

Testimony of the Honorable Gus Bilirakis
House Armed Services Committee
U.S. House of Representatives
117th Congress

“FY23 NDAA HASC Member Day”
Thursday, April 28 2023
2216 Rayburn House Office Building

[After being recognized by Chairman Smith]:

Thank you very much Chairman Smith for recognizing me, and I want to thank you Mr. Chairman and Ranking Member Rogers for providing me with the opportunity to testify on one of my longstanding commitments towards our nation’s Veterans, rectifying the unfair offset between military retired pay and VA disability compensation, known as concurrent receipt. Specifically, I am advocating for the inclusion of my bill, H.R. 1282, the Major Richard Star Act, into the FY23 NDAA. My bipartisan and bicameral bill, with the support of Representative Ruiz, would expand eligibility to certain military retirees for concurrent receipt of veterans' disability compensation and retired pay or combat-related special compensation.

In the past, military servicemembers found to have endured a service-connected-disability could not collect their pension and disability pay in unison. To receive VA disability compensation, Veterans had to forfeit their retirement benefits and pay back dollar-for-dollar the amount that would have been owed to them if they had received both benefits.

In the Fiscal Year 2004 National Defense Authorization Act, Congress created the Concurrent Retirement and Disability Pay (CRDP) program. In doing so, Veterans who are 100% disabled, were authorized to receive both earned benefits, known as concurrent receipt, for the first time ever. Since then, the law has expanded the eligibility to receive military retirement pay and their VA disability pay concurrently to military retirees with 20 or more years of service and a 50% or higher disability rating.

While this certainly marks tremendous progress, medically retired veterans with less than 20 years of service who were wounded in combat must still offset their DoD retirement pay by their VA disability compensation.

Many of these veterans had the full intention of serving for 20 or more years and gain full retirement benefits, but, through no fault of their own, were unable to due to their service and sacrifice in the line of duty.

This group of retired veterans, also known as Chapter 61 retirees, are arguably the most at-risk because of their complex combat injuries and are just as deserving as those who served greater than 20 years of service.

By creating the CRDP, I firmly believe that Congress admitted that the offset required of disabled Veterans was wrong. Approximately 550,000 military retirees are eligible to receive both military retired pay and VA disability compensation but are prohibited under the current guidelines of this program. In my view, I see these Veterans as essentially being taxed for their service and sacrifice because they were deemed service-connected disabled.

My bill would remove that tax and the disparity between these combat disabled Veterans and the rest of the military retiree population.

This bill and its Senate companion have received a wide margin of bipartisan, bicameral support this Congress and in past Congresses with over 220 cosponsors in the House and 58 in the Senate. It also has the support from most Veteran Service Organizations, including the American Legion, VFW, DAV, VVA, AMVETS, Military Officers Association of America, Fleet Reserve Association, American Ex-Prisoners of War, and the Association of the Navy.

Thank you again for the opportunity to testify on this issue. I yield back.