

109TH CONGRESS
1ST SESSION

H. R. 1573

To amend title 38, United States Code, to provide that the increase of \$250 per month in the rate of monthly dependency and indemnity compensation (DIC) payable to a surviving spouse of a member of the Armed Forces who dies on active duty or as a result of a service-connected disability shall be paid for so long as there are minor children, rather than only for two years.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2005

Mr. MICHAUD (for himself, Mr. EVANS, Ms. BERKLEY, Mr. RYAN of Ohio, Mr. STRICKLAND, and Mr. UDALL of New Mexico) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide that the increase of \$250 per month in the rate of monthly dependency and indemnity compensation (DIC) payable to a surviving spouse of a member of the Armed Forces who dies on active duty or as a result of a service-connected disability shall be paid for so long as there are minor children, rather than only for two years.

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. INCREASE IN MONTHLY DEPENDENCY AND IN-**
2 **DEMNITY COMPENSATION PAYABLE TO A**
3 **SURVIVING SPOUSE FOR SO LONG AS THERE**
4 **ARE MINOR CHILDREN.**

5 (a) INCREASE IN DIC.—Subsection (b) of section
6 1311 of title 38, United States Code, is amended by in-
7 serting “\$250, plus” after “shall be increased by”.

8 (b) CONFORMING REPEAL OF TWO-YEAR LIMITA-
9 TION.—Subsection (e) of such section is repealed.

10 (c) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect with respect to payments
12 of dependency and indemnity compensation under section
13 1311 of title 38, United States Code, for the first month
14 beginning on or after the date of the enactment of this
15 Act.

16 **SEC. 2. COST-OF-LIVING ADJUSTMENT FOR RATE OF IN-**
17 **CREASED AMOUNT OF DEPENDENCY AND IN-**
18 **DEMNITY COMPENSATION FOR MINOR CHIL-**
19 **DREN.**

20 (a) RATE ADJUSTMENT.—The Secretary of Veterans
21 Affairs shall, effective on December 1, 2005, increase the
22 dollar amount for the payment of additional dependency
23 and indemnity compensation for surviving spouses with
24 minor children that is added by the amendment made by
25 section 1(a).

26 (b) DETERMINATION OF INCREASE.—

1 (1) PERCENTAGE OF INCREASE.—Except as
2 provided in paragraph (2), the amount specified in
3 subsection (a) shall be increased by the same per-
4 centage as the percentage by which benefit amounts
5 payable under title II of the Social Security Act (42
6 U.S.C. 401 et seq.) are increased effective December
7 1, 2005, as a result of a determination under section
8 215(i) of such Act (42 U.S.C. 415(i)).

9 (2) ROUNDING.—Each dollar amount increased
10 pursuant to paragraph (1) shall, if not a whole dol-
11 lar amount, be rounded down to the next lower
12 whole dollar amount.

○