

1995 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 328

Memorializing Congress to enact legislation to permit military retirees to receive concurrent payment of retirement benefits and disability compensation.

Agreed to by the Senate, February 7, 1995

Agreed to by the House of Delegates, February 16, 1995

WHEREAS, American servicemen and women have dedicated their careers to protect the rights we all enjoy; and

WHEREAS, military personnel endure hardships, privation, the threat of death and disability, and long separation from their families in service to their country; and

WHEREAS, career military personnel earn retirement benefits based on the number of years of service and their rank at retirement; and

WHEREAS, service-connected disability compensation serves a different purpose from longevity retirement pay and is intended to compensate for pain, suffering, disfigurement and impaired earning ability because of the disability; and

WHEREAS, retired disabled servicemen and women endure a reduction in longevity retirement pay for any service-connected disability compensation they receive; and

WHEREAS, the offset of retirement benefits by service-connected disability compensation presents an economic hardship to disabled military retirees, often reducing them to a poverty-level existence; and

WHEREAS, similarly situated federal civil service retirees do not face a reduction in civil service retirement benefits if they receive compensation for a service-connected disability; and

WHEREAS, it is fundamentally unfair to require disabled military retirees essentially to fund their own disability compensation; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That Congress be urged to enact legislation to eliminate this inequity and to allow disabled military retirees concurrent receipt of full longevity retirement benefits and service-connected disability compensation; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the Virginia Congressional Delegation, so that they may be apprised of the sense of the General Assembly of Virginia.

ENROLLED

SJ328ER