

111TH CONGRESS
1ST SESSION

H. R. 3358

To amend title 10, United States Code, to provide for the retention on active duty after demobilization of members of the reserve components of the Armed Forces following extended deployments in contingency operations or homeland defense missions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2009

Mr. DEFAZIO (for himself, Mr. SCHRADER, Mr. WU, Mr. BLUMENAUER, and Mr. WALDEN) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 10, United States Code, to provide for the retention on active duty after demobilization of members of the reserve components of the Armed Forces following extended deployments in contingency operations or homeland defense missions, 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 “Troops’ Soft Landing,
5 Employment, and Rural Transportation Act”.

1 **SEC. 2. RETENTION ON ACTIVE DUTY AFTER DEMOBILIZA-**
2 **TION OF RESERVES FOLLOWING EXTENDED**
3 **DEPLOYMENTS IN CONTINGENCY OPER-**
4 **ATIONS OR HOMELAND DEFENSE MISSIONS.**

5 (a) IN GENERAL.—Chapter 1209 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“SEC. 12323. RESERVES: RETENTION ON ACTIVE DUTY**
9 **AFTER DEMOBILIZATION FOLLOWING EX-**
10 **TENDED DEPLOYMENTS IN CONTINGENCY**
11 **OPERATIONS OR HOMELAND DEFENSE MIS-**
12 **SIONS.**

13 “(a) IN GENERAL.—A member of a reserve compo-
14 nent of the Armed Forces described in subsection (b) shall
15 be retained on active duty in the Armed Forces for a pe-
16 riod of 90 days following the conclusion of the member’s
17 demobilization from a deployment as described in that
18 subsection, and shall be authorized the use of any accrued
19 leave.

20 “(b) COVERED MEMBERS.—A member of a reserve
21 component of the Armed Forces described in this sub-
22 section is any member of a reserve component of the
23 Armed Forces who was deployed for more than 179 days
24 under the following:

25 “(1) A contingency operation.

1 “(2) A homeland defense mission (as specified
2 by the Secretary of Defense for purposes of this sec-
3 tion).

4 “(c) PAY AND ALLOWANCES.—Notwithstanding any
5 other provision of law, a member on active duty under sub-
6 section (a) shall be paid pay and allowances as follows:

7 “(1) For the first 30 days during which the
8 member is so retained on active duty—

9 “(A) the basic pay payable to a member of
10 the Armed Forces under section 204 of title 37
11 in the same pay grade as the member;

12 “(B) the basic allowance for subsistence
13 payable under section 402 of title 37; and

14 “(C) the basic allowance for housing pay-
15 able under section 403 of title 37 for a member
16 in the same pay grade, geographic location, and
17 number of dependents as the member.

18 “(2) For the second 30 days during which the
19 member is so retained on active duty, basic pay,
20 basic allowance for subsistence, and basic allowance
21 for housing as described in paragraph (1) but at
22 rates equal to 75 percent of the rates otherwise pay-
23 able as described in that paragraph.

24 “(3) For the third 30 days during which the
25 member is so retained on active duty, basic pay,

1 basic allowance for subsistence, and basic allowance
2 for housing as described in paragraph (1) but at
3 rates equal to 50 percent of the rates otherwise pay-
4 able as described in that paragraph.

5 “(d) RELEASE FROM ACTIVE DUTY.—(1) A member
6 retained on active duty under subsection (a) may be re-
7 leased from active duty at the request of the member at
8 any time following the end of the 15-day period com-
9 mencing on the date the member is retained on active duty
10 under subsection (a).

11 “(2) The request of a member for release from active
12 duty under this subsection shall be subject to the approval
13 of the officer in the chain of command of the member in
14 grade O–5.

15 “(e) REINTEGRATION COUNSELING AND SERV-
16 ICES.—(1) The Secretary of the military department con-
17 cerned shall provide each member retained on active duty
18 under subsection (a), while the member is so retained on
19 active duty, counseling and services to assist the member
20 in reintegrating into civilian life.

21 “(2) The counseling and services provided members
22 under this subsection shall include the following:

23 “(A) Physical and mental health evaluations.

24 “(B) Employment counseling and assistance.

1 “(C) Marriage and family counseling and as-
2 sistance.

3 “(D) Financial management counseling.

4 “(E) Education counseling.

5 “(F) Counseling and assistance on benefits
6 available to the member through the Department of
7 Defense and the Department of Veterans Affairs.

8 “(3) The Secretary of the military department con-
9 cerned shall provide, to the extent practicable, for the par-
10 ticipation of appropriate family members of members re-
11 tained on active duty under subsection (a) in the coun-
12 seling and services provided such members under this sub-
13 section.

14 “(4) The counseling and services provided to mem-
15 bers under this subsection shall, to the extent practicable,
16 be provided at National Guard armories and similar facili-
17 ties close the residences of such members.

18 “(5) Counseling and services provided a member
19 under this subsection shall, to the extent practicable, be
20 provided in coordination with the Yellow Ribbon Re-
21 integration Program of the State concerned under section
22 582 of the National Defense Authorization Act for Fiscal
23 Year 2008 (10 U.S.C. 10101 note)”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of chapter 1209 of such title is amended
 3 by adding at the end the following new item:

“12323. Reserves: retention on active duty after demobilization following extended deployments in contingency operations or homeland defense missions.”.

4 **SEC. 3. WORK OPPORTUNITY TAX CREDIT.**

5 (a) IN GENERAL.—Subsection (d) of section 51 of the
 6 Internal Revenue Code of 1986 is amended by adding at
 7 the end the following new paragraph:

8 “(15) SPECIAL RULE FOR VETERANS RESIDING
 9 IN HIGH UNEMPLOYMENT COUNTIES.—

10 “(A) IN GENERAL.—In the case of an un-
 11 employed veteran who is treated as a member
 12 of a targeted group under subparagraph (B)
 13 and who has performed at least 800 hours of
 14 service for the employer—

15 “(i) subsection (a) shall be applied by
 16 substituting ‘50 percent’ for ‘40 percent’,
 17 and

18 “(ii) subsection (b)(3) shall be applied
 19 by substituting ‘\$10,000’ for ‘\$6,000’.

20 “(B) TREATMENT AS MEMBER OF TAR-
 21 GETED GROUP.—An unemployed veteran who is
 22 certified by the designated local agency as hav-
 23 ing his principal place of abode within a county
 24 that, at any time during the 6-month period

1 ending on the hiring date, is a high unemploy-
2 ment county shall be treated as a member of a
3 targeted group for purposes of this subpart.

4 “(C) UNEMPLOYED VETERAN.—For pur-
5 poses of this paragraph, the term ‘unemployed
6 veteran’ has the meaning given such term by
7 paragraph (14)(B)(i) without regard to sub-
8 clause (II) thereof.

9 “(D) HIGH UNEMPLOYMENT COUNTY.—
10 The term ‘high unemployment county’ means a
11 county for which the unemployment rate for the
12 preceding month equals or exceeds the national
13 unemployment threshold for such month.

14 “(E) NATIONAL UNEMPLOYMENT THRESH-
15 OLD.—

16 “(i) IN GENERAL.—The national un-
17 employment threshold is 12 percent.

18 “(ii) THRESHOLD INDEXED.—For any
19 month beginning after the month in which
20 this subparagraph is enacted, the national
21 unemployment threshold in subclause (I)
22 shall be the percentage in clause (i) (deter-
23 mined without regard to the application of
24 this clause) multiplied by the ratio which

1 the national unemployment rate for such
2 month bears to 9.5 percent.

3 “(F) UNEMPLOYMENT RATES.—The na-
4 tional unemployment rate and the unemploy-
5 ment rate for a county for any month shall be
6 the unadjusted rates for such month deter-
7 mined by the Current Population Survey con-
8 ducted by the Bureau of Census for the Bureau
9 of Labor Statistics.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall apply to individuals who begin work
12 for the employer after the date of the enactment of this
13 Act.

14 **SEC. 4. GRANTS FOR ELIGIBLE ENTITIES PROVIDING**
15 **TRANSPORTATION TO DEPARTMENT OF VET-**
16 **ERANS AFFAIRS MEDICAL FACILITIES FOR**
17 **VETERANS LIVING IN RURAL AREAS.**

18 (a) GRANTS AUTHORIZED.—

19 (1) IN GENERAL.—The Secretary of Veterans
20 Affairs shall establish a grant program to award
21 grants on a competitive basis to eligible entities for
22 the purpose of providing transportation options to
23 veterans residing in rural areas.

24 (2) ELIGIBLE ENTITIES.—For purposes of the
25 grant program under this section, an eligible entity

1 is a government entity and non-profit service pro-
2 vider, including a State veterans' service agency, a
3 veterans service organization, a local governmental
4 authority, and a private non-profit organization.

5 (3) USE OF FUNDS.—The recipient of a grant
6 under this section shall use the grant to assist vet-
7 erans in rural areas to travel to Department of Vet-
8 erans Affairs medical facilities.

9 (4) MAXIMUM AMOUNT.—The amount of a
10 grant under this section may not exceed \$100,000
11 for any fiscal year.

12 (5) NO MATCHING REQUIREMENT.—The recipi-
13 ent of a grant under this section shall not be re-
14 quired to provide matching funds as a condition for
15 receiving such grant.

16 (b) REGULATIONS.—The Secretary shall prescribe
17 regulations for—

18 (1) evaluating grant applications under this sec-
19 tion;

20 (2) directing Department of Veterans Affairs
21 medical facilities to coordinate with recipients of
22 such grants to ensure maximum use of transpor-
23 tation service at the least cost; and

1 (3) coordinating transportation services pro-
2 vided under this section with existing local transpor-
3 tation services.

4 (c) DEFINITIONS AND SPECIAL RULE.—In this sec-
5 tion:

6 (1) The term “veterans service organization”
7 means any organization recognized by the Secretary
8 of Veterans Affairs for the representation of vet-
9 erans under section 5902 of title 38, United States
10 Code.

11 (2) The term “local governmental authority”
12 means a local governmental authority as defined in
13 5302(a)(6) of title 49, United States Code, that pro-
14 vides public transportation as defined in
15 5302(a)(10) of title 49, United States Code.

16 (3) A veteran is residing in a rural area if the
17 veteran—

18 (A) resides in a location that is—

19 (i) more than 30 miles driving dis-
20 tance from the nearest Department health
21 care facility providing primary care serv-
22 ices, if the veteran is seeking such services;

23 (ii) more than 60 miles driving dis-
24 tance from the nearest Department health

1 care facility providing acute hospital care,
2 if the veteran is seeking such care; or

3 (iii) more than 100 miles driving dis-
4 tance from the nearest Department health
5 care facility providing tertiary care, if the
6 veteran is seeking such care; or

7 (B) in the case of a veteran who resides in
8 a location less than the distance specified in
9 clause (i), (ii), or (iii) of subparagraph (A), as
10 applicable, experiences such hardship or other
11 difficulties in travel to the nearest appropriate
12 Department health care facility that such travel
13 is not in the best interest of the veteran, as de-
14 termined by the Secretary pursuant to regula-
15 tions prescribed for purposes of this subsection.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated \$10,000,000 for each of fis-
18 cal years 2009 through 2013 to carry out this section.

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