

111TH CONGRESS
1ST SESSION

S. 1426

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 SENATE OF THE UNITED STATES

JULY 9, 2009

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Armed Services

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 “National Guard and
5 Reserve Soft Landing Reintegration 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 **“§ 12323. Reserves: retention on active duty after de-**
9 **mobilization following extended deploy-**
10 **ments in contingency operations or**
11 **homeland defense missions**

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

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

24 “(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.”.

