

107TH CONGRESS
1ST SESSION

H. R. 545

To amend title 38, United States Code, to revise the effective date for certain awards of dependency and indemnity compensation made by the Secretary of Veterans Affairs to survivors of veterans who died during the Vietnam era or later, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2001

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to revise the effective date for certain awards of dependency and indemnity compensation made by the Secretary of Veterans Affairs to survivors of veterans who died during the Vietnam era or later, 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,*

1 **SECTION 1. EFFECTIVE DATE OF AWARDS OF DEPENDENCY**
2 **AND INDEMNITY COMPENSATION MADE BY**
3 **THE SECRETARY OF VETERANS AFFAIRS**
4 **PURSUANT TO CHANGES IN LAW OR REGULA-**
5 **TIONS.**

6 (a) CHANGE IN RETROACTIVITY RULE.—Section
7 5110(g) of title 38, United States Code, is amended—

8 (1) by inserting “(1)” after “(g)”;

9 (2) by inserting “and except as otherwise pro-
10 vided in paragraph (2)” after “5101 of this title”;
11 and

12 (3) by adding at the end the following:

13 “(2) Where dependency and indemnity compensation
14 is awarded pursuant to any Act or administrative issue
15 that has the effect of providing that a veteran who died
16 before the date of such Act or administrative issue and
17 after the beginning of the Vietnam era died from a service-
18 connected disability, the effective date of such award shall
19 be fixed in accordance with the facts found and without
20 regard to the second sentence of paragraph (1).”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall apply with respect to an award of de-
23 pendency and indemnity compensation made before, on,
24 or after the date of the enactment of this Act.

○