

SEC. 655. RESERVE COMPONENT SURVIVOR BENEFIT PLAN SPOUSAL CONSENT REQUIREMENT.

(a) ELIGIBLE PARTICIPANTS- Subsection (a)(2)(B) of section 1448 of title 10, United States Code, is amended to read as follows:

`(B) RESERVE-COMPONENT ANNUITY PARTICIPANTS- A person who (i) is eligible to participate in the Plan under paragraph (1)(B), and (ii) is married or has a dependent child when he is notified under section 12731(d) of this title that he has completed the years of service required for eligibility for reserve-component retired pay, unless the person elects (with his spouse's concurrence, if required under paragraph (3)) not to participate in the Plan before the end of the 90-day period beginning on the date on which he receives that notification.'

(b) SUBSEQUENT ELECTION TO PARTICIPATE- Subsection (a)(3)(B) of such section is amended--

- (1) by striking `who elects to provide' and inserting `who is eligible to provide';
- (2) by redesignating clauses (i) and (ii) as clauses (iii) and (iv), respectively; and
- (3) by inserting before clause (iii) (as so redesignated) the following new clauses:

`(i) not to participate in the Plan;

`(ii) to designate under subsection (e)(2) the effective date for commencement of annuity payments under the Plan in the event that the member dies before becoming 60 years of age to be the 60th anniversary of the member's birth (rather than the day after the date of the member's death);'

(c) CONFORMING AMENDMENTS- Subchapter II of chapter 73 of such title is further amended--

(1) in section 1448(a)(2), by striking `described in clauses (i) and (ii)' in the sentence following subparagraph (B) (as amended by subsection (a)) and all that follows through `that clause' and inserting `who elects under subparagraph (B) not to participate in the Plan';

(2) in section 1448(a)(4)--

(A) by striking `not to participate in the Plan' in subparagraph (A); and

(B) by striking `to participate in the Plan' in subparagraph (B);

(3) in section 1448(e), by striking `a person electing to participate' and all that follows through `making such election' and inserting `a person is required to make a designation under this subsection, the person'; and

(4) in section 1450(j)(1), by striking `An annuity' and all that follows through the period and inserting `A reserve-component annuity shall be effective in accordance with the designation made under section 1448(e) of this title by the person providing the annuity.'.

(d) EFFECTIVE DATE- The amendments made by this section apply only with respect to a notification under section 12731(d) of title 10, United States Code, made after January 1, 2001, that a member of a reserve component has completed the years of service required for eligibility for reserve-component retired pay.