

subdivisions in the transit zone to make the agreed upon annual contributions. It is the purpose of this section to reaffirm the aforementioned policy established by Congress with respect to the regional transit project and the contractual obligation of the District of Columbia to provide its share of the cost of the regional transit project.

Approved December 15, 1971.

Public Law 92-197

December 15, 1971
[H. R. 11652]

AN ACT

To amend title 38 of the United States Code to liberalize the provisions relating to payment of dependency and indemnity compensation.

Veterans.
Dependency and
indemnity com-
pensation, in-
crease.
83 Stat. 144.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 411 of title 38, United States Code, is amended to read as follows:

"(a) Dependency and indemnity compensation shall be paid to a widow, based on the pay grade of her deceased husband, at monthly rates set forth in the following table:

"Pay grade	Monthly rate	"Pay grade	Monthly rate
E-1 -----	\$184	W-4 -----	\$262
E-2 -----	189	O-1 -----	232
E-3 -----	195	O-2 -----	240
E-4 -----	206	O-3 -----	257
E-5 -----	212	O-4 -----	272
E-6 -----	217	O-5 -----	299
E-7 -----	227	O-6 -----	337
E-8 -----	240	O-7 -----	365
E-9 -----	¹ 251	O-8 -----	399
W-1 -----	232	O-9 -----	429
W-2 -----	241	O-10 -----	² 469
W-3 -----	249		

¹ If the veteran served as sergeant major of the Army, senior enlisted adviser of the Navy, chief master sergeant of the Air Force, or sergeant major of the Marine Corps, at the applicable time designated by section 402 of this title, the widow's rate shall be \$270.

² If the veteran served as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, at the applicable time designated by section 402 of this title, the widow's rate shall be \$503.

"(b) If there is a widow with one or more children below the age of eighteen of a deceased veteran, the dependency and indemnity compensation paid monthly to the widow shall be increased by \$22 for each such child.

"(c) The monthly rate of dependency and indemnity compensation payable to a widow shall be increased by \$55 if she is (1) a patient in a nursing home or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

Children.
84 Stat. 256.

SEC. 2. Section 413 of title 38, United States Code, is amended to read as follows:

"Whenever there is no widow of a deceased veteran entitled to dependency and indemnity compensation, dependency and indemnity compensation shall be paid in equal shares to the children of the deceased veteran at the following monthly rates:

"(1) One child, \$92.

"(2) Two children, \$133.

"(3) Three children, \$172.

"(4) More than three children, \$172, plus \$34 for each child in excess of three."

SEC. 3. (a) Subsection (a) of section 414 of title 38, United States Code, is amended by striking out "\$32" and inserting in lieu thereof "\$55".

84 Stat. 256.

(b) Subsection (b) of section 414 of such title is amended by striking out "\$88" and inserting in lieu thereof "\$92".

(c) Subsection (c) of section 414 of such title is amended by striking out "\$45" and inserting in lieu thereof "\$47".

SEC. 4. (a) Subsection (b) of section 415 of title 38, United States Code, is amended to read as follows:

One parent.
80 Stat. 1157;
84 Stat. 1582.

"(b) (1) Except as provided in paragraph (2) of this subsection, if there is only one parent, dependency and indemnity compensation shall be paid to him according to the following formula: If annual income is \$800 or less the monthly rate of dependency and indemnity compensation shall be \$100. For each \$1 of annual income in excess of \$800 up to and including \$1,200, the monthly rate shall be reduced 3 cents; for each \$1 of annual income in excess of \$1,200 up to and including \$1,600, the monthly rate shall be reduced 4 cents; for each \$1 of annual income in excess of \$1,600 up to and including \$1,900, the monthly rate shall be reduced 5 cents; for each \$1 of annual income in excess of \$1,900 up to and including \$2,100, the monthly rate shall be reduced 6 cents; and for each \$1 of annual income in excess of \$2,100 up to and including \$2,600, the monthly rate shall be reduced 7 cents. No dependency and indemnity compensation shall be paid if annual income exceeds \$2,600.

"(2) If there is only one parent and he has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to him under either the formula of paragraph (1) of this subsection or under the formula in subsection (d), whichever is the greater. In such a case of remarriage the total combined annual income of the parent and his spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the appropriate formula."

Infra.

(b) Subsection (c) of such section 415 is amended to read as follows:

Two parents.
72 Stat. 1129;
84 Stat. 1582.

"(c) Except as provided in subsection (d), if there are two parents, but they are not living together, dependency and indemnity compensation shall be paid to each according to the following formula: If the annual income of each parent is \$800 or less, the monthly rate of dependency and indemnity payable to each shall be \$70. For each \$1 of annual income in excess of \$800 up to and including \$1,100, the monthly rate shall be reduced 2 cents; for each \$1 of annual income in excess of \$1,100 up to and including \$1,700, the monthly rate shall be reduced 3 cents; and for each \$1 of annual income in excess of \$1,700 up to and including \$2,600, the monthly rate shall be reduced 4 cents. No dependency and indemnity compensation shall be paid to a parent whose annual income exceeds \$2,600."

(c) Subsection (d) of such section 415 is amended to read as follows:

"(d) If there are two parents who are living together, or if a parent has remarried and is living with his spouse, dependency and indemnity compensation shall be paid to each such parent according to the following formula: If the total combined annual income is

\$1,000 or less, the monthly rate of dependency and indemnity compensation payable to each parent shall be \$67. For each \$1 of annual income in excess of \$1,000 up to and including \$1,300, the monthly rate shall be reduced 1 cent; for each \$1 of annual income in excess of \$1,300 up to and including \$3,400, the monthly rate shall be reduced 2 cents; and for each \$1 of annual income in excess of \$3,400 up to and including \$3,800, the monthly rate shall be reduced 3 cents. No dependency and indemnity compensation shall be paid to either parent if the total combined annual income exceeds \$3,800."

72 Stat. 1129;
84 Stat. 1584.

(d) Subsection (g) of such section 415 is amended by redesignating paragraph (2) as (3), and by inserting immediately after subparagraph (1) (M) the following new paragraph:

"(2) Where a fraction of a dollar is involved, annual income shall be fixed at the next lower dollar."

Helpless or
blind parent, ad-
ditional compen-
sation.

(e) Such section 415 of title 38, United States Code, is further amended by adding the following new subsection at the end thereof:

"(h) The monthly rate of dependency and indemnity compensation payable to a parent shall be increased by \$55 if such parent is (1) a patient in a nursing home or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

72 Stat. 1132;
84 Stat. 332.

SEC. 5. Section 417 of title 38, United States Code, is amended by striking out subsection (a) thereof, and by striking out "(b)".

SEC. 6. Sections 321 and 341 of title 38, United States Code, are each amended by striking out "(or after April 30, 1957, under the circumstances described in section 417(a) of this title)".

SEC. 7. Section 724 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) In any case in which insurance continued in force under this section matures on or after January 1, 1972, an amount equal to the amount of premiums, less dividends, waived on and after that date shall be placed as an indebtedness against the insurance and, unless otherwise paid, shall be deducted from the proceeds. In such case, the liability of the Government under subsection (b) of this section shall be reduced by the amount so deducted from the proceeds."

Dependency and
indemnity compen-
sation, eli-
gibility.

SEC. 8. Any person who before January 1, 1972, was not eligible for dependency and indemnity compensation under such title by reason of the provisions of the prior section 417(a) of title 38, United States Code, may elect, in such manner as the Administrator of Veterans' Affairs shall prescribe, to receive dependency and indemnity compensation, and an election so made shall be final. A person receiving, or entitled to receive, death compensation on December 31, 1971, shall continue to receive death compensation, if otherwise eligible, in the absence of an election to receive dependency and indemnity compensation.

Death compen-
sation, increase.
83 Stat. 146;
84 Stat. 1583.

SEC. 9. Subsection (b) of section 322 of title 38, United States Code, is amended to read as follows:

"(b) The monthly rate of death compensation payable to a widow or dependent parent under subsection (a) of this section shall be increased by \$55 if the payee is (1) a patient in a nursing home or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

Effective date.

SEC. 10. This Act shall take effect on January 1, 1972.

Approved December 15, 1971.