

116TH CONGRESS
1ST SESSION

H. R. 5060

To amend title 10, United States Code, to extend eligibility for concurrent payment of both retired pay and veterans' disability compensation to chapter 61 disability retirees with less than 20 years of service who are not eligible for combat-related special compensation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2019

Mr. BISHOP of Georgia introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 10, United States Code, to extend eligibility for concurrent payment of both retired pay and veterans' disability compensation to chapter 61 disability retirees with less than 20 years of service who are not eligible for combat-related special compensation, 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 “Medical Retiree Pay
3 Restoration Act”.

4 **SEC. 2. CONCURRENT RECEIPT OF BOTH RETIRED PAY AND**
5 **VETERANS’ DISABILITY COMPENSATION FOR**
6 **CHAPTER 61 DISABILITY RETIREES WITH**
7 **LESS THAN 20 YEARS OF SERVICE WHO ARE**
8 **NOT ELIGIBLE FOR COMBAT-RELATED SPE-**
9 **CIAL COMPENSATION.**

10 (a) INCLUSION OF DISABILITY RETIREES WITH
11 LESS THAN 20 YEARS OF SERVICE WHO ARE NOT ELIGI-
12 BLE FOR COMBAT-RELATED SPECIAL COMPENSATION.—
13 Section 1414(b) of title 10, United States Code, is amend-
14 ed—

15 (1) in paragraph (1), by striking “member re-
16 tired” and inserting “qualified retiree who is re-
17 tired”; and

18 (2) by striking paragraph (2) and inserting the
19 following new paragraph:

20 “(2) DISABILITY RETIREES WITH LESS THAN 20
21 YEARS OF SERVICE AND WHO ARE NOT ELIGIBLE
22 FOR COMBAT-RELATED SPECIAL COMPENSATION.—
23 The retired pay of a qualified retiree who is retired
24 under chapter 61 of this title with fewer than 20
25 years of creditable service, and who is not an eligible
26 combat-related disabled uniformed services retiree

1 under section 1413a of this title, is not subject to
2 reduction under sections 5304 and 5305 of title
3 38.”.

4 (b) CONFORMING AMENDMENTS REFLECTING END
5 OF CONCURRENT RECEIPT PHASE-IN PERIOD.—Section
6 1414 of title 10, United States Code, is further amend-
7 ed—

8 (1) in subsection (a)(1), by striking “During
9 the period beginning on January 1, 2004, and end-
10 ing on December 31, 2013,” and all that follows
11 through the end of the paragraph;

12 (2) by striking subsection (c) and redesignating
13 subsections (d) and (e) as subsections (c) and (d),
14 respectively; and

15 (3) in subsection (d), as so redesignated, by
16 striking paragraphs (3) and (4).

17 (c) CONFORMING AMENDMENT REFLECTING SUB-
18 SECTION REDESIGNATION.—Section 1413a(f) of title 10,
19 United States Code, is amended by striking “Subsection
20 (d)” and inserting “Subsection (c)”.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect on the first day of the first
23 month beginning after the date of the enactment of this

- 1 Act and shall apply to payments for months beginning on
- 2 or after that date.

