

105TH CONGRESS  
1ST SESSION

# H. R. 2142

To amend title 38, United States Code, to extend eligibility to receive dependency and indemnity compensation to veterans' surviving spouses whose subsequent marriages have terminated.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 10, 1997

Mr. McNULTY introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to extend eligibility to receive dependency and indemnity compensation to veterans' surviving spouses whose subsequent marriages have terminated.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF ELIGIBILITY TO RECEIVE DE-**  
2 **PENDENCY AND INDEMNITY COMPENSATION**  
3 **TO SURVIVING SPOUSES WHOSE SUBSE-**  
4 **QUENT MARRIAGES HAVE TERMINATED.**

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 subsection:

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 death or divorce was secured through fraud by the surviv-  
14 ing spouse 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, section  
18 101(3) shall not bar eligibility of that person to receive  
19 dependency and indemnity compensation.”

20 (b) EFFECTIVE DATE.—No payment may be made  
21 pursuant to the amendment made by subsection (a) for  
22 any month beginning before October 1, 1997.

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