

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

# H. R. 536

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mrs. DAVIS of California introduced the following bill; which was referred to the Committee on Ways and Means

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## 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) **EFFECTIVE DATE.**—The amendments made by  
5 this section shall be effective with respect to benefits pay-  
6 able for months beginning at least 90 days after the date  
7 of the enactment of this Act.

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