

113TH CONGRESS
1ST SESSION

S. 1320

To establish a tiered hiring preference for members of the reserve components of the armed forces.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2013

Mr. DONNELLY (for himself, Mr. LEAHY, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish a tiered hiring preference for members of the reserve components of the armed forces.

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 “Military Reserve Jobs
5 Act of 2013”.

6 **SEC. 2. PREFERENCE ELIGIBILITY FOR MEMBERS OF RE-**
7 **SERVE COMPONENTS OF THE ARMED**
8 **FORCES.**

9 Section 2108 of title 5, United States Code, is
10 amended—

1 (1) in paragraph (3)—

2 (A) in subparagraph (G)(iii), by striking
3 “and” at the end;

4 (B) by inserting the following after sub-
5 paragraph (H):

6 “(I) an individual who is a member of a re-
7 serve component of the armed forces:

8 “(i) who has—

9 “(I) successfully completed offi-
10 cer candidate training or entry level
11 and skill training; and

12 “(II) incurred, or is performing,
13 an initial period of obligated service in
14 a reserve component of the armed
15 forces of not less than 6 consecutive
16 years; or

17 “(ii) who has completed at least 10
18 years of service in a reserve component of
19 the armed forces in each of which the indi-
20 vidual was credited with at least 50 points
21 under section 12732 of title 10 toward the
22 computation of years of service under sec-
23 tion 12732 of title 10 for purposes of eligi-
24 bility for retired pay under chapter 1223
25 of title 10; and

1 “(J) an individual who is—

2 “(i) retired from service in a reserve
3 component of the armed forces; and

4 “(ii) eligible for, but has not yet com-
5 menced receipt of, retired pay for non-reg-
6 ular service under chapter 1223 of title
7 10;”;

8 (2) in paragraph (4)—

9 (A) in subparagraph (A), by striking “or”
10 at the end;

11 (B) in subparagraph (B), by striking
12 “and” at the end and inserting “or”; and

13 (C) by adding at the end the following:

14 “(C) the individual is a retiree described in
15 paragraph (3)(J);”;

16 (3) in paragraph (5) by striking “and” at the
17 end; and

18 (4) by adding at the end the following:

19 “(6) ‘entry level and skill training’ has the
20 meaning given that term in section 3301(2) of title
21 38; and

22 “(7) ‘reserve component of the armed forces’
23 means a reserve component specified in section
24 101(27) of title 38.”.

1 **SEC. 3. TIERED HIRING PREFERENCE FOR MEMBERS OF**
2 **RESERVE COMPONENTS OF THE ARMED**
3 **FORCES.**

4 Section 3309 of title 5, United States Code, is
5 amended—

6 (1) in paragraph (1), by striking “and” at the
7 end; and

8 (2) by striking paragraph (2) and inserting the
9 following:

10 “(2) a preference eligible under subparagraph
11 (A), (B), or (J) of section 2108(3) of this title—5
12 points;

13 “(3) a preference eligible under section
14 2108(3)(I)(ii) of this title—4 points; and

15 “(4) a preference eligible under section
16 2108(3)(I)(i) of this title—3 points.”.

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