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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

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 HOUSE OF REPRESENTATIVES

Mrs. SPARTZ introduced the following bill; which was 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Combat Veterans Re-
5 tirement Restoration Act”.

1 **SEC. 2. CONCURRENT RECEIPT OF VETERANS' DISABILITY**
2 **COMPENSATION AND RETIRED PAY FOR DIS-**
3 **ABILITY RETIREES WITH COMBAT-RELATED**
4 **DISABILITIES.**

5 (a) CONCURRENT RECEIPT GENERALLY.—Section
6 1414(b) of title 10, United States Code, is amended by
7 striking paragraph (2) and inserting the following new
8 paragraphs:

9 “(2) COMBAT-RELATED DISABILITY RETIR-
10 EES.—

11 “(A) IN GENERAL.—A member retired
12 under chapter 61 of this title with a combat-re-
13 lated disability who is entitled for any month to
14 retired pay under chapter 61 of this title and
15 is also entitled for that month to veterans' dis-
16 ability compensation under title 38, is entitled
17 to be paid both without regard to sections 5304
18 and 5305 of title 38, as provided by subpara-
19 graphs (B) and (C).

20 “(B) CAREER RETIREES.—In the case of a
21 member retired under chapter 61 of this title
22 who has a combat-related disability that is not
23 a qualifying service-connected disability (as de-
24 fined in subsection (a)(2)) and who, at the time
25 of the member's retirement, had 20 years or
26 more of service otherwise creditable under sec-

1 tion 1405 of this title or at least 20 years of
2 qualifying and equivalent service computed
3 under sections 12732 and 12733 of this title,
4 the member may receive, without regard to sec-
5 tions 5304 and 5305 of title 38, both—

6 “(i) the amount of retired pay to
7 which the member would have been enti-
8 tled under any other provision of law based
9 on the member’s service in the uniformed
10 services if the member had not been retired
11 under chapter 61 of this title; and

12 “(ii) veterans’ disability compensation
13 under title 38.

14 “(C) DISABILITY RETIREES WITH LESS
15 THAN 20 YEARS OF SERVICE.—In the case of a
16 member retired under chapter 61 of this title
17 with a combat-related disability and who, at the
18 time of the member’s retirement, had less than
19 20 years of service otherwise creditable under
20 section 1405 of this title or less than 20 years
21 of qualifying and equivalent service computed
22 under sections 12732 and 12733 of this title,
23 the member may receive, without regard to sec-
24 tions 5304 and 5305 of title 38, the lesser of—

25 “(i) both—

1 “(I) the retired pay for which the
2 member is eligible under chapter 61
3 of this title; and

4 “(II) veterans’ disability com-
5 pensation under title 38; or

6 “(ii) both—

7 “(I) an amount equal to the
8 product of the retired pay base com-
9 puted under section 1406(b) or 1407
10 of this title and the retired pay multi-
11 plier determined under section 1409
12 of this title, as such base pay and
13 multiplier would be computed if the
14 member had 20 years of service cred-
15 itable under section 1405 of this title;
16 and

17 “(II) veterans’ disability com-
18 pensation under title 38.

19 “(D) COMBAT-RELATED DISABILITY DE-
20 FINED.—In this paragraph, the term ‘combat-
21 related disability’ has the meaning given that
22 term in subsection (e) of section 1413a of this
23 title and as determined under the criteria and
24 procedures used for purposes of such section.

1 “(3) EXCLUSION OF OTHER RETIREES.—Sub-
2 section (a) does not apply to a member retired under
3 chapter 61 of this title if the member is not covered
4 by paragraph (1) or (2).”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

6 (1) COORDINATION WITH COMBAT-RELATED
7 SPECIAL COMPENSATION PROGRAM.—Section
8 1414(d) of title 10, United States Code, is amended
9 by striking “qualified retiree under this section” and
10 inserting “qualified retiree under subsection (a) or is
11 entitled to a payment under subsection (b)(2)”.

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

16 (A) in subsection (a)(1)—

17 (i) by striking the second sentence;

18 and

19 (ii) by striking subparagraphs (A) and

20 (B);

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

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

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

3 **“§ 1414. Members eligible for retired pay who are also**
4 **eligible for veterans’ disability compensa-**
5 **tion: concurrent receipt”.**

6 (4) CONFORMING AMENDMENT.—Section
7 1413a(f) of such title is amended by striking “Sub-
8 section (d)” and inserting “Subsection (c)”.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to the Secretary of Defense
11 \$9,400,000,000 to carry out the amendments made by
12 this section, to remain available until expended.

13 (d) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to payments for months beginning
15 on or after January 1, 2027, and shall apply to payments
16 for months beginning on or after that date.