

AMENDMENT TO H.R. 4909
OFFERED BY MR. RUSSELL OF OKLAHOMA

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

1 **SEC. 62__ . USE OF MEMBER'S CURRENT PAY GRADE AND**
2 **YEARS OF SERVICE, RATHER THAN FINAL RE-**
3 **TIREMENT PAY GRADE AND YEARS OF SERV-**
4 **ICE, IN A DIVISION OF PROPERTY INVOLVING**
5 **DISPOSABLE RETIRED PAY.**

6 (a) USE OF CURRENT PAY GRADE REQUIRED.—Sec-
7 tion 1408(a)(4) of title 10, United States Code, is amend-
8 ed in the matter preceding subparagraph (A) by inserting
9 after “member is entitled” the following: “(to be deter-
10 mined using the member’s pay grade and years of service
11 at the time of the court order, rather than the member’s
12 pay grade and years of service at the time of retirement,
13 unless the same)”.

14 (b) APPLICATION OF AMENDMENT.—The amendment
15 made by subsection (a) shall apply with respect to any
16 division of property as part of a final decree of divorce,
17 dissolution, annulment, or legal separation involving a
18 member of the Armed Forces to which section 1408 of

1 title 10, United States Code, applies that becomes final

2 after the date of the enactment of this Act.

