

117TH CONGRESS
1ST SESSION

H. R. 4191

To restore certain non-monetary Federal benefits to surviving spouses, eligible for the Gold Star lapel button, who remarried, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2021

Ms. STEFANIK (for herself and Mr. KIM of New Jersey) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Oversight and Reform, 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 restore certain non-monetary Federal benefits to surviving spouses, eligible for the Gold Star lapel button, who remarried, 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 “Gold Star Spouses
5 Non-Monetary Benefits Act”.

1 **SEC. 2. FEDERAL BENEFITS FOR REMARRIED SURVIVING**
2 **SPOUSES ELIGIBLE FOR THE GOLD STAR**
3 **LAPEL BUTTON.**

4 (a) CIVIL SERVICE.—

5 (1) PREFERENCE ELIGIBLE.—Section
6 2108(3)(D) of title 5, United States Code, is amend-
7 ed by striking “unmarried”.

8 (2) NONCOMPETITIVE APPOINTMENT.—Section
9 3330d(a)(3)(B) of such title is amended to read as
10 follows:

11 “(B) who was married to a member of the
12 Armed Forces on the date on which the mem-
13 ber dies while on active duty in the Armed
14 Forces.”.

15 (b) DEPARTMENT OF DEFENSE.—

16 (1) COMMISSARY AND EXCHANGE BENEFITS.—
17 Section 1062 of title 10, United States Code, is
18 amended—

19 (A) by inserting “(a) UNREARRIED
20 FORMER SPOUSES.—” before “The Secretary”;
21 and

22 (B) by adding at the end the following new
23 subsection:

24 “(b) SURVIVING SPOUSES ELIGIBLE FOR THE GOLD
25 STAR LAPEL BUTTON.—The Secretary of Defense shall
26 prescribe such regulations as may be necessary to provide

1 that a surviving spouse eligible for the gold star lapel but-
2 ton under section 1126 of this title is entitled to com-
3 missary and exchange privileges to the same extent and
4 on the same basis as the surviving spouse of a retired
5 member of the uniformed services.”.

6 (2) CERTAIN MORALE, WELFARE, AND RECRE-
7 ATION PRIVILEGES.—

8 (A) IN GENERAL.—Chapter 54 of title 10,
9 United States Code, is amended by adding at
10 the end the following new section:

11 **“§ 1066. Use of commissary stores and MWR facilities:**
12 **surviving spouses eligible for the gold**
13 **star lapel button**

14 “(a) ELIGIBILITY OF SURVIVING SPOUSES ELIGIBLE
15 FOR THE GOLD STAR LAPEL BUTTON.—A surviving
16 spouse who is eligible for a gold star lapel button under
17 section 1126 of this title shall be permitted to use com-
18 missary stores and MWR retail facilities on the same basis
19 as the dependent of a member of the armed forces on ac-
20 tive duty.

21 “(b) MWR RETAIL FACILITIES DEFINED.—In this
22 section, the term ‘MWR retail facilities’ has the meaning
23 given that term in section 1063 of this title.”.

24 (B) CLERICAL AMENDMENT.—The table of
25 sections at the beginning of chapter 54 of title

1 10, United States Code, is amended by adding
2 at the end the following new item:

 “1066. Use of commissary stores and MWR facilities: surviving spouses eligible
 for the gold star lapel button.”.

3 (3) ELIGIBILITY FOR MEDICAL AND DENTAL
4 CARE.—Paragraph (2) of section 1072 of title 10,
5 United States Code, is amended—

6 (A) in subparagraph (H), by striking “;
7 and” and inserting a semicolon;

8 (B) in subparagraph (I)(v), by striking the
9 period at the end and inserting “; and”; and

10 (C) by adding at the end the following new
11 subparagraph:

12 “(J) A surviving spouse who is eligible for
13 a gold star lapel button under section 1126 of
14 this title.”.

15 (4) ENTITLEMENT TO MEDICAL AND DENTAL
16 CARE.—Section 1076(a)(2) of title 10, United States
17 Code, is amended by adding at the end the following
18 new subparagraph:

19 “(F) A surviving spouse who is eligible for
20 a gold star lapel button under section 1126 of
21 this title.”.

22 (c) DEPARTMENT OF VETERANS AFFAIRS.—

23 (1) SPECIAL MARRIAGE PROVISIONS.—Section
24 103(d)(2) of title 38, United States Code, is amend-

1 ed by adding at the end the following new subpara-
2 graph:

3 “(C) The remarriage of the surviving spouse of a vet-
4 eran shall not bar the furnishing of non-monetary benefits
5 to such surviving spouse if such surviving spouse is eligible
6 for a gold star lapel button under section 1126 of title
7 10.”.

8 (2) ELIGIBILITY FOR HOUSING AND SMALL
9 BUSINESS LOANS.—Section 3701(b) of title 38,
10 United States Code, is amended by adding at the
11 end the following new paragraph:

12 “(8) The term ‘veteran’ also includes an indi-
13 vidual who is—

14 “(A) the surviving spouse of a veteran; and

15 “(B) eligible for a gold star lapel button
16 under section 1126 of title 10.”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall apply beginning on the first day of the
19 first month beginning after the date of the enactment of
20 this Act.

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