

Public Law 105-98
105th Congress

An Act

To amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

Nov. 19, 1997
[H.R. 2367]

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

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

Veterans'
Compensation
Rate
Amendments
of 1997.
38 USC 101 note.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans’ Compensation Rate Amendments of 1997”.

(b) **REFERENCES.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. DISABILITY COMPENSATION.

(a) **INCREASE IN RATES.**—Section 1114 is amended—

(1) by striking out “\$87” in subsection (a) and inserting in lieu thereof “\$95”;

(2) by striking out “\$166” in subsection (b) and inserting in lieu thereof “\$182”;

(3) by striking out “\$253” in subsection (c) and inserting in lieu thereof “\$279”;

(4) by striking out “\$361” in subsection (d) and inserting in lieu thereof “\$399”;

(5) by striking out “\$515” in subsection (e) and inserting in lieu thereof “\$569”;

(6) by striking out “\$648” in subsection (f) and inserting in lieu thereof “\$717”;

(7) by striking out “\$819” in subsection (g) and inserting in lieu thereof “\$905”;

(8) by striking out “\$948” in subsection (h) and inserting in lieu thereof “\$1,049”;

(9) by striking out “\$1,067” in subsection (i) and inserting in lieu thereof “\$1,181”;

(10) by striking out “\$1,774” in subsection (j) and inserting in lieu thereof “\$1,964”;

(11) in subsection (k)—

(A) by striking out “\$70” both places it appears and inserting in lieu thereof “\$75”; and

(B) by striking out “\$2,207” and “\$3,093” and inserting in lieu thereof “\$2,443” and “\$3,426”, respectively;

(12) by striking out "\$2,207" in subsection (l) and inserting in lieu thereof "\$2,443";

(13) by striking out "\$2,432" in subsection (m) and inserting in lieu thereof "\$2,694";

(14) by striking out "\$2,768" in subsection (n) and inserting in lieu thereof "\$3,066";

(15) by striking out "\$3,093" each place it appears in subsections (o) and (p) and inserting in lieu thereof "\$3,426";

(16) by striking out "\$1,328" and "\$1,978" in subsection (r) and inserting in lieu thereof "\$1,471" and "\$2,190", respectively; and

(17) by striking out "\$1,985" in subsection (s) and inserting in lieu thereof "\$2,199".

38 USC 1114
note.

(b) **SPECIAL RULE.**—The Secretary of Veterans Affairs may authorize administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 3. ADDITIONAL COMPENSATION FOR DEPENDENTS.

Section 1115(1) is amended—

(1) by striking out "\$105" in clause (A) and inserting in lieu thereof "\$114";

(2) by striking out "\$178" and "\$55" in clause (B) and inserting in lieu thereof "\$195" and "\$60", respectively;

(3) by striking out "\$72" and "\$55" in clause (C) and inserting in lieu thereof "\$78" and "\$60", respectively;

(4) by striking out "\$84" in clause (D) and inserting in lieu thereof "\$92";

(5) by striking out "\$195" in clause (E) and inserting in lieu thereof "\$215"; and

(6) by striking out "\$164" in clause (F) and inserting in lieu thereof "\$180".

SEC. 4. CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.

Section 1162 is amended by striking out "\$478" and inserting in lieu thereof "\$528".

SEC. 5. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

(a) **NEW LAW RATES.**—Section 1311(a) is amended—

(1) by striking out "\$769" in paragraph (1) and inserting in lieu thereof "\$850"; and

(2) by striking out "\$169" in paragraph (2) and inserting in lieu thereof "\$185".

(b) OLD LAW RATES.—The table in subsection (a)(3) is amended to read as follows:

Pay grade	Monthly rate	Pay grade	Monthly rate
E-1	\$850	W-4	\$1,017
E-2	850	O-1	898
E-3	850	O-2	928
E-4	850	O-3	992
E-5	850	O-4	1,049
E-6	850	O-5	1,155
E-7	879	O-6	1,302
E-8	928	O-7	1,406
E-9	1,968	O-8	1,541
W-1	898	O-9	1,651
W-2	934	O-10	2,811
W-3	962		

¹If 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 402 of this title, the surviving spouse's rate shall be \$1,044.

²If 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 402 of this title, the surviving spouse's rate shall be \$1,941."

(c) ADDITIONAL DIC FOR CHILDREN.—Section 1311(b) is amended by striking out "\$100" and all that follows and inserting in lieu thereof "\$215 for each such child."

(d) AID AND ATTENDANCE ALLOWANCE.—Section 1311(c) is amended by striking out "\$195" and inserting in lieu thereof "\$215".

(e) HOUSEBOUND RATE.—Section 1311(d) is amended by striking out "\$95" and inserting in lieu thereof "\$104".

SEC. 6. DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.

(a) DIC FOR ORPHAN CHILDREN.—Section 1313(a) is amended—

(1) by striking out "\$327" in paragraph (1) and inserting in lieu thereof "\$361";

(2) by striking out "\$471" in paragraph (2) and inserting in lieu thereof "\$520";

(3) by striking out "\$610" in paragraph (3) and inserting in lieu thereof "\$675"; and

(4) by striking out "\$610" and "\$120" in paragraph (4) and inserting in lieu thereof "\$675" and "\$132", respectively.

(b) SUPPLEMENTAL DIC FOR DISABLED ADULT CHILDREN.—Section 1314 is amended—

(1) by striking out "\$195" in subsection (a) and inserting in lieu thereof "\$215";

(2) by striking out "\$327" in subsection (b) and inserting in lieu thereof "\$361"; and

(3) by striking out "\$166" in subsection (c) and inserting in lieu thereof "\$182".

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 1997.

Approved November 19, 1997.

LEGISLATIVE HISTORY—H.R. 2367 (S. 987):

HOUSE REPORTS: No. 105-320 (Comm. on Veterans' Affairs).

SENATE REPORTS: No. 105-120 accompanying S. 987 (Comm. on Veterans' Affairs).

CONGRESSIONAL RECORD, Vol. 143 (1997):

Oct. 31, considered and passed House.

Nov. 5, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 33 (1997);

Nov. 19, Presidential statement.