

115TH CONGRESS
2D SESSION

S. 2485

To amend title 38, United States Code, to provide payment of Medal of Honor special pension under such title to the surviving spouse of a deceased Medal of Honor recipient, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2018

Mr. SULLIVAN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide payment of Medal of Honor special pension under such title to the surviving spouse of a deceased Medal of Honor recipient, 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 “Medal of Honor Sur-
5 viving Spouses Recognition Act of 2018”.

1 **SEC. 2. MEDAL OF HONOR SPECIAL PENSION FOR SUR-**
 2 **VIVING SPOUSES.**

3 (a) CODIFICATION OF CURRENT RATE OF SPECIAL
 4 PENSION.—Subsection (a) of section 1562 of title 38,
 5 United States Code, is amended by striking “\$1,000” and
 6 inserting “\$1,329.58”.

7 (b) SPECIAL PENSION FOR SURVIVING SPOUSES.—

8 (1) SURVIVING SPOUSE BENEFIT.—Such sub-
 9 section is further amended—

10 (A) by inserting “(1)” after “(a)”; and

11 (B) by adding at the end the following new
 12 paragraph:

13 “(2)(A) Except as provided in subparagraph (B), the
 14 Secretary shall pay special pension under this section to
 15 the surviving spouse of a person who was awarded a Medal
 16 of Honor as described in section 1560(b) of this title.

17 “(B) No special pension shall be paid to a surviving
 18 spouse of a person under this section unless such surviving
 19 spouse was married to such person—

20 “(i) for one year or more prior to the veteran’s
 21 death; or

22 “(ii) for any period of time if a child was born
 23 of the marriage, or was born to them before the
 24 marriage.”.

25 (2) CONFORMING AMENDMENTS.—

1 (A) IN GENERAL.—Such section is amend-
 2 ed—

3 (i) in subsection (d), by inserting “or
 4 married to more than one person who has
 5 been awarded the Medal of Honor,” after
 6 “Honor,”; and

7 (ii) in subsection (f)(1), by striking
 8 “this section” and inserting “paragraph
 9 (1) of subsection (a), or under paragraph
 10 (2) of such subsection in the case of a
 11 posthumous entry on the Army, Navy, Air
 12 Force, and Coast Guard medal of Honor
 13 Roll,”.

14 (B) SPECIAL PROVISIONS RELATING TO
 15 MARRIAGES.—Section 103(d)(5) of such title is
 16 amended by adding at the end the following
 17 new subparagraph:

18 “(E) Section 1562(a)(2), relating to Medal of
 19 Honor special pension.”.

20 (3) EFFECTIVE DATE.—The amendments made
 21 by this subsection shall apply with respect to pay-
 22 ment of pension under section 1562 of title 38,
 23 United States Code, for months beginning after the
 24 date of the enactment of this Act.

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