

112TH CONGRESS  
1ST SESSION

# S. 780

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.

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## IN THE SENATE OF THE UNITED STATES

APRIL 8, 2011

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Pensions  
5 Protection Act of 2011”.

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

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

8 “(5) payments regarding—

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

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

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

24 “(II) any theft or loss (as defined  
25 in regulations which the Secretary  
26 shall prescribe), but the amount ex-

1           cluded under this subclause shall not  
2           exceed the greater of the fair market  
3           value or reasonable replacement value  
4           of the item or the amount of the  
5           money (including legal tender of the  
6           United States or of a foreign country)  
7           involved at the time immediately pre-  
8           ceding the theft or loss; or

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

18          “(ii) medical expenses resulting from  
19          any accident, theft, loss, or casualty loss  
20          (as defined in regulations which the Sec-  
21          retary shall prescribe), but the amount ex-  
22          cluded under this clause shall not exceed  
23          the costs of medical care provided to the  
24          victim of the accident, theft, loss, or cas-  
25          ualty loss; and

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

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