

107TH CONGRESS
1ST SESSION

S. 1648

To amend title 38, United States Code, to provide an increase in the maximum annual rates of pension payable to surviving spouses of veterans of a period of war, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2001

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

A BILL

To amend title 38, United States Code, to provide an increase in the maximum annual rates of pension payable to surviving spouses of veterans of a period of war, 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 “Widows of Wartime
5 Veterans Assistance Act”.

1 **SEC. 2. INCREASE IN MAXIMUM ANNUAL RATES OF PEN-**
2 **SION FOR SURVIVING SPOUSES OF VETERANS**
3 **OF A PERIOD OF WAR.**

4 (a) INCREASE.—Section 1541 of title 38, United
5 States Code, is amended—

6 (1) in subsection (a), by striking “as increased”
7 and inserting “as increased under subsection (f),
8 and as further increased”;

9 (2) by redesignating subsections (f), (g), and
10 (h) as subsections (g), (h), and (i), respectively; and

11 (3) by inserting after subsection (e) the fol-
12 lowing new subsection (f):

13 “(f) Effective for months after November of the year
14 of the enactment of this subsection, the annual rate of
15 pension payable to a surviving spouse under subsection
16 (b), the first sentence of subsection (c), subsection (d)(1),
17 the first sentence of subsection (d)(2), or the first sentence
18 of subsection (e)(1) shall be increased by the amount equal
19 to poverty line (as that term is defined in section 673(2)
20 of the Community Services Block Grant Act (42 U.S.C.
21 9902(2)) for the year for a 1-person family unit in the
22 48 contiguous States and the District of Columbia minus
23 the annual rate of pension provided for under subsection
24 (b), in November of the year, as that amount is increased
25 from time to time under section 5312 of this title.”.

1 (b) ANNUAL ADJUSTMENT IN AMOUNT OF IN-
 2 CREASE.—(1) Section 5312(a) of that title is amended—

3 (A) by striking “1541,” and inserting “1541
 4 (including the amount of the increase in annual
 5 rates of pension provided for under subsection (f) of
 6 that section),”; and

7 (B) by striking “such rates” and inserting
 8 “such rates and amount”.

9 (2) The amendments made by paragraph (1) shall
 10 take effect on the date of the enactment of this Act.

11 (3) The first adjustment under section 5312(a) of
 12 title 38, United States Code (as amended by paragraph
 13 (1)), in the amount of the increase of annual rates of pen-
 14 sion under section 1541(f) of that title, as amended by
 15 subsection (a), shall occur in the year following the year
 16 of the enactment of this Act.

17 (c) DISREGARD OF INCREASED AMOUNT FOR PUR-
 18 POSES OF MEDICAID ELIGIBILITY.—Section 1902(r)(1) of
 19 the Social Security Act (42 U.S.C. 1396a(r)(1)) is amend-
 20 ed by adding at the end the following new subparagraph:

21 “(C) In the case of a surviving spouse of a veteran
 22 who receives a monthly pension under section 1541 of title
 23 38, United States Code, the increase in the annual rate
 24 of pension payable to such spouse provided for under sub-
 25 section (f) of that section, including any annual adjust-

1 ments of the annual rate of pension under such subsection
2 (f), shall be disregarded for purposes of determining such
3 spouse's eligibility for medical assistance under the State
4 plan under this title.”.

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