

118TH CONGRESS  
1ST SESSION

# S. 2297

To improve the provision of benefits and services to members of the Ready Reserve Corps of the Public Health Service, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 13, 2023

Ms. DUCKWORTH (for herself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To improve the provision of benefits and services to members of the Ready Reserve Corps of the Public Health Service, 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 “Parity for Public  
5 Health Service Ready Reserve Act”.

6 **SEC. 2. PUBLIC HEALTH SERVICE READY RESERVE CORPS**  
7 **(PHS RRC).**

8 (a) ESTABLISHMENT.—Section 10141 of title 10,  
9 United States Code, is amended—

1           (1) in subsection (a), by striking “in each  
2           armed force” and inserting “in each uniformed serv-  
3           ice”; and

4           (2) in subsection (c), striking “the same for all  
5           armed forces” and inserting “the same for all re-  
6           serve components of the uniformed services”.

7           (b) ORGANIZATION AND UNIT STRUCTURE.—Section  
8           10143(b) of title 10, United States Code, is amended—

9           (1) in paragraph (1)—

10           (A) by inserting “and the Public Health  
11           Service Ready Reserve Corps” after “other than  
12           the Coast Guard”; and

13           (B) by striking “war plans; and” and in-  
14           serting “war plans;”;

15           (2) in paragraph (2), by striking the period at  
16           the end and inserting “; and”; and

17           (3) by adding at the end the following new  
18           paragraph:

19           “(3) in the case of the Public Health Service  
20           Ready Reserve Corps, by the Secretary of Health  
21           and Human Services upon the recommendation of  
22           the Assistant Secretary for Health.”.

23           (c) PLACEMENT IN READY RESERVES.—Section  
24           10145(a) of title 10, United States Code, is amended by  
25           striking “Ready Reserve of his armed force for his pre-

1 scribed term of service, unless he is transferred” and in-  
2 serting “Ready Reserve of the reserve component of the  
3 member’s uniformed service for his or her prescribed term  
4 of service, unless such member is transferred”.

5 (d) STANDBY RESERVES.—

6 (1) TRANSFERS TO.—Section 10146 of title 10,  
7 United States Code, is amended—

8 (A) in subsection (a), by inserting “and  
9 the Secretary of Health and Human Services  
10 with respect to Public Health Service Ready  
11 Reserve Corps” after “operating as a service in  
12 the Navy”; and

13 (B) in subsection (b), by inserting “or the  
14 Secretary of Health and Human Services, as  
15 the case may be,” after “prescribed by the Sec-  
16 retary concerned”.

17 (2) TRANSFERS FROM.—Section 10150 of title  
18 10, United States Code, is amended by inserting  
19 “and the Secretary of Health and Human Services  
20 with respect to Public Health Service Ready Reserve  
21 Corps” after “operating as a service in the Navy”.

22 (3) TRAINING REQUIREMENTS.—Section  
23 10147(a) of title 10, United States Code, is amend-  
24 ed—

1 (A) by striking “in an armed force” and  
2 inserting “in a uniformed service”; and

3 (B) by inserting “and the Secretary of  
4 Health and Human Services with respect to  
5 Public Health Service Ready Reserve Corps”  
6 after “operating as a service in the Navy”.

7 (4) FAILURE TO SATISFACTORILY PERFORM  
8 PRESCRIBED TRAINING.—Section 10148(a) of title  
9 10, United States Code, is amended by inserting “or  
10 the Secretary of Health and Human Services with  
11 respect to Public Health Service Ready Reserve  
12 Corps” after “Secretary of Defense”.

13 (e) INACTIVE STATUS LIST.—Section 10152 of title  
14 10, United States Code, is amended by striking “armed  
15 force” and inserting “uniformed service”.

16 (f) TECHNICAL AND CONFORMING AMENDMENTS.—

17 (1) AUTHORIZED END STRENGTH OF THE  
18 READY RESERVES OF THE ARMED FORCES.—Section  
19 10142 of title 10, United States Code, is amended  
20 by inserting “of the armed forces” after “Ready Re-  
21 serve” both places it appears.

22 (2) CONTINUOUS SCREENING PROVISIONS AP-  
23 PPLICABLE TO ARMED FORCES.—Section 10149 of  
24 title 10, United States Code, is amended—

1 (A) in subsection (a), by inserting “or, in  
 2 the case of the Public Health Service Ready Re-  
 3 serve Corps, the Secretary of Health and  
 4 Human Services,” after “Secretary concerned”;  
 5 and

6 (B) in subsection (b)(2)(A), by inserting  
 7 “or, in the case of a Member of Congress who  
 8 also is a member of the Public Health Service  
 9 Ready Reserve Corps, the Secretary of Health  
 10 and Human Services” after “operating as a  
 11 service in the Navy”.

12 (3) COMPOSITION OF STANDBY RESERVES OF  
 13 ARMED FORCES.—Section 10151 of title 10, United  
 14 States Code, is amended by inserting “of the armed  
 15 forces” after “The Standby Reserve”.

16 **SEC. 3. DUAL COMPENSATION PARITY FOR READY RE-**  
 17 **SERVE CORPS OF THE PUBLIC HEALTH SERV-**  
 18 **ICE.**

19 (a) DUAL EMPLOYMENT.—Section 5534 of title 5,  
 20 United States Code, is amended—

21 (1) by inserting “, a member of the Ready Re-  
 22 serve Corps of the Public Health Service,” after  
 23 “armed forces”; and

24 (2) by inserting “, member of the Ready Re-  
 25 serve Corps,” after “allowances as a Reserve”.

1 (b) UNIFORMED SERVICE LEAVE.—

2 (1) IN GENERAL.—Section 6323 of title 5,  
3 United States Code, is amended—

4 (A) in the section heading, by striking  
5 **“Military leave; Reserves and Na-**  
6 **tional Guardsmen”** and inserting **“Uni-**  
7 **formed services leave”**;

8 (B) in subsection (b)—

9 (i) in paragraph (1)—

10 (I) by striking “or the National  
11 Guard” and inserting the following:  
12 “the National Guard”; and

13 (II) by inserting “, or the Ready  
14 Reserve Corps of the Public Health  
15 Service” after “of title 32”; and

16 (ii) in paragraph (2)—

17 (I) in subparagraph (A)(ii), by  
18 striking “or” at the end;

19 (II) in subparagraph (B), by in-  
20 sserting “or” after the semicolon at the  
21 end; and

22 (III) by inserting after subpara-  
23 graph (B) the following:

24 “(C) in the case of a member of the Ready Re-  
25 serve Corps of the Public Health Service, performs

1 services as a result of a deployment to respond to an  
2 urgent or emergency public health need, as defined  
3 in section 203A(a) of the Public Health Service Act  
4 (42 U.S.C. 204a(a));” and

5 (C) by adding at the end the following:

6 “(e)(1) Subject to paragraph (2) of this subsection,  
7 an employee as defined by section 2105 of this title or  
8 an individual employed by the government of the District  
9 of Columbia is entitled to leave without loss in pay, time,  
10 or performance or efficiency rating for active duty or inac-  
11 tive-duty training (as defined in section 101 of title 37)  
12 as a member of the Ready Reserve Corps of the Public  
13 Health Service. Leave under this subsection accrues for  
14 an employee or individual at the rate of 15 days per fiscal  
15 year and, to the extent that it is not used in a fiscal year,  
16 accumulates for use in the succeeding fiscal year until it  
17 totals 15 days at the beginning of a fiscal year.

18 “(2) In the case of an employee or individual em-  
19 ployed on a part-time career employment basis (as defined  
20 in section 3401(2) of this title), the rate at which leave  
21 accrues under this subsection shall be a percentage of the  
22 rate prescribed under paragraph (1) which is determined  
23 by dividing 40 into the number of hours in the regularly  
24 scheduled workweek of that employee or individual during  
25 that fiscal year.

1       “(3) The minimum charge for leave under this sub-  
2 section is one hour, and additional charges are in multiples  
3 thereof.”.

4           (2) CONFORMING AMENDMENT.—The table of  
5 sections for chapter 63 of title 5, United States  
6 Code, is amended by striking the item relating to  
7 section 6323 and inserting the following:

“6323. Uniformed services leave.”.

8 **SEC. 4. CLARIFICATION OF ENTITLEMENT TO POST-9/11**  
9 **EDUCATIONAL ASSISTANCE FOR SERVICE ON**  
10 **ACTIVE DUTY IN THE UNIFORMED SERVICES.**

11       (a) CLARIFICATION.—Section 3301(1) of title 38,  
12 United States Code, is amended by adding at the end the  
13 following new subparagraphs:

14           “(D) In the case of members of the regular  
15 components of the Commissioned Corps of the  
16 Public Health Service, the meaning given such  
17 term in section 101(21)(B).

18           “(E) In the case of members of the reserve  
19 component of the Commissioned Corps of the  
20 Public Health Service, service on active duty  
21 under a call or order to active duty under sub-  
22 paragraph (B), (C), or (D) of section 203(c)(2)  
23 of the Public Health Service Act (42 U.S.C.  
24 204(c)(2)) or section 216 of such Act (42  
25 U.S.C. 217).”.



1 (b) ADDITIONAL CLARIFICATION.—Section 3311 of  
2 such title is amended—

3 (1) in the section heading by striking “**in the**  
4 **Armed Forces**” and inserting “**in the uni-**  
5 **formed services**”;

6 (2) in subsection (b), in paragraphs (1) through  
7 (11), by striking “Armed Forces” each place it ap-  
8 pears and inserting “uniformed services”;

9 (3) in subsection (c), by striking “Armed  
10 Forces” each place it appears and inserting “uni-  
11 formed services”;

12 (4) in subsection (d)(3)(A), by striking “Armed  
13 Forces” and inserting “uniformed services”; and

14 (5) in subsection (f)(4)(B)(ii), by striking  
15 “Armed Forces” and inserting “uniformed services”.

16 (c) APPLICABILITY.—The amendments made by sub-  
17 sections (a) and (b) shall apply with respect to service oc-  
18 ccurring on or after March 27, 2020.

19 (d) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of chapter 33 of such title is amended  
21 by striking the item relating to section 3311 and inserting  
22 the following new item:

“3311. Educational assistance for service in the uniformed services commencing  
on or after September 11, 2001: entitlement.”.

23 (e) TECHNICAL CORRECTION.—Section 101 of such  
24 title is amended, in paragraphs (21) through (23), by

1 striking “Reserve Corps of the Public Health Service”  
2 each place it appears and inserting “Ready Reserve Corps  
3 of the Public Health Service”.

4 **SEC. 5. EXTENSION OF CERTAIN EDUCATIONAL BENEFITS**  
5 **TO MEMBERS OF THE PUBLIC HEALTH SERV-**  
6 **ICE READY RESERVE CORPS.**

7 (a) IN GENERAL.—Section 16131 of title 10, United  
8 States Code, is amended—

9 (1) in subsection (a)—

10 (A) by striking “each military department”  
11 and inserting “the reserve component of that  
12 Secretary’s uniformed service”;

13 (B) by striking “and” after “Secretary of  
14 Defense,”;

15 (C) by inserting “, and the Secretary of  
16 Health and Human Services with respect to the  
17 Public Health Service Ready Reserve Corps,”  
18 after “Navy”; and

19 (D) by striking “of the armed forces under  
20 the jurisdiction of the Secretary concerned” and  
21 inserting “of the uniformed services under the  
22 jurisdiction of such Secretary”;

23 (2) in subsection (b)(1), by inserting “or the  
24 Secretary of Health and Human Services, as the  
25 case may be” after “Secretary concerned”;

1           (3) in subsection (c)(3)(B)(i), by inserting “or  
2           section 203 of the Public Health Service Act (42  
3           U.S.C. 204(a)(4))” after “of this title”;

4           (4) in subsection (g)(2)(A), by inserting “or the  
5           Secretary of Health and Human Services, as the  
6           case may be” after “Secretary concerned”; and

7           (5) in subsection (i)—

8                   (A) by inserting “or the Secretary of  
9                   Health and Human Services, as the case may  
10                  be,” after “Secretary of Defense” each place it  
11                  appears; and

12                   (B) by inserting “or the Secretary of  
13                   Health and Human Services, as the case may  
14                  be,” after “Secretary concerned” each place it  
15                  appears.

16           (b) ELIGIBILITY.—Section 16132(c) of title 10,  
17           United States Code, is amended by inserting “or the Sec-  
18           retary of Health and Human Services, as the case may  
19           be,” after “Secretary of Defense”.

20           (c) AUTHORITY TO TRANSFER UNUSED EDUCATION  
21           BENEFITS TO FAMILY MEMBERS.—Section 16132a of  
22           title 10, United States Code, is amended—

23                   (1) in subsection (a), by inserting “or the Sec-  
24                   retary of Health and Human Services, as the case  
25                   may be,” after “Secretary concerned”;

1           (2) in subsection (b)(1), by striking “member of  
2 the armed forces” and inserting “member of the re-  
3 serve component of such member’s uniformed serv-  
4 ice”;

5           (3) in subsection (d), by inserting “and the Sec-  
6 retary of Health and Human Services” after “Sec-  
7 retary of Defense”;

8           (4) in subsection (f)(2), by inserting “or the  
9 Secretary of Health and Human Services, as the  
10 case may be,” after “Secretary concerned”;

11          (5) in subsection (g), by striking “armed  
12 forces” and inserting “uniformed services” both  
13 places it appears;

14          (6) in subsection (h)(5)(B)—

15           (A) by inserting “or the Secretary of  
16 Health and Human Services, as the case may  
17 be,” after “Secretary concerned”; and

18           (B) by inserting “or a member of the Pub-  
19 lic Health Service Commissioned Corps, as the  
20 case may be” after “enlisted member”; and

21          (7) in subsection (j), by inserting “and the Sec-  
22 retary of Health and Human Services” after “Sec-  
23 retary of Defense”.

1 (d) FAILURE TO PARTICIPATE SATISFACTORILY;  
2 PENALTIES.—Section 16135(a) of title 10, United States  
3 Code, is amended—

4 (1) by inserting “or the Secretary of Health  
5 and Human Services, as the case may be” after  
6 “Secretary concerned”; and

7 (2) by striking “of an armed force” and insert-  
8 ing “of a uniformed service”.

9 (e) ADMINISTRATION OF THE PROGRAM.—Section  
10 16136(a) of title 10, United States Code, is amended—

11 (1) by striking “and by the Secretary of Home-  
12 land Security” and inserting “by the Secretary of  
13 Homeland Security, and by the Secretary of Health  
14 and Human Services”; and

15 (2) by inserting “or the Secretary of Health  
16 and Human Services, as the case may be,” after  
17 “Secretary concerned”.

18 (f) APPLICABILITY.—The amendments made by sub-  
19 sections (a) through (e) shall apply with respect to service  
20 occurring on or after March 27, 2020.

21 **SEC. 6. ADDITIONAL RIGHTS AND PRIVILEGES.**

22 (a) IN GENERAL.—Section 221(a) of the Public  
23 Health Service Act (42 U.S.C. 213a(a)) is amended by  
24 adding at the end the following:

1           “(22) Chapter 40, Leave, except that section  
2           701(b) shall be applied and administered by sub-  
3           stituting ‘120 days’ leave’ for ‘60 days’ leave’.

4           “(23) Section 982, Members: service on State  
5           and local juries.

6           “(24) Section 1145, Health benefits.

7           “(25) Section 1076a, TRICARE dental pro-  
8           gram.

9           “(26) Section 1076d, TRICARE program:  
10          TRICARE Reserve Select coverage for members of  
11          the Selected Reserve.

12          “(27) Section 1076e, TRICARE program:  
13          TRICARE Retired Reserve coverage for certain  
14          members of the Retired Reserve who are qualified  
15          for a non-regular retirement but are not yet age 60.

16          “(28) Section 1057, Use of armed forces insig-  
17          nia on State license plates.

18          “(29) Section 1094, Licensure requirement for  
19          health-care professionals.

20          “(30) Section 987, Terms of consumer credit  
21          extended to members and dependents: limitations.

22          “(31) Section 1074, Medical and dental care for  
23          members and certain former members.

1           “(32) Section 1074a, Medical and dental care:  
2           members on duty other than active duty for a period  
3           of more than 30 days.”.

4           (b) REPEAL.—Section 219 of the Public Health Serv-  
5           ice Act (42 U.S.C. 210–1) is repealed.

6   **SEC. 7. EXPANSION OF RESERVE FORCES POLICY BOARD**  
7                           **TO INCLUDE REPRESENTATION OF PUBLIC**  
8                           **HEALTH SERVICE.**

9           Section 10301(c) of title 10, United States Code, is  
10          amended—

11           (1) in the matter before paragraph (1), by  
12           striking “20 members” and inserting “21 mem-  
13           bers”; and

14           (2) by adding at the end the following new  
15           paragraph:

16           “(9) One active or retired officer of the Ready  
17           Reserve Corps of the Public Health Service Commis-  
18           sioned Corps or one civilian, appointed by the Sec-  
19           retary of Health and Human Services.”.

20   **SEC. 8. FUNDING OF READY RESERVE CORPS.**

21           Section 203(d) of the Public Health Service Act (42  
22           U.S.C. 204(d)) is amended by striking “\$12,500,000 for  
23           each of fiscal years 2010 through 2014” and inserting  
24           “\$13,600,000 for each of fiscal years 2024 and 2025”.

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