

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1220

To increase, effective as of December 1, 2005, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. BUYER (for himself, Mr. EVANS, Mr. MILLER of Florida, and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To increase, effective as of December 1, 2005, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, 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 “Veterans’ Compensation  
5       Cost-of-Living Adjustment Act of 2005”.

1 **SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSA-**  
2 **TION AND DEPENDENCY AND INDEMNITY**  
3 **COMPENSATION.**

4 (a) **RATE ADJUSTMENT.**—The Secretary of Veterans  
5 Affairs shall, effective on December 1, 2005, increase the  
6 dollar amounts in effect for the payment of disability com-  
7 pensation and dependency and indemnity compensation by  
8 the Secretary, as specified in subsection (b).

9 (b) **AMOUNTS TO BE INCREASED.**—The dollar  
10 amounts to be increased pursuant to subsection (a) are  
11 the following:

12 (1) **COMPENSATION.**—Each of the dollar  
13 amounts in effect under section 1114 of title 38,  
14 United States Code.

15 (2) **ADDITIONAL COMPENSATION FOR DEPEND-**  
16 **ENTS.**—Each of the dollar amounts in effect under  
17 section 1115(1) of such title.

18 (3) **CLOTHING ALLOWANCE.**—The dollar  
19 amount in effect under section 1162 of such title.

20 (4) **NEW DIC RATES.**—The dollar amounts in  
21 effect under paragraphs (1) and (2) of section  
22 1311(a) of such title.

23 (5) **OLD DIC RATES.**—Each of the dollar  
24 amounts in effect under section 1311(a)(3) of such  
25 title.

1           (6) ADDITIONAL DIC FOR SURVIVING SPOUSES  
2 WITH MINOR CHILDREN.—The dollar amount in ef-  
3 fect under section 1311(b) of such title.

4           (7) ADDITIONAL DIC FOR DISABILITY.—The  
5 dollar amounts in effect under sections 1311(c) and  
6 1311(d) of such title.

7           (8) DIC FOR DEPENDENT CHILDREN.—The dol-  
8 lar amounts in effect under sections 1313(a) and  
9 1314 of such title.

10       (c) DETERMINATION OF INCREASE.—

11           (1) BASE FOR INCREASE.—The increase under  
12 subsection (a) shall be made in the dollar amounts  
13 specified in subsection (b) as in effect on November  
14 30, 2005.

15           (2) PERCENTAGE OF INCREASE.—Except as  
16 provided in paragraph (3), each such amount shall  
17 be increased by the same percentage as the percent-  
18 age by which benefit amounts payable under title II  
19 of the Social Security Act (42 U.S.C. 401 et seq.)  
20 are increased effective December 1, 2005, as a result  
21 of a determination under section 215(i) of such Act  
22 (42 U.S.C. 415(i)).

23           (3) ROUNDING.—Each dollar amount increased  
24 pursuant to paragraph (2) shall, if not a whole dol-

1       lar amount, be rounded down to the next lower  
2       whole dollar amount.

3       (d) SPECIAL RULE.—The Secretary may adjust ad-  
4 ministratively, consistent with the increases made under  
5 subsection (a), the rates of disability compensation pay-  
6 able to persons within the purview of section 10 of Public  
7 Law 85–857 (72 Stat. 1263) who are not in receipt of  
8 compensation payable pursuant to chapter 11 of title 38,  
9 United States Code.

10 **SEC. 3. PUBLICATION OF ADJUSTED RATES.**

11       At the same time as the matters specified in section  
12 215(i)(2)(D) of the Social Security Act (42 U.S.C.  
13 415(i)(2)(D)) are required to be published by reason of  
14 a determination made under section 215(i) of such Act  
15 during fiscal year 2005, the Secretary of Veterans Affairs  
16 shall publish in the Federal Register the amounts specified  
17 in subsection (b) of section 2, as increased pursuant to  
18 that section.

19 **SEC. 4. CODIFICATION OF FISCAL YEAR 2005 COST-OF-LIV-**  
20 **ING ADJUSTMENT PROVIDED IN PUBLIC LAW**  
21 **108–363.**

22       (a) VETERANS’ DISABILITY COMPENSATION.—Sec-  
23 tion 1114 of title 38, United States Code, is amended—

24               (1) in subsection (a), by striking “\$106” and  
25       inserting “\$108”;

1           (2) in subsection (b), by striking “\$205” and  
2           inserting “\$210”;

3           (3) in subsection (c), by striking “\$316” and  
4           inserting “\$324”;

5           (4) in subsection (d), by striking “\$454” and  
6           inserting “\$466”;

7           (5) in subsection (e), by striking “\$646” and  
8           inserting “\$663”;

9           (6) in subsection (f), by striking “\$817” and  
10          inserting “\$839”;

11          (7) in subsection (g), by striking “\$1,029” and  
12          inserting “\$1,056”;

13          (8) in subsection (h), by striking “\$1,195” and  
14          inserting “\$1,227”;

15          (9) in subsection (i), by striking “\$1,344” and  
16          inserting “\$1,380”;

17          (10) in subsection (j), by striking “\$2,239” and  
18          inserting “\$2,299”;

19          (11) in subsection (k)—

20                 (A) by striking “\$82” both places it ap-  
21                 pears and inserting “\$84”; and

22                 (B) by striking “\$2,785” and “\$3,907”  
23                 and inserting “\$2,860” and “\$4,012”, respec-  
24                 tively;

1 (12) in subsection (l), by striking “\$2,785” and  
2 inserting “\$2,860”;

3 (13) in subsection (m), by striking “\$3,073”  
4 and inserting “\$3,155”;

5 (14) in subsection (n), by striking “\$3,496”  
6 and inserting “\$3,590”;

7 (15) in subsections (o) and (p), by striking  
8 “\$3,907” each place it appears and inserting  
9 “\$4,012”;

10 (16) in subsection (r), by striking “\$1,677” and  
11 “\$2,497” and inserting “\$1,722” and “\$2,564”, re-  
12 spectively; and

13 (17) in subsection (s), by striking “\$2,506” and  
14 inserting “\$2,573”.

15 (b) ADDITIONAL COMPENSATION FOR DEPEND-  
16 ENTS.—Section 1115(1) of such title is amended—

17 (1) in subparagraph (A), by striking “\$127”  
18 and inserting “\$130”;

19 (2) in subparagraph (B), by striking “\$219”  
20 and “\$65” and inserting “\$224” and “\$66”, respec-  
21 tively;

22 (3) in subparagraph (C), by striking “\$86” and  
23 “\$65” and inserting “\$88” and “\$66”, respectively;

24 (4) in subparagraph (D), by striking “\$103”  
25 and inserting “\$105”;

1 (5) in subparagraph (E), by striking  
2 “\$241” and inserting “\$247”; and

3 (6) in subparagraph (F), by striking “\$202”  
4 and inserting “\$207”.

5 (c) CLOTHING ALLOWANCE FOR CERTAIN DISABLED  
6 VETERANS.—Section 1162 of such title is amended by  
7 striking “\$600” and inserting “\$616”.

8 (d) DEPENDENCY AND INDEMNITY COMPENSATION  
9 FOR SURVIVING SPOUSES.—

10 (1) NEW LAW DIC.—Section 1311(a) of such  
11 title is amended—

12 (A) in paragraph (1), by striking “\$967”  
13 and inserting “\$993”; and

14 (B) in paragraph (2), by striking “\$208”  
15 and inserting “\$213”.

16 (2) OLD LAW DIC.—The table in paragraph (3)  
17 of such section is amended to read as follows:

“Pay grade	Monthly rate	Pay grade	Monthly rate
E-1 .....	\$993	W-4 .....	\$1,188
E-2 .....	\$993	O-1 .....	\$1,049
E-3 .....	\$993	O-2 .....	\$1,084
E-4 .....	\$993	O-3 .....	\$1,160
E-5 .....	\$993	O-4 .....	\$1,227
E-6 .....	\$993	O-5 .....	\$1,351
E-7 .....	\$1,027	O-6 .....	\$1,523
E-8 .....	\$1,084	O-7 .....	\$1,645
E-9 .....	\$1,131 <sup>1</sup>	O-8 .....	\$1,805
W-1 .....	\$1,049	O-9 .....	\$1,931
W-2 .....	\$1,091	O-10 .....	\$2,118 <sup>2</sup>
W-3 .....	\$1,123	.....	.....

<sup>1</sup> If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse’s rate shall be \$1,221.

<sup>2</sup> If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse’s rate shall be \$2,272.”.

1           (3) ADDITIONAL DIC FOR CHILDREN OR DIS-  
2 ABILITY.—Section 1311 of such title is amended—

3           (A) in subsection (b), by striking “\$241”  
4 and inserting “\$247”;

5           (B) in subsection (c), by striking “\$241”  
6 and inserting “\$247”; and

7           (C) in subsection (d), by striking “\$115”  
8 and inserting “\$118”.

9           (e) DEPENDENCY AND INDEMNITY COMPENSATION  
10 FOR CHILDREN.—

11           (1) DIC WHEN NO SURVIVING SPOUSE.—Section  
12 1313(a) of such title is amended—

13           (A) in paragraph (1), by striking “\$410”  
14 and inserting “\$421”;

15           (B) in paragraph (2), by striking “\$590”  
16 and inserting “\$605”;

17           (C) in paragraph (3), by striking “\$767”  
18 and inserting “\$787”; and

19           (D) in paragraph (4), by striking “\$767”  
20 and “\$148” and inserting “\$787” and “\$151”,  
21 respectively.

22           (2) SUPPLEMENTAL DIC FOR CERTAIN CHIL-  
23 DREN.—Section 1314 of such title is amended—

24           (A) in subsection (a), by striking “\$241”  
25 and inserting “\$247”;

1                   (B) in subsection (b), by striking “\$410”  
2                   and inserting “\$421”; and

3                   (C) in subsection (c), by striking “\$205”  
4                   and inserting “\$210”.

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