



116TH CONGRESS
2D SESSION

S. _____

To amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

IN THE SENATE OF THE UNITED STATES

U (FOR HIMSELF AND MR. CRAPO)

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

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. ELIGIBILITY OF DISABILITY RETIREES WITH**
2 **FEWER THAN 20 YEARS OF SERVICE AND A**
3 **COMBAT-RELATED DISABILITY FOR CONCUR-**
4 **RENT RECEIPT OF VETERANS' DISABILITY**
5 **COMPENSATION AND RETIRED PAY.**

6 (a) CONCURRENT RECEIPT IN CONNECTION WITH
7 CSRC.—Section 1413a(b)(3)(B) of title 10, United States
8 Code, is amended by striking “creditable service,” and all
9 that follows and inserting the following: “creditable serv-
10 ice—

11 “(i) the retired pay of the retiree is
12 not subject to reduction under sections
13 5304 and 5305 of title 38; and

14 “(ii) no monthly amount shall be paid
15 the retiree under subsection (a).”.

16 (b) CONCURRENT RECEIPT GENERALLY.—Section
17 1414(b)(2) of title 10, United States Code, is amended
18 by striking “Subsection (a)” and all that follows and in-
19 serting the following: “Subsection (a)—

20 “(A) applies to a member described in
21 paragraph (1) of that subsection who is retired
22 under chapter 61 of this title with less than 20
23 years of service otherwise creditable under
24 chapter 1405 of this title, or with less than 20
25 years of service computed under section 12732
26 of this title, at the time of the member’s retire-

1 ment if the member has a combat-related dis-
2 ability (as that term is defined in section
3 1413a(e) of this title), except that in the appli-
4 cation of subsection (a) to such a member, any
5 reference in that subsection to a qualifying
6 service-connected disability shall be deemed to
7 be a reference to that combat-related disability;
8 but

9 “(B) does not apply to any member so re-
10 tired if the member does not have a combat-re-
11 lated disability.”.

12 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) AMENDMENTS REFLECTING END OF CON-
14 CURRENT RECEIPT PHASE-IN PERIOD.—Section
15 1414 of title 10, United States Code, is further
16 amended—

17 (A) in subsection (a)(1)—

18 (i) by striking the second sentence;

19 and

20 (ii) by striking subparagraphs (A) and

21 (B);

22 (B) by striking subsection (c) and redesign-
23 nating subsections (d) and (e) as subsections
24 (c) and (d), respectively; and

1 (C) in subsection (d), as redesignated, by
2 striking paragraphs (3) and (4).

3 (2) SECTION HEADING.—The heading of such
4 section 1414 is amended to read as follows:

5 **“§ 1414. Members eligible for retired pay who are also**
6 **eligible for veterans’ disability compensa-**
7 **tion: concurrent receipt”.**

8 (3) TABLE OF SECTIONS.—The table of sections
9 at the beginning of chapter 71 of such title is
10 amended by striking the item relating to section
11 1414 and inserting the following new item:

“1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent receipt.”.

12 (4) CONFORMING AMENDMENT.—Section
13 1413a(f) of such title is amended by striking “Sub-
14 section (d)” and inserting “Subsection (c)”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on the first day of the first
17 month beginning after the date of the enactment of this
18 Act and shall apply to payments for months beginning on
19 or after that date.