

113TH CONGRESS
1ST SESSION

S. 735

To amend title 38, United States Code, to improve benefits and assistance provided to surviving spouses of veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 2013

Mr. SANDERS introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve benefits and assistance provided to surviving spouses of veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes.

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 “Survivor Benefits Im-
5 provement Act of 2013”.

1 **SEC. 2. EXTENSION OF INITIAL PERIOD FOR INCREASED**
2 **DEPENDENCY AND INDEMNITY COMPENSA-**
3 **TION FOR SURVIVING SPOUSES WITH CHIL-**
4 **DREN.**

5 Section 1311(f)(2) of title 38, United States Code,
6 is amended by striking “two-year” and inserting “five-
7 year”.

8 **SEC. 3. ELIGIBILITY FOR DEPENDENCY AND INDEMNITY**
9 **COMPENSATION, HEALTH CARE, AND HOUS-**
10 **ING LOANS FOR SURVIVING SPOUSES WHO**
11 **REMARRY AFTER AGE 55.**

12 Subparagraph (B) of section 103(d)(2) of title 38,
13 United States Code, is amended to read as follows:

14 “(B) The remarriage after age 55 of the surviving
15 spouse of a veteran shall not bar the furnishing of benefits
16 specified in paragraph (5) to such person as the surviving
17 spouse of the veteran.”.

18 **SEC. 4. BENEFITS FOR CHILDREN OF CERTAIN THAILAND**
19 **SERVICE VETERANS BORN WITH SPINA**
20 **BIFIDA.**

21 (a) IN GENERAL.—Subchapter III of chapter 18 of
22 title 38, United States Code, is amended by adding at the
23 end the following new section:

1 **“§ 1822. Benefits for children of certain Thailand**
2 **service veterans born with spina bifida**

3 “(a) BENEFITS AUTHORIZED.—The Secretary may
4 provide to any child of a veteran of covered service in
5 Thailand who is suffering from spina bifida the health
6 care, vocational training and rehabilitation, and monetary
7 allowance required to be paid to a child of a Vietnam vet-
8 eran who is suffering from spina bifida under subchapter
9 I of this chapter as if such child of a veteran of covered
10 service in Thailand were a child of a Vietnam veteran who
11 is suffering from spina bifida under such subchapter.

12 “(b) SPINA BIFIDA CONDITIONS COVERED.—This
13 section applies with respect to all forms and manifesta-
14 tions of spina bifida, except spina bifida occulta.

15 “(c) VETERAN OF COVERED SERVICE IN THAI-
16 LAND.—For purposes of this section, a veteran of covered
17 service in Thailand is any individual, without regard to
18 the characterization of that individual’s service, who—

19 “(1) served in the active military, naval, or air
20 service in Thailand, as determined by the Secretary
21 in consultation with the Secretary of Defense, dur-
22 ing the period beginning on January 9, 1962, and
23 ending on May 7, 1975; and

24 “(2) is determined by the Secretary, in con-
25 sultation with the Secretary of Defense, to have been

1 exposed to a herbicide agent during such service in
2 Thailand.

3 “(d) HERBICIDE AGENT.—For purposes of this sec-
4 tion, the term ‘herbicide agent’ means a chemical in a her-
5 bicide used in support of United States and allied military
6 operations in Thailand, as determined by the Secretary in
7 consultation with the Secretary of Defense, during the pe-
8 riod beginning on January 9, 1962, and ending on May
9 7, 1975.”.

10 (b) CLERICAL AMENDMENTS.—

11 (1) SUBCHAPTER HEADING.—The heading for
12 subchapter III of chapter 18 of such title is amend-
13 ed by inserting “AND THAILAND” after
14 “KOREA”.

15 (2) TABLE OF SECTIONS.—The table of sections
16 at the beginning of chapter 18 of such title is
17 amended—

18 (A) by striking the item relating to sub-
19 chapter III and inserting the following new
20 item:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA AND THAILAND SERVICE
VETERANS BORN WITH SPINA BIFIDA”;

21 and

22 (B) by inserting after the item relating to
23 section 1821 the following new item:

“1822. Benefits for children of certain Thailand service veterans born with spina
bifida.”.

1 **SEC. 5. PILOT PROGRAM ON GRIEF COUNSELING IN RE-**
2 **TREAT SETTINGS FOR SURVIVING SPOUSES**
3 **OF VETERANS WHO DIE WHILE SERVING ON**
4 **ACTIVE DUTY IN THE ARMED FORCES.**

5 (a) PILOT PROGRAM REQUIRED.—

6 (1) IN GENERAL.—Commencing not later than
7 180 days after the date of the enactment of this Act,
8 the Secretary of Veterans Affairs shall carry out,
9 through the Readjustment Counseling Service of the
10 Veterans Health Administration, a pilot program to
11 assess the feasibility and advisability of providing
12 grief counseling services described in subsection (b)
13 in group retreat settings to surviving spouses of vet-
14 erans who die while serving on active duty in the
15 Armed Forces.

16 (2) PARTICIPATION AT ELECTION OF SUR-
17 VIVING SPOUSE.—The participation of a surviving
18 spouse in the pilot program under this section shall
19 be at the election of the surviving spouse.

20 (b) COVERED SERVICES.—The services provided to a
21 surviving spouse under the pilot program shall include the
22 following:

23 (1) Information and counseling on coping with
24 grief.

1 (2) Information about benefits and services
2 available to surviving spouses under laws adminis-
3 tered by the Secretary.

4 (3) Such other information and counseling as
5 the Secretary considers appropriate to assist a sur-
6 viving spouse under the pilot program with adjusting
7 to the death of a spouse.

8 (c) LOCATIONS.—The Secretary shall carry out the
9 pilot program at not fewer than six locations as follows:

10 (1) Three locations at which surviving spouses
11 with dependent children are encouraged to bring
12 their children.

13 (2) Three locations at which surviving spouses
14 with dependent children are not encouraged to bring
15 their children.

16 (d) DURATION.—The pilot program shall be carried
17 out during the two-year period beginning on the date of
18 the commencement of the pilot program.

19 (e) REPORTS.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the completion of the first year of the pilot
22 program and not later than 180 days after the com-
23 pletion of the pilot program, the Secretary shall sub-
24 mit to Congress a report on the pilot program.

1 (2) CONTENTS.—Each report submitted under
2 paragraph (1) shall contain the findings and conclu-
3 sions of the Secretary as a result of the pilot pro-
4 gram, and shall include such recommendations for
5 the continuation or expansion of the pilot program
6 as the Secretary considers appropriate.

7 (f) DEFINITIONS.—In this section, the terms “active
8 duty”, “surviving spouse”, and “veteran” have the mean-
9 ings given such terms in section 101 of title 38, United
10 States Code.

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