

104TH CONGRESS
1ST SESSION

H. R. 2155

To amend title 38, United States Code, to restrict payment, in the case of incarcerated veterans, of the clothing allowance otherwise payable to certain disabled veterans and to create for pension purposes a presumption of permanent and total disability for veterans over age 65 who are patients in a nursing home.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1995

Mr. STUMP (for himself and Mr. MONTGOMERY) (both by request) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to restrict payment, in the case of incarcerated veterans, of the clothing allowance otherwise payable to certain disabled veterans and to create for pension purposes a presumption of permanent and total disability for veterans over age 65 who are patients in a nursing home.

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' Benefits Re-
5 form Act of 1995".

1 **SEC. 2. LIMITATION ON CLOTHING ALLOWANCE FOR IN-**
2 **CARCERATED VETERANS.**

3 (a) PRO RATA REDUCTION.—Chapter 53 of title 38,
4 United States Code, is amended by inserting after section
5 5313 the following new section:

6 **“§5313A. Limitation on payment of clothing allow-**
7 **ance to incarcerated veterans**

8 “In the case of a veteran who is incarcerated in a
9 Federal, State, or local penal institution for a period in
10 excess of 60 days and who is furnished clothing without
11 charge by the institution, the amount of an annual cloth-
12 ing allowance payable to such veteran under section 1162
13 of this title shall be reduced on a pro rata basis for each
14 day on which the veteran was so incarcerated during the
15 12-month period preceding the date on which payment of
16 the allowance would be due. This section shall be carried
17 out under regulations prescribed by the Secretary.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by inserting
20 after the item relating to section 5313 the following new
21 item:

“5313A. Limitation on payment of clothing allowance to incarcerated veterans.”.

1 **SEC. 3. PRESUMPTION OF PERMANENT AND TOTAL DIS-**
2 **ABILITY FOR VETERANS OVER AGE 65 WHO**
3 **ARE NURSING HOME PATIENTS.**

4 Section 1502(a) of title 38, United States Code, is
5 amended by inserting “is 65 years of age or older and
6 a patient in a nursing home or, regardless of age,” after
7 “such a person”.

