

116TH CONGRESS  
1ST SESSION

# S. 408

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

Mr. THUNE introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## 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, 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 “Veterans’ Disability  
5 Compensation Automatic COLA Act of 2019”.

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 amend-  
6 ed—

7 (1) by redesignating subsection (c) as sub-  
8 section (d);

9 (2) by inserting after subsection (b) the fol-  
10 lowing new subsection:

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

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

1           “(A) DISABILITY COMPENSATION.—Each of the  
2 dollar amounts in effect under section 1114 of this  
3 title.

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

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

9           “(D) NEW DIC RATES.—Each of the dollar  
10 amounts in effect under paragraphs (1) and (2) of  
11 section 1311(a) of this title.

12           “(E) OLD DIC RATES.—Each of the dollar  
13 amounts in effect under section 1311(a)(3) of this  
14 title.

15           “(F) ADDITIONAL DIC FOR SURVIVING SPOUSES  
16 WITH MINOR CHILDREN.—The dollar amount in ef-  
17 fect under section 1311(b) of this title.

18           “(G) ADDITIONAL DIC FOR DISABILITY.—Each  
19 of the dollar amounts in effect under subsections (c)  
20 and (d) of section 1311 of this title.

21           “(H) DIC FOR DEPENDENT CHILDREN.—Each  
22 of the dollar amounts in effect under sections  
23 1313(a) and 1314 of this title.”; and

1           (3) by adding at the end of subsection (d), as  
2           redesignated by paragraph (1), the following new  
3           paragraph:

4           “(3) Whenever there is an increase under subsection  
5 (c)(1) in amounts in effect for the payment of disability  
6 compensation and dependency and indemnity compensa-  
7 tion, the Secretary shall publish such amounts, as in-  
8 creased pursuant to such subsection, in the Federal Reg-  
9 ister at the same time as the material required by section  
10 215(i)(2)(D) of the Social Security Act (42 U.S.C.  
11 415(i)(2)(D)) is published by reason of a determination  
12 under section 215(i) of such Act (42 U.S.C. 415(i)).”.

13           (b) EFFECTIVE DATE.—Subsection (c) of section  
14 5312 of title 38, United States Code, as added by sub-  
15 section (a) of this section, shall take effect on the first  
16 day of the first calendar year that begins after the date  
17 of the enactment of this Act.

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