

115TH CONGRESS
1ST SESSION

S. 2088

To amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2017

Mrs. FISCHER introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Gold Star Family Sup-
3 port and Installation Access Act of 2017”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Since World War I, the gold star symbol
7 has been used by American families to honor mem-
8 bers of the Armed Forces who have given their lives
9 in service to the Nation.

10 (2) Surviving families of deceased members of
11 the Armed Forces confront many challenges, often
12 made worse by policies that fail to compassionately
13 honor the memory of their loved one’s service and
14 sacrifice to the Nation.

15 (3) There is an obligation to ensure that the
16 Gold Star family connections to the military commu-
17 nity remain an eternal bond providing strength and
18 comfort to surviving family members and to those
19 still serving.

20 (4) Individual military services have recognized
21 the need to provide installation access to Gold Star
22 families to attend memorial events, visit gravesites,
23 and access other benefits for which family members
24 are eligible and entitled.

25 (5) Surviving families of deceased members of
26 the Armed Forces relocate to other parts of the

1 country, often far away from the service installation
 2 where their loved one last served.

3 (6) Current Department of Defense policy re-
 4 scinds on-base benefits to surviving spouses of de-
 5 ceased service members who remarry, even when de-
 6 pendent children under the guardianship of the sur-
 7 viving spouse remain eligible for benefits, effectively
 8 rendering these benefits inaccessible by the children
 9 of the deceased member.

10 **SEC. 3. ISSUANCE OF GOLD STAR INSTALLATION ACCESS**

11 **CARDS.**

12 (a) ISSUANCE AND CONDITIONS ON USE.—

13 (1) IN GENERAL.—Chapter 57 of title 10,
 14 United States Code, is amended by inserting after
 15 section 1126 the following new section:

16 **“§ 1126a. Gold Star Installation Access Card: issuance**
 17 **and protections**

18 “(a) ISSUANCE TO GOLD STAR SURVIVING SPOUSE
 19 AND DEPENDENT CHILDREN OF DECEASED MEMBER RE-
 20 QUIRED.—The Secretary concerned shall provide for the
 21 issuance of a standardized Gold Star Installation Access
 22 Card to the widow and dependent children of a deceased
 23 member of the armed forces described in section 1126(a)
 24 of this title to facilitate their ability to gain unescorted
 25 access to military installations for the purpose of attend-

1 ing memorial events, visiting gravesites, and obtaining the
2 on-installation services and benefits to which they are enti-
3 tled or eligible.

4 “(b) ISSUANCE TO OTHER NEXT OF KIN AUTHOR-
5 IZED.—At the discretion of the Secretary concerned, the
6 Secretary concerned may provide the Gold Star Installa-
7 tion Access Card to the parents and other next of kin of
8 a deceased member of the armed forces described in sec-
9 tion 1126(a) of this title.

10 “(c) SERVICE-WIDE ACCEPTANCE OF ACCESS
11 CARD.—The Secretaries concerned shall work together to
12 ensure that a Gold Star Installation Access Card issued
13 by one armed force is accepted for access to military in-
14 stallations under the jurisdiction of another armed force.

15 “(d) PROTECTION OF INSTALLATION SECURITY.—In
16 developing, issuing, and accepting the Gold Star Installa-
17 tion Access Card, the Secretary concerned may take such
18 measures as the Secretary concerned considers nec-
19 essary—

20 “(1) to prevent fraud in the procurement or use
21 of the Gold Star Installation Access Card;

22 “(2) to limit installation access to those areas
23 of the installation that provide the services and ben-
24 efits for which the recipient of the Gold Star Instal-
25 lation Access Card is entitled or eligible; and

1 “(3) to ensure that the availability and use of
2 the Gold Star Installation Access Card does not ad-
3 versely affect military installation security.

4 “(e) TERMINATION.—The Gold Star Installation Ac-
5 cess Card for the widow and dependent children of a de-
6 ceased member of the armed forces shall remain valid for
7 the life of the widow or child, regardless of subsequent
8 marital status of the widow, subject to periodic renewal
9 as determined by the Secretary concerned to ensure mili-
10 tary installation security.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of chapter 57 of title 10,
13 United States Code, is amended by inserting after
14 the item relating to section 1126 the following new
15 item:

 “1126a. Gold Star Installation Access Card: issuance and protections.”.

16 (b) APPLICABILITY OF CURRENT DEFINITIONS.—
17 Section 1126(d) of title 10, United States Code is amend-
18 ed by striking the matter preceding paragraph (1) and in-
19 serting the following: “In this section and section 1126a
20 of this title:”.

21 **SEC. 4. EXTENSION OF COMMISSARY AND EXCHANGE BEN-**
22 **EFITS FOR REMARRIED SPOUSES WITH DE-**
23 **PENDENT CHILDREN.**

24 (a) BENEFITS.—Section 1062 of title 10, United
25 States Code, is amended—

1 (1) by striking “The Secretary of Defense” and
2 inserting the following:

3 “(a) CERTAIN UNREARRIED FORMER SPOUSES.—
4 The Secretary of Defense”; and

5 (2) by adding at the end the following new sub-
6 section:

7 “(b) CERTAIN REMARRIED SURVIVING SPOUSES.—
8 The Secretary of Defense shall prescribe such regulations
9 as may be necessary to provide that a surviving spouse
10 of a deceased member of the armed forces, regardless of
11 the marital status of the surviving spouse, who has guard-
12 ianship of dependent children of the deceased member is
13 entitled to use commissary stores and MWR retail facili-
14 ties to the same extent and on the same basis as the
15 unremarried surviving spouse of a member of the uni-
16 formed services.”.

17 (b) CONFORMING AMENDMENTS.—Section 1062 of
18 title 10, United States Code, is further amended—

19 (1) by striking “commissary and exchange
20 privileges” and inserting “use commissary stores
21 and MWR retail facilities”; and

22 (2) by adding at the end the following new sub-
23 section:

1 “(c) MWR RETAIL FACILITIES.—The term ‘MWR
2 retail facilities’ has the meaning given that term in section
3 1063(e) of this title.”.

4 (c) CLERICAL AMENDMENTS.—

5 (1) SECTION HEADING.—The heading of section
6 1062 of title 10, United States Code, is amended to
7 read as follows:

8 **“§ 1062. Certain former spouses and surviving
9 spouses”.**

10 (2) TABLE OF SECTIONS.—The table of sections
11 at the beginning of chapter 54 of title 10, United
12 States Code, is amended by striking the item relat-
13 ing to section 1062 and inserting the following new
14 item:

“1062. Certain former spouses and surviving spouses.”.

○