

113TH CONGRESS
2D SESSION

H. R. 5832

To amend title 10, United States Code, to modify the enhanced selective discharge authority currently available to the Secretary of a military department to permit a commissioned officer in the Armed Forces who was appointed from the enlisted ranks and has at least 20 years of service, at least four years of which has been commissioned service, to retire in the officer's commissioned rank.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2014

Mr. THOMPSON of Pennsylvania (for himself, Mr. WALZ, Mr. RANGEL, Ms. SHEA-PORTER, Mr. CRAMER, Mr. RUSH, Mr. MARINO, Mr. AMODEI, Mr. BARLETTA, Mr. KELLY of Pennsylvania, Mr. FITZPATRICK, Mr. WILSON of South Carolina, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to modify the enhanced selective discharge authority currently available to the Secretary of a military department to permit a commissioned officer in the Armed Forces who was appointed from the enlisted ranks and has at least 20 years of service, at least four years of which has been commissioned service, to retire in the officer's commissioned rank.

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. SHORT TITLE.**

2 This Act may be cited as the “Proudly Restoring Of-
3 ficers of Prior Enlistment Retirement Act” or the
4 “PROPER Act”.

5 **SEC. 2. REDUCTION IN REQUIRED LENGTH OF COMMIS-**
6 **SIONED SERVICE FOR RETIREMENT AS AN**
7 **OFFICER.**

8 (a) ARMY.—Section 3911(b) of title 10, United
9 States Code, is amended—

10 (1) in paragraph (2), by striking “The period”
11 and inserting “Except as provided in paragraph (3),
12 the period”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(3) During the period beginning on January 1,
16 2014, and ending on September 30, 2016, the requirement
17 under subsection (a) for at least 10 years of active service
18 as a commissioned officer shall be reduced to a period of
19 at least four years.”.

20 (b) NAVY AND MARINE CORPS.—Section 6323(a)(2)
21 of title 10, United States Code, is amended—

22 (1) in subparagraph (B), by striking “The pe-
23 riod” and inserting “Except as provided in subpara-
24 graph (C), the period”; and

25 (2) by adding at the end the following new sub-
26 paragraph:

1 “(B) During the period beginning on January 1,
2 2014, and ending on September 30, 2016, the requirement
3 under paragraph (1) for at least 10 years of active service
4 as a commissioned officer shall be reduced to a period of
5 at least four years.”.

6 (c) AIR FORCE.—Section 8911(b) of title 10, United
7 States Code, is amended—

8 (1) in paragraph (2), by striking “The period”
9 and inserting “Except as provided in paragraph (3),
10 the period”; and

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

13 “(3) During the period beginning on January 1,
14 2014, and ending on September 30, 2016, the requirement
15 under subsection (a) for at least 10 years of active service
16 as a commissioned officer shall be reduced to a period of
17 at least four years.”.

18 (d) RETROACTIVE APPLICATION.—In the case of a
19 member of the Army, Navy, Air Force, or Marine Corps
20 who was retired under section 638a, 3911(a), 6323(a), or
21 8911(a) of title 10, United States Code, during the period
22 beginning on January 1, 2014, and ending on the date
23 of the enactment of this Act, the Secretary of the military
24 department concerned shall modify the rank in which the

1 member was retired if necessary to comply with the
2 amendments made by this section.

