

104TH CONGRESS
1ST SESSION

H. R. 2102

To amend subchapter II of chapter 73 of title 10, United States Code, to prevent cost-of-living increases in the survivor annuity contributions of uniformed services retirees from becoming effective before related cost-of-living increases in retired pay become payable.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 1995

Mr. MORAN introduced the following bill; which was referred to the Committee on National Security

A BILL

To amend subchapter II of chapter 73 of title 10, United States Code, to prevent cost-of-living increases in the survivor annuity contributions of uniformed services retirees from becoming effective before related cost-of-living increases in retired pay become payable.

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. COST-OF-LIVING INCREASES IN SBP CONTRIBU-**
2 **TIONS TO BE EFFECTIVE CONCURRENTLY**
3 **WITH PAYMENT OF RELATED RETIRED PAY**
4 **COST-OF-LIVING INCREASES.**

5 (a) SURVIVOR BENEFIT PLAN.—Section 1452(h) of
6 title 10, United States Code, is amended—

7 (1) by inserting “(1)” after “(h)”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(2)(A) Notwithstanding paragraph (1), when the
11 initial payment of an increase in retired pay under section
12 1401a of this title (or any other provision of law) to a
13 person is later than the effective date of that increase by
14 reason of the application of subsection (b)(2)(B) of such
15 section, then the amount of the reduction in the person’s
16 retired pay shall be effective on the date of that initial
17 payment of the increase in retired pay rather than the ef-
18 fective date of the increase in retired pay.

19 “(B) Subparagraph (A) may not be construed as de-
20 laying, for purposes of determining the amount of a
21 monthly annuity under section 1451 of this title, the effec-
22 tive date of an increase in a base amount under subsection
23 (h) of such section from the effective date of an increase
24 in retired pay under section 1401a of this title to the date
25 on which the initial payment of that increase in retired

1 pay is made in accordance with subsection (b)(2)(B) of
2 such section 1401a.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall take effect with respect to retired pay
5 payable for months beginning on or after the date of the
6 enactment of this Act.

