

107TH CONGRESS  
2D SESSION

# S. 2751

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

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IN THE SENATE OF THE UNITED STATES

JULY 18, 2002

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## 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. ELIGIBILITY FOR RETIRED PAY FOR NON-REG-**  
4       **ULAR SERVICE.**

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

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

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

6           “(B) performed the last eight years of quali-  
 7           fying service while a member of any category named  
 8           in section 12732(a)(1) of this title, but not while a  
 9           member of a regular component, the Fleet Reserve,  
 10          or the Fleet Marine Corps Reserve; and

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

15          “(2) The combinations of minimum age and min-  
 16          imum years of service required of a person under subpara-  
 17          graph (A) of paragraph (1) for entitlement to retired pay  
 18          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.”.

19          (b) 20-YEAR LETTER.—Subsection (d) of such sec-  
 20          tion is amended by striking “the years of service required  
 21          for eligibility for retired pay under this chapter” in the

1 first sentence and inserting “20 years of service computed  
2 under section 12732 of this title.”.

3 (c) APPLICATION TO EXISTING PROVISIONS OF LAW  
4 OR POLICY.—With respect to any provision of law, or of  
5 any policy, regulation, or directive of the executive branch,  
6 that refers to a member or former member of the uni-  
7 formed services as being eligible for, or entitled to, retired  
8 pay under chapter 1223 of title 10, United States Code,  
9 but for the fact that the member or former member is  
10 under 60 years of age, such provision shall be carried out  
11 with respect to that member or former member by sub-  
12 stituting for the reference to that fact a reference to the  
13 fact that the member or former member does not meet  
14 the minimum age and service requirements of section  
15 12731(a)(1)(A) of title 10, United States Code, as amend-  
16 ed by subsection (a).

17 (d) EFFECTIVE DATE.—This section and the amend-  
18 ments made by this subsection (a) shall take effect on the  
19 first day of the first month beginning on or after the date  
20 of the enactment of this Act and shall apply with respect  
21 to retired pay payable for that month and subsequent  
22 months.

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