

106TH CONGRESS  
1ST SESSION

# H. R. 3509

For the relief of Elizabeth McKenney Padgett.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

Mr. BONIOR introduced the following bill; which was referred to the  
Committee on the Judiciary

---

## A BILL

For the relief of Elizabeth McKenney Padgett.

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. SURVIVOR BENEFIT PLAN ANNUITY FOR ELIZA-**  
4 **BETH MCKENNEY PADGETT.**

5 (a) ANNUITY.—The Secretary of the Army, subject  
6 to subsection (b), shall pay to Elizabeth McKenney  
7 Padgett, of Harrison Township, Michigan, an annuity  
8 under the military Survivor Benefit Plan pursuant to the  
9 election of her former husband, Sergeant Major Widford  
10 D. Padgett (United States Army, retired) under section  
11 1405 of Public Law 101–189 (10 U.S.C. 1448 note) with-  
12 out regard to the provisions of subsection (g) of that sec-

tion, such annuity to be effective as of the day after the death of Widford D. Padgett on February 10, 1993.

(b) OFFSET.—Payment of the annuity referred to in subsection (a) shall be subject to a requirement for payment to the Secretary of an amount equal to the total amount of SBP premiums that would have been paid by Widford D. Padgett for the period beginning on the effective date of the election referred to in subsection (a) and ending on the date two years later, determined as if he had lived to the end of that period and otherwise had continued to receive retired pay during that period. Any such payment may be made directly by Elizabeth McKenney Padgett or may be made by offset from amounts that would otherwise be payable under the annuity under subsection (a). Any such payment shall be credited in the same manner as SBP premiums.

(c) DEFINITIONS.—For purposes of this section:

(1) MILITARY SURVIVOR BENEFIT PLAN.—The term “military Survivor Benefit Plan ” means the program established under subchapter II of chapter 73 of title 10, United States Code.

(2) SBP PREMIUM.—The term “SBP premium” means the reduction in retired pay required as a

- 1 condition of providing an annuity under the military
- 2 Survivor Benefit Plan.

