

Fact Sheet

THE CROSBY-PULLER COMBAT WOUNDS COMPENSATION ACT

Rep. Edward J. Markey

Purpose:

The bill would require that a member of the armed forces who is wounded or injured in a combat zone will continue to be paid monthly military pay and allowances, while recuperating from such wounds or injuries, at least equal to the monthly military pay and allowances the member received immediately before becoming injured, so that cuts in such special pays and allowances would be delayed until he/she is either reassigned for duty or discharged from the Armed Services. The bill would remedy the injustice brought about by current practice, as demonstrated by the case of Lance Corporal James Crosby, which reduces combat pay and related benefits to a member of the armed forces after the soldier is evacuated from the combat zone, even though the consequences of combat duty continue long after the medical evacuation as the member and his/her family confront the increased costs of managing the recovery.

Section-by-Section Analysis

Section 1. Short Title.

The Act may be cited as the “Crosby-Puller Combat Wounds Compensation Act.” It has been named after Lance Corporal James Crosby, USMC, wounded in Iraq during Operation Freedom, and Lt. General Lewis “Chesty” Puller, USMC, the most decorated Marine in the history of the Corps.

Section 2. No Reduction in Monthly Military Pay and Allowances for Members of the Uniformed Services Wounded or Injured in Combat Zones.

Of the various special pays that are associated with duty in the combat zone, none, including the combat zone tax exclusion, will be reduced when a member is injured in the combat zone and during his/her period of recovery. The monthly pays that the member received prior to injury will not be reduced while the member recovers from that injury. Such pay/allowances would continue to be paid until the earliest of the following dates:

1. The date on which the member is found to be physically fit to perform the duties of the member’s office, grade, rank or rating.
2. The date on which the member is discharged or separated from the armed forces.
3. The date on which the member succumbs to his wounds.

Retroactive Effective Date- This legislation shall apply with respect to any pay period and injury on or after September 11, 2001.

Section 3. Repeal of Time Limitation on Exclusion of Combat Zone Compensation by Reason of Hospitalization.

The existing Exclusion of Combat Zone Compensation by Reason of Hospitalization includes an arbitrary cut-off of this benefit 2 years after evacuation from the combat zone even if the member of the armed forces is still hospitalized. This section repeals the 2-year limit (Section 112(a)(2) and (b)(2), Internal Revenue Code of 1986) so that in the future, the exclusion will continue until the member has been discharged or reassigned for duty, or has succumbed to his/her wounds, whichever comes first.

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