

105TH CONGRESS
1ST SESSION

H. R. 2004

To amend title 38, United States Code, to provide for the reinstatement of eligibility for dependency and indemnity compensation for certain surviving spouses of veterans.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1997

Mr. FILNER (for himself and Mr. EVANS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for the reinstatement of eligibility for dependency and indemnity compensation for certain surviving spouses of veterans.

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 “Give Surviving Spouses
5 of Veterans a Chance to Remarry Act of 1997”.

1 **SEC. 2. ELIGIBILITY OF REMARRIED SURVIVING SPOUSES**
2 **FOR REINSTATEMENT OF DEPENDENCY AND**
3 **INDEMNITY COMPENSATION UPON TERMI-**
4 **NATION OF THAT REMARRIAGE.**

5 (a) IN GENERAL.—Section 1311 of title 38, United
6 States Code, is amended by adding at the end the follow-
7 ing new section:

8 “(e)(1) The remarriage of the surviving spouse of a
9 veteran shall not bar the furnishing of dependency and
10 indemnity compensation to such person as the surviving
11 spouse of the veteran if the remarriage is terminated by
12 death or divorce, unless the Secretary determines that the
13 divorce was secured through fraud by the surviving spouse
14 or collusion.

15 “(2) If the surviving spouse of a veteran ceases living
16 with another person and holding himself or herself out
17 openly to the public as that person’s spouse, the bar to
18 granting that person dependency and indemnity com-
19 pensation as the surviving spouse of the veteran shall not
20 apply.

21 “(3) The first month of eligibility for payment of de-
22 pendency and indemnity compensation to a surviving
23 spouse by reason of this subsection shall be the month
24 after—

1 “(A) the month of the termination of such re-
2 marriage, in the case of a surviving spouse described
3 in paragraph (1); or

4 “(B) the month of the cessation described in
5 paragraph (2), in the case of a surviving spouse de-
6 scribed in that paragraph.

7 (b) EFFECTIVE DATE.—No payment may be made
8 by reason of section 1311(e) for any month before October
9 1, 1997.

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