

115TH CONGRESS  
2D SESSION

# H. R. 5038

To amend titles 5, 10, and 37 of the United States Code to ensure that an order to serve on active duty under section 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services for certain benefits, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2018

Mr. PALAZZO (for himself and Mr. WALZ) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, 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

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## A BILL

To amend titles 5, 10, and 37 of the United States Code to ensure that an order to serve on active duty under section 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services for certain benefits, 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.**

2 This Act may be cited as the “Reserve Component  
3 Benefits Parity Act of 2018”.

4 **SEC. 2. ELIGIBILITY OF RESERVE COMPONENT MEMBERS**  
5 **FOR NONREDUCTION IN PAY WHILE SERVING**  
6 **IN THE UNIFORMED SERVICES OR NATIONAL**  
7 **GUARD.**

8 Section 5538(a) of title 5, United States Code, is  
9 amended in the matter preceding paragraph (1) by insert-  
10 ing after “under” the following: “section 12304b of title  
11 10 or”.

12 **SEC. 3. CONSIDERATION OF SERVICE ON ACTIVE DUTY TO**  
13 **REDUCE AGE FOR ELIGIBILITY FOR RETIRED**  
14 **PAY FOR NON-REGULAR SERVICE.**

15 Section 12731(f)(2)(B)(i) of title 10, United States  
16 Code, is amended by striking “under a provision of law  
17 referred to in section 101(a)(13)(B) or under section  
18 12301(d)” and inserting “under section 12301(d) or  
19 12304b of this title or a provision of law referred to in  
20 section 101(a)(13)(B)”.

21 **SEC. 4. ELIGIBILITY OF RESERVE COMPONENT MEMBERS**  
22 **FOR HIGH-DEPLOYMENT ALLOWANCE FOR**  
23 **LENGTHY OR NUMEROUS DEPLOYMENTS AND**  
24 **FREQUENT MOBILIZATIONS.**

25 Section 436(a)(2)(C)(ii) of title 37, United States  
26 Code, is amended by inserting after “under” the first

1 place it appears the following: “section 12304b of title 10  
2 or”.

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