health providers as-
8 signed to military medical treatment facilities
9 compared to civilian behavioral health providers
10 so assigned, disaggregated by the professions
11 described in paragraph (3).
- 12 (D) For each military department, the
13 number of military behavioral health providers
14 authorized to be embedded within an oper-
15 ational unit, and the number of such positions
16 filled, disaggregated by the professions de-
17 scribed in paragraph (3).
- 18 (E) Data on the historical demand for be-
19 havioral health services by members of the
20 Armed Forces.
- 21 (F) An estimate of the number of health
22 care providers necessary to meet the demand by
23 such members for behavioral health services
24 under the direct care component of the

1 TRICARE program, disaggregated by provider
2 type.

3 (G) An identification of any shortfall be-
4 tween the estimated number under subparagraph (F) and the total number of positions for
5 behavioral health providers filled within such
6 workforce.

7 (H) Such other information as the Sec-
8 retary may determine appropriate.

9 (3) PROVIDER TYPES.—The professions de-
10 scribed in this paragraph are as follows:

11 (A) Clinical psychologists.

12 (B) Social workers.

13 (C) Counselors.

14 (D) Such other professions as the Sec-
15 retary may determine appropriate.

16 (f) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL
17 HEALTH WORKFORCE.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Defense shall submit to the congressional
21 defense committees a plan to address any shortfall
22 of the behavioral health workforce identified under
23 subsection (e)(2)(G).

1 (2) ELEMENTS.—The plan required by para-
2 graph (1) shall—

3 (A) address, with respect to any shortfall
4 of military behavioral health providers (ad-
5 dressed separately with respect to such pro-
6 viders assigned to military medical treatment
7 facilities and such providers assigned to be em-
8 bedded within operational units)—

9 (i) recruitment;

10 (ii) accession;

11 (iii) retention;

12 (iv) special pay and other aspects of
13 compensation;

14 (v) workload;

15 (vi) the role of the Uniformed Services
16 University of the Health Sciences and the
17 Armed Forces Health Professions Scholar-
18 ship Program under chapter 105 of title
19 10, United States Code;

20 (vii) any additional authorities or re-
21 sources necessary for the Secretary to in-
22 crease the number of such providers; and

23 (viii) such other considerations as the
24 Secretary may consider appropriate;

- 1 (B) address, with respect to any shortfall
2 of civilian behavioral health providers—
3 (i) recruitment;
4 (ii) hiring;
5 (iii) retention;
6 (iv) pay and benefits;
7 (v) workload;
8 (vi) educational scholarship programs;
9 (vii) any additional authorities or re-
10 sources necessary for the Secretary to in-
11 crease the number of such providers; and
12 (viii) such other considerations as the
13 Secretary may consider appropriate;
- 14 (C) recommend whether the number of
15 military behavioral health providers in each
16 military department should be increased, and if
17 so, by how many;
- 18 (D) include a plan to expand access to be-
19 havioral health services under the military
20 health system through the use of telehealth;
- 21 (E) include a plan by each military depart-
22 ment to allocate additional uniformed mental
23 health providers in military medical treatment
24 facilities at remote installations; and

5 (g) DEFINITIONS.—In this section:

(1) ARMED FORCES; CONGRESSIONAL DEFENSE COMMITTEES.—The terms “Armed Forces” and “congressional defense committees” have the meanings given those terms in section 101 of title 10, United States Code.

18 (4) COST OF ATTENDANCE.—The term “cost of
19 attendance” has the meaning given that term in sec-
20 tion 472 of the Higher Education Act of 1965 (20
21 U.S.C. 1087ll).

1 defense involves the provision of behavioral health serv-
2 ices at a military medical treatment facility.

3 (6) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given that term in section 101 of the High-
6 er Education Act of 1965 (20 U.S.C. 1001).

20 SEC. 6. PILOT PROGRAM ON SAFE STORAGE OF PERSON-
21 ALLY OWNED FIREARMS.

22 (a) ESTABLISHMENT.—The Secretary of Defense
23 shall establish a pilot program to promote the safe storage
24 of personally owned firearms.

1 (b) VOLUNTARY PARTICIPATION.—Participation by
2 members of the Armed Forces in the pilot program under
3 subsection (a) shall be on a voluntary basis.

4 (c) ELEMENTS.—Under the pilot program under sub-
5 section (a), the Secretary of Defense shall furnish to mem-
6 bers of the Armed Forces who are participating in the
7 pilot program at military installations selected under sub-
8 section (e) locking devices and firearm safes for the pur-
9 pose of securing personally owned firearms when not in
10 use (including by directly providing, subsidizing, or other-
11 wise making available such devices or safes).

12 (d) PLAN.—Not later than one year after the date
13 of the enactment of this Act, the Secretary of Defense
14 shall submit to the congressional defense committees a
15 plan for the implementation of the pilot program under
16 subsection (a).

17 (e) SELECTION OF INSTALLATIONS.—Not later than
18 two years after the date of the enactment of this Act, the
19 Secretary of Defense shall select not fewer than five mili-
20 tary installations at which to carry out the pilot program
21 under subsection (a).

22 (f) DURATION.—The duration of the pilot program
23 under subsection (a) shall be for a period of six years.

24 (g) REPORT.—Upon the termination of the pilot pro-
25 gram under subsection (a), the Secretary of Defense shall

1 submit to the congressional defense committees a report
2 containing the following information:

3 (1) The number and type of locking devices and
4 firearm safes furnished to members of the Armed
5 Forces under the pilot program.

6 (2) The cost of carrying out the pilot program.
7 (3) An analysis of the effect of the pilot pro-
8 gram on suicide prevention.

9 (4) Such other information as the Secretary
10 may determine appropriate, which shall exclude any
11 personally identifiable information about partici-
12 pants in the pilot program.

13 (h) DEFINITIONS.—In this section, the terms
14 “Armed Forces” and “congressional defense committees”
15 have the meanings given those terms in section 101 of title
16 10, United States Code.

