

Public Law 109–111  
109th Congress

An Act

Nov. 22, 2005  
[S. 1234]

Veterans'  
Compensation  
Cost-of-Living  
Adjustment Act  
of 2005.  
38 USC 101 note.

To increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Veterans’ Compensation Cost-of-Living Adjustment Act of 2005”.

**SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.**

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

(1) in subsection (a), by striking “\$106” and inserting “\$112”;

(2) in subsection (b), by striking “\$205” and inserting “\$218”;

(3) in subsection (c), by striking “\$316” and inserting “\$337”;

(4) in subsection (d), by striking “\$454” and inserting “\$485”;

(5) in subsection (e), by striking “\$646” and inserting “\$690”;

(6) in subsection (f), by striking “\$817” and inserting “\$873”;

(7) in subsection (g), by striking “\$1,029” and inserting “\$1,099”;

(8) in subsection (h), by striking “\$1,195” and inserting “\$1,277”;

(9) in subsection (i), by striking “\$1,344” and inserting “\$1,436”;

(10) in subsection (j), by striking “\$2,239” and inserting “\$2,393”;

(11) in subsection (k)—

(A) by striking “\$82” both places it appears and inserting “\$87”; and

(B) by striking “\$2,785” and “\$3,907” and inserting “\$2,977” and “\$4,176”, respectively;

(12) in subsection (l), by striking “\$2,785” and inserting “\$2,977”;

(13) in subsection (m), by striking “\$3,073” and inserting “\$3,284”;

(14) in subsection (n), by striking “\$3,496” and inserting “\$3,737”;

(15) in subsections (o) and (p), by striking “\$3,907” each place it appears and inserting “\$4,176”;

(16) in subsection (r), by striking “\$1,677” and “\$2,497” and inserting “\$1,792” and “\$2,669”, respectively; and

(17) in subsection (s), by striking “\$2,506” and inserting “\$2,678”.

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

(1) in subparagraph (A), by striking “\$127” and inserting “\$135”;

(2) in subparagraph (B), by striking “\$219” and “\$65” and inserting “\$233” and “\$68”, respectively;

(3) in subparagraph (C), by striking “\$86” and “\$65” and inserting “\$91” and “\$68”, respectively;

(4) in subparagraph (D), by striking “\$103” and inserting “\$109”;

(5) in subparagraph (E), by striking “\$241” and inserting “\$257”; and

(6) in subparagraph (F), by striking “\$202” and inserting “\$215”.

(c) CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.—Section 1162 of such title is amended by striking “\$600” and inserting “\$641”.

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

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

(A) in paragraph (1), by striking “\$967” and inserting “\$1,033”; and

(B) in paragraph (2), by striking “\$208” and inserting “\$221”.

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

| “Pay grade | Monthly rate         | Pay grade  | Monthly rate         |
|------------|----------------------|------------|----------------------|
| E-1 .....  | \$1,033              | W-4 .....  | \$1,236              |
| E-2 .....  | \$1,033              | O-1 .....  | \$1,092              |
| E-3 .....  | \$1,033              | O-2 .....  | \$1,128              |
| E-4 .....  | \$1,033              | O-3 .....  | \$1,207              |
| E-5 .....  | \$1,033              | O-4 .....  | \$1,277              |
| E-6 .....  | \$1,033              | O-5 .....  | \$1,406              |
| E-7 .....  | \$1,069              | O-6 .....  | \$1,585              |
| E-8 .....  | \$1,128              | O-7 .....  | \$1,712              |
| E-9 .....  | \$1,177 <sup>1</sup> | O-8 .....  | \$1,879              |
| W-1 .....  | \$1,092              | O-9 .....  | \$2,010              |
| W-2 .....  | \$1,135              | O-10 ..... | \$2,204 <sup>2</sup> |
| W-3 .....  | \$1,169              | .....      | .....                |

<sup>1</sup> 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 \$1,271.

<sup>2</sup> 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 \$2,365."

(3) ADDITIONAL DIC FOR CHILDREN OR DISABILITY.—Section 1311 of such title is amended—

(A) in subsection (b), by striking "\$241" and inserting "\$257";

(B) in subsection (c), by striking "\$241" and inserting "\$257"; and

(C) in subsection (d), by striking "\$115" and inserting "\$122".

(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 "\$410" and inserting "\$438";

(B) in paragraph (2), by striking "\$590" and inserting "\$629";

(C) in paragraph (3), by striking "\$767" and inserting "\$819"; and

(D) in paragraph (4), by striking "\$767" and "\$148" and inserting "\$819" and "\$157", respectively.

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

(A) in subsection (a), by striking "\$241" and inserting "\$257";

(B) in subsection (b), by striking "\$410" and inserting "\$438"; and

(C) in subsection (c), by striking "\$205" and inserting "\$218".

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 1, 2005.

(g) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not

38 USC 1114  
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in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

Approved November 22, 2005.

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LEGISLATIVE HISTORY—S. 1234 (H.R. 1220):

HOUSE REPORTS: No. 109–162 accompanying H.R. 1220 (Comm. on Veterans' Affairs).

SENATE REPORTS: No. 109–138 (Comm. on Veterans' Affairs).

CONGRESSIONAL RECORD, Vol. 151 (2005):

Nov. 16, considered and passed Senate and House.