

108TH CONGRESS
1ST SESSION

H. R. 2791

To eliminate the unfair and disadvantageous treatment of cash military compensation other than basic pay under the supplemental security income benefits program.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2003

Mrs. DAVIS of California (for herself, Mr. SANDERS, Ms. LEE, Mr. MORAN of Virginia, and Mr. HOLT) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To eliminate the unfair and disadvantageous treatment of cash military compensation other than basic pay under the supplemental security income benefits program.

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 “Military Families Fi-
5 nancial Security Act”.

6 **SEC. 2. TREATMENT OF UNIFORMED SERVICE COMPENSA-**
7 **TION.**

8 (a) TREATMENT OF UNIFORMED SERVICE CASH RE-
9 MUNERATION AS EARNED INCOME.—

1 (1) IN GENERAL.—Section 1612(a)(1)(A) of the
2 Social Security Act (42 U.S.C. 1382a(a)(1)(A)) is
3 amended by inserting “(and, in the case of cash re-
4 muneration paid for service as a member of a uni-
5 formed service (other than payments described in
6 paragraph (2)(H)), without regard to the limitations
7 contained in section 209(d))” before the semicolon.

8 (2) CERTAIN HOUSING PAYMENTS TREATED AS
9 IN-KIND SUPPORT AND MAINTENANCE.—Section
10 1612(a)(2) of such Act (42 U.S.C. 1382a(a)(2)) is
11 amended—

12 (A) by striking “and” at the end of sub-
13 paragraph (F);

14 (B) by striking the period at the end of
15 subparagraph (G) and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(H) payments to or on behalf of a mem-
18 ber of a uniformed service for housing of the
19 member (and his or her dependents, if any) on
20 a facility of a uniformed service, including pay-
21 ments provided under section 403 of title 37,
22 United States Code, for housing that is ac-
23 quired or constructed under subchapter IV of
24 chapter 169 of title 10 of such Code, or any re-
25 lated provision of law, and any such payments

1 shall be treated as support and maintenance in
2 kind subject to subparagraph (A) of this para-
3 graph.”.

4 (b) TREATMENT OF PAY AS RECEIVED WHEN
5 EARNED.—Section 1611(c) of such Act (42 U.S.C.
6 1382(c)) is amended by adding at the end the following:

7 “(9) For purposes of this subsection, remuneration
8 for service performed as a member of a uniformed service
9 may be treated as received in the month in which it is
10 earned, if the Commissioner determines that such treat-
11 ment would promote the economical and efficient adminis-
12 tration of the program authorized by this title.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall be effective with respect to benefits pay-
15 able for months beginning at least 90 days after the date
16 of the enactment of this Act.

17 **SEC. 3. REMOVAL OF RESTRICTION ON PAYMENT OF BENE-**
18 **FITS TO CHILDREN WHO ARE BORN OR WHO**
19 **BECOME BLIND OR DISABLED AFTER THEIR**
20 **MILITARY PARENTS ARE STATIONED OVER-**
21 **SEAS.**

22 (a) IN GENERAL.—Section 1614(a)(1)(B)(ii) of the
23 Social Security Act (42 U.S.C. 1382c(a)(1)(B)(ii)) is
24 amended—

1 (1) by inserting “and” after “citizen of the
2 United States,”; and

3 (2) by striking “, and who,” and all that follows
4 and inserting a period.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 this section shall be effective with respect to benefits pay-
7 able for months beginning after the date of the enactment
8 of this Act, but only on the basis of an application filed
9 after such date.

○