

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5127

To amend title 38, United States Code, to provide for payment by the Secretary of Veterans Affairs of dependency and indemnity compensation to the surviving spouse of a deceased veteran who for at least one year preceding death had a combination of service-connected disabilities rated totally disabling that included a compensable service-connected cold-weather injury.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2002

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for payment by the Secretary of Veterans Affairs of dependency and indemnity compensation to the surviving spouse of a deceased veteran who for at least one year preceding death had a combination of service-connected disabilities rated totally disabling that included a compensable service-connected cold-weather injury.

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. DEPENDENCY AND INDEMNITY COMPENSATION**  
2 **FOR SURVIVING SPOUSES OF CERTAIN VET-**  
3 **ERANS WHO INCURRED COMPENSABLE**  
4 **COLD-WEATHER INJURIES WHILE IN SERV-**  
5 **ICE.**

6 (a) **DISABILITY RATED TOTALLY DISABLING FOR**  
7 **ONE YEAR PRECEDING DEATH.**—Section 1318(b) of title  
8 38, United States Code, is amended by adding at the end  
9 the following new paragraph:

10 “(4) The veteran’s last discharge or other re-  
11 lease from active duty was before August 13, 1998,  
12 and the disability—

13 “(A) was continuously rated totally dis-  
14 abling for a period of not less than one year im-  
15 mediately preceding death; and

16 “(B) included, as part of a combination of  
17 service-connected diseases or injuries considered  
18 to form the rating of total disability, a compen-  
19 sable cold-weather injury that was determined  
20 by the Secretary after August 13, 1998, to be  
21 service-connected.”.

22 (b) **TECHNICAL AMENDMENTS.**—Such section is fur-  
23 ther amended—

24 (1) by striking “if—” in the matter preceding  
25 paragraph (1) and inserting “if any of the following  
26 applies:”;

1           (2) by striking “the” at the beginning of para-  
2           graphs (1), (2), and (3) and inserting “The”;

3           (3) by striking the semicolon at the end of  
4           paragraph (1) and inserting a period; and

5           (4) by striking “; or” at the end of paragraph  
6           (2) and inserting a period.

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