

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4087
OFFERED BY MR. ABRAHAM**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fair Treatment for
3 Families of Veterans Act”.

4 **SEC. 2. EFFECTIVE DATE OF CERTAIN REDUCTIONS AND**
5 **DISCONTINUANCES OF COMPENSATION, DE-**
6 **PENDENCY AND INDEMNITY COMPENSATION,**
7 **AND PENSION UNDER LAWS ADMINISTERED**
8 **BY SECRETARY OF VETERANS AFFAIRS.**

9 (a) DETERMINATION OF EFFECTIVE DATE.—

10 (1) IN GENERAL.—Paragraph (1) of section
11 5112(b) of title 38, United States Code, is amended
12 by striking “last day of the month before” and in-
13 serting “last day of the month during which”. as fol-
14 lows:

15 “(1)(A) by reason of marriage or remarriage
16 shall be the last day of the month before such mar-
17 riage or remarriage occurs; and

1 “(B) by reason of the death of a payee shall be
2 the last day of the month during which such death
3 occurs;”.

4 (2) APPLICATION.—The amendment made by
5 paragraph (1) shall apply with respect to a reduction
6 or discontinuance of compensation, dependency or
7 indemnity compensation, or pension by reason of a
8 death occurring on or after the date of the enact-
9 ment of this Act.

10 (b) PAYMENT OF BENEFITS FOR MONTH OF
11 DEATH.—

12 (1) IN GENERAL.—Section 5310(a)(2) of title
13 38, United States Code, is amended—

14 (A) by striking “The amount of the” and
15 inserting “(A) Except as provided by subpara-
16 graph (B), the amount of the”; and

17 (B) by adding at the end the following new
18 subparagraph:

19 “(B)(i) If the surviving spouse of a veteran re-
20 ceives both payments described in clause (ii) for the
21 month of the death of the veteran, the surviving
22 spouse is entitled to the greater of the two pay-
23 ments.

24 “(ii) The payments described in this clause are
25 the following:

1 “(I) Payment of a benefit under paragraph
2 (1).

3 “(II) Dependency and indemnity com-
4 pensation.”.

5 (2) APPLICATION.—The amendment made by
6 paragraph (1) shall apply with respect to payments
7 made by the Secretary of Veterans Affairs on or
8 after the date of the enactment of this Act.

