

108TH CONGRESS  
1ST SESSION

# H. R. 2398

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 HOUSE OF REPRESENTATIVES

JUNE 10, 2003

Mr. BARRETT of South Carolina (for himself and Mr. WILSON of South Carolina) introduced the following bill; which was 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. SHORT TITLE.**

4 This Act may be cited as the “Guardsmen and Re-  
5 servist Retirement Age Act of 2003”.

1 **SEC. 2. ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR**  
2 **SERVICE.**

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

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

9 “(A) satisfies one of the combinations of re-  
10 quirements for minimum age and minimum number  
11 of years of service (computed under section 12732 of  
12 this title) that are specified in the table in para-  
13 graph (2);

14 “(B) performed the last six years of qualifying  
15 service while a member of any category named in  
16 section 12732(a)(1) of this title, but not while a  
17 member of a regular component, the Fleet Reserve,  
18 or the Fleet Marine Corps Reserve, except that in  
19 the case of a person who completed 20 years of serv-  
20 ice computed under section 12732 of this title before  
21 October 5, 1994, the number of years of qualifying  
22 service under this subparagraph shall be eight; and

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

1           “(2) The combinations of minimum age and min-  
 2 imum years of service required of a person under subpara-  
 3 graph (A) of paragraph (1) for entitlement to retired pay  
 4 as provided in such paragraph are as follows:

“Age, in years, is at least:	The minimum years of service required for that age is:
53 .....	34
54 .....	32
55 .....	30
56 .....	28
57 .....	26
58 .....	24
59 .....	22
60 .....	20.”.

5           (b) 20-YEAR LETTER.—Subsection (d) of such sec-  
 6 tion is amended by striking “the years of service required  
 7 for eligibility for retired pay under this chapter” in the  
 8 first sentence and inserting “20 years of service computed  
 9 under section 12732 of this title.”.

10          (c) EFFECTIVE DATE.—This section and the amend-  
 11 ments made by this subsection (a) shall take effect on the  
 12 first day of the first month beginning on or after the date  
 13 of the enactment of this Act and shall apply with respect  
 14 to retired pay payable for that month and subsequent  
 15 months.

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