

AMENDMENT TO H.R. 5620
OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Page 54, after line 2, insert the following:

1 **SEC. 11. INCREASE IN AMOUNT OF DEPENDENCY AND IN-**
2 **DEMNITY COMPENSATION PAYABLE TO SUR-**
3 **VIVING SPOUSES BY THE SECRETARY OF**
4 **VETERANS AFFAIRS.**

5 (a) INCREASE.—Section 1311 of title 38, United
6 States Code, is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “of
9 \$1,154” and inserting “equal to 55 percent of
10 the rate of monthly compensation in effect
11 under section 1114(j) of this title”; and

12 (B) by striking paragraph (3); and

13 (2) by adding at the end the following new sub-
14 section:

15 “(g) In the case of an individual who is eligible for
16 dependency and indemnity compensation under this sec-
17 tion who is also eligible for benefits under another provi-
18 sion of law by reason of such individual’s status as the
19 surviving spouse of a veteran, then, notwithstanding any
20 other provision of law (other than section 5304(b)(3) of

1 this title), neither a reduction nor an offset in benefits
2 under such provision shall be made by reason of such indi-
3 vidual's eligibility for benefits under this section.”.

4 (b) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided by para-
6 graph (2), the amendments made by subsection (a)
7 shall apply with respect to compensation paid under
8 chapter 13 of title 38, United States Code, for
9 months beginning after the date that is six months
10 after the date of the enactment of this Act.

11 (2) SPECIAL RULE FOR CERTAIN INDIVID-
12 UALS.—

13 (A) For months beginning after the date
14 that is six months after the date of the enact-
15 ment of this Act, the Secretary of Veterans Af-
16 fairs shall pay to an individual described in sub-
17 paragraph (B) dependency and indemnity com-
18 pensation under section 1311 of title 38, United
19 States Code, in the monthly amount that is the
20 greater of the following:

21 (i) The amount determined under sub-
22 section (a)(3) of such section 1311, as in
23 effect on the day before the date of the en-
24 actment of this Act.

1 (ii) The amount determined under
2 subsection (a)(1) of such section 1311, as
3 amended by subsection (a).

4 (B) An individual described in this sub-
5 paragraph is an individual eligible for depend-
6 ency and indemnity compensation under section
7 1311 of title 38, United States Code, that is
8 predicated on the death of a veteran before
9 January 1, 1993.

