

108TH CONGRESS  
1ST SESSION

# H. R. 3216

To amend title 10, United States Code, to allow a participant in the military Survivor Benefit Plan who has designated an insurable interest beneficiary under that plan to designate a new beneficiary upon the death of the previously designated beneficiary.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2003

Mr. ANDREWS introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to allow a participant in the military Survivor Benefit Plan who has designated an insurable interest beneficiary under that plan to designate a new beneficiary upon the death of the previously designated beneficiary.

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 “Survivor Benefit Plan In-  
5 surable Interest Fairness Act”.

1 **SEC. 2. MILITARY SURVIVOR BENEFIT PLAN BENE-**  
2 **FICIARIES UNDER INSURABLE INTEREST**  
3 **COVERAGE.**

4 (a) AUTHORITY TO DESIGNATE NEW BENE-  
5 FICIARY.—Section 1448(b)(1) of title 10, United States  
6 Code, is amended—

7 (1) by inserting “under subparagraph (F)” in  
8 the second sentence of subparagraph (E) after “elec-  
9 tion”; and

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

12 “(F) ELECTION OF NEW BENEFICIARY UPON  
13 DEATH OF PREVIOUS BENEFICIARY.—If the reason  
14 for discontinuation in the Plan is the death of the  
15 beneficiary, the participant in the Plan may des-  
16 ignate a new beneficiary. Any such beneficiary must  
17 be a natural person with an insurable interest in the  
18 participant. Such an election may be made only dur-  
19 ing the 180-day period beginning on the date of the  
20 death of the previous beneficiary. Such an election  
21 shall be in writing, signed by the participant, and  
22 made in such form and manner as the Secretary  
23 concerned may prescribe. Such an election shall be  
24 effective the first day of the first month following  
25 the month in which the election is received by the  
26 Secretary.”.

1 (b) TRANSITION.—

2 (1) TRANSITION PERIOD.—In the case of a per-  
3 son who made a covered insurable-interest election  
4 under the Survivor Benefit Plan and whose des-  
5 ignated beneficiary under that election dies before  
6 the date of the enactment of this Act or during the  
7 18-month period beginning on such date, the time  
8 period applicable for purposes of the limitation in  
9 the third sentence of subparagraph (F) of section  
10 1448(b)(1) of title 10, United States Code, as added  
11 by subsection (a), shall be the two-year period begin-  
12 ning on the date of the enactment of this Act (rath-  
13 er than the 180-day period specified in that sen-  
14 tence).

15 (2) COVERED INSURABLE-INTEREST ELEC-  
16 TIONS.—For purposes of paragraph (1), a covered  
17 insurable-interest election is an election under sec-  
18 tion 1448(b)(1) of title 10, United States Code,  
19 made before the date of the enactment of this Act,  
20 or during the 18-month period beginning on such  
21 date, by a participant in the military Survivor Ben-  
22 efit Plan to provide an annuity under that plan to  
23 a natural person with an insurable interest in that  
24 person.

1           (3) SURVIVOR BENEFIT PLAN.—For purposes  
2 of this subsection, the term “Survivor Benefit Plan”  
3 means the program under subchapter II of chapter  
4 73 of title 10, United States Code.

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