

109TH CONGRESS
1ST SESSION

H. R. 2368

To amend title 10, United States Code, to provide for immediate implementation of full concurrent receipt for retired members of the Armed Forces who have a service-connected disability of both military retired pay paid by reason of their years of military service and disability compensation from the Department of Veterans Affairs paid by reason of their disability.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2005

Mr. FILNER 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 provide for immediate implementation of full concurrent receipt for retired members of the Armed Forces who have a service-connected disability of both military retired pay paid by reason of their years of military service and disability compensation from the Department of Veterans Affairs paid by reason of their 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 “Immediate and Full
3 Repeal of the Disabled Veterans Tax Act of 2005”.

4 **SEC. 2. IMMEDIATE IMPLEMENTATION OF FULL CONCUR-**
5 **RENT RECEIPT.**

6 (a) REVISIONS TO FISCAL YEAR 2004 AMEND-
7 MENTS.—Section 1414 of title 10, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1), by striking the sec-
11 ond sentence; and

12 (B) in paragraph (2), by striking “50 per-
13 cent” and inserting “10 percent”;

14 (2) by striking subsection (c); and

15 (3) in subsection (e), by striking paragraphs (3)
16 and (4).

17 (b) CLERICAL AMENDMENTS.—(1) The heading for
18 such section is amended to read as follows:

19 “**§ 1414. Members eligible for retired pay who are also**
20 **eligible for veterans’ disability compensa-**
21 **tion: concurrent payment of retired pay**
22 **and veterans’ disability compensation”.**

23 (2) The item relating to that section in the table of
24 sections at the beginning of chapter 71 of such title is
25 amended to read as follows:

“1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and veterans’ disability compensation.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect on the first day of the first
3 month beginning on or after the date of the enactment
4 of this Act and shall apply with respect to payments for
5 months beginning on or after that day.

○