

107TH CONGRESS
2D SESSION

H. R. 4842

To amend title 10, United States Code, to terminate the requirement that disability compensation payable to a veteran by the Secretary of Veterans Affairs be reduced by the amount of any payment to that veteran under Department of Defense separation programs.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2002

Ms. HOOLEY of Oregon (for herself, Mr. GIBBONS, and Mr. BAKER) 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 terminate the requirement that disability compensation payable to a veteran by the Secretary of Veterans Affairs be reduced by the amount of any payment to that veteran under Department of Defense separation programs.

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. FINDINGS.**

4 The Congress makes the following findings:

1 (1) Many military personnel are leaving service
2 before becoming eligible for longevity retirement pay.

3 (2) These individuals are entitled to separation
4 pay from the Department of Defense.

5 (3) Many of these individuals are also entitled
6 to disability compensation from the Department of
7 Veterans Affairs.

8 (4) Under present law, amounts received as a
9 separation pay or similar benefit programs of the
10 Department of Defense must be recouped from pay-
11 ments of veterans disability compensation.

12 (5) Payments under those Department of De-
13 fense programs are in no way related to disability.

14 **SEC. 2. TERMINATION OF REQUIRED OFFSET OF DEPART-**
15 **MENT OF DEFENSE SEPARATION BENEFIT**
16 **PAYMENTS AGAINST VETERANS DISABILITY**
17 **COMPENSATION.**

18 (a) TERMINATION OF OFFSET REQUIREMENTS.—(1)
19 Section 1174(h) of title 10, United States Code, is
20 amended—

21 (A) by striking “PAY AND DISABILITY COM-
22 PENSATION.—(1)” and inserting “PAY.—”; and

23 (B) by striking paragraph (2).

24 (2) Section 1175(e) of such title is amended by strik-
25 ing paragraph (4).

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to payments of dis-
3 ability compensation payable under laws administered by
4 the Secretary of Veterans Affairs for any month beginning
5 after the date of the enactment of this Act.

