

**AMENDMENT TO H.R. 5136, AS REPORTED**  
**OFFERED BY MR. LATHAM OF IOWA**

At the end of subtitle D of title VI, add the following new section:

1 **SEC. 6 \_\_\_\_ . SENSE OF CONGRESS CONCERNING AGE AND**  
2 **SERVICE REQUIREMENTS FOR RETIRED PAY**  
3 **FOR NON-REGULAR SERVICE.**

4 It is the sense of Congress that—

5 (1) the amendments made to section 12731 of  
6 title 10, United States Code, by section 647 of the  
7 National Defense Authorization Act for Fiscal Year  
8 2008 (Public Law 110–181; 122 Stat. 160) were in-  
9 tended to reduce the minimum age at which mem-  
10 bers of a reserve component of the Armed Forces  
11 would begin receiving retired pay according to time  
12 spent deployed, by three months for every 90-day pe-  
13 riod spent on active duty over the course of a career,  
14 rather than limiting qualifying time to such periods  
15 wholly served within the same fiscal year, as inter-  
16 preted by the Department of Defense; and

17 (2) steps should be taken to correct this erro-  
18 neous interpretation by the Department of Defense  
19 in order to ensure reserve component members re-

1       ceive the full retirement benefits intended to be pro-  
2       vided by such section 12731.

