



Legislative Report
February 7, 2020

Bills and Resolutions presently in the 116th Congress (2019-2020)

H.R. 2819 - Gold Star Families National Monument Extension Act. House Committee on Natural Resources. Report completed, Naming incorrect.

S. 1673 - Gold Star Families National Monument Extension Act. Senate Committee of Energy and Natural Resources.

S. 1714 Elevating the Voices of Gold Star Wives Act of 2019. Change in Charter.

H. Res. 706 - Resolution Expressing support for the designation of November 9, 2019 as Gold Star Father's Day. 11/15/19 Referred to the House Committee on Oversight and Reform.

H. Res. 269 – Introduced Resolution Expressing support for the designation of March 2, 2020, as Gold Star Families Remembrance Day”. 3/29/19 Referred to the Subcommittee on Military Personnel.

H. Res. 39 – Resolution expressing support for the designation of March 2, 2019 as “Gold Star Families Remembrance Day”. 3/29/19 Referred to the Subcommittee on Military Personnel

S. Res. 313 – Resolution designating the week of September 22 through September 28, 2019 as “Gold Star Families Remembrance Week”. Agreed to in Senate

S. Res. 93 – A resolution expressing support for the designation of March 2, 2019, as Gold Star Families Remembrance Day”. Agreed to in Senate

S.1370 – Gold Star Family Tax Relief Act – Passed Senate

H.R. 2481 – Gold Star Family Tax Relief Act. Referred to the House Committee on Ways and Means.

H. Res. 107 – SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act. Agreed to in House

H. Res. 812 Technical correction for above – Agreed to in House

S. Res 98. SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act. Agreed to in Senate

H.R. 3938 – Gold Star Children Act. Referred to the House Committee on Oversight and Reform.

H.R. 2716 – Protecting Gold Star Children Act of 2019. Referred to House Committee on Ways and Means.

H. Res. 82 – A resolution establishing the Congressional Gold Star Fellowship Program for the placement in offices of Members of the House of Representatives of children, spouses and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury. Agreed to in House

H.R. 847 – Protecting Gold Star Spouses Act of 2019 – Referred to the House Committee on Appropriations.

H. R. 1911 – SFC Brian Woods Gold Star and Military Survivors Act – House- Armed Services: Veterans' Affairs. Subcommittee Hearings Held

S. 1715 – Gold Star Families Congressional Gold Medal Act of 2019. Senate – Banking, Housing and Urban Affairs.

S. 2450 – Protecting Immigrant Gold Star and Military Families Act. Referred to the Committee on the Judiciary

H.R. 3806 - Protecting Immigrant Gold Star and Military Families Act. Referred to the Subcommittee on Immigration and Citizenship.

S. 1851 Protecting Our Gold Star Families' Education Act of 2019. Referred to the Committee on Health, Education, Labor and Pensions.

S. 1716 A bill to provide for the issuance of a "Gold Star Families Forever Stamp" to honor the sacrifices of families who have lost a loved one who was a member of the Armed Forces in combat. Referred to the Committee on Homeland Security and Governmental Affairs.

S.1118 – Gold Star Spouses and Spouses of Injured Servicemembers Leasing Relief Expansion Act of 2019. Referred to the Senate Committee on Veterans' Affairs

H.R. 2227- Gold Star Spouses and Spouses of Injured Servicemembers Leasing Relief Expansion Act of 2019. House – Veterans' Affairs.

S. 2371 – Honor and Remember Flag Act of 2019-Referred to the Committee on the Judiciary

H.R. 3615 – Honor and Remember Flag Recognition Act – Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

U.S. 1790 National Defense Authorization Act for Fiscal Year 2020, Passed into law 1/3/20.

Sec. 580A – Transportation of remains of casualties; travel expenses for next of kin.

Sec. 580B – Meetings of officials of the Department of Defense with representative groups of survivors of deceased members of the Armed Forces.

Sec. 581 – Gold Star Lapel Buttons

Sec. 602 – Death benefits if participating in Career inter-mission program.

Sec. 622 – Survivor Benefit Plan

Expansion of authority to provide financial assistance to civilian providers of childcare services or youth program services who provide such services to survivors of members of the Armed Forces who die in combat in the line of duty.

Sec. 623 – Casualty assistance for survivors of deceased ROTC graduates.

Sec. 624 – Childcare assistance to providers

Sec. 625 – SOS Assistance for ROTC Graduate survivors.

The specifics are as follows:

SEC. 580A. TRANSPORTATION OF REMAINS OF CASUALTIES; TRAVEL EXPENSES FOR NEXT OF KIN.

(a) TRANSPORTATION FOR REMAINS OF A MEMBER WHO DIES NOT IN A THEATER OF COMBAT OPERATIONS. Section 562 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109364; 10 U.S.C. 1482 note), as amended by section 573 of this Act, is further amended (1) in the heading, by striking DYING IN A THEATER OF COMBAT OPERATIONS; and (2) in subsection (a), by striking in a combat theater of operations and inserting outside of the United States. (b) TRANSPORTATION FOR FAMILY. The Secretary of Defense shall extend travel privileges via Invitational Travel Authorization to family members of members of the Armed Forces who die outside of the United States and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware.

SEC. 580B. MEETINGS OF OFFICIALS OF THE DEPARTMENT OF DEFENSE WITH REPRESENTATIVE GROUPS OF SURVIVORS OF DECEASED MEMBERS OF THE ARMED FORCES.

(a) CHIEFS OF THE ARMED FORCES. The Secretary of Defense shall direct the chiefs of the Armed Forces to meet periodically with representative groups of survivors of deceased members of the Armed Forces to receive feedback from those survivors regarding issues affecting such survivors. The Chief of the National Guard Bureau shall meet with representative groups of survivors of deceased members of the Air National Guard and the Army National Guard. (b) UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS. The Under Secretary of Defense for Personnel and Readiness shall meet periodically with representative groups of survivors of deceased members of the Armed Forces to discuss policies of the

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Department of Defense regarding military casualties and Gold Star families.

SEC. 581.

MODIFICATION OF AUTHORITIES ON ELIGIBILITY FOR AND REPLACEMENT OF GOLD STAR LAPEL BUTTONS.

(a) EXPANSION OF AUTHORITY TO DETERMINE NEXT OF KIN FOR ISSUANCE. Section 1126 of title 10, United States Code, is amended

(1) in subsection (a), by striking widows, parents, and in the matter preceding paragraph (1); (2) in subsection (b), by striking the widow and to each parent and and inserting each; and (3) in subsection (d) (A) by striking paragraphs (1), (2), (3), and (4) and inserting the following new paragraph (1): (1) The term next of kin means individuals standing

in such relationship to members of the armed forces described in subsection (a) as the Secretaries concerned shall jointly specify in regulations for purposes of this section.; and

(B) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (2), (3), (4), and (5), respectively.

(b) REPLACEMENT. Subsection (c) of such section is amended by striking and payment and all that follows and inserting and without cost..

SEC. 602.

CONTINUED ENTITLEMENTS WHILE A MEMBER OF THE ARMED FORCES PARTICIPATES IN A CAREER INTER-MISSION PROGRAM.

Section 710(h) of title 10, United States Code, is amended

(1) in paragraph (1), by striking ; and and inserting a semicolon; (2) in paragraph (2), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

(3) the entitlement of the member and of the survivors of the member to all death benefits under the provisions of chapter 75 of this title;

(4) the provision of all travel and transportation allowances for the survivors of deceased members to attend burial ceremonies under section 481f of title 37; and

(5) the eligibility of the member for general benefits as provided in part II of title 38..

SEC. 622.

PHASE-OUT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY AMOUNT OF DEPENDENCY AND INDEMNITY COMPENSATION.

(a) PHASE-OUT. Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(1) IN GENERAL. In section 1450(c)(1) (A) by striking that the annuity otherwise payable under this section would exceed that compensation. and inserting calculated as follows:; and

(B) by adding at the end the following:

(A) During the period beginning on January 1, 2020, and ending on December 31, 2020, the amount that the annuity otherwise payable under this section would exceed such dependency and indemnity compensation.

(B) During the period beginning on January 1, 2021, and ending on December 31, 2021, the amount that the annuity otherwise payable under this section would exceed two-thirds of such dependency and indemnity compensation.

(C) During the period beginning on January 1, 2022, and ending on December 31, 2022, the amount that the annuity otherwise payable under this section would exceed one-third of such dependency and indemnity compensation.

(D) On and after January 1, 2023, the full amount of the annuity under this section..

(2) CONFORMING AMENDMENT. In section 1451(c)(2), by inserting a portion (calculated under section 1450(c) of this title) of before the amount.

(b) PROHIBITION ON RETROACTIVE BENEFITS. No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a). (c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PRE-VIOUSLY REFUNDED TO SBP RECIPIENTS. A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States. (d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN. Section 1448(d)(2) of such title is amended (1) by striking DEPENDENT CHILDREN. and all that follows through In the case of a member described in paragraph (1), and inserting DEPENDENT CHILDREN. In the case of a member described in paragraph (1),; and (2) by striking subparagraph (B). S. 1790231 (e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES. The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment. (f) EFFECTIVE DATE. This section and the amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act, except subsections (d) and (e) of this section and the amendments made thereby shall take effect on January 1, 2023.

SEC. 623.

DEATH GRATUITY FOR ROTC GRADUATES.

- (a) IN GENERAL. Section 1475(a)(4) of title 10, United States Code, is amended by adding ; or a graduate of a reserve officers training corps who has received a commission but has yet to receive a first duty assignment; or at the end.
- (b) EFFECTIVE DATE. The amendment under subsection (a) applies to deaths that occur on or after the date of the enactment of this Act.

SEC. 624.

EXPANSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE SERVICES OR YOUTH PROGRAM SERVICES WHO PROVIDE SUCH SERVICES TO SURVIVORS OF MEMBERS OF THE ARMED FORCES WHO DIE IN COMBAT IN THE LINE OF DUTY.

Section 1798(a) of title 10, United States Code, is amended by inserting , survivors of members of the armed forces who die in combat-related incidents in the line of duty, after armed forces.

SEC. 625.

CASUALTY ASSISTANCE FOR SURVIVORS OF DECEASED ROTC GRADUATES.

Section 633 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 1475 note) is amended by adding at the end the following new subsection:

(c) ROTC GRADUATES.

- (1) TREATED AS MEMBERS. For purposes of this section, a graduate of a reserve officers training corps who receives a commission and who dies before receiving a first duty assignment shall be treated as a member of the Armed Forces who dies while on active duty.
- (2) EFFECTIVE DATE. This subsection applies to deaths on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020..