

115TH CONGRESS
1ST SESSION

H. R. 1495

To amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of dependency and indemnity compensation under the laws administered by the Secretary of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2017

Mrs. LOVE (for herself, Mr. DEUTCH, Mr. HILL, Mr. CURBELO of Florida, Mr. PEARCE, Mr. CHAFFETZ, Mr. YODER, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Mr. ROUZER, Mr. GARAMENDI, Ms. SHEA-PORTER, Mr. KING of New York, and Mr. ZELDIN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of dependency and indemnity compensation under the laws administered by the Secretary of Veterans Affairs.

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 “Fair Treatment for
5 Families of Veterans Act”.

1 **SEC. 2. EFFECTIVE DATE OF CERTAIN REDUCTIONS AND**
2 **DISCONTINUANCES OF COMPENSATION, DE-**
3 **PENDENCY AND INDEMNITY COMPENSATION,**
4 **AND PENSION UNDER LAWS ADMINISTERED**
5 **BY SECRETARY OF VETERANS AFFAIRS.**

6 (a) DETERMINATION OF EFFECTIVE DATE.—

7 (1) IN GENERAL.—Paragraph (1) of section
8 5112(b) of title 38, United States Code, is amend-
9 ed—

10 (A) by striking “by reason” and inserting
11 “(A) in the case of a reduction or discontinu-
12 ance of compensation or pension, by reason”;

13 (B) by inserting “and” after the semicolon;
14 and

15 (C) by adding at the end the following new
16 subparagraph:

17 “(B) in the case of a reduction or discontinu-
18 ance of dependency or indemnity compensation—

19 “(i) by reason of marriage or remarriage,
20 shall be the last day of the month before such
21 marriage or remarriage occurs; and

22 “(ii) by reason of the death of a payee,
23 shall be the last day of the month during which
24 such death occurs;”.

25 (2) APPLICATION.—Subparagraph (B) of para-
26 graph (1) of section 5112(b) of title 38, United

1 States Code, as added by paragraph (1) shall apply
2 with respect to a reduction or discontinuance of de-
3 pendency or indemnity compensation by reason of a
4 death, marriage, or remarriage occurring on or after
5 the date of the enactment of this Act.

6 (b) PAYMENT OF BENEFITS FOR MONTH OF
7 DEATH.—

8 (1) IN GENERAL.—Section 5310(a)(2) of title
9 38, United States Code, is amended—

10 (A) by striking “The amount of the” and
11 inserting “(A) Except as provided by subpara-
12 graph (B), the amount of the”; and

13 (B) by adding at the end the following new
14 subparagraph:

15 “(B)(i) If the surviving spouse of a veteran re-
16 ceives both payments described in clause (ii) for the
17 month of the death of the veteran, the surviving
18 spouse is entitled to the greater of the two pay-
19 ments.

20 “(ii) The payments described in this clause are
21 the following:

22 “(I) Payment of a benefit under paragraph
23 (1).

24 “(II) Dependency and indemnity com-
25 pensation.”.

1 (2) APPLICATION.—The amendment made by
2 paragraph (1) shall apply with respect to payments
3 made by the Secretary of Veterans Affairs on or
4 after the date of the enactment of this Act.

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