

## Public Law 91-96

## AN ACT

October 27, 1969  
[S. 1471]

To amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 402 of title 38, United States Code, is amended to read as follows:

**“§ 402. Determination of pay grade**

“(a) With respect to a veteran who died in the active military, naval, or air service, his pay grade shall be determined as of the date of his death.

“(b) With respect to a veteran who did not die in the active military, naval, or air service, his pay grade shall be determined as of—

(1) the time of his last discharge or release from active duty under conditions other than dishonorable; or

(2) the time of his discharge or release from any period of active duty for training or inactive duty training, if his death results from service-connected disability incurred during such period and if he was not thereafter discharged or released under conditions other than dishonorable from active duty.

“(c) The pay grade of any veteran described in section 106(b) of this title shall be that to which he would have been assigned upon final acceptance or entry upon active duty.

“(d) If a veteran has satisfactorily served on active duty for a period of six months or more in a pay grade higher than that specified in subsection (a) or (b) and any subsequent discharge or release from active duty was under conditions other than dishonorable, the higher pay grade shall be used if it will result in greater monthly payments to his widow under this chapter. The determination as to whether an individual has served satisfactorily for the required period in a higher pay grade shall be made by the Secretary of the Department in which such higher pay grade was held.

“(e) The pay grade of any person not otherwise described in this section, but who had a compensable status on the date of his death under laws administered by the Veterans' Administration, shall be determined by the head of the department under which such person performed the services by which he obtained such status (taking into consideration his duties and responsibilities) and certified to the Administrator. For the purposes of this chapter, such person shall be deemed to have been on active duty while performing such services.”

SEC. 2. Section 403 of title 38, United States Code, is amended by striking out the last sentence of the section.

SEC. 3. Section 411 of title 38, United States Code, is amended to read as follows:

Veterans.  
Dependency  
and indemnity  
compensation,  
increase.

72 Stat. 1126;  
80 Stat. 873.

72 Stat. 1110;  
79 Stat. 1156.  
38 USC 106.

“(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 -----	\$167	W-4 -----	\$238
E-2 -----	172	O-1 -----	211
E-3 -----	177	O-2 -----	218
E-4 -----	187	O-3 -----	234
E-5 -----	193	O-4 -----	247
E-6 -----	197	O-5 -----	272
E-7 -----	206	O-6 -----	306
E-8 -----	218	O-7 -----	332
E-9 -----	<sup>1</sup> 228	O-8 -----	363
W-1 -----	211	O-9 -----	390
W-2 -----	219	O-10 -----	<sup>2</sup> 426
W-3 -----	226		

<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, or sergeant major of the Marine Corps, at the applicable time designated by sec. 402 of this title, the widow's rate shall be \$245.

<sup>2</sup> 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 sec. 402 of this title, the widow's rate shall be \$437.”

“(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 \$20 for each such child.

“(c) The monthly rate of dependency and indemnity compensation payable to a widow shall be increased by \$50 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.”

SEC. 4. Section 421 of title 38, United States Code, is amended to read as follows:

72 Stat. 1132.

#### “§ 421. Certifications with respect to pay grade

“The Secretary concerned shall, at the request of the Administrator, certify to him the pay grade of deceased persons with respect to whose deaths applications for benefits are filed under this chapter. The certification of the Secretary concerned shall be binding upon the Administrator.”

SEC. 5. Section 401 of title 38, United States Code, is amended by striking out the text thereof beginning with “(1)” and continuing through “(2)”.

SEC. 6. The table of sections at the beginning of chapter 13 of title 38, United States Code, is amended by (1) striking out

38 USC 401-423.

“402. Computation of basic pay.”

and substituting in lieu thereof:

“402. Determination of pay grade.”;

and (2) by striking out

"421. Certifications with respect to basic pay."

and substituting in lieu thereof:

"421. Certifications with respect to pay grade."

Helpless or  
blind widow,  
additional  
compensation.  
72 Stat. 1122.

SEC. 7. Section 322 of title 38, United States Code, is amended by (1) inserting "(a)" immediately before "The"; and (2) adding at the end thereof the following new subsection:

"(b) The monthly rate of death compensation payable to a widow under subsection (a) of this section shall be increased by \$50 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."

Effective date.

SEC. 8. This Act shall take effect on the first day of the second calendar month which begins after the date of enactment.

Approved October 27, 1969.

## Public Law 91-97

### AN ACT

October 27, 1969  
[S. 1242]

To amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

Educational  
Television and  
Radio Amend-  
ments of 1969.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Educational Television and Radio Amendments of 1969".

#### THREE-YEAR AUTHORIZATION FOR PUBLIC BROADCASTING FACILITIES

76 Stat. 65;  
81 Stat. 365.

SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the second sentence the following new sentence: "There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years, \$15,000,000 per fiscal year."

(b) The last sentence of such section is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1974".

#### ONE-YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

81 Stat. 372;  
82 Stat. 108.

SEC. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting ", and for the next fiscal year the sum of \$20,000,000" after "\$9,000,000".

(b) Paragraph (2) of such subsection is amended by inserting "or the next fiscal year" after "June 30, 1969".

Approved October 27, 1969.