

110TH CONGRESS
1ST SESSION

H. R. 4930

To amend title 10, United States Code, to ensure that members of the reserve components of the Armed Forces who have served on active duty or performed active service since September 11, 2001, in support of a contingency operation or in other emergency situations receive credit for such service in determining eligibility for early receipt of non-regular service retired pay, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Mr. WILSON of South Carolina (for himself, Mr. MILLER of Florida, Mr. HAYES, and Mr. LATHAM) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

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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. SHORT TITLE.**

2 This Act may be cited as the “National Guardsmen
3 and Reservists Parity for Patriots Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Since September 11, 2001, members of the
7 reserve components of the Armed Forces have been
8 sent into harm’s way and fought alongside members
9 of the regular components of the Armed Forces.

10 (2) Between September 11, 2001, and Decem-
11 ber 7, 2007, more than 600,000 members of the re-
12 serve components have been mobilized in support of
13 military operations in Iraq and Afghanistan and for
14 other contingency operations.

15 (3) More than 142,000 members of the reserve
16 components have been mobilized more than once
17 during this same period.

18 (4) On December 7, 2007, the conference re-
19 port for H. R. 1585, the National Defense Author-
20 ization Act for Fiscal Year 2008, was filed, and sec-
21 tion 647 of the conference report consists of an
22 amendment to section 12731 of title 10, United
23 States Code, offering an earlier retirement benefit
24 for members of the reserve components who are mo-
25 bilized in support of contingency operations.

1 (5) The House of Representatives agreed to the
2 conference report on December 12, 2007, and the
3 Senate agreed to the conference report on December
4 14, 2007.

5 (6) However, the amendment made by section
6 647 of the conference report only considers service
7 performed after the date of the enactment of the
8 National Defense Authorization Act for Fiscal Year
9 2008, and this effective date fails to recognize the
10 service and sacrifice made by members of the reserve
11 components since September 11, 2001.

12 **SEC. 3. CONSIDERATION OF SERVICE SINCE SEPTEMBER**
13 **11, 2001, IN DETERMINING EARLY ELIGIBILITY**
14 **FOR RECEIPT OF NON-REGULAR SERVICE RE-**
15 **TIRED PAY.**

16 Subsection (f) of section 12731 of title 10, United
17 States Code, as added by section 647 of the National De-
18 fense Authorization Act for Fiscal Year 2008, is amended
19 in paragraph (2)(A)—

20 (1) by striking “the date of the enactment of
21 the National Defense Authorization Act for Fiscal
22 Year 2008” and inserting “September 11, 2001”;
23 and

24 (2) by striking “in any fiscal year after such
25 date” and inserting “such duty or service after that

- 1 date during fiscal year 2002 and any subsequent fis-
- 2 cal year”.

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