

110TH CONGRESS
1ST SESSION

S. 659

To amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2007

Mr. HAGEL introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child.

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. PAYMENT OF DEATH GRATUITY WITH RESPECT**
4 **TO MEMBERS OF THE ARMED FORCES WITH-**
5 **OUT A SURVIVING SPOUSE WHO ARE SUR-**
6 **VIVED BY A MINOR CHILD.**

7 Section 1477 of title 10, United States Code, is
8 amended—

1 (1) in subsection (a), by inserting “, subject to
2 subsection (d),” after “shall be paid”;

3 (2) by redesignating subsection (d) as sub-
4 section (e); and

5 (3) by inserting after subsection (c) the fol-
6 lowing new subsection (d):

7 “(d)(1) In the case of a person covered by section
8 1475 or 1476 of this title who has no surviving spouse,
9 but who has one or more surviving children (as prescribed
10 by subsection (b)) under the age of 18 years who, after
11 the death of the person, will be in the custody of a parent
12 (as prescribed by subsection (c)) or brother or sister (as
13 prescribed by subsection (a)) of the person, the death gra-
14 tuity shall be paid to such parent, brother, or sister as
15 designated by the person, whether in the full amount pay-
16 able under section 1478 of this title or in such portion
17 of such amount as the person shall specify.

18 “(2) If the amount of the death gratuity specified for
19 payment under paragraph (1) is less than the full amount
20 of the death gratuity payable under section 1478 of this
21 title, the balance of the amount of the death gratuity shall
22 be paid to or for the living survivors of the person con-
23 cerned in accordance with paragraphs (2) through (5) of
24 subsection (a).

1 “(3) An individual designated for the payment of
2 death gratuity under paragraph (1) shall be treated as an
3 eligible survivor for purposes of subsection (e).”.

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