

108TH CONGRESS
1ST SESSION

S. 706

To amend title 10, United States Code, to provide Survivor Benefit Plan annuities for surviving spouses of Reserves not eligible for retirement who die from a cause incurred or aggravated while on inactive-duty training.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2003

Mr. McCAIN (for himself, Mr. GRAHAM of South Carolina, and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide Survivor Benefit Plan annuities for surviving spouses of Reserves not eligible for retirement who die from a cause incurred or aggravated while on inactive-duty training.

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. SURVIVOR BENEFIT PLAN ANNUITIES FOR SUR-**
2 **VIVING SPOUSES OF RESERVES NOT ELIGI-**
3 **BLE FOR RETIREMENT WHO DIE FROM A**
4 **CAUSE INCURRED OR AGGRAVATED WHILE**
5 **ON INACTIVE-DUTY TRAINING.**

6 (a) SURVIVING SPOUSE ANNUITY.—Paragraph (1) of
7 section 1448(f) of title 10, United States Code, is amend-
8 ed to read as follows:

9 “(1) SURVIVING SPOUSE ANNUITY.—The Sec-
10 retary concerned shall pay an annuity under this
11 subchapter to the surviving spouse of—

12 “(A) a person who is eligible to provide a
13 reserve-component annuity and who dies—

14 “(i) before being notified under sec-
15 tion 12731(d) of this title that he has com-
16 pleted the years of service required for eli-
17 gibility for reserve-component retired pay;
18 or

19 “(ii) during the 90-day period begin-
20 ning on the date he receives notification
21 under section 12731(d) of this title that he
22 has completed the years of service required
23 for eligibility for reserve-component retired
24 pay if he had not made an election under
25 subsection (a)(2)(B) to participate in the
26 Plan; or

1 “(B) a member of a reserve component not
2 described in subparagraph (A) who dies from
3 an injury or illness incurred or aggravated in
4 the line of duty during inactive-duty training.”.

5 (b) CONFORMING AMENDMENT.—The heading for
6 subsection (f) of section 1448 of such title is amended by
7 inserting “OR BEFORE” after “DYING WHEN”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect as of September 10, 2001,
10 and shall apply with respect to performance of inactive-
11 duty training (as defined in section 101(d) of title 10,
12 United States Code) on or after that date.

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