

2014 National Defense Authorization Act (NDAA) Conference Report:

<http://www.gpo.gov/fdsys/pkg/CPRT-113HPRT86280/pdf/CPRT-113HPRT86280.pdf>

Improved assistance for Gold Star spouses and other dependents (sec. 633)

The Senate committee-reported bill contained a provision (sec. 643) that would amend sections 1450 and 1455 of title 10, United States Code, to authorize the payment of the Survivor Benefit Plan annuity to a special needs trust created under subparagraph (A) or (C) of section 1396p(d)(4) of title 42, United States Code, for the sole benefit of a disabled dependent child incapable of self-support because of mental or physical incapacity.

The House bill contained no similar provision.

The agreement includes a provision that would require the service secretaries to designate a military member or civilian employee to provide certain assistance to spouses and other dependents of service members who die on active duty. We direct the Secretary of Defense, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, to assess the needs of Survivor Benefit Plan participants who have dependent children and spouses with special needs, and the feasibility and advisability of authorizing such participants to direct their annuity to a special needs trust for the benefit of the disabled child or spouse. The assessment should include a review of the number of dependents who would be potentially affected by such a change, the laws and regulations under which special needs trusts operate, and obstacles to efficient and transparent implementation of any such change, should the Secretary determine it is feasible and advisable. We direct the Secretary to submit the results of this review to the Committees on Armed Services of the Senate and the House of Representatives by no later than 180 days after the date of enactment of this Act.