

110TH CONGRESS  
2D SESSION

# S. 3060

To amend title 37, United States Code, to require the payment of monthly special pay for members of the uniformed services whose service on active duty is extended by a stop-loss order or similar mechanism, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 22, 2008

Mr. LAUTENBERG (for himself, Mr. CASEY, and Mr. MENENDEZ) 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 37, United States Code, to require the payment of monthly special pay for members of the uniformed services whose service on active duty is extended by a stop-loss order or similar mechanism, 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. MONTHLY SPECIAL PAY FOR MEMBERS OF THE**  
4                               **UNIFORMED SERVICES WHOSE SERVICE ON**  
5                               **ACTIVE DUTY IS EXTENDED BY A STOP-LOSS**  
6                               **ORDER OR SIMILAR MECHANISM.**

7       (a) PAY REQUIRED.—

1           (1) IN GENERAL.—Subchapter I of chapter 5 of  
2           title 37, United States Code, is amended by adding  
3           at the end the following new section:

4   **“§ 330a. Special pay: members of the uniformed serv-**  
5                   **ices whose service on active duty is ex-**  
6                   **tended by a stop-loss order or similar**  
7                   **mechanism**

8           “(a) SPECIAL PAY.—A member of the uniformed  
9           services entitled to basic pay whose enlistment or period  
10          of obligated service is extended, or whose eligibility for re-  
11          tirement is suspended, pursuant to the exercise of an au-  
12          thority referred to in subsection (b) is entitled while on  
13          active duty during the period of such extension or suspen-  
14          sion to special pay in the amount specified in subsection  
15          (c).

16          “(b) AUTHORITIES.—An authority referred to in this  
17          section is an authority for the extension of an enlistment  
18          or period of obligated service, or for suspension of eligi-  
19          bility for retirement, of a member of the uniformed serv-  
20          ices under a provision of law as follows:

21                   “(1) Section 123 of title 10.

22                   “(2) Section 12305 of title 10.

23                   “(3) Any other provision of law (commonly re-  
24          ferred to as a ‘stop-loss authority’) authorizing the  
25          President to extend an enlistment or period of obli-

1 gated service, or suspend an eligibility for retire-  
 2 ment, of a member of the uniformed services in time  
 3 of war or of national emergency declared by Con-  
 4 gress or the President.

5 “(c) MONTHLY AMOUNT.—The amount of special pay  
 6 specified in this subsection is \$1,500 per month.

7 “(d) CONSTRUCTION WITH OTHER PAYS.—Special  
 8 pay payable under this section is in addition to any other  
 9 pay payable to members of the uniformed services by  
 10 law.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-  
 12 tions at the beginning of chapter 5 of such title is  
 13 amended by inserting after the item relating to sec-  
 14 tion 330 the following new item:

“330a. Special pay: members of the uniformed services whose service on active  
 duty is extended by a stop-loss order or similar mechanism.”.

15 (b) EFFECTIVE DATE.—The amendments made by  
 16 subsection (a) shall take effect as of October 1, 2001.

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