

115TH CONGRESS
1ST SESSION

H. R. 4106

To amend title 38, United States Code, to provide for an increase in the amount of monthly dependents and survivors income security benefit payable to surviving spouses by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 2017

Ms. SHEA-PORTER (for herself and Ms. ROSEN) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for an increase in the amount of monthly dependents and survivors income security benefit payable to surviving spouses 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 “Surviving Spouses In-
5 come Security Act”.

1 **SEC. 2. INCREASE IN AMOUNT OF DEPENDENTS AND SUR-**
2 **VIVORS INCOME SECURITY BENEFIT PAY-**
3 **ABLE TO SURVIVING SPOUSES BY THE SEC-**
4 **RETARY OF VETERANS AFFAIRS.**

5 (a) INCREASE.—Section 1311(a) of title 38, United
6 States Code, is amended—

7 (1) in paragraph (1), by striking “of \$1,154”
8 and inserting “equal to 55 percent of the rate of
9 monthly compensation in effect under section
10 1114(j) of this title”; and

11 (2) by striking paragraph (3).

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—Except as provided by para-
14 graph (2), the amendments made by subsection (a)
15 shall apply with respect to compensation paid under
16 chapter 13 of title 38, United States Code, for
17 months beginning after the date that is six months
18 after the date of the enactment of this Act.

19 (2) SPECIAL RULE FOR CERTAIN INDIVID-
20 UALS.—

21 (A) For months beginning after the date
22 that is six months after the date of the enact-
23 ment of this Act, the Secretary of Veterans Af-
24 fairs shall pay to an individual described in sub-
25 paragraph (B) dependents and survivors income
26 security benefit under section 1311 of title 38,

1 United States Code, in the monthly amount
 2 that is the greater of the following:

3 (i) The amount determined under sub-
 4 section (a)(3) of such section 1311, as in
 5 effect on the day before the date of the en-
 6 actment of this Act.

7 (ii) The amount determined under
 8 subsection (a)(1) of such section 1311, as
 9 amended by subsection (a).

10 (B) An individual described in this sub-
 11 paragraph is an individual eligible for depend-
 12 ents and survivors income security benefit
 13 under section 1311 of title 38, United States
 14 Code, that is predicated on the death of a vet-
 15 eran before January 1, 1993.

16 **SEC. 3. MODIFICATION OF REQUIREMENTS FOR DEPEND-**
 17 **ENTS AND SURVIVORS INCOME SECURITY**
 18 **BENEFIT PAYABLE BY DEPARTMENT OF VET-**
 19 **ERANS AFFAIRS FOR SURVIVORS OF CERTAIN**
 20 **VETERANS RATED TOTALLY DISABLED AT**
 21 **TIME OF DEATH.**

22 Section 1318 of title 38, United States Code, is
 23 amended—

24 (1) in subsection (a)—

1 (A) by striking “The Secretary” and in-
 2 serting “(1) Except as provided in paragraph
 3 (2), the Secretary”; and

4 (B) by adding at the end the following new
 5 paragraph:

6 “(2) In any case in which the Secretary makes a pay-
 7 ment under paragraph (1) of this subsection by reason
 8 of subsection (b)(1) and the period of continuous rating
 9 immediately preceding death is less than 10 years, the
 10 amount payable under paragraph (1) of this subsection
 11 shall be an amount which bears the same relationship to
 12 the amount otherwise payable under such paragraph as
 13 the duration of such period bears to 10 years.”; and

14 (2) in subsection (b)(1), by striking “10 or
 15 more years” and inserting “five or more years”.

16 **SEC. 4. ELIGIBILITY FOR DEPENDENTS AND SURVIVORS IN-**
 17 **COME SECURITY BENEFIT PAYABLE BY DE-**
 18 **PARTMENT OF VETERANS AFFAIRS FOR SUR-**
 19 **VIVING SPOUSES WHO REMARRY AFTER AGE**
 20 **55.**

21 Section 103(d)(2)(B) of title 38, United States Code,
 22 is amended in the second sentence by inserting “chapter
 23 13 or” after “benefits under”.

1 **SEC. 5. RENAMING OF DEPENDENCY AND INDEMNITY COM-**
2 **PENSATION TO DEPENDENTS AND SUR-**
3 **VIVORS INCOME SECURITY BENEFIT.**

4 (a) IN GENERAL.—Chapter 13 of title 38, United
5 States Code, is amended—

6 (1) by striking “dependency and indemnity
7 compensation” each place it appears, including the
8 table of sections, and inserting “dependents and sur-
9 vivors income security benefit”; and

10 (2) by conforming the typeface and typestyle,
11 including capitalization, of such inserted matter to
12 the typeface and typestyle as used in such stricken
13 matter.

14 (b) REFERENCES.—Any reference in law to depend-
15 ency and indemnity compensation paid by the Secretary
16 of Veterans Affairs pursuant to chapter 13 of such title
17 shall be deemed to be a reference to dependents and sur-
18 vivors income security benefit.

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