

113TH CONGRESS
1ST SESSION

H. R. 570

IN THE SENATE OF THE UNITED STATES

MAY 22, 2013

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

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, 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 the “American Heroes
5 COLA Act”.

6 **SEC. 2. AUTOMATIC ANNUAL INCREASE IN RATES OF DIS-**
7 **ABILITY COMPENSATION AND DEPENDENCY**
8 **AND INDEMNITY COMPENSATION.**

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

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

1 Consumer Price Index for Urban Wage Earners and Cler-
2 ical Workers.

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

5 “(A) WARTIME DISABILITY COMPENSATION.—
6 Each of the dollar amounts in effect under section
7 1114 of this title.

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

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

13 “(D) DEPENDENCY AND INDEMNITY COM-
14 PENSATION TO SURVIVING SPOUSE.—Each of the
15 dollar amounts in effect under subsections (a)
16 through (d) of section 1311 of such title.

17 “(E) DEPENDENCY AND INDEMNITY COM-
18 PENSATION TO CHILDREN.—Each of the dollar
19 amounts in effect under sections 1313(a) and 1314
20 of such title.

21 “(3) Whenever there is an increase under paragraph
22 (1) in amounts in effect for the payment of disability com-
23 pensation and dependency and indemnity compensation,
24 the Secretary shall publish such amounts, as increased
25 pursuant to such paragraph, in the Federal Register at

1 the same time as the material required by section
 2 215(i)(2)(D) of the Social Security Act (42 U.S.C.
 3 415(i)(2)(D)) is published by reason of a determination
 4 under section 215(i) of such Act (42 U.S.C. 415(i)).

5 “(4) During the period beginning on the date of the
 6 enactment of this subsection and ending on September 30,
 7 2018, each dollar amount increased under paragraph (1),
 8 if not a whole dollar amount, shall be rounded to the next
 9 lower whole dollar amount.

10 “(5) The Secretary of Veterans Affairs may adjust
 11 administratively, consistent with the increases made under
 12 subsection (a), the rates of disability compensation pay-
 13 able to persons under section 10 of Public Law 85–857
 14 (72 Stat. 1263) who have not received compensation
 15 under chapter 11 of this title.”.

16 (b) EFFECTIVE DATE.—Subsection (d) of section
 17 5312 of title 38, United States Code, as added by sub-
 18 section (a) of this section, shall take effect on December
 19 1, 2014.

20 **SEC. 3. INCREASE IN RATE OF SPECIAL MONTHLY COM-**
 21 **PENSATION FOR SEVERELY INJURED VET-**
 22 **ERANS.**

23 (a) INCREASE.—

24 (1) IN GENERAL.—Section 1114(r) of title 38,
 25 United States Code, is amended—

1 (A) in paragraph (1), by striking “\$2,002”
2 and inserting “\$3,163”; and

3 (B) in paragraph (2), by striking “\$2,983”
4 and inserting “\$4,713”.

5 (2) EFFECTIVE DATE.—The amendments made
6 by paragraph (1) shall take effect on December 1,
7 2014.

8 (b) TEMPORARY RATES.—During the period begin-
9 ning on December 1, 2014, and ending on September 30,
10 2018, section 1114(r) of title 38, United States Code, as
11 amended by subsection (a), shall be applied—

12 (1) in paragraph (1), by substituting “\$2,742”
13 for “\$3,163”; and

14 (2) in paragraph (2), by substituting “\$4085”
15 for “\$4,713”.

Passed the House of Representatives May 21, 2013.

Attest:

KAREN L. HAAS,

Clerk.