

113TH CONGRESS
1ST SESSION

H. R. 3808

To provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 23, 2013

Mr. VAN HOLLEN introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities.

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. INAPPLICABILITY OF ANNUAL ADJUSTMENT OF**
2 **RETIRED PAY FOR MEMBERS OF THE ARMED**
3 **FORCES UNDER THE AGE OF 62 UNDER THE**
4 **BIPARTISAN BUDGET ACT OF 2013 TO MEM-**
5 **BERS RETIRED FOR DISABILITY AND TO RE-**
6 **TIRED PAY USED TO COMPUTE CERTAIN SUR-**
7 **VIVOR BENEFIT PLAN ANNUITIES.**

8 (a) INAPPLICABILITY.—Effective as of December 1,
9 2015, and immediately after the coming into effect of sec-
10 tion 403 of the Bipartisan Budget Act of 2013, paragraph
11 (4) of section 1401a(b) of title 10, United States Code,
12 as added by section 403(a) of the Bipartisan Budget Act
13 of 2013, is amended—

14 (1) in subparagraph (A), by inserting after
15 “age” the following: “(other than a member or
16 former member retired under chapter 61 of this
17 title)”; and

18 (2) by adding at the end the following new sub-
19 paragraph:

20 “(F) INAPPLICABILITY TO AMOUNT OF RE-
21 TIRED PAY USED IN COMPUTATION OF SBP AN-
22 NUITY FOR SURVIVORS.—In the computation
23 pursuant to subsection (d) or (f) of section
24 1448 of this title of an annuity for survivors of
25 a member or person who dies while subject to
26 the application of this paragraph, the amount

1 of the retired pay of such member or person for
2 purposes of such computation shall be the
3 amount of retired pay that would have been
4 payable to such member or person at the time
5 of death without regard to the application of
6 this paragraph.”.

7 (b) EXCLUSION OF BUDGETARY EFFECTS FROM
8 PAYGO SCORECARDS.—

9 (1) STATUTORY PAY-AS-YOU-GO SCORECARDS.—

10 The budgetary effects of this Act shall not be en-
11 tered on either PAYGO scorecard maintained pursu-
12 ant to section 4(d) of the Statutory Pay-As-You-Go
13 Act of 2010.

14 (2) SENATE PAYGO SCORECARDS.—The budg-
15 etary effects of this Act shall not be entered on any
16 PAYGO scorecard maintained for purposes of sec-
17 tion 201 of S. Con. Res. 21 (110th Congress).

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