

119TH CONGRESS  
1ST SESSION

# H. R. 3123

To amend title 38, United States Code, to make certain improvements to laws relating to the payment of certain benefits administered by the Secretary of Veterans Affairs that are affected by death, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2025

Ms. STEFANIK (for herself and Mr. KHANNA) 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 make certain improvements to laws relating to the payment of certain benefits administered by the Secretary of Veterans Affairs that are affected by death, 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 “Ernest Peltz Accrued  
5 Veterans Benefits Act”.

1 **SEC. 2. PAYMENT BY SECRETARY OF VETERANS AFFAIRS**  
2 **OF PENSION AFTER DEATH OF A VETERAN IN**  
3 **CERTAIN CIRCUMSTANCES.**

4 (a) IN GENERAL.—Chapter 51 of title 38, United  
5 States Code, is amended by inserting, after section 5121A,  
6 the following new section:

7 **“§ 5121B. Payment of pension after death of a veteran**  
8 **in certain circumstances**

9 “(a) IN GENERAL.—Subject to subsection (b), if the  
10 Secretary issues a decision awarding entitlement to a pen-  
11 sion to a veteran before the death of such veteran, and  
12 the Secretary issues payment of such pension after the  
13 veteran dies, such pension that was due and unpaid at  
14 the time of the veteran’s death shall be paid to the first  
15 living person or entity listed below:

16 “(1) The veteran’s spouse.

17 “(2) The veteran’s children (in equal shares).

18 “(3) The veteran’s dependent parents (in equal  
19 shares).

20 “(4) The estate of the deceased veteran unless  
21 the estate will escheat.

22 “(b) LIMITATION.—In a case described in subsection  
23 (a), if no application is filed under section 5121 of this  
24 title during the one-year period following the death of the  
25 veteran, the pension described in such subsection shall be

1 paid to the estate of the deceased veteran unless the estate  
2 will escheat.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) CONFORMING AMENDMENT.—Section  
5 5121(a) of such title is amended, in the matter pre-  
6 ceding paragraph (1), by inserting “section 5121B  
7 of this title, or” before “sections 3329 and 3330”.

8 (2) CLERICAL AMENDMENT.—The table of sec-  
9 tions at the beginning of such chapter is amended  
10 by inserting, after the item relating to section  
11 5121A, the following new item:

“5121B. Payment of pension after death of a veteran in certain circumstances.”.

12 (c) EFFECTIVE DATE.—The amendments made by  
13 this section shall apply with respect to the death of a vet-  
14 eran that occurs on or after the date of the enactment  
15 of this Act.

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