

**AMENDMENT TO RULES COMMITTEE PRINT**  
**118-36**  
**OFFERED BY MR. PHILLIPS OF MINNESOTA**

Add at the end of subtitle D of title VI the following:

1 **SEC. 6\_\_\_ . EXTENSION OF CERTAIN BENEFITS FOR SUR-**  
2 **VIVING SPOUSES WHO REMARRY.**

3 (a) CONTINUED ELIGIBILITY FOR SURVIVOR BEN-  
4 EFIT PLAN FOR CERTAIN SURVIVING SPOUSES WHO RE-  
5 MARRY.—Section 1450(b)(2) of title 10, United States  
6 Code, is amended—

7 (1) by striking “An annuity” and inserting the  
8 following:

9 “(A) IN GENERAL.—(A) Subject to sub-  
10 paragraph (B), an annuity”; and

11 (2) by adding at the end the following new sub-  
12 paragraph:

13 “(B) TREATMENT OF SURVIVORS OF MEM-  
14 BERS WHO DIE ON ACTIVE DUTY.—The Sec-  
15 retary may not terminate payment of an annu-  
16 ity for a surviving spouse described in subpara-  
17 graph (A) or (B) of section 1448(d)(1) solely  
18 because that surviving spouse remarries. In the

1 case of a surviving spouse who remarried before  
2 reaching age 55 and before the date of the en-  
3 actment of Love Lives On Act of 2023, the Sec-  
4 retary shall resume payment of the annuity to  
5 that surviving spouse—

6 “(i) except as provided by clause (ii),  
7 for each month that begins on or after the  
8 date that is one year after such date of en-  
9 actment; or

10 “(ii) on January 1, 2023, in the case  
11 of a surviving spouse who elected to trans-  
12 fer payment of that annuity to a surviving  
13 child or children under the provisions of  
14 section 1448(d)(2)(B) of title 10, United  
15 States Code, as in effect on December 31,  
16 2019.”.

17 (b) EXPANSION OF DEFINITION OF DEPENDENT  
18 UNDER TRICARE PROGRAM TO INCLUDE A REMARRIED  
19 WIDOW OR WIDOWER WHOSE SUBSEQUENT MARRIAGE  
20 HAS ENDED.—Section 1072(2) of title 10, United States  
21 Code, is amended—

22 (1) in subparagraph (H), by striking “; and”  
23 and inserting a semicolon;

24 (2) in subparagraph (I)(v), by striking the pe-  
25 riod at the end and inserting “; and”; and

1           (3) by adding at the end the following new sub-  
2 paragraph:

3           “(J) a remarried widow or widower whose  
4 subsequent marriage has ended due to death,  
5 divorce, or annulment.”.

6       (c) DEFINITION OF SURVIVING SPOUSE FOR PUR-  
7 POSES OF VETERANS BENEFITS.—Paragraph (3) of sec-  
8 tion 101 of title 38, United States Code, is amended to  
9 read as follows:

10           “(3) The term ‘surviving spouse’ means (except  
11 for purposes of chapter 19 of this title) a person  
12 who was the spouse of a veteran at the time of the  
13 veteran’s death, and who lived with the veteran con-  
14 tinuously from the date of marriage to the date of  
15 the veteran’s death (except where there was a sepa-  
16 ration which was due to the misconduct of, or pro-  
17 cured by, the veteran without the fault of the  
18 spouse) and who has not remarried.”.

19       (d) MODIFICATION OF ENTITLEMENT TO VETERANS  
20 DEPENDENCY AND INDEMNITY COMPENSATION FOR SUR-  
21 VIVING SPOUSES WHO REMARRY.—

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

24           (A) in paragraph (2)(B)—

1 (i) by inserting “(i)” before “The re-  
2 marriage”;

3 (ii) in clause (i), as designated by  
4 clause (i), by striking “Notwithstanding  
5 the previous sentence” and inserting the  
6 following:

7 “(ii) Notwithstanding clause (i)”; and

8 (iii) by adding at the end the fol-  
9 lowing new clause:

10 “(iii) Notwithstanding clause (ii), the remarriage of  
11 a surviving spouse shall not bar the furnishing of benefits  
12 under section 1311 of this title to the surviving spouse  
13 of a veteran.”; and

14 (B) in paragraph (5)—

15 (i) by striking subparagraph (A); and

16 (ii) by renumbering subparagraphs  
17 (B) through (E) as subparagraphs (A)  
18 through (D), respectively.

19 (2) RESUMPTION OF PAYMENTS TO CERTAIN  
20 INDIVIDUALS PREVIOUSLY DENIED DEPENDENCY  
21 AND INDEMNITY COMPENSATION.—Beginning on the  
22 first day of the first month after the date of the en-  
23 actment of this Act, the Secretary shall resume pay-  
24 ment of dependency and indemnity compensation

1 under section 1311 of such title to each living indi-  
2 vidual who—

3 (A) is the surviving spouse of a veteran;

4 and

5 (B) remarried before—

6 (i) reaching age 55; and

7 (ii) the date of the enactment of this

8 Act.

9 (e) REMOVAL OF EXPIRATION ON ENTITLEMENT TO  
10 MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOL-  
11 ARSHIP FOR SURVIVING SPOUSES.—Section 3311(f) of  
12 title 38, United States Code, is amended—

13 (1) by striking paragraph (2);

14 (2) by redesignating paragraphs (3) through  
15 (5) as paragraphs (2) through (4), respectively;

16 (3) in paragraph (2), as redesignated by para-  
17 graph (2) of this subsection, by striking “in para-  
18 graph (4)” and inserting “in paragraph (3)”; and

19 (4) in paragraph (3)(A), as redesignated by  
20 paragraph (2) of this subsection, by striking “under  
21 paragraph (3)” and inserting “under paragraph  
22 (2)”.

