

110TH CONGRESS
2D SESSION

H. R. 5826

To increase, effective as of December 1, 2008, 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 16, 2008

Mr. RODRIGUEZ (for himself, Mr. FILNER, Ms. BERKLEY, and Mr. HALL of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To increase, effective as of December 1, 2008, 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 2008”.

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

4 (a) **RATE ADJUSTMENT.**—Effective on December 1,
5 2008, the Secretary of Veterans Affairs shall increase, in
6 accordance with subsection (c), the dollar amounts in ef-
7 fect on November 30, 2008, for the payment of disability
8 compensation and dependency and indemnity compensa-
9 tion under the provisions specified in subsection (b).

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

13 (1) **WARTIME DISABILITY COMPENSATION.**—
14 Each of the dollar amounts under section 1114 of
15 title 38, United States Code.

16 (2) **ADDITIONAL COMPENSATION FOR DEPEND-**
17 **ENTS.**—Each of the dollar amounts under sections
18 1115(1) of such title.

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

21 (4) **DEPENDENCY AND INDEMNITY COMPENSA-**
22 **TION TO SURVIVING SPOUSE.**—Each of the dollar
23 amounts under subsections (a) through (d) of sec-
24 tion 1311 of such title.

1 (5) DEPENDENCY AND INDEMNITY COMPENSA-
2 TION TO CHILDREN.—Each of the dollar amounts
3 under sections 1313(a) and 1314 of such title.

4 (c) DETERMINATION OF INCREASE.—

5 (1) PERCENTAGE.—Except as provided in para-
6 graph (2), each dollar amount described in sub-
7 section (b) shall be increased by the same percentage
8 as the percentage by which benefit amounts payable
9 under title II of the Social Security Act (42 U.S.C.
10 401 et seq.) are increased effective December 1,
11 2008, as a result of a determination under section
12 215(i) of such Act (42 U.S.C. 415(i)).

13 (2) ROUNDING.—Each dollar amount increased
14 under paragraph (1), if not a whole dollar amount,
15 shall be rounded to the next lower whole dollar
16 amount.

17 (d) SPECIAL RULE.—The Secretary of Veterans Af-
18 fairs may adjust administratively, consistent with the in-
19 creases made under subsection (a), the rates of disability
20 compensation payable to persons under section 10 of Pub-
21 lic Law 85–857 (72 Stat. 1263) who have not received
22 compensation under chapter 11 of title 38, United States
23 Code.

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

2 The Secretary of Veterans Affairs shall publish in the
3 Federal Register the amounts specified in section 2(b), as
4 increased under that section, not later than the date on
5 which the matters specified in section 215(i)(2)(D) of the
6 Social Security Act (42 U.S.C. 415(i)(2)(D)) are required
7 to be published by reason of a determination made under
8 section 215(i) of such Act during fiscal year 2009.

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