

112TH CONGRESS
2D SESSION

H. R. 4142

To amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in 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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2012

Mr. RUNYAN introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in 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.

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 the “American Heroes
5 COLA Act”.

1 **SEC. 2. AUTOMATIC ANNUAL INCREASE IN RATES OF DIS-**
2 **ABILITY COMPENSATION AND DEPENDENCY**
3 **AND INDEMNITY COMPENSATION.**

4 (a) INDEXING TO SOCIAL SECURITY INCREASES.—
5 Section 5312 of title 38, United States Code, is amended
6 by adding at the end the following new subsection:

7 “(d)(1) Whenever there is an increase in benefit
8 amounts payable under title II of the Social Security Act
9 (42 U.S.C. 401 et seq.) as a result of a determination
10 made under section 215(i) of such Act (42 U.S.C. 415(i)),
11 the Secretary shall, effective on the date of such increase
12 in benefit amounts, increase the dollar amounts in effect
13 for the payment of disability compensation and depend-
14 ency and indemnity compensation by the Secretary, as
15 specified in paragraph (2), as such amounts were in effect
16 immediately before the date of such increase in benefit
17 amounts payable under title II of the Social Security Act,
18 by the same percentage as the percentage by which such
19 benefit amounts are increased.

20 “(2) The dollar amounts to be increased pursuant to
21 paragraph (1) are the following:

22 “(A) WARTIME DISABILITY COMPENSATION.—
23 Each of the dollar amounts in effect under section
24 1114 of this title.

1 “(B) ADDITIONAL COMPENSATION FOR DE-
2 PENDENTS.—Each of the dollar amounts in effect
3 under section 1115(1) of this title.

4 “(C) CLOTHING ALLOWANCE.—The dollar
5 amount in effect under section 1162 of this title.

6 “(D) DEPENDENCY AND INDEMNITY COM-
7 PENSATION TO SURVIVING SPOUSE.—Each of the
8 dollar amounts in effect under subsections (a)
9 through (d) of section 1311 of such title.

10 “(E) DEPENDENCY AND INDEMNITY COM-
11 PENSATION TO CHILDREN.—Each of the dollar
12 amounts in effect under sections 1313(a) and 1314
13 of such title.

14 “(3) Whenever there is an increase under paragraph
15 (1) in amounts in effect for the payment of disability com-
16 pensation and dependency and indemnity compensation,
17 the Secretary shall publish such amounts, as increased
18 pursuant to such paragraph, in the Federal Register at
19 the same time as the material required by section
20 215(i)(2)(D) of the Social Security Act (42 U.S.C.
21 415(i)(2)(D)) is published by reason of a determination
22 under section 215(i) of such Act (42 U.S.C. 415(i)).

23 “(4) Each dollar amount increased under paragraph
24 (1), if not a whole dollar amount, shall be rounded to the
25 next lower whole dollar amount.

1 “(5) The Secretary of Veterans Affairs may adjust
2 administratively, consistent with the increases made under
3 subsection (a), the rates of disability compensation pay-
4 able to persons under section 10 of Public Law 85–857
5 (72 Stat. 1263) who have not received compensation
6 under chapter 11 of this title.”.

7 (b) EFFECTIVE DATE.—Subsection (d) of section
8 5312 of title 38, United States Code, as added by sub-
9 section (a) of this section, shall take effect on December
10 1, 2013.

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