AMENDMENT TO H.R. 1

OFFERED BY MR. ADLER OF NEW JERSEY

In Division B (Other Provisions), Title II (Assistance for Unemployed Workers and Struggling Families), Subtitle B (Assistance for Vulnerable Individuals), add the following:

1 **SEC. 2104. ECONOMIC RECOVERY PAYMENT TO RECIPIENTS**
2 **OF SOCIAL SECURITY, RAILROAD RETIRE-**
3 **MENT, AND VETERANS DISABILITY BENEFITS.**
4 (a) PAYMENT AUTHORITY.—
5 (1) IN GENERAL.—At the earliest practicable
6 date in calendar year 2009 but not later than 120
7 days after the date of the enactment of this section,
8 the Secretary of the Treasury shall make a one-time
9 payment to each individual who is determined by the
10 Secretary in calendar year 2009 to be an eligible in-
11 dividual.
12 (2) ELIGIBLE INDIVIDUAL.—
13 (A) IN GENERAL.—An individual is de-
14 scribed in this paragraph if the individual—
15 (i) has attained the age of 18, and
16 (ii) during the 3-month period imme-
17 diately preceding the month in which this

1 Act is enacted, was entitled to Social Secu-
2 rity benefits (as defined in section 86(d) of
3 the Internal Revenue Code of 1986) or
4 benefits under chapters 11, 13, or 15 of
5 title 38, United States Code.
6 (B) EXCEPTIONS.—Subparagraph (A)
7 shall not apply to any individual who—
8 (i) has Federal program benefits sus-
9 pended during such 3-month period be-
10 cause such individual is—
11 (I) in prison,
12 (II) a fugitive,
13 (III) a probation or parole viola-
14 tor, or
15 (IV) found by a court of com-
16 petent jurisdiction to have committed
17 fraud,
18 (ii) is an alien, or
19 (iii) is not lawfully present in the
20 United States.
21 (3) AMOUNT OF PAYMENT.—The amount of the
22 payment shall be $500 for an individual.
23 (b) ADMINISTRATIVE PROVISIONS.—
24 (1) INFORMATION.—The Commissioner of So-
25 cial Security, the Railroad Retirement Board, and

1 the Secretary of Veterans Affairs shall provide the
2 Secretary of the Treasury with such information and
3 data as may be necessary in order to identify indi-
4 viduals eligible for payments under this subsection
5 and to make the payments.

6 (2) PAYMENTS TO BE DISREGARDED FOR PUR-
7 POSES OF ALL FEDERAL AND FEDERALLY ASSISTED
8 PROGRAMS.—A payment under subsection (a) shall
9 not be regarded as income to the recipient, and shall
10 not be regarded as a resource of the recipient for the
11 month of receipt and the following 6 months, for
12 purposes of determining the eligibility of any indi-
13 vidual for benefits or assistance, or the amount or
14 extent of benefits or assistance, under any Federal
15 program or under any State or local program fi-
16 nanced in whole or in part with Federal funds.

17 (3) GARNISHMENT.—Any payment made under
18 this section shall not be taken by the Federal gov-
19 ernment, State government or private parties, except
20 as allowed by the Federal Debt Collection Practices
21 Act.

22 (c) EXCLUSION FROM GROSS INCOME.—Payments
23 under this section shall not be included in gross income.

24 (d) APPROPRIATION.—Out of any sums in the Treas-
25 ury of the United States not otherwise appropriated, there

1 are appropriated such sums as may be necessary to carry
2 out this section.

Section 36A(a) of the Internal Revenue Code of 1986, as proposed to be added by section 1001 of Division B, is amended by striking the period at the end of paragraph (2) and inserting a comma, and by inserting after paragraph (2) the following flush material: "reduced (but not below zero) by any payment under section 1001(f) of the American Recovery and Reinvestment Tax Act of 2009.".