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Alone in the Country: National Guard and Reserve Component Service and the Increased Risk for Homelessness among Rural Veterans, 13 J.L. Soc'y 405 (2012)

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**ALONE IN THE COUNTRY: NATIONAL GUARD AND
RESERVE COMPONENT SERVICE AND THE INCREASED
RISK FOR HOMELESSNESS AMONG RURAL VETERANS**

BRIAN CLAUSS¹

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I. INTRODUCTION

Veterans face a myriad of challenges, some of which are unique to veterans. Among the many issues facing veterans is homelessness. Homelessness among U.S. veterans is a serious and growing problem. The issue is exacerbated by a variety of risk factors that make veterans more vulnerable to homelessness than other civilians. The risks facing all veterans are amplified for National Guard and reserve component service members, by a national defense structure which releases these service members from active duty service and returns them to civilian life without sufficient time or preparation for the challenges of civilian life. Part II of this article contextualizes these issues in the national defense structure and illustrates the difference between active duty and reserve component service members. Part III discusses the risk factors that lead to increased homelessness among veterans, including physical and mental health problems, the inadequacy of reemployment and reintegration systems, and veterans' inability to access necessary aid. Part IV concludes that current government resources for these veterans are backlogged and lacking necessary authority. Ultimately, the systems in place are inadequate to address the scope of veterans' issues – leaving unemployed veterans with limited recourse and compounding risk factors that contribute to homelessness.

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II. BACKGROUND

The citizen-soldier has a long history of being the first to defend the country that dates back to colonial militiamen fighting the British during the Revolution. Poorly trained and serving for only short durations of service, the colonial citizen-soldiers served the new nation and then returned to their private lives.² Following the Revolution, Congress passed a militia act in 1792 for “every able-bodied male citizen between the ages of 18 and 45.”³

State militias were among the first to answer the call of the Union and provided the bulk of the Union troops during the early months of the Civil War.⁴ During the early parts of the Spanish American War, the state militias again comprised a large part of the combat forces. President Roosevelt declared the antiquated militia laws as “obsolete and worthless” and those laws were repealed in 1901.⁵ The modern National Guard was created with the Militia Act of 1903.⁶ The National Guard came under federal control and became part of the reserve component of the Army in 1916 in response to the war in Europe and the potential need to deploy outside the United States.⁷ The modern National Guard has a combined federal and state command structure and mission.⁸ When the United States entered the Great War in 1917, National Guard units comprised approximately forty percent of the American Expeditionary Forces in France.⁹ National Guard units were also the first units to see combat in World War II shortly after Pearl Harbor was attacked.¹⁰ National Guard units answered the call in Korea and again in Vietnam.¹¹ They deployed in large numbers during the first Gulf War, Panama,

2. See generally THE AMERICAN REVOLUTIONARY WAR, <http://www.americanrevolutionarywar.net> (last visited July 15, 2011).

3. *Perpich v. Dep't of Defense*, 496 U.S. 334, 341 (1990).

4. *About the National Guard*, NAT'L GUARD, <http://www.ng.mil/about/default.aspx> (last visited July 15, 2011) (para. 3).

5. *Perpich*, *supra* note 3, at 341 (internal citation omitted).

6. *National Guard's Birthday*, NAT'L GUARD, <http://www.ng.mil/features/birthday/index.html> (last visited July 15, 2011) (para. 10).

7. Samuel W. Asbury, *A Survey and Comparative Analysis of State Statutes Entitling Public Employees to Paid Military Leave*, 30 GONZ. L. REV. 67, 70 (1995).

8. See 10 U.S.C. § 10501 (2011).

9. *About the National Guard*, *supra* note 4, at para. 3.

10. *Id.*

11. LAWRENCE KAPP, CONG. RESEARCH SERV., RL30802, RESERVE COMPONENT PERSONNEL ISSUES: QUESTIONS AND ANSWERS 9 (2010), <http://www.fas.org/sgp/crs/natsec/RL30802.pdf>.

Bosnia, the invasion of Afghanistan, and were a large percentage of the forces in Iraq from 2001 to 2011.¹²

In addition to the National Guard, each branch of the armed forces has a reserve component.¹³ Like the militias and National Guard, these reserve components have been among the first units to fight when hostilities break out. The reserve components have been an important part of national defense since their creation and provide a vital manpower reserve to supplement active-duty forces.¹⁴ Unlike the National Guard's combined federal-state function, the Reserve Components have no dual role.

In the twentieth century, the cessation of hostilities led to a drastic reduction in the manpower and mission of the Armed Forces.¹⁵ Following World War I, World War II, the Korean Conflict and the Vietnam Conflict, the government reduced the number of active duty personnel substantially.¹⁶ The end of the Cold War produced a similar result. The collapse of the Eastern Bloc brought about a dramatic change in the size and structure of the American Armed Forces.¹⁷ Absent a

12. *Id.* These involuntary activations include the: intervention in Haiti (1994-1996; 6,250 reservists involuntarily activated); the Bosnian peacekeeping mission (1995-2004; 31,553 reservists involuntarily activated); the ongoing Kosovo mission (1999-present; 11,485 reservists involuntarily activated through 2003; no available data since then); the Persian Gulf War (1990-91; 238,729 reservists involuntarily activated); the low-intensity conflict with Iraq (1998-2003; 6,108 reservists involuntarily activated); and current military operations – Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn (2001-present; over 816,941 reservists involuntarily activated as of July 12, 2011). Unlike the once a decade average for activations during the Cold War, Guard and Reserve members have been involuntarily activated an average of once every thirty-six months since 1990. *Id.*

13. The Army Reserve was created in 1908, the Navy Reserve in 1915, and the Marine Reserve in 1916. See *Army Reserve History*, U.S. ARMY RESERVE, <http://www.usar.army.mil/ourstory/History/Pages/Publications.aspx> (last visited Aug. 18, 2012) (scroll down to “Army Reserve: A Concise History,” and select hyperlink to download); *Navy Reserve History*, U.S. NAVY RESERVE, <http://www.navyreserve.com/about/history.html> (last visited Aug. 18, 2012); *Marine Corps History*, U.S. MARINE CORPS, <http://www.marines.mil/unit/marforres/4thAnglico/Pages/History.aspx> (last visited Aug. 18, 2012).

14. Kapp, *supra* note 11, at 1.

15. ANTHONY CORDESMAN, CTR FOR STRATEGIC & INT’L STUD., TRENDS IN U.S. MILITARY FORCES AND DEFENSE SPENDING: PEACE DIVIDEND OF UNDERFUNDING? 6 (1999); see also Robert L. Goldich, CONG. RESEARCH SERV., THE ARMY RESERVE COMPONENTS: STRENGTH AND FORCE STRUCTURE ISSUES 12-13 (1997).

16. *Id.*

17. *Id.*

Soviet threat, Congress determined that major threats to the United States no longer existed, and that the military was too large.¹⁸

After the breakup of the Warsaw Pact alliance, the United States significantly reduced the number of active duty members in each branch. Further, the Base Re-Alignment and Closure Commission (BRAC) began its work of reviewing American military installations in 1988.¹⁹ The BRAC Commission recommended that over seven hundred military installations either be closed or realigned in the Commission's five rounds of recommendations.²⁰

The American military had to address a largely unforeseen conflict when Iraq invaded Kuwait in 1990.²¹ The onset of hostilities meant that, once again, National Guard and Reserve forces were called upon to step into the breach. When Operation Desert Storm began in 1991, about forty percent of ground forces were from either National Guard or Reserve units.²² The military continued to reduce in size throughout the 1990s. Gone were the days of the Berlin Brigade or Army units guarding the Fulda Gap awaiting a Red Army invasion.

After the collapse of the Soviet Union and the Warsaw Pact, the United States saw smaller threats on the horizon. Those threats did not include large-scale terrorist attacks. The Iraqi invasion of Kuwait was a traditional military conflict involving one nation attacking another. The American and Coalition response during the Gulf War was also a traditional military response with a large military invasion through air, land, and sea forces. The American military response was accomplished, in large part, with reserve component forces.²³

The large number of reserve component members called to active duty during the Gulf War led to complaints from service members about civilian employment. The civilian employment issues experienced by the reserve component service members led Congress to pass the Uniformed Service members Employment and Re-employment Rights Act

18. Brian Clauss, *Rights of National Guard and Armed Forces Reserve Members Under the Uniformed Service members and Employment and Reemployment Rights Act*, in *SERVICE MEMBER AND VETERANS RIGHTS*, at § 2.01 (LexisNexis 2011).

19. U.S. DEP'T OF DEFENSE, *DEF. BASE CLOSURE AND REALIGNMENT COMM'N FINAL REPORT*, at ch. 3 (2005).

20. *Id.* In 1988 the BRAC commission proposed 145 closures or realignments; in 1991 the commission proposed 82; in 1993 the commission proposed 175; in 1995 the commission proposed 132; and in 2005 the commission proposed 190.

21. James M. Cypher, *Military Spending after the Cold War*, 25 *J. OF ECON. ISSUES* 607, 607-15 (1991).

22. Lt. Col. Ellen Krenke, Nat'l Guard Bureau, *Army Guard Provides Combat Support Troops in First Gulf War*, Nov. 4, 2010, <http://www.ng.mil/news/archives/2010/11/110410-Gulf.aspx>.

23. *Id.*

(USERRA) in 1994.²⁴ USERRA has two components: anti-discrimination prohibitions for members of the National Guard and reserve components and re-employment protections upon return from military service.²⁵ The nation was at peace for the remainder of the 1990s and the all-volunteer military draws from approximately one percent of the population.²⁶ Accordingly, the USERRA law remained largely unchallenged during the remainder of the twentieth century.²⁷

The United States was prepared for conflict of a traditional military nature after Operation Desert Storm. American citizens and interests had been attacked abroad in events ranging from those targeting soldiers abroad like the Berlin Disco attack, the Beirut barracks attack, the attack on the USS Cole, and the bombings of the African Embassies.²⁸ Prior acts of domestic terrorism had been perpetrated by home-grown radical fringe groups like the twentieth century "militia" movement,²⁹ foreign nationals intent on damaging American industrial production capacity,³⁰ 1970s radicals,³¹ or foreign terror groups attacking iconic American targets.³² September 11, 2001 brought a new and unforeseen threat to the Nation, completely unlike anything previously encountered.

24. Clauss, *supra* note 18, at §§ 2.02[1], 2.02[2].

25. *Id.*

26. Greg Jaffe, *Lt. Gen. John Kelly, Who Lost Son to War, Says U.S. Largely Unaware of Sacrifice*, WASH. POST, Mar. 2, 2011, <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/01/AR2011030106938.html>.

27. Clauss, *supra* note 18, at § 2.01.

28. Stephen Erlanger, *4 Guilty in Fatal 1986 Disco Bombing in Libya*, N.Y. TIMES, Nov. 14, 2001, at A7 (stating that the Berlin Disco attack of 1986 killed two and wounded seventy-nine American soldiers). The German terrorist group Badermeinhof took credit for the bombing and members were later convicted for the attack.

29. Timothy McVeigh and his co-conspirators were responsible for the death of 168 people in the bombing of the Murrah Federal building in Oklahoma City on April 19, 1995. It was the most devastating terrorist attack in the United States prior to the second attacks on the World Trade Center on September 11, 2001. McVeigh and the other conspirators were members of the "militia" movement.

30. James Powles, *Terror Strike on Black Tom Island*, 28 AM. HIST., Oct. 2004, at 28-36, 76-77 (discussing how German agents sabotaged an armory in New York harbor in 1916, despite the United States having declared its neutrality in the Great War).

31. Daniel Berger, *The Weather Underground's Place in History: A Response to Jonah Raskin*, 20 SOCIALISM & DEMOCRACY, July 2006, <http://sdonline.org/41/the-weather-underground%E2%80%99s-place-in-history-a-response-to-jonah-raskin/> (discussing how the Weathermen were responsible for a campaign of bombing attacks targeting government building and tanks).

32. Robert D. McFadden, *Explosion at the Twin Towers*, N.Y. TIMES, Feb. 27, 1993, at § 1 p. 1 (discussing how the World Trade Center was first attacked on 1993 when a truck bomb was detonated in the parking garage). Operatives of an Islamic extremist group were determined to be responsible for the attack.

The United States faced a new reality on September 12, 2001, when distance and oceans could no longer isolate the nation. As had been done many times before, National Guard and Air Guard units were activated in large numbers immediately after the attacks in order to provide not only increased military readiness and protect the skies, but also to provide additional security at airports, filtration plant, dams, power plants, hydroelectric facilities and other potential terrorist targets.³³

In response to the attacks on America, the United States responded by attacking Afghanistan in 2001. That invasion was accomplished through the activation of 75,000 service members in the National Guard and reserve components as part of the coalition force.³⁴ Over 700,000 citizen soldiers have been deployed since the 9/11 invasion and many continue to serve in Afghanistan today.³⁵

The National Guard and other reserve components were activated in large numbers for the invasion of Iraq. Following the invasion and the eight years that American forces remained in Iraq, hundreds of thousands of National Guard and Reserve Component members were deployed to the theaters. National Guard members comprised a significant portion of American forces in both Afghanistan and Iraq.³⁶ Reserve components have comprised approximately twenty-eight percent of the American forces in the NATO operation in Afghanistan and Coalition Forces in Iraq.³⁷ The average activation length for a National Guard member in Afghanistan has been twenty months.³⁸ These reserve components have not been activated solely for support roles. To the contrary, numerous National Guard Brigade Combat Teams have deployed to Iraq,

33. Kapp, *supra* note 11, at 21. These forces contributed about 1 million service days per year between 1986 and 1989. *Id.* at 10. From 1996 to 2001, they contributed approximately 13 million service days per year. *Id.* In the decade since 9/11, reserve component service days have averaged approximately 50 million service days per year. *See id.* at 10-11.

34. DEP'T OF DEF., OFFICE OF THE UNDER SEC'Y OF DEF. FOR ACQUISITION, TECH. & LOGISTICS, DEFENSE SCIENCE BOARD TASK FORCE ON DEPLOYMENT OF MEMBERS OF THE NATIONAL GUARD AND RESERVE IN THE GLOBAL WAR ON TERRORISM 6 (2007), <http://www.acq.osd.mil/dsb/reports/ADA478163.pdf>.

35. DEF. MANPOWER DATA CTR, RESERVE COMPONENTS: NOBLE EAGLE, ENDURING FREEDOM, IRAQI FREEDOM (2009), http://www.defense.gov/news/Mar2009/d20090310_ngr.pdf.

36. *Most Veteran Suicides Among Guard, Reserve Troops*, MSNBC (Feb. 2, 2008, 4:39:10 PM), <http://www.msnbc.msn.com/id/23132421> (discussing that, as of 2007, twenty-eight percent of deployed troops in Iraq and Afghanistan were National Guard or Reserve).

37. *Id.*

38. *Costs to the United States: Economic Costs*, IRAQOMETER.COM, <http://www.iraqometer.com/> (last visited Mar. 9, 2012).

Afghanistan and Kuwait.³⁹ The Global War on Terror is responsible for the deaths of 477 National Guard members, 120 Army Reservists, and ninety Marines Reservists.⁴⁰

The role of the citizen soldier in the current military will not change in the near future.⁴¹ High-ranking members of the military have testified before Congress that the reserve forces are the most cost-effective personnel in the armed forces. The Government Accounting Office has also noted that Reserve components are more cost effective than active duty forces.⁴² For example the Air Force has reported:

Air Force Reserve Airmen comprise about 14 percent of the total Air Force authorized end-strength at only 5.3 percent of the Air Force's military personnel budget . . . This means the nation gains 3.5 Reserve Airmen, for the cost of one active component.⁴³

Further, Chief of the Air Force Reserve, Lieutenant General Charles Stenner Jr., testified before the House Armed services Committee on October 12, 2011:

This is one of the most efficient and cost-effective programs in DOD. We retain the most experienced warriors and powerful

39. See Press Release, U.S. Dep't of Def., DOD Identifies Units for Upcoming Afghanistan Deployment (June 17, 2011), available at <http://www.defense.gov/releases/release.aspx?releaseid=14583>. The current Afghanistan and Kuwait deployment rotation schedules includes two Brigade Combat Teams and one Combat Aviation Brigade involving 10,000 personnel beginning in late summer 2011 and will continue through early 2012. *Id.* These units have previously deployed to Iraq or Afghanistan. See also Press Release, U.S. Dep't of Def., DOD Identifies Units for Upcoming Afghanistan and Kuwait Rotation (March 3, 2011), available at <http://www.defense.gov/releases/release.aspx?releaseid=14304> (the 27th Infantry Brigade Combat Team, New York National Guard, and the 55th Heavy Brigade Combat Team, Pennsylvania National Guard). Reserve component members can be activated in a number of ways, from being activated as Individual Augmentees to fill a specific position, to large activations, such as a Brigade Combat Team activation.

40. *Faces of the Fallen*, WASH. POST, <http://apps.washingtonpost.com/national/fallen> (last visited Mar. 27, 2012).

41. See Kapp, *supra* note 11, at 21, for a sequence of service days committed by the National Guard from 1986 until today.

42. See generally U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-06-125, ASSESSMENTS OF NAVY RESERVE MANPOWER REQUIREMENTS NEED TO CONSIDER THE MOST COST-EFFECTIVE MIX OF ACTIVE AND RESERVE MANPOWER TO MEET MISSION NEEDS (2005).

43. Col. Robert Thompson, *Congress Reviews Future Reserve Equipment Needs*, AIR FORCE PRINT NEWS TODAY, Oct. 18, 2011, http://www.af.mil/news/story_print.asp?id=123275763.

combat capability our nation has ever produced at a fraction of the cost of regular component programs. . . In today's fiscally constrained environment, Reservists remain efficient and cost-effective solutions to our nation's challenges.⁴⁴

Given the current DOD budget issues, there is little chance that the reliance on the reserve forces will change in the near future.

Service members in the reserve components train with their units pursuant to a drill schedule of one weekend drill a month and approximately two weeks of Annual Training a year. Like an active duty unit, that training becomes much more intense when a unit is readying for a deployment— sometimes taking months to complete. Following activation and pre-deployment training, the reserve or National Guard unit is no different than a unit of full-time service members — the reserve or National Guard unit deploys as a unit to the theater and generally returns home as a unit. However, that is where the similarities with active duty service members largely end.

Active duty units train as a unit, deploy as a unit and return as a unit to their permanent base. The unit remains intact and continues to train and prepare. If a service member is experiencing transition, or more serious issues, the individual has access to medical facilities at his or her base. National Guard and other reserve component units return to their base and shortly thereafter return to civilian lives.⁴⁵ The service members return to the unit for drill and annual training, but do not remain on active duty as a unit upon return. Absent being in the company of comrades who are experiencing some of the same transition issues, the National Guard or reserve member in rural America is essentially alone and without the support of an active duty unit. A National Guard or reserve component member experiencing issues in the transition to civilian life, or more severe issues such as posttraumatic stress disorder (PTSD), traumatic brain injury (TBI), injury or disability, will be experiencing those issues in the home, workplace, school or community. Transition issues can be difficult for civilians to recognize in a returning citizen-soldier or veteran.

44. *Id.*

45. Clauss, *supra* note 18, at § 2.02[2][f]. An employee must return to work in a timely manner for USERRA protections to apply. For service less than thirty days, an employee must return the next day following an eight hour rest period; for thirty days to 181 days, no later than fourteen days after completion of service; and for periods of greater than 180 days, the service member must return to work no more than ninety days after completion of service. *Id.*

III. THE INCREASED RISK OF HOMELESSNESS AMONG RURAL VETERANS

Veterans who live in rural areas are further removed from sources of aid both because fewer resources exist in rural areas and transportation to urban areas is lacking. The risk is even greater for veterans who suffer from PTSD because delayed treatment exacerbates the disorder. As a result, these veterans are unable to access necessary help, compounding the risk factors and placing them at an even more serious risk for homelessness.

A. Risk Factors

Numerous factors can increase the risk of homelessness. Some of the identified factors are: job loss, mental health problems, health problems, lack of health insurance, foreclosure, and family problems. These risk factors also place service members and veterans at risk for suicide.⁴⁶ Returning service members have a high rate of unemployment, reaching nearly twenty-two percent in 2010 for veterans of Iraq and Afghanistan.⁴⁷ A large number of these soldiers are members of the National Guard and reserves, most having been deployed multiple times overseas— and many come home to find that a dismal economy has eliminated the jobs held pre-deployment.⁴⁸ If the National Guard or Reserve member is experiencing a problem with the civilian employer related to military service, the U.S. Department of Defense's Employer Support of the Guard and Reserve Program (ESGR) is, at best, marginally able to assist the service member and, at worse, a liability to the service member.

46. The branches of the U.S. military frequently study the risk of suicide among veterans. One such report is U.S. ARMY, OFFICE OF THE CHIEF OF PUBLIC AFFAIRS, ARMY HEALTH PROMOTION, RISK REDUCTION & SUICIDE PREVENTION REPORT 17(2010) (stating that many of the factors listed by the author for risk of homelessness are also known stressors for suicide among active duty and non-active duty [National Guard and Reserve] military personnel). Economic stresses from deployment and moving assignments are major factors for active duty members. Job-related stressors are significant factors for National Guard and Reserve component members.

47. Kimberly Hefling, *Unemployment Rate for Young Vets Hit 21.1%*, ARMY TIMES (Mar. 12, 2010, 4:10:30 PM), http://www.armytimes.com/news/2010/03/ap_military_young_vets_unemployment_031210.

48. *Soldiers Say It's Hard to Return to Civilian Life*, NAT'L PUB. RADIO, Oct. 10, 2011, <http://www.npr.org/2011/10/10/141213271/soldiers-say-its-hard-to-return-to-civilian-life>.

B. Employer Support of the Guard and Reserve Program

ESGR resolves complaints of workplace disputes through a network of volunteer mediators – many with little training in the USERRA law.⁴⁹ In 2009, ESGR received 15,870 USERRA related inquiries.⁵⁰ A significant number of these USERRA related inquiries are not accepted by ESGR for referral to the Ombudsmen Program for informal mediation by ESGR volunteers.⁵¹ If ESGR does not accept a complaint, the subject of that complaint is not totaled and reported in the ESGR Annual Report.⁵² This means that ESGR does not effectively report the number of inquiries received, which contain allegations of violations of the USERRA law by civilian employers. Further, ESGR lacks enforcement power. A complaint must be filed with the Department of Labor if ESGR’s “informal mediation” does not resolve the matter.⁵³

C. Posttraumatic Stress Disorder

Things grow even grimmer for soldiers suffering from PTSD.⁵⁴ Symptoms like insomnia, hyper-arousal, and avoidance of stimuli cause many veterans to struggle to keep their jobs, or worse, quit good jobs.⁵⁵ Although USERRA allows a returning service member up to ninety days to return to the workplace, the USERRA law does not protect an employee who must take time off after returning to work. If the veteran has filed a claim for Veteran’s Affairs (VA) benefits for PTSD, he or she

49. ASSESSMENTS OF NAVY RESERVE MANPOWER REQUIREMENTS, *supra*, note 42.

50. U.S. DEP’T OF DEF., EMPLOYER SUPPORT OF GUARD AND RESERVE ANNUAL REPORT 2009, at 17 (2009).

51. *Id.* (out of the 15,870 inquiries, 2,475 became ombudsmen cases in 2009).

52. *Id.*

53. U.S. GOV’T ACCOUNTABILITY OFFICE, GAO 06-60, MILITARY PERSONNEL: FEDERAL MANAGEMENT OF SERVICE MEMBER EMPLOYMENT RIGHTS CAN BE FURTHER IMPROVED 2 (2005). The U.S. Department of Labor’s VETS program (DOL-VETS) receives formal USERRA-related complaints against civilian employers. Representatives of VETS investigate USERRA complaints and try to resolve disputes. If DOL-VETS is unable to resolve complaints, DOL informs the service members that they may request to have their complaints referred to the U.S. Department of Justice (DOJ) or to the Office of Special Counsel (OSC). DOL refers unresolved complaints to DOJ to investigate, mediate, and litigate.

54. *DSM-IV-TR Criteria for PTSD*, NAT’L CTR. FOR PTSD, <http://www.ptsd.va.gov/professional/pages/dsm-iv-tr-ptsd.asp> (last visited Sep. 24, 2011) (stating that the symptoms of PTSD are wide ranging and can additionally include, but are not limited to, intrusive recollections, intense fear, feelings of helplessness, feeling detached from others, and difficulty concentrating).

55. *Id.*

will wait for a physical examination and then wait for the VA's decision, and wait, and wait— many times for well over a year.⁵⁶

D. Living in Rural America

Further complicating the reintegration of the reserve component member or a recent veteran is the location of his or her residence. A significant portion of enlistees hails from rural America, where the risk of homelessness is possibly greater than urban enlistees. For example, Pope County, Illinois is a rural community in downstate Illinois near the Kentucky border, with a median per capita income below the national average, and an unemployment rate over 9% in 2011.⁵⁷ Pope County consistently ranks within the top 20 counties for military enlistment rates as a percentage of population.⁵⁸ The closest VA medical facility is in Marion, Illinois, which is approximately fifty miles from the county seat in Golconda, Illinois.

An urban veteran in need of VA services has access to a variety of services and non-profit organizations that are simply not available in rural America. Further, an urban veteran has access to public transportation to get to treatment whereas public transportation is non-existent in rural America.⁵⁹ Accordingly, the rural reserve component member or veteran lacking transportation is unable to get to treatment. Although Golconda, Illinois, is only an hour from the VA hospital in Marion, without an automobile or somebody to provide transportation, the Pope County veteran in need of services is simply abandoned in the country. The example of Pope County, Illinois, is repeated in thousands of rural communities throughout America. Many rural veterans are in need of VA services and unable to receive those services.

An additional complicating factor for the rural veteran is PTSD. Current PTSD estimates for service members who deployed are thirteen

56. Julie Rose, *VA Officials Try To Ease Disability Exam Backlog*, NAT'L PUB. RADIO, Apr. 8, 2011, <http://www.npr.org/2011/04/08/135218770/va-officials-try-to-ease-disability-exam-backlog>.

57. *Local Area Unemployment Statistics*, ILL. DEP'T OF EMP'T SEC., <http://www.ides.illinois.gov/custom/library/statistic/LAUS/2011AALWA.pdf> (last visited Sept 7, 2012).

58. Jim Suhr, *Nonprofit analyzes military recruiting data*, TIMES ARGUS, Dec. 25, 2005, <http://www.timesargus.com/apps/pbcs.dll/article?AID=/20051225/NEWS/512250418/1002/NEWS0>.

59. PAMELA FRIEDMAN, RURAL ASSISTANCE CTR., *TRANSPORTATION NEEDS IN RURAL COMMUNITIES* (2004), <http://76.12.61.196/publications/transportationneedsINRAC.html>.

percent for male veterans and nearly double that for female veterans.⁶⁰ For a person suffering from PTSD, a delay in treatment can cause the condition to worsen dramatically.⁶¹ Essentially, a rural veteran suffering from PTSD needs transportation to access treatment or his or her PTSD will get worse. If that veteran is jobless, without benefits or awaiting VA benefits, suffering from PTSD and in rural America, he or she is at serious risk for homelessness.

IV. CONCLUSION

There are a variety of reasons that our nation's veterans are experiencing high rates of homelessness. Veterans of Iraq and Afghanistan and members of the National Guard and Reserve are at substantial risk for unemployment upon return to civilian status. Service members entrust the resolution of his or her reemployment or discrimination issues to a network of poorly trained volunteer mediators through the ESGR program. The ESGR program lacks enforcement and the National Guard or Reserve member must file a complaint with the U.S. Department of Labor if ESGR cannot resolve the matter. A U.S. Department of Labor action must then be initiated, leading to further delay in resolution of their employment issue.

Further, a significant percentage of returning National Guard and Reserve members and veterans suffer from PTSD, a condition that also places them at greater risk for homelessness because they are often unable to maintain employment due to the condition. If unable to work and filing for VA benefits, that veteran will sit and wait for a VA decision— sometimes for years. Moreover, the sheer distance to VA medical facilities and lack of transportation can leave the rural veteran stranded and unable to get treatment.

The risk of homelessness only increases among those located veterans in rural America because of a small number of resources and the distance to the available resources. In effect, living in a rural area can become a “force multiplier” for some of the stressors that contribute to homelessness.

60. See generally BRETT LITZ & WILLIAM SCHLENGER, NAT'L CTR. FOR PTSD, PTSD IN SERVICE MEMBERS AND NEW VETERANS OF THE IRAQ AND AFGHANISTAN WARS (2009), <http://www.ptsd.va.gov/professional/newsletters/research-quarterly/V20N1.pdf>.

61. Matthew Tull, *The Effect of PTSD on a Person's Life*, ABOUT.COM, June 26, 2011, <http://ptsd.about.com/od/relatedconditions/a/effectofptsd.htm>.