

110TH CONGRESS
1ST SESSION

S. 2491

To amend title 10, United States Code, to authorize adjustments for inflation in payments of forfeited pay and allowances to members of the Armed Forces whose court-martial sentences of confinement and forfeiture are later set aside.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2007

Mr. NELSON of Florida 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 authorize adjustments for inflation in payments of forfeited pay and allowances to members of the Armed Forces whose court-martial sentences of confinement and forfeiture are later set aside.

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. ADJUSTMENT FOR INFLATION IN PAYMENTS**
 2 **OF FORFEITED PAY AND ALLOWANCES FOR**
 3 **MEMBERS OF THE ARMED FORCES WHOSE**
 4 **COURT-MARTIAL SENTENCES OF CONFINEMENT AND FORFEITURE ARE LATER SET**
 5 **ASIDE.**

7 (a) **ADJUSTMENT REQUIRED.**—Section 858b(c) of
 8 title 10, United States Code (article 58b(c) of the Uniform
 9 Code of Military Justice), is amended—

10 (1) by inserting “(1)” after “(c)”; and

11 (2) by adding at the end the following new
 12 paragraph:

13 “(2) In the case of a sentence covered by paragraph
 14 (1) that is set aside, the amount paid the member under
 15 that paragraph shall appropriately reflect the effect of in-
 16 flation on the amount of pay and allowances forfeited by
 17 the member as described in that paragraph over the period
 18 during which the forfeiture covered by that paragraph was
 19 in effect.”.

20 (b) **EFFECTIVE DATE.**—

21 (1) **IN GENERAL.**—The amendments made by
 22 subsection (a) shall take effect on the date of the en-
 23 actment of this Act, and shall apply with respect to
 24 sentences set aside under chapter 47 of title 10,
 25 United States Code (the Uniform Code of Military
 26 Justice), on or after that date.

1 (2) RETROACTIVE EFFECTIVENESS.—The au-
2 thority in paragraph (2) of section 858b(c) of title
3 10, United States Code, as added by subsection (a)
4 of this section, may apply to such category or cat-
5 egories of members or former members of the Armed
6 Forces who sentences were set aside under chapter
7 47 of title 10, United States Code, before the date
8 of the enactment of this Act as the Secretary of De-
9 fense shall, in good conscience and equity, prescribe
10 for purposes of this section.

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