

PUBLIC LAW 109-444—DEC. 21, 2006

VETERANS PROGRAMS EXTENSION ACT OF
2006

Public Law 109-444
109th Congress
An Act

Dec. 21, 2006
[H.R. 6342]

Veterans
Programs
Extension Act
of 2006.
38 USC 101 note.

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, to expand eligibility for the Survivors' and Dependents' Educational Assistance program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans Programs Extension Act of 2006”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension of certain expiring provisions of law administered by the Secretary of Veterans Affairs.
- Sec. 3. Expansion of eligibility for Survivors' and Dependents' Educational Assistance program.
- Sec. 4. Deadline and permanent requirement for report on educational assistance program.
- Sec. 5. Reauthorization of biennial report of Advisory Committee on Women Veterans.
- Sec. 6. Parkinson's Disease research, education, and clinical centers and multiple sclerosis centers of excellence.
- Sec. 7. Authorization of major medical facility leases.
- Sec. 8. Technical and clerical amendments.
- Sec. 9. Codification of cost-of-living adjustment provided in Public Law 109-361.

SEC. 2. EXTENSION OF CERTAIN EXPIRING PROVISIONS OF LAW ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) **AUTHORITY FOR HEALTH CARE FOR PARTICIPATION IN DOD CHEMICAL AND BIOLOGICAL WARFARE TESTING.**—Section 1710(e)(3)(D) of title 38, United States Code, is amended by striking “December 31, 2005” and inserting “December 31, 2007”.

(b) **GRANT AND PER DIEM GRANT ASSISTANCE FOR HOMELESS VETERANS.**—Section 2011(a)(2) of such title is amended by striking “September 30, 2005” and inserting “September 30, 2007”.

(c) **TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.**—Section 2031(b) of such title is amended by striking “December 31, 2006” and inserting “December 31, 2007”.

(d) **ADDITIONAL SERVICES FOR HOMELESS AND SERIOUSLY MENTALLY ILL VETERANS.**—Section 2033(d) of such title is amended by striking “December 31, 2006” and inserting “December 31, 2007”.

(e) **ADVISORY COMMITTEE ON HOMELESS VETERANS.**—Section 2066(d) of such title is amended by striking “December 31, 2006” and inserting “December 31, 2007”.

(f) GOVERNMENT MARKERS IN PRIVATE CEMETERIES.—Section 2306(d)(3) of such title is amended by striking “December 31, 2006” and inserting “December 31, 2007”.

(g) ADDITIONAL EDUCATIONAL ASSISTANCE ALLOWANCE FOR WORK-STUDY.—Section 3485(a)(4) of such title is amended in subparagraphs (A), (C), and (F) by striking “December 27, 2006” and inserting “June 30, 2007”.

SEC. 3. EXPANSION OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) EXPANSION OF ELIGIBILITY.—Section 3501(a)(1) of title 38, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “means—” and inserting “means any of the following.”;

(2) in each of subparagraphs (A) through (D), by capitalizing the first letter of the first word;

(3) in subparagraph (A)—

(A) by inserting after “a person who” the following: “, as a result of qualifying service”;

(B) by striking the comma at the end of clause (i) and inserting “; or”;

(C) by striking “, or” at the end of clause (ii) and inserting a period; and

(D) by striking clause (iii);

(4) in subparagraph (B) by striking the comma at the end and inserting the following: “sustained during a period of qualifying service.”;

(5) in subparagraph (C)—

(A) by inserting “or child” after “the spouse”; and

(B) by striking “, or” at the end and inserting a period;

(6) in subparagraph (D)—

(A) in clause (i), by inserting before the comma the following: “sustained during a period of qualifying service”; and

(B) by striking the comma at the end and inserting a period;

(7) by inserting after subparagraph (D) the following new subparagraph:

“(E) The spouse or child of a person who—

“(i) at the time of the Secretary's determination under clause (ii), is a member of the Armed Forces who is hospitalized or receiving outpatient medical care, services, or treatment;

“(ii) the Secretary determines has a total disability permanent in nature incurred or aggravated in the line of duty in the active military, naval, or air service; and

“(iii) is likely to be discharged or released from such service for such disability.”; and

(8) by striking “arising out of” and all that follows through the end.

(b) CONFORMING AMENDMENTS TO CHAPTER 35.—Chapter 35 of such title is further amended as follows:

(1) Section 3501(a) is amended by adding at the end the following new paragraph:

“(12) The term ‘qualifying service’ means service in the active military, naval, or air service after the beginning of

the Spanish-American War that did not terminate under dis-honorable conditions.”.

38 USC 3511.

(2) Section 3511 is amended—

(A) in subsection (a)(1)—

(i) by striking “Each eligible person” and inserting the following: “Each eligible person, whether made eligible by one or more of the provisions of section 3501(a)(1) of this title,”;

(ii) by striking “a period” and inserting “an aggregate period”; and

(iii) by striking the second sentence;

(B) in subsection (b)—

(i) in paragraph (2)—

(I) by striking “the provisions of section 3501(a)(1)(A)(iii) or” and inserting “section”; and

(II) by striking “or” at the end;

(ii) in paragraph (3)—

(I) by striking “section 3501(a)(1)(D)” and inserting “subparagraph (D) or (E) of section 3501(a)(1)”; and

(II) by inserting “or” after the comma at the end; and

(iii) by inserting after paragraph (3) the following new paragraph:

“(4) the parent or spouse from whom such eligibility is derived based upon subparagraph (E) of section 3501(a)(1) of this title no longer meets a requirement under clause (i), (ii), or (iii) of that subparagraph;”; and

(C) by striking subsection (c).

(3) Section 3512 is amended—

(A) in subsection (a)—

(i) by striking “an eligible person (within the meaning of section 3501(a)(1)(A) of this title)” and inserting “an eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title”; and

(ii) in paragraph (6), by striking “the provisions of section 3501(a)(1)(A)(iii)” and inserting “a parent being listed in one of the categories referred to in section 3501(a)(1)(C)”;

(B) in subsection (b)—

(i) in paragraph (1)(A)—

(I) by inserting after “section 3501(a)(1) of this title” the following: “or a person made eligible by the disability of a spouse under section 3501(a)(1)(E) of this title”; and

(II) by striking “or 3501(a)(1)(D)(ii) of this title” and inserting “3501(a)(1)(D)(ii), or 3501(a)(1)(E) of this title”;

(ii) in paragraph (1)(B), by adding at the end the following new clause:

“(iii) The date on which the Secretary notifies the member of the Armed Forces from whom eligibility is derived that the member has a total disability permanent in nature incurred or aggravated in the line of duty in the active military, naval, or air service.”; and

(iii) in paragraph (2)—

(I) by striking “or (D) of this title” and inserting “(D), or (E) of this title”; and

(II) by inserting “whose eligibility is based on the death or disability of a spouse or on a spouse being listed in one of the categories referred to in section 3501(a)(1)(C) of this title” after “of this title”;

(C) in subsection (d), by striking “veteran” and inserting “person”; and

(D) in subsection (e)—

(i) by inserting “based on a spouse being listed in one of the categories referred to in section 3501(a)(1)(C) of this title” after “of this title”;

(ii) by inserting “so” after “the spouse was”; and

(iii) by striking “by the Secretary” and all that follows through “occurs”.

(4) Section 3540 is amended by striking “(as defined in subparagraphs (A), (B), and (D) of section 3501(a)(1) of this title)” and inserting “(other than a person made eligible under subparagraph (C) of such section by reason of a spouse being listed in one of the categories referred to in that subparagraph)”.

(5) Section 3563 is amended by striking “each eligible person defined in section 3501(a)(1)(A) of this title” and inserting “each eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title”.

(c) OTHER CONFORMING AMENDMENTS.—Such title is further amended as follows:

(1) Sections 3686(a)(1) is amended by striking “or (D)” and inserting “(D), or (E)”.

(2) Section 5113(b)(3) is amended—

(A) in subparagraph (B) by striking “section 3501(a)(1)” and all that follows through the end and inserting the following: “subparagraphs (A), (B), (D), and (E) of section 3501(a)(1) of this title.”; and

(B) in subparagraph (C)—

(i) by striking “such veteran’s death” and inserting “the death of the person from whom such eligibility is derived”; and

(ii) by striking “such veteran’s service-connected total disability permanent in nature” and inserting “the service-connected total disability permanent in nature (or, in the case of a person made eligible under section 3501(a)(1)(E), the total disability permanent in nature incurred or aggravated in the line of duty in the active military, naval, or air service) of the person from whom such eligibility is derived”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a payment of educational assistance for a course of education pursued after the date of the enactment of this Act.

38 USC 3540.

38 USC 3501
note.

SEC. 4. DEADLINE AND PERMANENT REQUIREMENT FOR REPORT ON EDUCATIONAL ASSISTANCE PROGRAM.

(a) DEADLINE FOR REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall each submit to Congress a report containing the information specified in subsections (b) and (c) of section 3036 of title 38, United States Code.

(b) REPEAL OF TERMINATION.—Section 3036 of title 38, United States Code, is amended by striking subsection (d).

SEC. 5. REAUTHORIZATION OF BIENNIAL REPORT OF ADVISORY COMMITTEE ON WOMEN VETERANS.

Section 542(c)(1) of title 38, United States Code, is amended by striking “2004” and inserting “2008”.

SEC. 6. PARKINSON'S DISEASE RESEARCH, EDUCATION, AND CLINICAL CENTERS AND MULTIPLE SCLEROSIS CENTERS OF EXCELLENCE.

(a) REQUIREMENT FOR ESTABLISHMENT OF CENTERS.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new sections:

“§ 7329. Parkinson's Disease research, education, and clinical centers

“(a) ESTABLISHMENT OF CENTERS.—(1) The Secretary, upon the recommendation of the Under Secretary for Health, shall designate not less than six Department health-care facilities as the locations for centers of Parkinson's Disease research, education, and clinical activities.

“(2) Subject to the appropriation of sufficient funds for such purpose, the Secretary shall establish and operate centers of Parkinson's Disease research, education, and clinical activities at the locations designated pursuant to paragraph (1) for such centers.

“(b) CRITERIA FOR DESIGNATION OF FACILITIES.—(1) In designating Department health-care facilities for centers under subsection (a), the Secretary, upon the recommendation of the Under Secretary for Health, shall assure appropriate geographic distribution of such facilities.

“(2) Except as provided in paragraph (3), the Secretary shall designate as the location for a center of Parkinson's Disease research, education, and clinical activities pursuant to subsection (a)(1) each Department health-care facility that as of January 1, 2005, was operating a Parkinson's Disease research, education, and clinical center.

“(3) The Secretary may not under subsection (a) designate a facility described in paragraph (2) if (on the recommendation of the Under Secretary for Health) the Secretary determines that such facility—

“(A) does not meet the requirements of subsection (c); or
“(B) has not demonstrated—

“(i) effectiveness in carrying out the established purposes of such center; or

“(ii) the potential to carry out such purposes effectively in the reasonably foreseeable future.

“(c) REQUIREMENTS FOR DESIGNATION.—(1) The Secretary may not designate a Department health-care facility as a location for

a center under subsection (a) unless the peer review panel established under subsection (d) has determined under that subsection that the proposal submitted by such facility as a location for a new center under subsection (a) is among those proposals that meet the highest competitive standards of scientific and clinical merit.

“(2) The Secretary may not designate a Department health-care facility as a location for a center under subsection (a) unless the Secretary (upon the recommendation of the Under Secretary for Health) determines that the facility has (or may reasonably be anticipated to develop) each of the following:

“(A) An arrangement with an accredited medical school that provides education and training in neurology and with which the Department health-care facility is affiliated under which residents receive education and training in innovative diagnosis and treatment of chronic neurodegenerative diseases and movement disorders, including Parkinson’s Disease.

“(B) The ability to attract the participation of scientists who are capable of ingenuity and creativity in health-care research efforts.

“(C) An advisory committee composed of veterans and appropriate health-care and research representatives of the Department health-care facility and of the affiliated school or schools to advise the directors of such facility and such center on policy matters pertaining to the activities of the center during the period of the operation of such center.

“(D) The capability to conduct effectively evaluations of the activities of such center.

“(E) The capability to coordinate (as part of an integrated national system) education, clinical, and research activities within all facilities with such centers.

“(F) The capability to jointly develop a consortium of providers with interest in treating neurodegenerative diseases, including Parkinson’s Disease and other movement disorders, at facilities without such centers in order to ensure better access to state-of-the-art diagnosis, care, and education for neurodegenerative disorders throughout the health care system of the Department.

“(G) The capability to develop a national repository in the health care system of the Department for the collection of data on health services delivered to veterans seeking care for neurodegenerative diseases, including Parkinson’s Disease, and other movement disorders.

“(d) PEER REVIEW PANEL.—(1) The Under Secretary for Health shall establish a panel to assess the scientific and clinical merit of proposals that are submitted to the Secretary for the establishment of centers under this section.

Establishment.

“(2)(A) The membership of the panel shall consist of experts in neurodegenerative diseases, including Parkinson’s Disease, and other movement disorders.

“(B) Members of the panel shall serve for a period of no longer than two years, except as specified in subparagraph (C).

“(C) Of the members first appointed to the panel, one half shall be appointed for a period of three years and one half shall be appointed for a period of two years, as designated by the Under Secretary at the time of appointment.

“(3) The panel shall review each proposal submitted to the panel by the Under Secretary and shall submit its views on the relative scientific and clinical merit of each such proposal to the Under Secretary.

“(4) The panel shall not be subject to the Federal Advisory Committee Act.

“(e) PRIORITY OF FUNDING.—Before providing funds for the operation of a center designated under subsection (a) at a Department health-care facility other than at a facility designated pursuant to subsection (b)(2), the Secretary shall ensure that each Parkinson’s Disease center at a facility designated pursuant to subsection (b)(2) is receiving adequate funding to enable that center to function effectively in the areas of Parkinson’s Disease research, education, and clinical activities.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the support of the research and education activities of the centers established pursuant to subsection (a). The Under Secretary for Health shall allocate to such centers from other funds appropriated generally for the Department medical services account and medical and prosthetics research account, as appropriate, such amounts as the Under Secretary for Health determines appropriate.

“(g) AWARD COMPETITIONS.—Activities of clinical and scientific investigation at each center established under subsection (a) shall be eligible to compete for the award of funding from funds appropriated for the Department medical and prosthetics research account. Such activities shall receive priority in the award of funding from such account insofar as funds are awarded to projects for research in Parkinson’s Disease and other movement disorders.

“§ 7330. Multiple sclerosis centers of excellence

“(a) ESTABLISHMENT OF CENTERS.—(1) The Secretary, upon the recommendation of the Under Secretary for Health, shall designate not less than two Department health-care facilities as the locations for multiple sclerosis centers of excellence.

“(2) Subject to the appropriation of sufficient funds for such purpose, the Secretary shall establish and operate multiple sclerosis centers of excellence at the locations designated pursuant to paragraph (1) for such centers.

“(b) CRITERIA FOR DESIGNATION OF FACILITIES.—(1) In designating Department health-care facilities for centers under subsection (a), the Secretary, upon the recommendation of the Under Secretary for Health, shall assure appropriate geographic distribution of such facilities.

“(2) Except as provided in paragraph (3), the Secretary shall designate as the location for a multiple sclerosis center of excellence pursuant to subsection (a)(1) each Department health-care facility that as of January 1, 2005, was operating a multiple sclerosis center of excellence.

“(3) The Secretary may not under subsection (a) designate a facility described in paragraph (2) if (on the recommendation of the Under Secretary for Health) the Secretary determines that such facility—

“(A) does not meet the requirements of subsection (c); or
“(B) has not demonstrated—

“(i) effectiveness in carrying out the established purposes of such center; or

“(ii) the potential to carry out such purposes effectively in the reasonably foreseeable future.

“(c) REQUIREMENTS FOR DESIGNATION.—(1) The Secretary may not designate a Department health-care facility as a location for a center under subsection (a) unless the peer review panel established under subsection (d) has determined under that subsection that the proposal submitted by such facility as a location for a new center under subsection (a) is among those proposals that meet the highest competitive standards of scientific and clinical merit.

“(2) The Secretary may not designate a Department health-care facility as a location for a center under subsection (a) unless the Secretary (upon the recommendation of the Under Secretary for Health) determines that the facility has (or may reasonably be anticipated to develop) each of the following:

“(A) An arrangement with an accredited medical school that provides education and training in neurology and with which the Department health-care facility is affiliated under which residents receive education and training in innovative diagnosis and treatment of chronic neurodegenerative diseases, including multiple sclerosis.

“(B) The ability to attract the participation of scientists who are capable of ingenuity and creativity in health-care research efforts.

“(C) An advisory committee composed of veterans and appropriate health-care and research representatives of the Department health-care facility and of the affiliated school or schools to advise the directors of such facility and such center on policy matters pertaining to the activities of the center during the period of the operation of such center.

“(D) The capability to conduct effectively evaluations of the activities of such center.

“(E) The capability to coordinate (as part of an integrated national system) education, clinical, and research activities within all facilities with such centers.

“(F) The capability to jointly develop a consortium of providers with interest in treating multiple sclerosis at facilities without such centers in order to ensure better access to state-of-the-art diagnosis, care, and education for autoimmune disease affecting the central nervous system throughout the health care system of the Department.

“(G) The capability to develop a national repository in the health care system of the Department for the collection of data on health services delivered to veterans seeking care for autoimmune disease affecting the central nervous system.

“(d) PEER REVIEW PANEL.—(1) The Under Secretary for Health shall establish a panel to assess the scientific and clinical merit of proposals that are submitted to the Secretary for the establishment of centers under this section.

“(2)(A) The membership of the panel shall consist of experts in autoimmune disease affecting the central nervous system.

“(B) Members of the panel shall serve for a period of no longer than two years, except as specified in subparagraph (C).

“(C) Of the members first appointed to the panel, one half shall be appointed for a period of three years and one half shall be appointed for a period of two years, as designated by the Under Secretary at the time of appointment.

Establishment.

“(3) The panel shall review each proposal submitted to the panel by the Under Secretary and shall submit its views on the relative scientific and clinical merit of each such proposal to the Under Secretary.

“(4) The panel shall not be subject to the Federal Advisory Committee Act.

“(e) PRIORITY OF FUNDING.—Before providing funds for the operation of a center designated under subsection (a) at a Department health-care facility other than at a facility designated pursuant to subsection (b)(2), the Secretary shall ensure that each multiple sclerosis center at a facility designated pursuant to subsection (b)(2) is receiving adequate funding to enable that center to function effectively in the areas of multiple sclerosis research, education, and clinical activities.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the support of the research and education activities of the centers established pursuant to subsection (a). The Under Secretary for Health shall allocate to such centers from other funds appropriated generally for the Department medical services account and medical and prosthetics research account, as appropriate, such amounts as the Under Secretary for Health determines appropriate.

“(g) AWARD COMPETITIONS.—Activities of clinical and scientific investigation at each center established under subsection (a) shall be eligible to compete for the award of funding from funds appropriated for the Department medical and prosthetics research account. Such activities shall receive priority in the award of funding from such account insofar as funds are awarded to projects for research in multiple sclerosis and other neurodegenerative disorders.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7328 the following new items:

“7329. Parkinson’s Disease research, education, and clinical centers.

“7330. Multiple sclerosis centers of excellence.”.

38 USC 7329
note.

(b) EFFECTIVE DATE.—Sections 7329 and 7330 of title 38, United States Code, as added by subsection (a), shall take effect at the end of the 30-day period beginning on the date of the enactment of this Act.

SEC. 7. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

(a) FISCAL YEAR 2006 LEASES.—The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2006 at the locations specified, in an amount for each lease not to exceed the amount specified for that location:

(1) For an outpatient clinic, Baltimore, Maryland, \$10,908,000.

(2) For an outpatient clinic, Evansville, Indiana, \$8,989,000.

(3) For an outpatient clinic, Smith County, Texas, \$5,093,000.

(b) FISCAL YEAR 2007 LEASES.—The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2007 at the locations specified, in an amount for each lease not to exceed the amount specified for that location:

(1) For an outpatient and specialty care clinic, Austin, Texas, \$6,163,000.

(2) For an outpatient clinic, Lowell, Massachusetts, \$2,520,000.

(3) For an outpatient clinic, Grand Rapids, Michigan, \$4,409,000.

(4) For up to four outpatient clinics, Las Vegas, Nevada, \$8,518,000.

(5) For an outpatient clinic, Parma, Ohio, \$5,032,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR MAJOR MEDICAL FACILITY LEASES.—

(1) **FISCAL YEAR 2006 LEASES.**—There is authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2006 for the Medical Care account, \$24,990,000 for the leases authorized in subsection (a).

(2) **FISCAL YEAR 2007 LEASES.**—There is authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2007 for the Medical Care account, \$26,642,000 for the leases authorized in subsection (b).

SEC. 8. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended as follows:

(1) **CITATION CORRECTION.**—Section 1718(c)(2) is amended by inserting “of 1938” after “Act”.

(2) **CITATION CORRECTION.**—Section 1785(b)(1) is amended by striking “Robert B.” and inserting “Robert T.”.

(3) **PUNCTUATION CORRECTION.**—Section 2002(1) is amended by inserting a closing parenthesis before the period at the end.

(4) **PUNCTUATION CORRECTION.**—Section 2011(a)(1)(C) is amended by inserting a period at the end.

(5) **CROSS REFERENCE CORRECTION.**—Section 2041(a)(3)(A)(i) is amended by striking “under this chapter” and inserting “established under section 3722 of this title”.

(6) **CITATION CORRECTION.**—Section 8111(b)(1) is amended by striking “into the strategic” and all that follows through “and Results Act of 1993” and inserting “into the strategic plan of each Department under section 306 of title 5 and the performance plan of each Department under section 1115 of title 31”.

(7) **REPEAL OF OBSOLETE TEXT.**—Section 8111 is further amended—

(A) in subsection (d)(2), by striking “effective October 1, 2003”; and

(B) in subsection (e)(2)—

(i) in the second sentence, by striking “shall be implemented no later than October 1, 2003, and”; and

(ii) in the third sentence, by striking “, following implementation of the schedule.”.

(8) **CITATION CORRECTION.**—Section 8111A(a)(2)(B)(i) is amended by striking “Robert B.” and inserting “Robert T.”.

(b) PUBLIC LAW 107-296.—Effective as of November 25, 2002, section 1704(d) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2315) is amended—

(1) by striking “101(25)(d)” and inserting “101(25)(D)”; and

(2) by striking “3011(a)(1)(A)(ii)(II)” and inserting “3011(a)(1)(A)(ii)(III)”.

Effective date.

38 USC 101 note.

38 USC 101.

38 USC 3011.

SEC. 9. CODIFICATION OF COST-OF-LIVING ADJUSTMENT PROVIDED IN PUBLIC LAW 109-361.

(a) VETERANS' DISABILITY COMPENSATION.—Section 1114 of title 38, United States Code, is amended—

- (1) in subsection (a), by striking “\$112” and inserting “\$115”;
- (2) in subsection (b), by striking “\$218” and inserting “\$225”;
- (3) in subsection (c), by striking “\$337” and inserting “\$348”;
- (4) in subsection (d), by striking “\$485” and inserting “\$501”;
- (5) in subsection (e), by striking “\$690” and inserting “\$712”;
- (6) in subsection (f), by striking “\$873” and inserting “\$901”;
- (7) in subsection (g), by striking “\$1,099” and inserting “\$1,135”;
- (8) in subsection (h), by striking “\$1,277” and inserting “\$1,319”;
- (9) in subsection (i), by striking “\$1,436” and inserting “\$1,483”;
- (10) in subsection (j), by striking “\$2,393” and inserting “\$2,471”;
- (11) in subsection (k)—
 - (A) by striking “\$87” both places it appears and inserting “\$89”; and
 - (B) by striking “\$2,977” and “\$4,176” and inserting “\$3,075” and “\$4,313”, respectively;
- (12) in subsection (l), by striking “\$2,977” and inserting “\$3,075”;
- (13) in subsection (m), by striking “\$3,284” and inserting “\$3,392”;
- (14) in subsection (n), by striking “\$3,737” and inserting “\$3,860”;
- (15) in subsections (o) and (p), by striking “\$4,176” each place it appears and inserting “\$4,313”;
- (16) in subsection (r)—
 - (A) in paragraph (1), by striking “\$1,792” and inserting “\$1,851”; and
 - (B) in paragraph (2), by striking “2,669” and inserting “\$2,757”; and
- (17) in subsection (s), by striking “\$2,678” and inserting “\$2,766”.

(b) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Section 1115(1) of such title is amended—

- (1) in subparagraph (A), by striking “\$135” and inserting “\$139”;
- (2) in subparagraph (B), by striking “\$233” and “\$68” and inserting “\$240” and “\$70”, respectively;
- (3) in subparagraph (C), by striking “\$91” and “\$68” and inserting “\$94” and “\$70”, respectively;
- (4) in subparagraph (D), by striking “\$109” and inserting “\$112”;
- (5) in subparagraph (E), by striking “\$257” and inserting “\$265”; and
- (6) in subparagraph (F), by striking “\$215” and inserting “\$222”.

(c) CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.—Section 1162 of such title is amended by striking “\$641” and inserting “\$662”.

(d) DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.—

(1) NEW LAW DIC.—Subsection (a) of section 1311 of such title is amended—

(A) in paragraph (1), by striking “\$1,033” and inserting “\$1,067”; and

(B) in paragraph (2), by striking “\$221” and inserting “\$228”.

(2) OLD LAW DIC.—The table in paragraph (3) of such subsection is amended to read as follows:

Pay grade	Monthly rate	Pay grade	Monthly rate
E-1	\$1,067	W-4	\$1,276
E-2	\$1,067	O-1	\$1,128
E-3	\$1,067	O-2	\$1,165
E-4	\$1,067	O-3	\$1,246
E-5	\$1,067	O-4	\$1,319
E-6	\$1,067	O-5	\$1,452
E-7	\$1,104	O-6	\$1,637
E-8	\$1,165	O-7	\$1,768
E-9	\$1,215 ¹	O-8	\$1,941
W-1	\$1,128	O-9	\$2,076
W-2	\$1,172	O-10	\$2,276 ²
W-3	\$1,207		

¹ If the veteran served as Sergeant Major of the Army, Senior Enlisted Advisor of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse’s rate shall be \$1,312.

² If the veteran served as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse’s rate shall be \$2,443.

(3) ADDITIONAL DIC FOR CHILDREN OR DISABILITY.—Such section is further amended—

(A) in subsection (b), by striking “\$257” and inserting “\$265”;

(B) in subsection (c), by striking “\$257” and inserting “\$265”; and

(C) in subsection (d), by striking “\$122” and inserting “\$126”.

(e) DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.—

(1) DIC WHEN NO SURVIVING SPOUSE.—Section 1313(a) of such title is amended—

(A) in paragraph (1), by striking “\$438” and inserting “\$452”;

(B) in paragraph (2), by striking “\$629” and inserting “\$649”;

(C) in paragraph (3), by striking “\$819” and inserting “\$846”; and

(D) in paragraph (4), by striking “\$819” and “\$157” and inserting “\$846” and “\$162”, respectively.

(2) SUPPLEMENTAL DIC FOR CERTAIN CHILDREN.—Section 1314 of such title is amended—

- (A) in subsection (a), by striking “\$257” and inserting “\$265”;
- (B) in subsection (b), by striking “\$438” and inserting “\$452”; and
- (C) in subsection (c), by striking “\$218” and inserting “\$225”.

Approved December 21, 2006.

LEGISLATIVE HISTORY—H.R. 6342:
CONGRESSIONAL RECORD, Vol. 152 (2006):
Dec. 6, considered and passed House.
Dec. 7, considered and passed Senate.

