

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 730

To amend title 38, United States Code, to provide that receipt of disability compensation for dependents not depend upon the waiver of receipt of an equal amount of retired or retirement pay.

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## IN THE SENATE OF THE UNITED STATES

APRIL 27 (legislative day, APRIL 24), 1995

Mr. CHAFEE introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide that receipt of disability compensation for dependents not depend upon the waiver of receipt of an equal amount of retired or 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. CONCURRENT AWARD OF DISABILITY COM-**  
4 **PENSATION FOR DEPENDENTS AND RETIRED**  
5 **PAY.**

6 (a) CONCURRENT AWARD.—Section 5305 of title 38,  
7 United States Code, is amended—

1           (1) by striking out “Any person” and inserting  
2           in lieu thereof “(a) Except as provided in subsection  
3           (b), any person”; and

4           (2) by adding at the end the following new sub-  
5           section:

6           “(b) The requirement under subsection (a) of this  
7           section that a person receiving compensation under the  
8           laws administered by the Secretary waive receipt of re-  
9           tired or retirement pay in an amount equal to such com-  
10          pensation shall not apply to receipt by the person of com-  
11          pensation for dependents under section 1115 or 1135 of  
12          this title.”.

13          (b) EFFECTIVE DATE.—The amendments made by  
14          subsection (a) shall take effect on the date of the enact-  
15          ment of this Act. No person shall be entitled to receive  
16          by reason of the amendments made by subsection (a) any  
17          benefits for any period before such date.

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