

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 923  
OFFERED BY MR. RUNYAN OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Veterans Pensions  
3 Protection Act of 2011”.

**4 SEC. 2. EXCLUSION OF CERTAIN REIMBURSEMENTS OF EX-  
5 PENSES FROM DETERMINATION OF ANNUAL  
6 INCOME WITH RESPECT TO PENSIONS FOR  
7 VETERANS AND SURVIVING SPOUSES AND  
8 CHILDREN OF VETERANS.**

9       (a) IN GENERAL.—Paragraph (5) of section 1503(a)  
10 of title 38, United States Code, is amended to read as  
11 follows:

12               “(5) payments regarding—

13                       “(A) reimbursements of any kind (includ-  
14 ing insurance settlement payments) for—

15                               “(i) expenses related to the repay-  
16 ment, replacement, or repair of equipment,  
17 vehicles, items, money, or property result-  
18 ing from—

1           “(I) any accident (as defined in  
2 regulations which the Secretary shall  
3 prescribe), but the amount excluded  
4 under this subclause shall not exceed  
5 the greater of the fair market value or  
6 reasonable replacement value of the  
7 equipment or vehicle involved at the  
8 time immediately preceding the acci-  
9 dent;

10           “(II) any theft or loss (as defined  
11 in regulations which the Secretary  
12 shall prescribe), but the amount ex-  
13 cluded under this subclause shall not  
14 exceed the greater of the fair market  
15 value or reasonable replacement value  
16 of the item or the amount of the  
17 money (including legal tender of the  
18 United States or of a foreign country)  
19 involved at the time immediately pre-  
20 ceding the theft or loss; or

21           “(III) any casualty loss (as de-  
22 fined in regulations which the Sec-  
23 retary shall prescribe), but the  
24 amount excluded under this subclause  
25 shall not exceed the greater of the fair

1 market value or reasonable replace-  
2 ment value of the property involved at  
3 the time immediately preceding the  
4 casualty loss; and

5 “(ii) medical expenses resulting from  
6 any accident, theft, loss, or casualty loss  
7 (as defined in regulations which the Sec-  
8 retary shall prescribe), but the amount ex-  
9 cluded under this clause shall not exceed  
10 the costs of medical care provided to the  
11 victim of the accident, theft, loss, or cas-  
12 ualty loss; and

13 “(B) pain and suffering (including insur-  
14 ance settlement payments and general damages  
15 awarded by a court) related to an accident,  
16 theft, loss, or casualty loss, but the amount ex-  
17 cluded under this subparagraph shall not exceed  
18 an amount determined by the Secretary on a  
19 case-by-case basis;”.

20 (b) EFFECTIVE DATE.—The amendment made by  
21 subsection (a) shall take effect on the date that is one  
22 year after the date of the enactment of this Act.

1 **SEC. 3. EXTENSION OF AUTHORITY TO OBTAIN CERTAIN IN-**  
2 **FORMATION FROM DEPARTMENT OF TREAS-**  
3 **URY.**

4 Section 5317(g) of title 38, United States Code, is  
5 amended by striking “2011” and inserting “2012”.

