

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 995

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

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## IN THE SENATE OF THE UNITED STATES

JUNE 29 (legislative day, JUNE 19), 1995

Mr. SIMPSON (by request) 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 restrict payment of a clothing allowance to incarcerated veterans and to create a presumption of permanent and total disability for pension purposes for certain veterans 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. CLOTHING ALLOWANCE FOR INCARCERATED VET-**  
2 **ERANS.**

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

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

8 “In the case of a veteran incarcerated in a Federal,  
9 State, or local penal institution for a period in excess of  
10 sixty days and furnished clothing without charge by the  
11 institution, the amount of any clothing allowance payable  
12 to such veteran under section 1162 of this title shall be  
13 reduced on a pro rata basis for each day on which the  
14 veteran was so incarcerated during the twelve-month pe-  
15 riod preceding the date on which payment of the allowance  
16 would be under regulations promulgated by the Sec-  
17 retary.”.

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 veter-  
ans.”

1 **SEC. 3. PRESUMPTION OF PERMANENT TOTAL DISABILITY**  
2 **FOR CERTAIN VETERANS WHO ARE NURSING-**  
3 **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”.

