

118TH CONGRESS
1ST SESSION

S. 3553

To provide a retroactive effective date for the promotions of senior officers of the Armed Forces whose military promotions were delayed as a result of the suspension of Senate confirmation of such promotions.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2023

Mr. ROUNDS (for himself, Mr. MANCHIN, Mr. KING, Mr. CORNYN, Ms. KLOBUCHAR, Ms. ERNST, Ms. SINEMA, Mr. TUBERVILLE, Ms. SMITH, Mrs. GILLIBRAND, Mr. WARNER, Mr. BLUMENTHAL, Mr. KAINE, Mr. MENENDEZ, Mr. BUDD, Mr. OSSOFF, Mrs. SHAHEEN, Mr. HEINRICH, Mr. RICKETTS, Ms. BALDWIN, Ms. COLLINS, Mr. CRAMER, Mr. GRAHAM, Mr. WARNOCK, Mr. BARRASSO, Mr. KELLY, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. GRASSLEY, Mr. SCHATZ, Mr. LANKFORD, Mr. MERKLEY, Ms. LUMMIS, Mr. SCHMITT, Mr. LEE, Mr. ROMNEY, Mr. HOEVEN, Mr. COTTON, Mr. BOOZMAN, Ms. MURKOWSKI, Mr. TILLIS, Mr. SULLIVAN, Mr. DAINES, Mrs. BRITT, Mr. KENNEDY, Mr. SCOTT of Florida, Mr. PADILLA, Mrs. FISCHER, Mr. BROWN, Ms. ROSEN, Mr. VAN HOLLEN, Mr. FETTERMAN, and Ms. CORTEZ MASTO) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To provide a retroactive effective date for the promotions of senior officers of the Armed Forces whose military promotions were delayed as a result of the suspension of Senate confirmation of such promotions.

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 “Military Personnel
3 Confirmation Restoration Act of 2023”.

4 **SEC. 2. SENSE OF CONGRESS.**

5 Congress holds the men and women who defend the
6 United States in the highest esteem.

7 **SEC. 3. RETROACTIVE EFFECTIVE DATE OF PROMOTIONS**

8 **OF SENIOR OFFICERS OF ARMED FORCES**

9 **THAT WERE DELAYED AS A RESULT OF SUS-**

10 **PENSION OF SENATE CONFIRMATION.**

11 (a) IN GENERAL.—In the case of an individual con-
12 firmed, during the period beginning on December 5, 2023,
13 and ending on December 31, 2023, to a grade or rank
14 in the Armed Forces associated with pay grade O–7 or
15 higher and whose confirmation was delayed as a result of
16 the suspension of the provision of advice and consent by
17 the Senate to appointments to such grades and ranks that
18 began in February 2023—

19 (1) the Secretary of Defense shall provide the
20 individual, retroactive to the date described in sub-
21 section (b)—

22 (A) pay and allowances at the rates or in
23 the amounts payable for the pay grade associ-
24 ated with the appointment of the individual;
25 and

1 (B) the benefits to which an individual in
2 the grade or rank associated with the appoint-
3 ment is entitled; and

4 (2) the date described in subsection (b) shall be
5 the date used for determining the seniority of the in-
6 dividual in the grade or rank associated with the ap-
7 pointment.

8 (b) DATE DESCRIBED.—The date described in this
9 subsection is, with respect to an individual described in
10 subsection (a), the date that is the later of—

11 (1) the date that is 30 days after the date on
12 which the nomination of the individual was placed
13 on the Executive Calendar of the Senate; or

14 (2) the date on which the individual would have
15 been appointed but for the suspension of the provi-
16 sion of advice and consent described in subsection
17 (a), as determined by the Secretary concerned (as
18 defined in section 101 of title 10, United States
19 Code).

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