

118TH CONGRESS
1ST SESSION

H. R. 854

To amend titles 10 and 38, United States Code, to expand certain benefits for surviving spouses of members of the Armed Forces who die in line of duty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2023

Mr. WALTZ (for himself, Mr. MOULTON, Mr. BACON, and Mr. CROW) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles 10 and 38, United States Code, to expand certain benefits for surviving spouses of members of the Armed Forces who die in line of duty, 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 “Captain James C.
5 Edge Gold Star Spouse Equity Act”.

1 **SEC. 2. CONTINUED ELIGIBILITY FOR SURVIVOR BENEFIT**
2 **PLAN FOR CERTAIN SURVIVING SPOUSES**
3 **WHO REMARRY.**

4 Section 1450(b)(2) of title 10, United States Code,
5 is amended—

6 (1) by striking “An annuity” and inserting
7 “(A) Subject to subparagraph (B), an annuity”; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(B) The Secretary may not terminate payment
11 of an annuity for a surviving spouse described in
12 subparagraph (A) or (B) of section 1448(d)(1) solely
13 because that surviving spouse remarries. In the case
14 of a surviving spouse who remarried before reaching
15 age 55 and before the date of the enactment of the
16 Captain James C. Edge Gold Star Spouse Equity
17 Act, the Secretary shall resume payment of the an-
18 nuity to that surviving spouse for each month after
19 the date of the enactment of that Act.”.

20 **SEC. 3. CONTINUED ELIGIBILITY FOR DEPENDENCY AND**
21 **INDEMNITY COMPENSATION FOR SURVIVING**
22 **SPOUSES WHO REMARRY.**

23 (a) IN GENERAL.—Section 103(d) of title 38, United
24 States Code, is amended—

25 (1) in paragraph (2)(B), by adding at the end
26 the following: “The remarriage of a surviving spouse

1 shall not bar the furnishing of benefits under section
2 1311 of this title to the surviving spouse of a vet-
3 eran.”; and

4 (2) in paragraph (5), by striking subparagraph
5 (A) and renumbering subparagraphs (B) through
6 (E) as subparagraphs (A) through (D), respectively.

7 (b) RESUMPTION OF PAYMENTS TO CERTAIN INDI-
8 VIDUALS PREVIOUSLY DENIED DEPENDENCY AND IN-
9 DEMNITY COMPENSATION.—Beginning on the first day of
10 the first month after the date of the enactment of this
11 Act, the Secretary shall resume payment of dependency
12 and indemnity compensation under section 1311 of such
13 title to each living individual who—

14 (1) is the surviving spouse of a veteran; and

15 (2) remarried before—

16 (A) reaching age 57; and

17 (B) the date of the enactment of this Act.

○