

103^D CONGRESS
1ST SESSION

H. R. 566

To amend title 10, United States Code, to provide that the crediting of years of service for purposes of computing the retired and retainer pay of enlisted members of the Armed Forces shall be made in the same manner as applies to officers.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1993

Mr. MONTGOMERY introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide that the crediting of years of service for purposes of computing the retired and retainer pay of enlisted members of the Armed Forces shall be made in the same manner as applies to officers.

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 “Enlisted Members
5 Retirement Equity Act”.

1 **SEC. 2. CREDITING OF YEARS OF SERVICE FOR COMPUT-**
2 **ING RETIRED AND RETAINER PAY.**

3 (a) ARMY.—(1) Section 3925 of title 10, United
4 States Code, is amended—

5 (A) in subsection (a), by striking out “and of
6 computing his retired pay under section 3991 of this
7 title,”; and

8 (B) by striking out subsection (c).

9 (2) Sections 3991(a) and 3992 of such title are each
10 amended by striking out “section 3925” in column 2 of
11 formula B of the table and inserting in lieu thereof “sec-
12 tion 1405”.

13 (b) NAVY AND MARINE CORPS.—Section 6333 of
14 such title is amended by striking out “his years of active
15 service in the armed forces” in column 2 of formula C
16 of the table in subsection (a) and inserting in lieu thereof
17 “the years of service that may be credited to him under
18 section 1405”.

19 (c) AIR FORCE.—(1) Section 8925 of such title, is
20 amended—

21 (A) in subsection (a), by striking out “and of
22 computing his retired pay under section 8991 of this
23 title,”; and

24 (B) by striking out subsection (c).

25 (2) Sections 8991(a) and 8992 of such title are each
26 amended by striking out “section 8925” in column 2 of

1 formula B of the table and inserting in lieu thereof “sec-
2 tion 1405”.

3 (d) CONFORMING AMENDMENT.—Section 1405 of
4 such title is amended by adding at the end the following
5 new subsection:

6 “(c) EXCLUSION OF TIME REQUIRED TO BE MADE
7 UP.—Time required to be made up by an enlisted member
8 of the Army or Air Force under section 972 of this title
9 may not be counted in determining years of service under
10 subsection (a).”.

11 **SEC. 3. EFFECTIVE DATE.**

12 The amendments made by section 2 shall apply to
13 the computation of the retired or retainer pay of any en-
14 listed member who retires or who is transferred to the
15 Fleet Reserve or the Fleet Marine Corps Reserve on or
16 after the date of the enactment of this Act.

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