



Support the Major Richard Star Act

Background: Combat-injured veterans forced into early retirement by their injury are not receiving their vested longevity pay. Reducing retirement pay because of a disability is an injustice. The Major Richard Star Act (H.R. 1282/S. 344) will correct this injustice.

UNDERSTANDING THE STAR ACT

The Major Richard Star Act will allow combat-injured veterans to receive their earned retirement pay and their disability compensation without offset.

DoD is responsible for retired pay, and the VA is responsible for disability compensation. These are *two different payments for two different purposes*.

Reducing DoD retirement pay due to a combat injury, for the group of veterans that should be most protected, breaks faith with those who serve and will serve in the future. DoD data shows 65% of youth will not serve due to concerns of injury. Fixing concerns from parents and influencers is important in addressing a key recruiting challenge.

The Major Richard Star Act has overwhelming support in Congress and would end an unjust offset. This bipartisan legislation will support 52,304 combat-injured veterans who receive combat-related special compensation (CRSC) and are not eligible to receive retired pay and VA disability pay without offset.

These individuals, often seriously disabled, are subject to an offset where their retirement pay is reduced for every dollar of VA disability received. In some cases, their retirement pay is eliminated. DoD is responsible for retired pay covering vested years of service (in the past), while the VA is responsible for disability compensation covering a lifelong injury (in the future).

Congress partially fixed this injustice in the FY 2004 National Defense Authorization Act. What wasn't corrected includes those who were injured in combat and forced to retire before completing 20 years of service, resulting in an offset where their retirement pay is reduced for every dollar of disability provided by the VA.

MAJ. RICHARD STAR, USAR (RET)

Major Star was an Army combat engineer who led route clearance and route construction missions in Afghanistan and Iraq. He was an energetic advocate for fellow combat-injured veterans. He died in 2021.

COST CONCERNS

Some lawmakers and staffers point to the projected cost of the Major Richard Star Act (\$9 billion over 10 years) as a reason it has not moved forward. MSOs/VSOs reject this approach for two reasons:

- The wrong message to servicemembers: Cost should not be a factor when addressing a long-term injustice faced by those injured in service. It's especially damaging during recruiting challenges.
- The wrong math: The Congressional Budget Office estimate fails to include a five-year phase-in, which will significantly reduce the full cost of the legislation. It assumes all 52,304 combat-injured veterans who'd be eligible to switch from CRSC to Concurrent Retirement and Disability Pay (CRDP) would do so. It's not a guarantee — about half of the veterans could benefit; the rest might choose to retain tax-free CRSC at no additional cost to the government.

The Star Act will authorize these combat injured for the existing DFAS annual CRSC/CRDP open season; each veteran can choose which option best fits their financial needs. The Star Act is not retroactive, does not include back pay, and is actuarially sound.

MOAA'S POSITION

Our combat-injured veterans earned their vested retirement pay for dedicated years of service and earned their disability compensation through extraordinary personal sacrifice. MOAA remains committed to working with Congress to find solutions to enable these retirees to receive the compensation they earned through their service and sacrifice.

Congress:

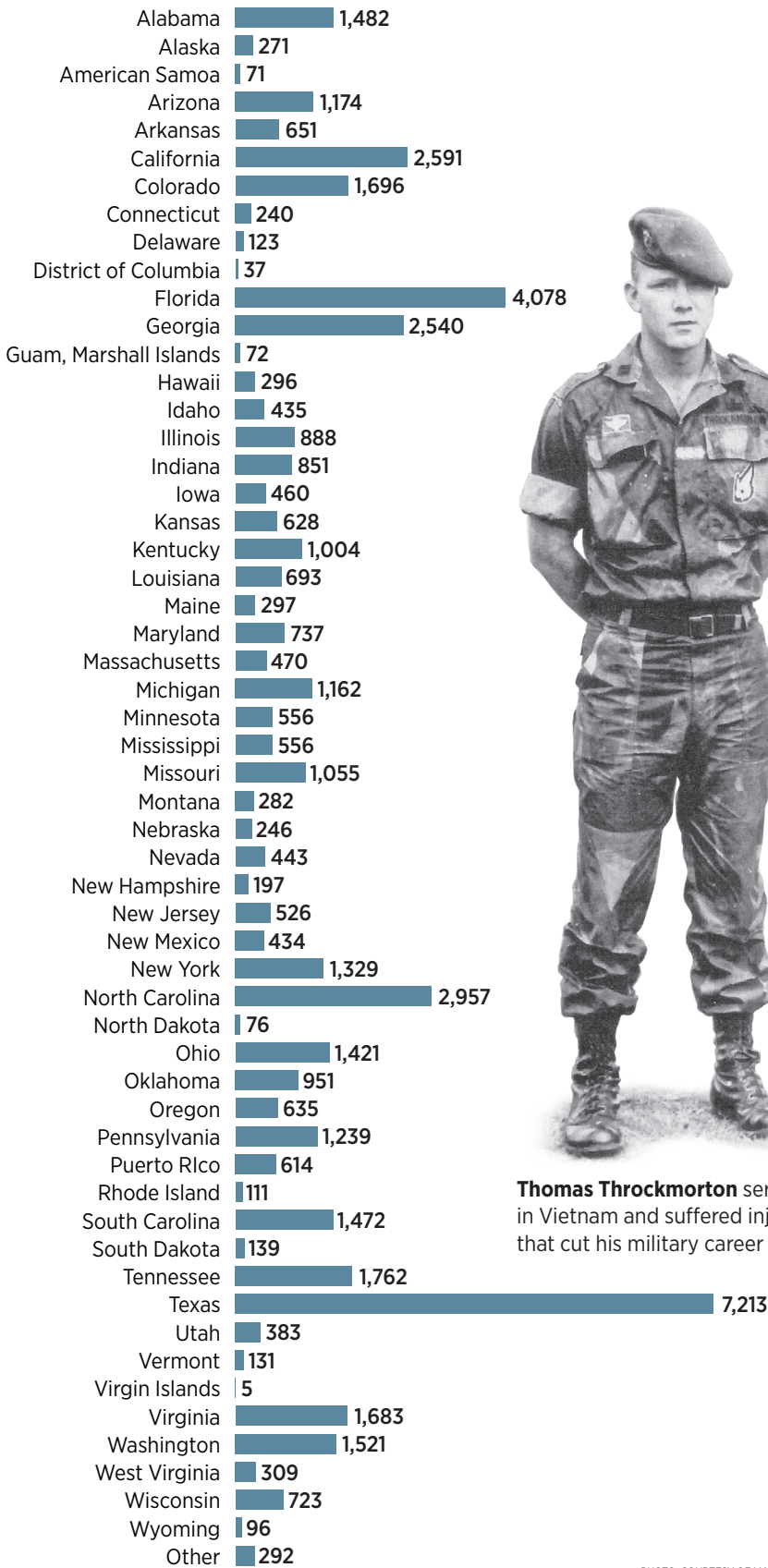
Support H.R. 1282/S. 344, the Major Richard Star Act, to ensure combat-injured veterans receive the vested retirement pay they earned and are no longer punished financially due to their injuries or illnesses. Authorize the Star Act in the National Defense Authorization Act.

MOAA Contact



Lt. Col. Mark D. Belinsky, USA (Ret)
Director,
Currently Serving and Retired Affairs
MarkB@moaa.org
703.838.8125

COMBAT-INJURED RETIREES BY STATE/U.S. TERRITORY



Thomas Throckmorton served in Vietnam and suffered injuries that cut his military career short.

Combat-Injured Retirees Span Generations of War

Thomas Throckmorton, a young and career-focused Army officer, did not want to miss combat in Vietnam. It was 1964, and he believed the war would soon be over. He sought an overseas assignment and served alongside paratroopers in the 5th Vietnamese Airborne Battalion. On this first trip to Vietnam, he survived a bullet to the stomach.

He healed, continued his career, and deployed again to Vietnam in 1969. This time, small-arms fire pierced a helicopter he was riding in. The helo crashed in a paddy field, and he was thrown out the open door. His pelvis broke in 24 places, his hip was destroyed, and his prior bullet wound added complications.

“Well, that’s the end of your Army career,” a doctor quipped as Throckmorton arrived for surgery. Though Throckmorton was able to serve a few more years, the injuries led to a premature end to his career.

“I never forgot that. Of course, I was in it for the duration,” said Throckmorton, a medically retired officer and Chapter 61 retiree whose retirement pay is offset due to his VA disability pay. After 13 years in, his career aspirations were cut short. His retirement pay has been shortchanged for decades.

Because Throckmorton’s injuries occurred in combat, he would be among those retirees to benefit from the Major Richard Star Act. The beneficiaries of this law would span generations.

“I’m ... at the end of my life, so it’s not going to help me that much. But it will be nice for people to get it,” said Throckmorton.

While Congress attempted a partial solution for combat veterans with the combat-related special compensation program, it doesn’t come close to fulfilling the offset, Throckmorton stressed.

“The thing that I never could quite understand is why, if they enacted combat-related special compensation, to replace the concurrent receipt ... why not make it fairly similar?”

— By Tony Lombardo, MOAA staff

PHOTO: COURTESY OF MAJ. THOMAS THROCKMORTON, USA (RET)

GRAPHIC: JOHN HARMAN/STAFF

SOURCE: DOD STATISTICAL REPORT ON THE MILITARY RETIREMENT SYSTEM, SEPT. 30, 2022