

112TH CONGRESS
1ST SESSION

H. R. 923

To amend title 38, United States Code, to exempt reimbursements of expenses related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2011

Mr. HASTINGS of Florida (for himself, Ms. BROWN of Florida, Mr. ROHR-ABACHER, Ms. BERKLEY, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. DEUTCH, Mr. ISRAEL, Mr. LUJÁN, Mr. BUCHANAN, Ms. RICHARDSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. CUMMINGS, Ms. WASSERMAN SCHULTZ, Mr. KISSELL, Ms. CHU, Mr. REYES, Mr. MCGOVERN, Ms. SUTTON, Mrs. NAPOLITANO, Mr. MCKINLEY, Mr. COHEN, Mr. CICILLINE, Mr. MICHAUD, Mr. COURTNEY, Mr. SHERMAN, Ms. CASTOR of Florida, Mr. FORTENBERRY, Ms. JACKSON LEE of Texas, Mr. BERMAN, Mr. WALZ of Minnesota, Mr. BISHOP of New York, Mr. MICA, and Ms. BASS of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to exempt reimbursements of expenses related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Pensions
3 Protection Act of 2011”.

4 **SEC. 2. EXCLUSION OF CERTAIN REIMBURSEMENTS OF EX-**
5 **PENSES FROM DETERMINATION OF ANNUAL**
6 **INCOME WITH RESPECT TO PENSIONS FOR**
7 **VETERANS AND SURVIVING SPOUSES AND**
8 **CHILDREN OF VETERANS.**

9 Paragraph (5) of section 1503(a) of title 38, United
10 States Code, is amended to read as follows:

11 “(5) payments regarding—

12 “(A) reimbursements of any kind (includ-
13 ing insurance settlement payments) for—

14 “(i) expenses related to the repay-
15 ment, replacement, or repair of equipment,
16 vehicles, items, money, or property result-
17 ing from—

18 “(I) any accident (as defined in
19 regulations which the Secretary shall
20 prescribe), but the amount excluded
21 under this subclause shall not exceed
22 the greater of the fair market value or
23 reasonable replacement value of the
24 equipment or vehicle involved at the
25 time immediately preceding the acci-
26 dent;

1 “(II) any theft or loss (as defined
2 in regulations which the Secretary
3 shall prescribe), but the amount ex-
4 cluded under this subclause shall not
5 exceed the greater of the fair market
6 value or reasonable replacement value
7 of the item or the amount of the
8 money (including legal tender of the
9 United States or of a foreign country)
10 involved at the time immediately pre-
11 ceding the theft or loss; or

12 “(III) any casualty loss (as de-
13 fined in regulations which the Sec-
14 retary shall prescribe), but the
15 amount excluded under this subclause
16 shall not exceed the greater of the fair
17 market value or reasonable replace-
18 ment value of the property involved at
19 the time immediately preceding the
20 casualty loss; and

21 “(ii) medical expenses resulting from
22 any accident, theft, loss, or casualty loss
23 (as defined in regulations which the Sec-
24 retary shall prescribe), but the amount ex-
25 cluded under this clause shall not exceed

1 the costs of medical care provided to the
2 victim of the accident, theft, loss, or cas-
3 ualty loss; and
4 “(B) pain and suffering (including insur-
5 ance settlement payments and general damages
6 awarded by a court) related to an accident,
7 theft, loss, or casualty loss, but the amount ex-
8 cluded under this subparagraph shall not exceed
9 an amount determined by the Secretary on a
10 case-by-case basis;”.

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