

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.

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## 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

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## 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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