

109TH CONGRESS
1ST SESSION

H. R. 1366

To amend title 10, United States Code, to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. BILIRAKIS introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability.

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 “Combat-Related Spe-
3 cial Compensation Act of 2005”.

4 SEC. 2. EXPANSION OF COMBAT-RELATED SPECIAL COM-**5 PENSATION ELIGIBILITY FOR CHAPTER 61****6 MILITARY RETIREES.**

7 (a) ELIGIBILITY.—Subsection (c) of section 1413a of
8 title 10, United States Code, is amended by striking “enti-
9 tled to retired pay who__” and all that follows and insert-
10 ing “who__

11 “(1) is entitled to retired pay (other than by
12 reason of section 12731b of this title); and

13 “(2) has a combat-related disability.”.

14 (b) COMPUTATION.—Paragraph (3) of subsection (b)
15 of such section is amended—

16 (1) by designating the text of that paragraph as
17 subparagraph (A), realigning that text so as to be
18 indented 4 ems from the left margin, and inserting
19 before “In the case of” the following heading: “IN
20 GENERAL.—”; and

21 (2) by adding at the end the following new sub-
22 paragraph:

23 “(B) SPECIAL RULE FOR RETIREES WITH
24 FEWER THAN 20 YEARS OF SERVICE.—In the
25 case of an eligible combat-related disabled uni-
26 formed services retiree who is retired under

1 chapter 61 of this title with fewer than 20
2 years of creditable service, the amount of the
3 payment under paragraph (1) for any month
4 shall be reduced by the amount (if any) by
5 which the amount of the member's retired pay
6 under chapter 61 of this title exceeds the
7 amount equal to 2½ percent of the member's
8 years of creditable service multiplied by the
9 member's retired pay base under section
10 1406(b)(1) or 1407 of this title, whichever is
11 applicable to the member.”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on January 1, 2006, and shall
14 apply to payments for months beginning on or after that
15 date.

