

117TH 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 fewer than 20 years of service and a combat-related disability, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. TESTER (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Major Richard Star  
5 Act".

1 **SEC. 2. ELIGIBILITY OF DISABILITY RETIREES WITH FEWER**  
2 **THAN 20 YEARS OF SERVICE AND A COMBAT-**  
3 **RELATED DISABILITY FOR CONCURRENT RE-**  
4 **CEIPT OF VETERANS' DISABILITY COMPENSA-**  
5 **TION 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.