

108TH CONGRESS
1ST SESSION

S. 445

To amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2003

Ms. LANDRIEU 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 revise the age and service requirements for eligibility to receive retired pay for non-regular service.

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 “Reservists Retirement
5 and Retention Act of 2003”.

6 **SEC. 2. ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR**
7 **SERVICE.**

8 (a) AGE AND SERVICE REQUIREMENTS.—Subsection
9 (a) of section 12731 of title 10, United States Code, is
10 amended to read as follows:

1 “(a)(1) Except as provided in subsection (c), a person
2 is entitled, upon application, to retired pay computed
3 under section 12739 of this title, if the person—

4 “(A) satisfies one of the combinations of re-
5 quirements for minimum age and minimum number
6 of years of service (computed under section 12732 of
7 this title) that are specified in the table in para-
8 graph (2);

9 “(B) performed the last six years of qualifying
10 service while a member of any category named in
11 section 12732(a)(1) of this title, but not while a
12 member of a regular component, the Fleet Reserve,
13 or the Fleet Marine Corps Reserve, except that in
14 the case of a person who completed 20 years of serv-
15 ice computed under section 12732 of this title before
16 October 5, 1994, the number of years of qualifying
17 service under this subparagraph shall be eight; and

18 “(C) is not entitled, under any other provision
19 of law, to retired pay from an armed force or re-
20 tainer pay as a member of the Fleet Reserve or the
21 Fleet Marine Corps Reserve.

22 “(2) The combinations of minimum age and min-
23 imum years of service required of a person under subpara-
24 graph (A) of paragraph (1) for entitlement to retired pay
25 as provided in such paragraph are as follows:

“Age, in years, is at least:	The minimum years of service required for that age is:
55	30
56	28
57	26
58	24
59	22
60	20.”.

1 (b) 20-YEAR LETTER.—Subsection (d) of such sec-
2 tion is amended by striking “the years of service required
3 for eligibility for retired pay under this chapter” in the
4 first sentence and inserting “20 years of service computed
5 under section 12732 of this title.”.

6 (c) EFFECTIVE DATE.—This section and the amend-
7 ments made by this subsection (a) shall take effect on the
8 first day of the first month beginning on or after the date
9 of the enactment of this Act and shall apply with respect
10 to retired pay payable for that month and subsequent
11 months.

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