

109TH CONGRESS
1ST SESSION

H. R. 1462

To amend title 38, United States Code, to reduce from age 57 to age 55 the age after which the remarriage of the surviving spouse of a deceased veteran shall not result in termination of dependency and indemnity compensation otherwise payable to that surviving spouse.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2005

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

A BILL

To amend title 38, United States Code, to reduce from age 57 to age 55 the age after which the remarriage of the surviving spouse of a deceased veteran shall not result in termination of dependency and indemnity compensation otherwise payable to that surviving spouse.

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. REDUCTION FROM AGE 57 TO AGE 55 THE AGE**
2 **AFTER WHICH A SURVIVING SPOUSE’S RE-**
3 **MARRIAGE SHALL NOT RESULT IN TERMI-**
4 **NATION OF DEPENDENCY AND INDEMNITY**
5 **COMPENSATION.**

6 (a) **REDUCTION IN AGE.**—Section 103(d)(2)(B) of
7 title 38, United States Code, is amended—

8 (1) in the first sentence, by striking “age 57”
9 and inserting “age 55”; and

10 (2) by striking the second sentence.

11 (b) **EFFECTIVE DATE.**—The amendments made by
12 subsection (a) shall take effect on—

13 (1) the first day of the first month that begins
14 after the date of the enactment of this Act; or

15 (2) the first day of the fiscal year that begins
16 in the calendar year in which this Act is enacted, if
17 later than the date specified in paragraph (1).

18 (c) **RETROACTIVE BENEFITS PROHIBITED.**—No ben-
19 efit may be paid to any person by reason of the amend-
20 ment made by subsection (a) for any period before the
21 effective date specified in subsection (b).

22 (d) **APPLICATION FOR BENEFITS.**—In the case of an
23 individual who but for having remarried would be eligible
24 for benefits under title 38, United States Code, by reason
25 of the amendment made by subsection (a) and whose re-
26 marriage was before the date of the enactment of this Act

1 and after the individual had attained age 57, the indi-
2 vidual shall be eligible for such benefits by reason of such
3 amendment only if the individual submits an application
4 for such benefits to the Secretary of Veterans Affairs not
5 later than the end of the one-year period beginning on the
6 date of the enactment of this Act.

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