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September 12, 2002

General Gordon R. Sullivan, (ret)
President
Association of the United States Army
2425 Wilson Boulevard
Arlington, Virginia 22201-3385

Dear General Sullivan,

Thank you for contacting me regarding concurrent receipt of military retired pay and veterans' disability compensation. I appreciate hearing from you and having the benefit of your views.

As you know, America's disabled military retirees cannot receive concurrently both their military retirement pay, which they have earned through at least 20 years of service in the Armed Forces, and their veterans' disability compensation, which they are owed due to injuries incurred during military service. On January 24, 2001, Senator Harry Reid of Nevada introduced S. 170, the Retired Pay Restoration Act of 2001, in an attempt to rectify this situation. You should be aware that I am a proud cosponsor of this important legislation which would amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both full military retired pay and their entire disability compensation from the Department of Veterans Affairs.

You may be interested to know that S. 1438, the Fiscal Year (FY) 2002 National Defense Authorization Act, contains a provision (section 651) added by the Committee, of which I am a member, which recommends that members of the Armed Forces who have a service-connected disability be able to receive military retired pay concurrently with veterans' disability compensation. On October 2, 2001, I was pleased to join my Senate colleagues in passing S. 1438 on a vote of 99-0.

While section 651 was not agreed to by House-Senate conferees who convened to reconcile each chamber's legislation, nonetheless the final version of S. 1438 contains a provision (section 641) which is similar to section 651. Section 641: includes the payment of special compensation for retirees with service-connected disabilities rated at 60 percent in FY 2002; increases the amount of special compensation for retirees with disabilities rated at 80 percent or higher in FY 2003; and increases the amount of special compensation for retirees with disabilities rated at 70 percent or higher in FY 2005. S. 1438 was signed into law [Public Law 107-107] by President Bush on December 28, 2001.

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By way of update on this issue, I am proud to be an original cosponsor of S. 2051, a new legislative initiative to address concurrent receipt, introduced on March 21, 2002 by Senator Reid. As introduced, S. 2051 would amend section 641 of Public Law 107-107 to allow veterans to begin receiving their full military retired pay and their entire disability compensation concurrently. Like S. 170 before it, S. 2051 has been referred to the Committee on Armed Services for further review and comment.

Please know that I am strongly supportive of all our veterans. Service to our country has entitled veterans to unique benefits that are available to no other single group of Americans. You may be assured that I will strongly oppose efforts to renege on our nation's commitment to those who have served in defense of our freedom.

Thank you for taking the time to share your views with me. If I can be of additional assistance, please feel free to contact me again.

Sincerely,

A handwritten signature in black ink that reads "Rick Santorum". The signature is written in a cursive, flowing style.

Rick Santorum
United States Senate

RJS\txb