

109TH CONGRESS
1ST SESSION

H. R. 2484

To improve benefits for members of the National Guard and Reserve to recognize their service to the United States and to encourage the recruitment and retention of National Guard and Reserve personnel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2005

Mr. BLUNT (for himself, Mr. KIRK, Mr. SIMMONS, Mr. HAYES, Mr. CANTOR, Mr. GERLACH, Mr. GRAVES, Mr. LARSEN of Washington, Mr. MILLER of Florida, Mr. BRADY of Texas, Mr. SODREL, and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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 improve benefits for members of the National Guard and Reserve to recognize their service to the United States and to encourage the recruitment and retention of National Guard and Reserve personnel, 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,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Americans in Uniform Act of 2005”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings.

Sec. 3. Establishment of evaluation factor for defense contractors employing or subcontracting with members of the Selected Reserve of the reserve components of the Armed Forces.

Sec. 4. Increase in various special pays and allowances for reserve component personnel.

Sec. 5. Eligibility of certain persons for burial in Arlington National Cemetery.

Sec. 6. Eligibility of certain persons for space-available travel on military aircraft.

Sec. 7. Report on employment matters for members of the National Guard and Reserve.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Since September 11, 2001, almost 424,000
9 members of the National Guard or Reserve, com-
10 prising approximately 36 percent of the total mem-
11 bership, have been called or ordered to active duty.

12 (2) Of the 1,718 members of the United States
13 Armed Forces who have been killed or have died in
14 the Global War on Terrorism, as of April 9, 2005,
15 357 were members of the National Guard or Re-
16 serve, which represents 21 percent of the total cas-
17 ualties.

18 (3) Elements of all 15 Army National Guard
19 “enhanced readiness brigades” have been mobilized
20 and deployed within the Continental United States

1 Field Command, Iraq, or Afghanistan, or are under-
2 going training to be deployed, in support of United
3 States operations in the Global War on Terrorism.

4 (4) During recent cycles of deployments in con-
5 nection with Operation Iraqi Freedom, six of the 17
6 Army and Marine Ground Combat brigades serving
7 in Iraq, which is equivalent to two combat divisions,
8 are National Guard brigades.

9 (5) Approximately 34 percent of the United
10 States troops now serving in Iraq and Kuwait are
11 members of the National Guard or Reserve.

12 (6) Not since the Korean War have so many
13 members of the National Guard and Reserve been
14 mobilized for service in a theater of war.

15 **SEC. 3. ESTABLISHMENT OF EVALUATION FACTOR FOR DE-**
16 **FENSE CONTRACTORS EMPLOYING OR SUB-**
17 **CONTRACTING WITH MEMBERS OF THE SE-**
18 **LECTED RESERVE OF THE RESERVE COMPO-**
19 **NENTS OF THE ARMED FORCES.**

20 (a) DEFENSE CONTRACTS.—In awarding any con-
21 tract for the procurement of goods or services, the Depart-
22 ment of Defense, when considering source selection cri-
23 teria, shall use as an evaluation factor whether entities
24 intend to carry out the contract using employees or indi-
25 vidual subcontractors for goods and services who are mem-

1 bers of the Selected Reserve of the reserve components of
2 the Armed Forces.

3 (b) DOCUMENTATION OF SELECTED RESERVE-RE-
4 LATED EVALUATION FACTOR.—Any entity claiming intent
5 to carry out a contract using employees or individual sub-
6 contractors for goods and services who are members of
7 the Selected Reserve of the reserve components of the
8 Armed Forces shall be required to document to the De-
9 partment of Defense the number (and names, if re-
10 quested) of such members of the Selected Reserve that the
11 entity will employ, or execute personal services contracts
12 with, for the contract in question.

13 (c) NATIONAL SECURITY WAIVER.—The Secretary of
14 the military department concerned, or, in the case of con-
15 tracts which are not negotiated by a military department,
16 the Secretary of Defense, may waive the requirement in
17 subsection (a) with respect to a contract if the Secretary
18 concerned determines that the waiver is necessary for rea-
19 sons of national security.

20 (d) REGULATIONS.—The Federal Acquisition Regula-
21 tion shall be revised as necessary to implement this sec-
22 tion.

1 **SEC. 4. INCREASE IN VARIOUS SPECIAL PAYS AND ALLOW-**
2 **ANCES FOR RESERVE COMPONENT PER-**
3 **SONNEL.**

4 (a) **HARDSHIP DUTY PAY.**—Section 305(a) of title
5 37, United States Code, is amended by striking “\$300”
6 and inserting “\$750”.

7 (b) **REENLISTMENT BONUS.**—Section 308b(b)(1) of
8 such title is amended—

9 (1) in subparagraph (A), by striking “\$15,000”
10 and inserting “\$25,000”;

11 (2) in subparagraph (B), by striking “\$7,500”
12 and inserting “\$12,500”; and

13 (3) in subparagraph (C), by striking “\$6,000”
14 and inserting “\$11,000”.

15 (c) **FAMILY SEPARATION ALLOWANCE.**—Section 427
16 of such title is amended by adding at the end the following
17 new subsection:

18 “(f) **SPECIAL RATE FOR RESERVE COMPONENT**
19 **MEMBERS.**—If a member described in subsection (a) is
20 a member of a reserve component, the amount of the
21 monthly allowance for the member under this section shall
22 be increased to \$500.”.

23 **SEC. 5. ELIGIBILITY OF CERTAIN PERSONS FOR BURIAL IN**
24 **ARLINGTON NATIONAL CEMETERY.**

25 (a) **IN GENERAL.**—(1) Chapter 24 of title 38, United
26 States Code, is amended—

1 (A) by redesignating section 2412 as section
2 2413; and

3 (B) by inserting after section 2411 the fol-
4 lowing new section:

5 **“§ 2412. Arlington National Cemetery: eligibility of**
6 **certain persons for burial**

7 “(a)(1) The remains of a member or former member
8 of a reserve component of the Armed Forces who at the
9 time of death was under 60 years of age and who, but
10 for age, would have been eligible at the time of death for
11 retired pay under chapter 1223 of title 10 may be buried
12 in Arlington National Cemetery on the same basis as the
13 remains of members of the Armed Forces entitled to re-
14 tired pay under that chapter.

15 “(2) The remains of the dependents of a member
16 whose remains are permitted under paragraph (1) to be
17 buried in Arlington National Cemetery may be buried in
18 that cemetery on the same basis as dependents of mem-
19 bers of the Armed Forces entitled to retired pay under
20 such chapter 1223.

21 “(b)(1) The remains of a member of a reserve compo-
22 nent of the Armed Forces who dies in the line of duty
23 while performing active duty for training or inactive duty
24 training may be buried in Arlington National Cemetery

1 on the same basis as the remains of a member of the
2 Armed Forces who dies while on active duty.

3 “(2) The remains of the dependents of a member
4 whose remains are permitted under paragraph (1) to be
5 buried in Arlington National Cemetery may be buried in
6 that cemetery on the same basis as dependents of mem-
7 bers on active duty.”.

8 (2) The table of sections at the beginning of chapter
9 24 of title 38, United States Code, is amended by striking
10 the item relating to section 2412 and inserting after the
11 item relating to section 2411 the following new items:

“2412. Arlington National Cemetery: eligibility of certain persons for burial.
“2413. Lease of land and buildings.”.

12 (b) EFFECTIVE DATE.—Section 2412 of title 38,
13 United States Code, as added by subsection (a), shall
14 apply with respect to interments occurring on or after the
15 date of the enactment of this Act.

16 **SEC. 6. ELIGIBILITY OF CERTAIN PERSONS FOR SPACE-**
17 **AVAILABLE TRAVEL ON MILITARY AIRCRAFT.**

18 (a) ELIGIBILITY OF “GRAY AREA” RETIREES AND
19 SPOUSES.—Chapter 157 of title 10, United States Code,
20 is amended by inserting after section 2641a the following
21 new section:

1 **“§ 2641b. Space-available travel on Department of De-**
2 **fense aircraft: Reserve members eligible**
3 **for retired pay but for age; spouses**

4 “(a) RESERVE RETIREES UNDER AGE 60.—A mem-
5 ber or former member of a reserve component under 60
6 years of age who, but for age, would be eligible for retired
7 pay under chapter 1223 of this title shall be provided
8 transportation on Department of Defense aircraft, on a
9 space-available basis, on the same basis as members of the
10 armed forces entitled to retired pay under any other provi-
11 sion of law.

12 “(b) SPOUSES.—The spouse of a member or former
13 member under 60 years of age who, but for age, would
14 be eligible for retired pay under chapter 1223 of this title,
15 shall be provided transportation on Department of De-
16 fense aircraft, on a space-available basis, on the same
17 basis as spouses of members of the armed forces entitled
18 to retired pay under any other provision of law.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of such chapter is amended by inserting
21 after the item relating to section 2641a the following new
22 item:

“2641b. Space-available travel on Department of Defense aircraft: Reserve
members eligible for retired pay but for age; spouses.”.

1 **SEC. 7. REPORT ON EMPLOYMENT MATTERS FOR MEM-**
2 **BERS OF THE NATIONAL GUARD AND RE-**
3 **SERVE.**

4 (a) **REQUIREMENT FOR REPORT.**—Not later than
5 270 days after the date of the enactment of this Act, the
6 Comptroller General of the United States shall submit to
7 Congress a report on difficulties faced by members of the
8 National Guard and Reserve with respect to employment
9 as a result of being ordered to perform full time National
10 Guard duty or being ordered to active duty service, respec-
11 tively.

12 (b) **SPECIFIC MATTERS.**—In preparing the report re-
13 quired under subsection (a), the Comptroller General shall
14 include information on the following matters

15 (1) **TYPE OF EMPLOYERS.**—An estimate of the
16 number of employers of members of the National
17 Guard and Reserve who are private sector employers
18 and those who are public sector employers.

19 (2) **SIZE OF EMPLOYERS.**—An estimate of the
20 number of employers of members of the National
21 Guard and Reserve who employ fewer than 50 full-
22 time employees.

23 (3) **SELF-EMPLOYED.**—An estimate of the num-
24 ber of members of the National Guard and Reserve
25 who are self-employed.

1 (4) NATURE OF BUSINESS.—A description of
2 the nature of the business of employers of members
3 of the National Guard and Reserve.

4 (5) REEMPLOYMENT DIFFICULTIES.—A de-
5 scription of difficulties faced by members of the Na-
6 tional Guard and Reserve in gaining reemployment
7 after having performed full time National Guard
8 duty or active duty service, including difficulties
9 faced by members who are disabled and who are
10 Veterans of the Vietnam Era.

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