

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3410

To provide for the inclusion of hazardous duty pay and diving pay in the computation of military retired pay for members of the armed forces with extensive hazardous duty experience, to require a study on the need for a tax credit for businesses that employ members of the National Guard and Reserve, and to require a study on the expansion of the Junior ROTC and similar military programs for young people.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2001

Ms. GRANGER introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To provide for the inclusion of hazardous duty pay and diving pay in the computation of military retired pay for members of the armed forces with extensive hazardous duty experience, to require a study on the need for a tax credit for businesses that employ members of the National Guard and Reserve, and to require a study on the expansion of the Junior ROTC and similar military programs for young people.

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 “Recruiting, Retention,  
3 and Reservist Promotion Act”.

4 **SEC. 2. INCLUSION OF HAZARDOUS DUTY PAY AND DIVING**  
5 **PAY IN COMPUTATION OF MILITARY RETIRED**  
6 **PAY FOR MEMBERS OF THE ARMED FORCES**  
7 **WITH EXTENSIVE HAZARDOUS DUTY EXPERI-**  
8 **ENCE.**

9 (a) IN GENERAL.—(1) Chapter 71 of title 10, United  
10 States Code, is amended by adding at the end the fol-  
11 lowing new section:

12 **“§ 1414. Increase in retired pay for members with ex-**  
13 **tensive hazardous duty experience**

14 “(a) INCREASE IN RETIRED PAY FOR QUALIFYING  
15 MEMBERS.—The retired pay of a member who performs  
16 qualifying hazardous duty and who retires on or after the  
17 date of the enactment of this section shall be increased  
18 by the amount determined under subsection (b).

19 “(b) COMPUTATION OF INCREASE.—The amount of  
20 an increase in retired pay under this section shall be sum  
21 of the following:

22 “(1) HAZARDOUS DUTY SPECIAL PAY.—If the  
23 member received special pay under section 301 of  
24 title 37, the amount equal to the product of—

25 “(A) the monthly amount of special pay  
26 under that section as in effect for the final

1 month for which the member received that special pay; and

2  
3 “(B) the fraction in which the numerator  
4 is the number of months for which the member  
5 received such special pay and the denominator  
6 is the total number of months for which the  
7 member received basic pay.

8 “(2) DIVING DUTY SPECIAL PAY.—If the mem-  
9 ber received special pay under section 304 of title  
10 37, the amount equal to the product of—

11 “(A) the monthly amount of special pay  
12 under that section as in effect for the final  
13 months for which the member received that special pay; and

14  
15 “(B) the fraction in which the numerator  
16 is the number of months for which the member  
17 received such special pay and the denominator  
18 is the total number of months for which the  
19 member received basic pay.

20 “(c) QUALIFYING MEMBERS.—A member shall be  
21 considered to have performed qualifying hazardous duty  
22 for purposes of this section if the member received special  
23 pay under section 301 of title 37 (relating to special pay  
24 for hazardous duty) or section 304 of title 37 (relating

1 to special pay for diving duty), or both, for not less than  
 2 60 months (whether or not consecutive).

3 “(d) TREATMENT UNDER OTHER PROVISIONS RE-  
 4 LATING TO RETIRED PAY.—An amount by which retired  
 5 pay is increased under this section shall not be considered  
 6 to be retired pay for purposes of section 1408 of this title  
 7 or for purposes of the Survivor Benefit Plan under sub-  
 8 chapter II of chapter 73 of this title.

9 “(e) RETAINER PAY.—In this section, the term ‘re-  
 10 tired pay’ includes retainer pay payable under section  
 11 6330 of this title.”.

12 (b) CLERICAL AMENDMENT.—The table of sections  
 13 at the beginning of such chapter is amended by adding  
 14 at the end the following new item:

“1414. Increase in retired pay for members with extensive hazardous duty expe-  
 rience.”.

15 **SEC. 3. STUDY OF TAX CREDITS AND SMALL BUSINESS**  
 16 **LOAN CHANGES TO ASSIST BUSINESSES THAT**  
 17 **EMPLOY GUARD AND RESERVE MEMBERS.**

18 (a) STUDY REQUIRED.—The Comptroller General  
 19 shall conduct a study to determine—

20 (1) whether members of the National Guard  
 21 and Reserve comprise a disproportionately large por-  
 22 tion of the employees of any size or type of business,  
 23 including small business concerns;

1           (2) the amount of Federal tax benefit which  
2 would be appropriate to compensate such a business  
3 for costs associated with employing members of Na-  
4 tional Guard and Reserve units and having such  
5 members called to active duty; and

6           (3) whether changes can be made to the small  
7 business loan program, such as a targeted level of  
8 loans, reduced interest rates, and reduced paperwork  
9 burdens for loan applications, to assist small busi-  
10 ness concerns to deal with the costs associated with  
11 employing members of National Guard and Reserve  
12 units and having such members called to active duty.

13       (b) REPORT.—Not later than 180 days after the date  
14 of the enactment of this Act, the Comptroller General shall  
15 submit to congress a report containing the results of the  
16 study. The report shall include legislative proposals—

17           (1) to provide the recommended tax benefit  
18 identified in the study; and

19           (2) to modify the small business loan program  
20 to assist small business concerns that employ mem-  
21 bers of National Guard and Reserve units.

22 **SEC. 4. REPORT ON EXPANSION OF JUNIOR ROTC AND**  
23 **SIMILAR MILITARY PROGRAMS FOR YOUNG**  
24 **PEOPLE.**

25       (a) FINDINGS.—Congress finds that—

1           (1) the Junior Reserve Officers' Training  
2           Corps, the Civil Air Patrol, the Naval Sea Cadet  
3           Corps, and the Young Marines of the Marine Corps  
4           League provide significant benefits for the Armed  
5           Forces, including significant public relations bene-  
6           fits; and

7           (2) there is substantial interest in expanding  
8           the scope of these programs.

9           (b) REPORT.—Not later than 180 days after the date  
10          of the enactment of this Act, the Secretary of Defense  
11          shall submit to Congress a report providing the Sec-  
12          retary's assessment of the feasibility and desirability of ex-  
13          panding the Junior Reserve Officers' Training Corps pro-  
14          gram of each of the military departments, the Civil Air  
15          Patrol, the Naval Sea Cadet Corps, and the Young Ma-  
16          rines of the Marine Corps League. The report shall include  
17          such recommendations as the Secretary considers appro-  
18          priate for expansion of these programs through an in-  
19          crease in the number of units or participants in these pro-  
20          grams, increased funding for these programs, or such  
21          other means as the Secretary determines.

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