

106TH CONGRESS
2D SESSION

H. R. 4935

To amend title 38, United States Code, to increase the size of the estate an incompetent veteran being furnished institutional care by the Department of Veterans Affairs may have without being subject to suspension of benefits.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2000

Mr. MINGE (for himself, Mr. EVANS, Mr. CONYERS, Mr. DOYLE, Mr. FILNER, Ms. KAPTUR, Mr. PETERSON of Minnesota, Mr. OBERSTAR, and Mr. HOLDEN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to increase the size of the estate an incompetent veteran being furnished institutional care by the Department of Veterans Affairs may have without being subject to suspension of benefits.

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. INCREASE IN ESTATE SIZE FOR INCOMPETENT**
2 **INSTITUTIONALIZED VETERANS BEFORE SUS-**
3 **PENSION OF BENEFITS.**

4 (a) INCREASE IN ESTATE SIZE.—Section
5 5503(b)(1)(A) of title 38, United States Code, is
6 amended—

7 (1) by striking “\$1,500” and inserting “the
8 amount of \$6,000 (as increased from time to time
9 under section 5312 of this title)”; and

10 (2) by striking “\$500” and inserting “such
11 amount”.

12 (b) INDEXING ESTATE SIZE AMOUNT.—Section 5312
13 of such title is amended—

14 (1) by redesignating subsection (c) as sub-
15 section (d);

16 (2) by inserting after subsection (b) the fol-
17 lowing new subsection (c):

18 “(c) Whenever there is an increase in benefit amounts
19 payable under title II of the Social Security Act (42
20 U.S.C. 401 et seq.) as a result of a determination made
21 under section 215(i) of such Act (42 U.S.C. 415(i)), the
22 Secretary shall, effective on the date of such increase in
23 benefit amounts, increase the estate size limitation under
24 section 5503(b)(1)(A) of this title, as that limitation was
25 in effect immediately before the date of such increase in
26 benefit amounts payable under title II of the Social Secu-

1 rity Act, by the same percentage as the percentage by
2 which such benefit amounts are increased.”; and

3 (3) in subsection (d), as redesignated by paragraph
4 (1)—

5 (A) in paragraph (1)—

6 (i) by striking “and an increase” and in-
7 serting “, an increase”; and

8 (ii) by inserting “, and an increase under
9 subsection (c) in the estate size limitation under
10 section 5503(b)(1)(A) of this title,” after “sec-
11 tion 1315 of this title”; and

12 (B) in paragraph (2), by inserting “and estate
13 size” after “income” both places it appears.

14 (c) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall take effect with respect to benefit pay-
16 ments for months beginning on or after the date of the
17 enactment of this Act. The amendments made by sub-
18 section (b) shall take effect on January 1, 2001.

○