

111TH CONGRESS  
1ST SESSION

# H. R. 208

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

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

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## 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 January  
11 28, 2008, 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) Section 647 of the National Defense Au-  
19 thorization Act for Fiscal Year 2008 (Public Law  
20 110–181, 122 Stat. 160) consisted of an amendment  
21 to section 12731 of title 10, United States Code, of-  
22 fering an earlier retirement benefit for members of  
23 the reserve components who are mobilized in support  
24 of contingency operations.

25 (5) However, the amendment made by section  
26 647 of the National Defense Authorization Act for

1 Fiscal Year 2008 only considers service performed  
2 after the date of the enactment of such Act, January  
3 28, 2008, and this effective date fails to recognize  
4 the service and sacrifice made by members of the re-  
5 serve components since September 11, 2001.

6 **SEC. 3. CONSIDERATION OF SERVICE SINCE SEPTEMBER**  
7 **11, 2001, IN DETERMINING EARLY ELIGIBILITY**  
8 **FOR RECEIPT OF NON-REGULAR SERVICE RE-**  
9 **TIRED PAY.**

10 Subsection (f) of section 12731 of title 10, United  
11 States Code, as added by section 647 of the National De-  
12 fense Authorization Act for Fiscal Year 2008 (Public Law  
13 110–181, 122 Stat. 160), is amended in paragraph  
14 (2)(A)—

15 (1) by striking “the date of the enactment of  
16 the National Defense Authorization Act for Fiscal  
17 Year 2008” and inserting “September 11, 2001”;  
18 and

19 (2) by striking “in any fiscal year after such  
20 date” and inserting “such duty or service after that  
21 date during fiscal year 2002 and any subsequent fis-  
22 cal year”.

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