

116TH CONGRESS
2D SESSION

H. R. 7382

To authorize the Secretary of Defense to prescribe regulations that grant constructive credit towards retirement for a member of the reserve components of the Armed Forces who cannot complete minimum annual training requirements due to cancellation or other extenuating circumstance arising from the COVID–19 pandemic.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2020

Mr. BROWN of Maryland (for himself, Mr. WALTZ, Mr. VELA, and Mr. CISNEROS) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To authorize the Secretary of Defense to prescribe regulations that grant constructive credit towards retirement for a member of the reserve components of the Armed Forces who cannot complete minimum annual training requirements due to cancellation or other extenuating circumstance arising from the COVID–19 pandemic.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Guard and Reserve
5 Retirement Points during COVID–19 Pandemic Act”.

1 **SEC. 2. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS**
2 **OF THE RESERVE COMPONENTS WHO CAN-**
3 **NOT COMPLETE MINIMUM ANNUAL TRAINING**
4 **REQUIREMENTS AS A RESULT OF THE COVID-**
5 **19 PANDEMIC.**

6 (a) **AUTHORITY.**—Under regulations prescribed by
7 the Secretary of Defense, the Secretary, in computing re-
8 tired pay pursuant to Section 12733 of title 10, United
9 States Code, may approve constructive credit, in addition
10 to points earned under section 12732(a)(2) of such title,
11 for a member of the reserve components of the Armed
12 Forces who cannot complete minimum annual training re-
13 quirements due to cancellation or other extenuating cir-
14 cumstance arising from the covered national emergency.

15 (b) **REPORTING.**—

16 (1) **REPORT REQUIRED.**—Not later than one
17 year after the date on which the covered national
18 emergency ends, the Secretary of Defense shall sub-
19 mit to the congressional defense committees a report
20 on the use of the authority under subsection (a).

21 (2) **ELEMENTS.**—The report under this sub-
22 section shall include, with respect to each reserve
23 component, the following:

24 (A) The number of individuals granted
25 constructive credit as a result of a training can-
26 cellation.

1 (B) The number of individuals granted
2 constructive credit as a result of another ex-
3 tenuating circumstance.

4 (C) Recommendations of the Secretary
5 whether the authority under subsection (a)
6 should be made permanent and under what cir-
7 cumstances such permanent authority should
8 apply.

9 (3) PUBLICATION.—Not later than 30 days
10 after submitting the report under paragraph (1), the
11 Secretary shall—

12 (A) publish the report on a publicly acces-
13 sible website of the Department of Defense; and

14 (B) ensure that any data in the report is
15 made available in a machine-readable format
16 that is downloadable, searchable, and sortable.

17 (c) COVERED NATIONAL EMERGENCY DEFINED.—In
18 this section, the term “covered national emergency”
19 means the national emergency declared on March 13,
20 2020, by the President under the National Emergencies
21 Act (50 U.S.C. 1601 et seq.) with respect to COVID–19.

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