

108TH CONGRESS
2D SESSION

H. R. 4175

To increase, effective as of December 1, 2004, 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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2004

Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To increase, effective as of December 1, 2004, 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 2004”.

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, 2004, 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
8 dollar amounts in effect under sections 1313(a) and
9 1314 of such title.

10 (c) DETERMINATION OF INCREASE.—(1) The in-
11 crease under subsection (a) shall be made in the dollar
12 amounts specified in subsection (b) as in effect on Novem-
13 ber 30, 2004.

14 (2) Except as provided in paragraph (3), each such
15 amount shall be increased by the same percentage as the
16 percentage by which benefit amounts payable under title
17 II of the Social Security Act (42 U.S.C. 401 et seq.) are
18 increased effective December 1, 2004, as a result of a de-
19 termination under section 215(i) of such Act (42 U.S.C.
20 415(i)).

21 (3) Each dollar amount increased pursuant to para-
22 graph (2) shall, if not a whole dollar amount, be rounded
23 down to the next lower whole dollar amount.

24 (d) SPECIAL RULE.—The Secretary may adjust ad-
25 ministratively, consistent with the increases made under

1 subsection (a), the rates of disability compensation pay-
2 able to persons within the purview of section 10 of Public
3 Law 85–857 (72 Stat. 1263) who are not in receipt of
4 compensation payable pursuant to chapter 11 of title 38,
5 United States Code.

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

7 At the same time as the matters specified in section
8 215(i)(2)(D) of the Social Security Act (42 U.S.C.
9 415(i)(2)(D)) are required to be published by reason of
10 a determination made under section 215(i) of such Act
11 during fiscal year 2005, the Secretary of Veterans Affairs
12 shall publish in the Federal Register the amounts specified
13 in subsection (b) of section 2, as increased pursuant to
14 that section.

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