

119TH CONGRESS
1ST 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 combat-related disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BLUMENTHAL (for himself, Mr. CRAPO, Mr. SCOTT of Florida, Ms. WARREN, Mr. BENNET, Mr. BOOKER, Mr. BOOZMAN, Mrs. BRITT, Mrs. CAPITO, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HICKENLOOPER, Ms. HIRONO, Mrs. HYDE-SMITH, Mr. JUSTICE, Mr. KELLY, Mr. KENNEDY, Mr. KIM, Mr. KING, Ms. KLOBUCHAR, Mr. MARSHALL, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. PADILLA, Mr. PETERS, Mr. RICKETTS, Mr. RISCH, Ms. ROSEN, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Mr. WARNER, and Mr. WARNOCK) 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 combat-related disabilities, 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. SHORT TITLE.**

2 This Act may be cited as the “Major Richard Star
3 Act”.

4 **SEC. 2. ELIGIBILITY OF DISABILITY RETIREES WITH COM-**
5 **BAT-RELATED DISABILITIES FOR CONCUR-**
6 **RENT RECEIPT OF VETERANS’ DISABILITY**
7 **COMPENSATION AND RETIRED PAY.**

8 (a) CONCURRENT RECEIPT IN CONNECTION WITH
9 CRSC.—Section 1413a(b)(3) of title 10, United States
10 Code, is amended—

11 (1) in subparagraph (A)—

12 (A) by striking “of this title, the amount”
13 and inserting “of this title—

14 “(i) the retired pay of the retiree is
15 not subject to reduction under sections
16 5304 and 5305 of title 38; and

17 “(ii) the amount”; and

18 (B) by striking “after any such reduction
19 under sections 5304 and 5305 of title 38”; and

20 (2) in subparagraph (B)—

21 (A) by striking “creditable service, the
22 amount” and inserting the following: “cred-
23 itable service—

24 “(i) the retired pay of the retiree is
25 not subject to reduction under sections
26 5304 and 5305 of title 38; and

1 “(ii) the amount”; and

2 (B) by striking “after any such reduction
3 under sections 5304 and 5305 of title 38”.

4 (b) CONCURRENT RECEIPT GENERALLY.—Section
5 1414(b) of title 10, United States Code, is amended to
6 read as follows:

7 “(b) SPECIAL RULE FOR CHAPTER 61 DISABILITY
8 RETIREES.—A member or former member of the uni-
9 formed services who is entitled to retired pay under chap-
10 ter 61 of this title for any month and who is also entitled
11 for that month to veterans’ disability compensation for a
12 combat-related disability (as that term is defined in sec-
13 tion 1413a(e) of this title) is entitled to be paid both for
14 that month without regard to sections 5304 and 5305 of
15 title 38.”.

16 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

17 (1) AMENDMENTS REFLECTING END OF CON-
18 CURRENT RECEIPT PHASE-IN PERIOD.—Section
19 1414 of title 10, United States Code, is further
20 amended—

21 (A) in subsection (a)(1)—

22 (i) by striking the second sentence;

23 and

24 (ii) by striking subparagraphs (A) and

25 (B);

1 (B) by striking subsection (c) and redesignig-
2 nating subsections (d) and (e) as subsections
3 (c) and (d), respectively; and

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

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

8 **“§ 1414. Members eligible for retired pay who are also**
9 **eligible for veterans’ disability compensa-**
10 **tion: concurrent receipt”.**

11 (3) TABLE OF SECTIONS.—The table of sections
12 at the beginning of chapter 71 of such title is
13 amended by striking the item relating to section
14 1414 and inserting the following new item:

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

15 (4) CONFORMING AMENDMENT.—Section
16 1413a(f) of such title is amended by striking “Sub-
17 section (d)” and inserting “Subsection (c)”.

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