

110TH CONGRESS
1ST SESSION

H. R. 959

To expand a Department of Defense survivor annuity program that covers unremarried surviving spouses of certain members of the uniformed services who died before October 1, 1978, to include any otherwise eligible surviving spouse who remarries after age 55 or whose remarriage before age 55 is terminated.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2007

Mr. SAXTON introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To expand a Department of Defense survivor annuity program that covers unremarried surviving spouses of certain members of the uniformed services who died before October 1, 1978, to include any otherwise eligible surviving spouse who remarries after age 55 or whose remarriage before age 55 is terminated.

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 “Forgotten Military
5 Widows Annuity Act of 2007”.

1 **SEC. 1. ANNUITY ELIGIBILITY FOR CERTAIN SURVIVING**
2 **SPOUSES WHO REMARRY.**

3 (a) **ELIGIBILITY.**—Paragraph (2) of section 644(a)
4 of the National Defense Authorization Act for Fiscal Year
5 1998 (Public Law 105–85; 10 U.S.C. 1448 note) is
6 amended to read as follows:

7 “(2) A qualified surviving spouse for purposes of this
8 section is a surviving spouse of a member of the uniformed
9 services described in subparagraph (A) or (B) of para-
10 graph (1) who—

11 “(A) has not remarried;

12 “(B) remarried after age 55; or

13 “(C) remarried, whether before or after age 55,
14 but is no longer married as a result of the termi-
15 nation of the subsequent marriage due to death, an-
16 nulment, or divorce.”.

17 (b) **EFFECTIVE DATE OF RESTORED ANNUITY; PRO-**
18 **SPECTIVE APPLICABILITY.**—Such section is further
19 amended by adding at the end the following new para-
20 graphs:

21 “(3) If eligibility for an annuity under this section
22 is established or restored by reason of subparagraph (B)
23 or (C) of paragraph (2), payment of the annuity shall be
24 commenced or resumed effective, subject to paragraph (4),
25 as of the first day of the month in which—

1 “(A) the subsequent marriage occurs, in the
2 case of eligibility under subsection (B); or

3 “(B) the subsequent marriage is terminated, in
4 the case of eligibility under subsection (C).

5 “(4) No annuity or other benefit shall accrue to any
6 person by reason of subparagraph (B) or (C) of paragraph
7 (2) for any period before the first day of the first month
8 beginning on or after the date of the enactment of the
9 Forgotten Military Widows Annuity Act of 2007.”.

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