

107TH CONGRESS
1ST SESSION

S. 145

To amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age; and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2001

Mr. THURMOND introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

JANUARY 24, 2001

Committee discharged; referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age; 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 2001”.

1 **SEC. 2. FULL AMOUNT OF SURVIVOR BENEFITS FOR SUR-**
 2 **VIVING SPOUSES WHO ARE 62 YEARS OF AGE**
 3 **OR OVER.**

4 (a) PHASED INCREASED OF BASIC ANNUITY.—(1)
 5 Subsection (a)(1)(B)(i) of section 1451 of title 10, United
 6 States Code, is amended by striking “35 percent of the
 7 base amount.” and inserting “the product of the base
 8 amount and the percent applicable for the month. The per-
 9 cent applicable for a month is 35 percent for months be-
 10 ginning on or before the date of the enactment of the SBP
 11 Benefits Improvement Act of 2001, 40 percent for months
 12 beginning after such date and before October 2004, 45
 13 percent for months beginning after September 2004, and
 14 55 percent for months beginning after September 2011.”.

15 (2) Subsection (a)(2)(B)(i)(I) of such section is
 16 amended by striking “35 percent” and inserting “the per-
 17 cent specified under paragraph (1)(B)(i) as being applica-
 18 ble for the month”.

19 (3) Subsection (c)(1)(B)(i) of such section is
 20 amended—

21 (A) by striking “35 percent” and inserting “the
 22 applicable percent”; and

23 (B) by adding at the end the following: “The
 24 percent applicable for a month under the preceding
 25 sentence is the percent specified under subsection
 26 (a)(1)(B)(i) as being applicable for the month.”.

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

4 (b) PHASED ELIMINATION OF SUPPLEMENTAL AN-
 5 NUIITY.—(1) Section 1457(b) of title 10, United States
 6 Code, is amended—

7 (A) by striking “5, 10, 15, or 20 percent” and
 8 inserting “the applicable percent”; and

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

18 (2) Effective on October 1, 2011, chapter 73 of such
 19 title is amended—

20 (A) by striking subchapter III; and

21 (B) by striking the item relating to subchapter
 22 III in the table of subchapters at the beginning of
 23 that chapter.

1 (c) RECOMPUTATION OF ANNUITIES.—(1) Effective
2 on the first day of each month referred to in paragraph
3 (2)—

4 (A) each annuity under section 1450 of title 10,
5 United States Code, that commenced before that
6 month, is computed under a provision of section
7 1451 of that title amended by subsection (a), and is
8 payable for that month shall be recomputed so as to
9 be equal to the amount that would be in effect if the
10 percent applicable for that month under that provi-
11 sion, as so amended, had been used for the initial
12 computation of the annuity; and

13 (B) each supplemental survivor annuity under
14 section 1457 of such title that commenced before
15 that month and is payable for that month shall be
16 recomputed so as to be equal to the amount that
17 would be in effect if the percent applicable for that
18 month under that section, as amended by this sec-
19 tion, had been used for the initial computation of
20 the supplemental survivor annuity.

21 (2) The requirements for recomputation of annuities
22 under paragraph (1) apply with respect to the following
23 months:

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

1 (B) October 2004.

2 (C) October 2011.

3 (d) RECOMPUTATION OF RETIRED PAY REDUCTIONS
4 FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—The Sec-
5 retary of Defense shall take such actions as are neces-
6 sitated by the amendments made by subsection (b) and
7 the requirements of subsection (c)(1)(B) to ensure that
8 the reductions in retired pay under section 1460 of title
9 10, United States Code, are adjusted to achieve the objec-
10 tives set forth in subsection (b) of that section.

○