

112TH CONGRESS
2D SESSION

H. R. 4371

To amend title 38, United States Code, to improve pensions for surviving spouses of World War II and Korean War veterans.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2012

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

A BILL

To amend title 38, United States Code, to improve pensions for surviving spouses of World War II and Korean War veterans.

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 “Fairness for World
5 War II and Korean War Spouses Act”.

6 **SEC. 2. PENSIONS FOR SPOUSES OF WORLD WAR II AND KO-**
7 **REAN WAR VETERANS.**

8 (a) INCREASE OF PENSION.—

1 (1) IN GENERAL.—Chapter 15 of title 38,
2 United States Code, is amended by inserting after
3 section 1543 the following new section:

4 **“§ 1544. Surviving spouses of World War II and Ko-**
5 **rean conflict veterans**

6 “(a) AMOUNT OF PENSION.—Notwithstanding the
7 amounts specified under section 1541 of this title, the an-
8 nual rate of a pension paid to a covered surviving spouse
9 under this chapter shall be the amount that is the greater
10 of the following amounts reduced by the amount of the
11 surviving spouse’s annual income:

12 “(1) The applicable amount specified under
13 such section 1541.

14 “(2) The amount that is equal to the poverty
15 line (as defined in section 673(2) of the Community
16 Services Block Grant Act (42 U.S.C. 9902(2))), as
17 determined by the Secretary of Health and Human
18 Services for the year prior to the year in which the
19 pension is paid.

20 “(b) DETERMINATION OF ANNUAL INCOME.—In de-
21 termining the annual income of a covered surviving spouse
22 under section 1503 of this title, the Secretary may not
23 include benefit amounts paid to the covered surviving
24 spouse by a Federal entity, including benefit amounts pay-

1 able under title II of the Social Security Act (42 U.S.C.
2 401 et seq.).

3 “(c) COVERED SURVIVING SPOUSE.—In this section,
4 the term ‘covered surviving spouse’ means a surviving
5 spouse of a veteran who served during World War II or
6 the Korean conflict.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of such chapter is amended
9 by inserting after the item relating to section 1543
10 the following new item:

“1544. Surviving spouses of World War II and Korean War veterans.”.

11 (b) CONFORMING AMENDMENT.—Section 1541(a) of
12 title 38, United States Code, is amended by inserting be-
13 fore the period “, or section 1544, as the case may be”.

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