

109TH CONGRESS
1ST SESSION

S. 461

To amend title 37, United States Code, to require that a member of the uniformed services who is wounded or otherwise injured while serving in a combat zone continue to be paid monthly military pay and allowances, while the member recovers from the wound or injury, at least equal to the monthly military pay and allowances the member received immediately before receiving the wound or injury, to continue the combat zone tax exclusion for the member during the recovery period, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 18, 2005

Mr. ROCKEFELLER (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

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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 “Crosby-Puller Combat
 5 Wounds Compensation Act”.

6 **SEC. 2. NO REDUCTION IN MONTHLY MILITARY PAY AND**
 7 **ALLOWANCES FOR MEMBERS OF THE UNI-**
 8 **FORMED SERVICES WOUNDED OR INJURED**
 9 **IN COMBAT ZONES.**

10 (a) IN GENERAL.—Subsection (b) of section 310 of
 11 title 37, United States Code, is amended to read as fol-
 12 lows:

13 “(b) NO REDUCTION IN MONTHLY MILITARY PAY
 14 FOR WOUNDED OR INJURED MEMBERS.—

15 “(1) EFFECT OF WOUND OR INJURY IN COMBAT
 16 ZONE.—For each month during the period specified
 17 in paragraph (2), the total amount of monthly mili-
 18 tary pay paid to a member who was wounded or oth-
 19 erwise injured while assigned to duty in an area for
 20 which special pay was available under this section at
 21 the time the member was wounded or otherwise in-
 22 jured shall not be less than the total amount of mili-
 23 tary pay paid to the member for the month during
 24 which the member was wounded or otherwise in-
 25 jured.

1 “(2) DURATION.—Paragraph (1) shall apply
2 with respect to a wounded or injured member until
3 the end of the first month during which any of the
4 following occurs:

5 “(A) The member is found to be physically
6 able to perform the duties of the member’s of-
7 fice, grade, rank, or rating.

8 “(B) The member is discharged or sepa-
9 rated from the uniformed services.

10 “(C) The member dies.

11 “(3) MILITARY PAY DEFINED.—In this sub-
12 section, the term ‘military pay’ has the meaning
13 given the term ‘pay’ in section 101(21) of this title,
14 except that the term includes allowances under chap-
15 ter 7 of this title.”.

16 (b) RETROACTIVE EFFECTIVE DATE.—Subsection
17 (b) of section 310 of title 37, United States Code, as
18 amended by this section, shall apply with respect to any
19 pay period ending on or after September 11, 2001, for
20 members of the uniformed services described in paragraph
21 (1) of such subsection who were wounded or otherwise in-
22 jured on or after that date.

1 **SEC. 3. REPEAL OF TIME LIMITATION ON EXCLUSION OF**
2 **COMBAT ZONE COMPENSATION BY REASON**
3 **OF HOSPITALIZATION.**

4 (a) IN GENERAL.—Subsections (a)(2) and (b)(2) of
5 section 112 of the Internal Revenue Code of 1986 are each
6 amended by striking “; but this paragraph shall not apply
7 for any month beginning more than 2 years after the date
8 of the termination of combatant activities in such zone”.

9 (b) EFFECTIVE DATE.—Subsections (a)(2) and
10 (b)(2) of section 112 of the Internal Revenue Code of
11 1986, as amended by this section, shall apply to com-
12 pensation received for months ending after September 11,
13 2001, for members of the uniformed services described in
14 such subsections who were wounded or otherwise injured
15 on or after that date.

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