

107TH CONGRESS
1ST SESSION

H. R. 2842

To provide that Federal civilian retirees shall not be allowed to receive veterans' disability compensation while receiving retirement benefits, except to the extent that retired members of the Armed Forces are allowed to receive such compensation while receiving military retirement pay.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2001

Mr. SCARBOROUGH introduced the following bill; which was referred to the Committee on Government Reform, 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 provide that Federal civilian retirees shall not be allowed to receive veterans' disability compensation while receiving retirement benefits, except to the extent that retired members of the Armed Forces are allowed to receive such compensation while receiving military retirement pay.

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. PARITY OF TREATMENT.**

4 (a) IN GENERAL.—The Office of Personnel Manage-
5 ment shall by regulation provide, with respect to benefits

1 payable out of the Civil Service Retirement and Disability
2 Fund, for such rules as may be necessary to provide for—

3 (1) the same treatment with respect to individ-
4 uals who (disregarding this Act) would be entitled,
5 based on the service of the same person, to both—

6 (A) any benefits so payable, and

7 (B) veterans' disability compensation, as

8 (2) is then currently by law provided (including
9 under sections 5304–5305 of title 38, United States
10 Code) with respect to individuals who (disregarding
11 such sections) would be entitled, based on the service
12 of the same person, to both—

13 (A) retirement pay, and

14 (B) veterans' disability compensation,

15 in connection with that simultaneous entitlement.

16 (b) DEFINITIONS.—For purposes of this Act—

17 (1) the term “veterans' disability compensa-
18 tion” has the meaning given the term “compensa-
19 tion” in section 101 of title 38, United States Code;
20 and

21 (2) the term “retirement pay” means any re-
22 tirement pay, pension, or other benefit subject to
23 sections 5304–5305 of title 38, United States Code
24 (as in effect on the date of enactment of this Act).

1 **SEC. 2. APPLICABILITY TO OTHER GOVERNMENT RETIRE-**
2 **MENT SYSTEMS.**

3 In order to maintain existing conformity among Gov-
4 ernment retirement systems, regulations comparable to
5 those required under section 1 shall be prescribed—

6 (1) under section 827 of the Foreign Service
7 Act of 1980 (22 U.S.C. 4067) for purposes of the
8 Foreign Service Retirement and Disability System
9 and the Foreign Service Pension System; and

10 (2) under section 292 of the Central Intel-
11 ligence Agency Retirement Act (50 U.S.C. 2141) for
12 purposes of the Central Intelligence Agency Retire-
13 ment and Disability System.

14 **SEC. 3. EFFECTIVE DATE.**

15 This Act shall apply in the case of any individual who
16 (disregarding this Act) becomes entitled, on or after the
17 date of enactment of this Act—

18 (1) to both retirement benefits and veterans'
19 disability compensation (within the meaning of, and
20 in the circumstance described in, section 1(a)(1)); or

21 (2) if a retirement system under section 2 is in-
22 volved, to both veterans' disability compensation and
23 retirement benefits under such system corresponding
24 to the retirement benefits referred to in paragraph
25 (1).