

94TH CONGRESS
1ST SESSION

S. 1406

IN THE SENATE OF THE UNITED STATES

APRIL 10, 1975

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

A BILL

To amend title 38 of the United States Code to provide that veterans' pension and compensation will not be reduced as a result of certain increases in monthly social security benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) subsection (g) of section 415 of title 38, United
4 States Code, is amended by adding at the end thereof the
5 following new paragraph:

6 " (4) In determining the annual income of any in-
7 dividual who is entitled to monthly benefits under the in-
8 surance program established under title II of the Social
9 Security Act, the Administrator, before applying paragraph

1 (1) (G) of this subsection, shall disregard any part of any
 2 such benefit which results from (and would not be payable
 3 but for) the general increase in benefits under such insur-
 4 ance program provided by section 201 of Public Law 93-66
 5 or any subsequent cost-of-living increase in such benefits
 6 occurring pursuant to section 215 (i) of the Social Security
 7 Act.”

8 (b) Section 503 of title 38, United States Code, is
 9 amended by adding at the end thereof the following new
 10 subsection:

11 “(d) In determining the annual income of any indi-
 12 vidual who is entitled to monthly benefits under the insur-
 13 ance program established under title II of the Social Security
 14 Act, the Administrator, before applying subsection (a) (6)
 15 of this section, shall disregard any part of any such benefit
 16 which results from (and would not be payable but for) the
 17 general increase in benefits under such insurance program
 18 provided by section 201 of Public Law 93-66 or any subse-
 19 quent cost-of-living increase in such benefits occurring pur-
 20 suant to section 215 (i) of the Social Security Act.”.

21 (c) In determining the annual income of any person for
 22 purposes of determining the continued eligibility of that per-
 23 son for, and the amount of, pension payable under the first
 24 sentence of section 9 (b) of the Veterans' Pension Act of
 25 1959, the Administrator of Veterans' Affairs shall disregard,

1 if that person is entitled to monthly benefits under the insur-
 2 ance program established under title II of the Social Security
 3 Act, any part of any such benefit which results from (and
 4 would not be payable but for) the general increase in benefits
 5 under such insurance program provided by section 201 of
 6 Public Law 93-66 or any subsequent cost-of-living increase
 7 in such benefits occurring pursuant to section 215 (i) of the
 8 Social Security Act.

9 SEC. 2. This Act shall apply with respect to annual
 10 income determinations made under the veterans' pension laws
 11 and section 415 (g) of title 38, United States Code, for cal-
 12 endar years after 1973.

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By Mr. MONTROYA

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1 If that person is entitled to monthly compensation under the Internal Revenue Code, the amount of such compensation shall be reduced by the amount of such monthly social security benefit which is payable to such person under the Social Security Act, but such reduction shall not apply with respect to any such person who is entitled to such compensation under the Internal Revenue Code and who is also entitled to such compensation under the Social Security Act.