

112TH CONGRESS
1ST SESSION

S. 1839

To amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations or homeland defense missions to support their reintegration into civilian life, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2011

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 of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations or homeland defense missions to support their reintegration into civilian life, 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. TEMPORARY RETENTION ON ACTIVE DUTY AFTER**
 2 **DEMOBILIZATION OF RESERVES FOLLOWING**
 3 **EXTENDED DEPLOYMENTS IN CONTINGENCY**
 4 **OPERATIONS OR HOMELAND DEFENSE MIS-**
 5 **SIONS.**

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

9 **“§ 12323. Reserves: temporary retention on active**
 10 **duty after demobilization following ex-**
 11 **tended deployments in contingency oper-**
 12 **ations or homeland defense missions**

13 “(a) IN GENERAL.—Subject to subsection (d), a
 14 member of a reserve component of the armed forces de-
 15 scribed in subsection (b) shall be retained on active duty
 16 in the armed forces for a period of 45 days following the
 17 conclusion of the member’s demobilization from a deploy-
 18 ment as described in that subsection, and shall be author-
 19 ized the use of any accrued leave.

20 “(b) COVERED MEMBERS.—A member of a reserve
 21 component of the armed forces described in this subsection
 22 is any member of a reserve component of the armed forces
 23 who was deployed for more than 269 days under the fol-
 24 lowing:

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, while a member is retained on ac-
6 tive duty under subsection (a), the member shall receive—

7 “(1) the basic pay payable to a member of the
8 armed forces under section 204 of title 37 in the
9 same pay grade as the member;

10 “(2) the basic allowance for subsistence payable
11 under section 402 of title 37; and

12 “(3) the basic allowance for housing payable
13 under section 403 of title 37 for a member in the
14 same pay grade, geographic location, and number of
15 dependents as the member.

16 “(d) EARLY RELEASE FROM ACTIVE DUTY.—(1)
17 Subject to paragraph (2), at the written request of a mem-
18 ber retained on active duty under subsection (a), the mem-
19 ber shall be released from active duty not later than the
20 end of the 14-day period commencing on the date the re-
21 quest was received. If such 14-day period would end after
22 the end of the 45-day period specified in subsection (a),
23 the member shall be released from active duty not later
24 than the end of such 45-day period.

1 “(2) The request of a member for early release from
2 active duty under paragraph (1) may be denied only for
3 medical or personal safety reasons. The denial of the re-
4 quest shall require the affirmative action of an officer in
5 a grade above O-5 who is in the chain of command of
6 the member. If the request is not denied before the end
7 of the 14-day period applicable under paragraph (1), the
8 request shall be deemed to be approved, and the member
9 shall be released from active duty as requested.

10 “(e) TREATMENT OF ACTIVE DUTY UNDER POLICY
11 ON LIMITATION OF PERIOD OF MOBILIZATION.—The ac-
12 tive duty of a member under this section shall not be in-
13 cluded in the period of mobilization of units or individuals
14 under section 12302 of this title under any policy of the
15 Department of Defense limiting the period of mobilization
16 of units or individuals to a specified period, including the
17 policy to limit such period of mobilization to 12 months
18 as described in the memorandum of the Under Secretary
19 of Defense for Personnel and Readiness entitled ‘Revised
20 Mobilization/Demobilization Personnel and Pay Policy for
21 Reserve Component Members Ordered to Active Duty in
22 Response to the World Trade Center and Pentagon At-
23 tacks—Section 1,’ effective January 19, 2007.

24 “(f) REINTEGRATION COUNSELING AND SERVICES.—
25 (1) The Secretary of the military department concerned

1 may provide each member retained on active duty under
2 subsection (a), while the member is so retained on active
3 duty, counseling and services to assist the member in re-
4 integrating into civilian life.

5 “(2) The counseling and services provided members
6 under this subsection may include the following:

7 “(A) Physical and mental health evaluations.

8 “(B) Employment counseling and assistance.

9 “(C) Marriage and family counseling and as-
10 sistance.

11 “(D) Financial management counseling.

12 “(E) Education counseling.

13 “(F) Counseling and assistance on benefits
14 available to the member through the Department of
15 Defense and the Department of Veterans Affairs.

16 “(3) The Secretary of the military department con-
17 cerned shall provide, to the extent practicable, for the par-
18 ticipation of appropriate family members of members re-
19 tained on active duty under subsection (a) in the coun-
20 seling and services provided such members under this sub-
21 section.

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

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

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

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

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