



THE AMERICAN LEGION LEGISLATIVE POINT PAPERS

Concurrent Receipt

Background

Currently, some 42,000 military retirees with combat-related injuries qualify for retirement pay for their service from the Department of Defense, and for compensation for service-connected disabilities from VA. However, for retired veterans with disability ratings of less than 50%, their disability compensation is deducted from their retirement pay. The American Legion supports ending this unfair policy of forcing many military retirees to forfeit their retired pay to receive equal amounts of disability compensation

The American Legion stands with disabled veterans and urges Congress not to continue this denial of retirement benefits. The Major Richard Star Act would repeal this draconian offset for those veterans who are medically retired due to injuries sustained in combat allowing them to receive both their retirement pay and their disability compensation.

Key Points

- Retirement benefits and disability compensation are two separate benefits, provided for two different reasons, and therefore should never be conflated.
- Veterans with disability ratings less than 50% currently have their disability compensation from their retirement pay.

What Can Congress Do?

- Pass legislation that will provide total offset relief to veterans who retired from the military (S. 344, the Major Richard Star Act).

Relevant Resolution:

- Resolution No. 224 (2016): Support for Concurrent Receipt of Military Retirement Pay and VA Disability Compensation.¹⁷

¹⁷ The American Legion Resolution No. 224 (2016): [*Support for Concurrent Receipt of Military Retirement Pay and VA Disability Compensation.*](#)