

107TH CONGRESS
1ST SESSION

H. R. 548

To amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2001

Mr. SCARBOROUGH (for himself, Mr. WELDON of Florida, Mr. PETRI, Mr. SHOWS, Mr. MCINTYRE, Mr. GEORGE MILLER of California, Mr. FOLEY, Mr. SAXTON, and Mr. PICKERING) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, 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 “Military Survivor Ben-
5 efits Improvement Act of 2001”.

6 **SEC. 2. COMPUTATION OF SURVIVOR BENEFITS.**

7 (a) INCREASED BASIC ANNUITY.—(1) Subsection
8 (a)(1)(B)(i) of section 1451 of title 10, United States

1 Code, is amended by striking “35 percent of the base
2 amount.” and inserting “the product of the base amount
3 and the percent applicable for the month. The percent ap-
4 plicable for a month is 35 percent for months beginning
5 on or before the date of the enactment of the Military Sur-
6 vivor Benefits Improvement Act of 2001, 40 percent for
7 months beginning after such date and before October
8 2004, 45 percent for months after September 2004 and
9 before October 2011, and 55 percent for months after
10 September 2011.”.

11 (2) Subsection (a)(2)(B)(i)(I) of such section is
12 amended by striking “35 percent” and inserting “the per-
13 cent specified under subsection (a)(1)(B)(i) as being appli-
14 cable for the month”.

15 (3) Subsection (c)(1)(B)(i) of such section is
16 amended—

17 (A) by striking “35 percent” and inserting “the
18 applicable percent”; and

19 (B) by adding at the end the following: “The
20 percent applicable for a month under the preceding
21 sentence is the percent specified under subsection
22 (a)(1)(B)(i) as being applicable for that month.”.

23 (4) The heading for subsection (d)(2)(A) of such sec-
24 tion is amended to read as follows: “COMPUTATION OF AN-
25 NUITY.—”.

1 (b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section
2 1457(b) of title 10, United States Code, is amended—

3 (1) by striking “5, 10, 15, or 20 percent” and
4 inserting “the applicable percent”; and

5 (2) by inserting after the first sentence the fol-
6 lowing: “The percent used for the computation shall
7 be an even multiple of 5 percent and, whatever the
8 percent specified in the election, may not exceed 20
9 percent for months beginning on or before the date
10 of the enactment of the Military Survivor Benefits
11 Improvement Act of 2001, 15 percent for months
12 beginning after that date and before October 2004,
13 and 10 percent for months after September 2004
14 and before October 2011. For months after Sep-
15 tember 2011, the percent used for the computation
16 shall be zero.”.

17 (c) RECOMPUTATION OF ANNUITIES.—(1) Effective
18 on the first day of each month referred to in paragraph
19 (2)—

20 (A) each annuity under section 1450 of title 10,
21 United States Code, that commenced before that
22 month, is computed under a provision of section
23 1451 of that title amended by subsection (a), and is
24 payable for that month shall be recomputed so as to
25 be equal to the amount that would be in effect if the

1 percent applicable for that month under that provi-
2 sion, as so amended, had been used for the initial
3 computation of the annuity; and

4 (B) each supplemental survivor annuity under
5 section 1457 of such title that commenced before
6 that month and is payable for that month shall be
7 recomputed so as to be equal to the amount that
8 would be in effect if the percent applicable for that
9 month under that section, as amended by this sec-
10 tion, had been used for the initial computation of
11 the supplemental survivor annuity.

12 (2) The requirements for recomputation of annuities
13 under paragraph (1) apply with respect to the following
14 months:

15 (A) The first month that begins after the date
16 of the enactment of this Act.

17 (B) October 2004.

18 (C) October 2011.

19 (d) RECOMPUTATION OF RETIRED PAY REDUCTIONS
20 FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—(1) Effec-
21 tive on the first day of each month referred to in para-
22 graph (2), the Secretary of Defense shall take such actions
23 as are required by the amendments made by subsection
24 (b) and the provisions of subsection (c)(1)(B) to ensure
25 that the reductions in retired pay under section 1460 of

1 title 10, United States Code, are adjusted to achieve the
2 objectives set forth in subsection (b) of that section. Such
3 adjustments shall be applied to retired pay reductions ap-
4 plicable to every person who has elected to provide a sup-
5 plemental spouse annuity under the provisions of section
6 1457 of title 10, United States Code, regardless of the
7 date of such election.

8 (2) The requirements for recomputation of retired
9 pay reductions under paragraph (1) apply with respect to
10 the following months:

11 (A) The first month that begins after the date
12 of the enactment of this Act.

13 (B) October 2004.

14 (C) October 2011.

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