

(2) The Secretary shall deny or discontinue the payment of increased pension under subsection (c), (d), or (e) of section 1541 of this title on account of a child when the corpus of such child's estate is such that under all the circumstances, including consideration of the income of the surviving spouse and such child and the income of any other child for whom the surviving spouse is receiving increased pension, it is reasonable that some part of the corpus of the child's estate be consumed for the child's maintenance. During the period such denial or discontinuance remains in effect, such child shall not be considered as the surviving spouse's child for purposes of this chapter.

(b) The Secretary shall deny or discontinue payment of pension to a child under section 1542 of this title when the corpus of the estate of the child is such that under all the circumstances, including consideration of the income of the child, the income of any person with whom such child is residing who is legally responsible for such child's support, and the corpus of the estate of such person, it is reasonable that some part of the corpus of such estates be consumed for the child's maintenance.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1138, § 543; Pub. L. 86-211, § 4, Aug. 29, 1959, 73 Stat. 435; Pub. L. 94-169, title I, § 101(2)(E), Dec. 23, 1975, 89 Stat. 1014; Pub. L. 95-588, title I, § 111, Nov. 4, 1978, 92 Stat. 2504; renumbered § 1543 and amended Pub. L. 102-83, §§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406.)

AMENDMENTS

1991—Pub. L. 102-83, § 5(a), renumbered section 543 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 5(c)(1), substituted "1541" for "541" in pars. (1) and (2).

Pub. L. 102-83, § 4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in pars. (1) and (2).

Subsec. (b). Pub. L. 102-83, § 5(c)(1), substituted "1542" for "542".

Pub. L. 102-83, § 4(b)(1), (2)(E), substituted "Secretary" for "Administrator".

1978—Pub. L. 95-588 designated existing provisions relating to denial or discontinuance of pension payments to surviving spouses as subsec. (a), expanded existing provisions relating to denial or discontinuance of pension payments to children of veterans, and designated such expanded provisions as subsecs. (a)(2) and (b).

1975—Pub. L. 94-169 substituted "surviving spouse" for "widow".

1959—Pub. L. 86-211 substituted provisions requiring the denial or discontinuance of payment of pension to a widow or child when the corpus of the estate of the survivor concerned is such that under all the circumstances, including consideration of income, it is reasonable that some part of the corpus be consumed for the survivor's maintenance for provisions which authorized the payment of a pension to widows of World War II or Korean conflict veterans. See section 1541 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-588 effective Jan. 1, 1979, see section 401 of Pub. L. 95-588, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 94-169, title I, § 101, Dec. 23, 1975, 89 Stat. 1013, provided that the amendment made by that section is effective Jan. 1, 1976.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-211 effective July 1, 1960, see section 10 of Pub. L. 86-211, set out as a note under section 1521 of this title.

[SURVIVING SPOUSES OF VETERANS OF ALL PERIODS OF WAR—REPEALED]

AMENDMENTS

1978—Pub. L. 95-588, title I, § 112(a)(2), Nov. 4, 1978, 92 Stat. 2505, struck out heading "SURVIVING SPOUSES OF VETERANS OF ALL PERIODS OF WAR" below section 543 [now 1543].

1975—Pub. L. 94-169, title I, § 101(2)(I), Dec. 23, 1975, 89 Stat. 1014, substituted "SURVIVING SPOUSES" for "WIDOWS" in heading below section 543.

[§ 1544. Vacant]

CODIFICATION

Prior to renumbering of sections 501 to 543 of this chapter as sections 1501 to 1543 by Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406, section 544 of this chapter, added Pub. L. 90-77, title I, § 108(a), Aug. 31, 1967, 81 Stat. 180; amended Pub. L. 91-588, § 3(a), Dec. 24, 1970, 84 Stat. 1583; Pub. L. 93-527, § 5, Dec. 21, 1974, 88 Stat. 1704; Pub. L. 94-169, title I, § 105, Dec. 23, 1975, 89 Stat. 1017; Pub. L. 94-432, title II, § 205, Sept. 30, 1976, 90 Stat. 1371; Pub. L. 95-204, title I, § 104, Dec. 2, 1977, 91 Stat. 1457, which authorized an increase by \$79 of the monthly rate of pension payable to the surviving spouse if the surviving spouse was entitled to pension under this subchapter and was in need of regular aid and attendance, was repealed by Pub. L. 95-588, title I, § 112(a)(1), title IV, § 401, Nov. 4, 1978, 92 Stat. 2505, 2511, effective Jan. 1, 1979.

SUBCHAPTER IV—ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL

AMENDMENTS

1963—Pub. L. 88-77, § 5(3), July 25, 1963, 77 Stat. 96, substituted "ARMY, NAVY, AIR FORCE, AND COAST GUARD" for "ARMY, NAVY, AND AIR FORCE" in subchapter heading.

[§§ 1560, 1561. Repealed. Pub. L. 113-66, div. A, title V, § 563(c)(1), Dec. 26, 2013, 127 Stat. 768]

Section 1560, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1139, § 560; Pub. L. 87-138, § 1, Aug. 14, 1961, 75 Stat. 338; Pub. L. 88-77, § 5(1), July 25, 1963, 77 Stat. 95; Pub. L. 88-651, Oct. 13, 1964, 78 Stat. 1078; Pub. L. 89-311, § 4, Oct. 31, 1965, 79 Stat. 1156; Pub. L. 91-24, § 5, June 11, 1969, 83 Stat. 33; Pub. L. 94-169, title I, § 106(41), Dec. 23, 1975, 89 Stat. 1019; renumbered § 1560 and amended Pub. L. 102-83, §§ 4(b)(4)(A), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 405, 406; Pub. L. 107-296, title XVII, § 1704(d), Nov. 25, 2002, 116 Stat. 2315, related to persons eligible for Medal of Honor Roll.

Section 1561, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1139, § 561; Pub. L. 87-138, § 2(a), Aug. 14, 1961, 75 Stat. 338; Pub. L. 88-77, § 5(2), July 25, 1963, 77 Stat. 95; Pub. L. 94-169, title I, § 106(42), (43), Dec. 23, 1975, 89 Stat. 1019; renumbered § 1561 and amended Pub. L. 102-83, §§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406, related to certificates issued to persons on the Medal of Honor Roll.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to Medals of Honor awarded on or after Dec. 26, 2013, see section 563(d) of Pub. L. 113-66, set out as an Effective Date note under section 1134a of Title 10, Armed Forces.

§ 1562. Special provisions relating to pension

(a) The Secretary shall pay monthly to each living person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, and a copy of whose certificate has been delivered to the Secretary under