

106TH CONGRESS
1ST SESSION

S. 763

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 SENATE OF THE UNITED STATES

APRIL 12, 1999

Mr. THURMOND 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 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 “SBP Benefits Improve-
5 ment Act of 1999”.

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
9 Code, is amended by striking “35 percent of the base

1 amount.” and inserting “the product of the base amount
 2 and the percent applicable for the month. The percent ap-
 3 plicable for a month is 35 percent for months beginning
 4 on or before the date of the enactment of the SBP Bene-
 5 fits Improvement Act of 1999, 40 percent for months be-
 6 ginning after such date and before October 2004, and 45
 7 percent for months beginning after September 2004.”.

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

12 (3) Subsection (c)(1)(B)(i) of such section is
 13 amended—

14 (A) by striking “35 percent” and inserting “the
 15 applicable percent”; and

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

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

23 (b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section
 24 1457(b) of title 10, United States Code, is amended—

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

3 (2) by inserting after the first sentence the fol-
 4 lowing: “The percent used for the computation shall
 5 be an even multiple of 5 percent and, whatever the
 6 percent specified in the election, may not exceed 20
 7 percent for months beginning on or before the date
 8 of the enactment of the SBP Benefits Improvement
 9 Act of 1999, 15 percent for months beginning after
 10 that date and before October 2004, and 10 percent
 11 for months beginning after September 2004.”.

12 (c) RECOMPUTATION OF ANNUITIES.—(1) Effective
 13 on the first day of each month referred to in paragraph
 14 (2)—

15 (A) each annuity under section 1450 of title 10,
 16 United States Code, that commenced before that
 17 month, is computed under a provision of section
 18 1451 of that title amended by subsection (a), and is
 19 payable for that month shall be recomputed so as to
 20 be equal to the amount that would be in effect if the
 21 percent applicable for that month under that provi-
 22 sion, as so amended, had been used for the initial
 23 computation of the annuity; and

24 (B) each supplemental survivor annuity under
 25 section 1457 of such title that commenced before

1 that month and is payable for that month shall be
 2 recomputed so as to be equal to the amount that
 3 would be in effect if the percent applicable for that
 4 month under that section, as amended by this sec-
 5 tion, had been used for the initial computation of
 6 the supplemental survivor annuity.

7 (2) The requirements for recomputation of annuities
 8 under paragraph (1) apply with respect to the following
 9 months:

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

12 (B) October 2004.

13 (d) RECOMPUTATION OF RETIRED PAY REDUCTIONS
 14 FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—The Sec-
 15 retary of Defense shall take such actions as are neces-
 16 sitated by the amendments made by subsection (b) and
 17 the requirements of subsection (c)(1)(B) to ensure that
 18 the reductions in retired pay under section 1460 of title
 19 10, United States Code, are adjusted to achieve the objec-
 20 tives set forth in subsection (b) of that section.

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