

U.S.C. 402)" for "section 402 of title 42", and "Health and Human Services" for "Health, Education, and Welfare".

Subsec. (b). Pub. L. 97-295, §4(95)(A), substituted "Health and Human Services" for "Health, Education, and Welfare".

1976—Subsec. (a). Pub. L. 94-433 substituted "such veteran's" and "such Secretary" for "his" and "him", respectively.

1961—Subsec. (a). Pub. L. 87-268 §1(c), substituted "section 412(a)" for "section 412", "section 412(a)(2)" for "section 412(2)", and "section 412(a)(3)" for "section 412(3)".

Subsec. (c). Pub. L. 87-268, §1(b), substituted "section 412(a)" for "section 412".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

EFFECTIVE DATE OF 1961 AMENDMENT

Amendment by Pub. L. 87-268 effective Oct. 1, 1961, see section 3 of Pub. L. 87-268, set out as a note under section 1312 of this title.

§ 1323. Certifications with respect to circumstances of death

Whenever the Secretary determines on the basis of a claim for benefits filed with the Secretary that a death occurred under the circumstances referred to in section 1476(a) of title 10, the Secretary shall certify that fact to the Secretary concerned. In all other cases, the Secretary shall make the determination referred to in such section at the request of the Secretary concerned.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1133, § 423; Pub. L. 94-433, title IV, § 405(19), Sept. 30, 1976, 90 Stat. 1380; Pub. L. 102-54, § 14(b)(4), June 13, 1991, 105 Stat. 283; renumbered § 1323 and amended Pub. L. 102-83, §§ 4(b)(1), (2)(E), (3)(A), 5(a), Aug. 6, 1991, 105 Stat. 404-406.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 1401, 1402, 1411 to 1419, 1421 to 1423, 1431 to 1436, and 1500 were renumbered sections 3001, 3002, 3011 to 3019, 3021 to 3023, 3031 to former 3036, and 3100 of this title, respectively.

AMENDMENTS

1991—Pub. L. 102-83, § 5(a), renumbered section 423 of this title as this section.

Pub. L. 102-83, § 4(b)(3)(A), substituted "Certifications with respect to circumstances of death" for "Certifications by Administrator" in section catchline.

Pub. L. 102-83, § 4(b)(1), (2)(E), substituted "Secretary determines" for "Administrator determines", "Secretary that" for "Administrator that", and in two places "Secretary shall" for "Administrator shall".

Pub. L. 102-54 struck out "or section 321(b) of title 32," after "title 10," and "1476(a) or 321(b)" after "such section".

1976—Pub. L. 94-433 substituted "with the Administrator" for "with him" and "the Administrator" for "he" before "shall certify" and "shall make".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

CHAPTER 15—PENSION FOR NON-SERVICE-CONNECTED DISABILITY OR DEATH OR FOR SERVICE

SUBCHAPTER I—GENERAL

- Sec. 1501. Definitions.
- 1502. Determinations with respect to disability.
- 1503. Determinations with respect to annual income.
- 1504. Persons heretofore having a pensionable status.
- 1505. Payment of pension during confinement in penal institutions.
- 1506. Resource reports and overpayment adjustments.
- 1507. Disappearance.
- 1508. Frequency of payment of pension benefits.

SUBCHAPTER II—VETERANS' PENSIONS

SERVICE PENSION

- 1511. Indian War veterans.
- 1512. Spanish-American War veterans.
- 1513. Veterans 65 years of age and older.

NON-SERVICE-CONNECTED DISABILITY PENSION

- 1521. Veterans of a period of war.
- 1522. Net worth limitation.
- 1523. Combination of ratings.
- 1524. Vocational training for certain pension recipients.
- 1525. Protection of health-care eligibility.

SUBCHAPTER III—PENSIONS TO SURVIVING SPOUSES AND CHILDREN

WARS BEFORE WORLD WAR I

- 1532. Surviving spouses of Civil War veterans.
- 1533. Children of Civil War veterans.
- 1534. Surviving spouses of Indian War veterans.
- 1535. Children of Indian War veterans.
- 1536. Surviving spouses of Spanish-American War veterans.
- 1537. Children of Spanish-American War veterans.

OTHER PERIODS OF WAR

- 1541. Surviving spouses of veterans of a period of war.
- 1542. Children of veterans of a period of war.
- 1543. Net worth limitation.

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

[1560, 1561. Repealed.]

- 1562. Special provisions relating to pension.

Editorial Notes

AMENDMENTS

2013—Pub. L. 113-66, div. A, title V, § 563(c)(2), Dec. 26, 2013, 127 Stat. 768, struck out items 1560 "Medal of Honor Roll; persons eligible" and 1561 "Certificate".

2001—Pub. L. 107-103, title II, § 207(a)(2), Dec. 27, 2001, 115 Stat. 991, added item 1513.

1992—Pub. L. 102-568, title IV, §§ 402(c)(2)(B), 403(b)(2), Oct. 29, 1992, 106 Stat. 4337, 4338, substituted "Vocational training for certain pension recipients" for "Temporary program of vocational training for certain new pension recipients" in item 1524 and "Protection" for "Temporary protection" in item 1525.

1991—Pub. L. 102-83, § 5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 501 to 562 as 1501 to 1562, respectively.

Pub. L. 102-25, title III, § 333(c)(2), Apr. 6, 1991, 105 Stat. 88, substituted "OTHER PERIODS OF WAR" for "MEXICAN BORDER PERIOD, WORLD WAR I, WORLD WAR II, KOREAN CONFLICT, AND THE VIETNAM ERA" as sub-heading preceding item 541.

1986—Pub. L. 99-576, title VII, § 703(b)(3), Oct. 28, 1986, 100 Stat. 3303, inserted “program of” after “Temporary” in item 524.

1984—Pub. L. 98-543, title III, § 301(a)(2), Oct. 24, 1984, 98 Stat. 2746, added items 524 and 525.

1982—Pub. L. 97-295, § 4(14), Oct. 12, 1982, 96 Stat. 1305, substituted “Honor Roll” for “honor roll” in item 560.

1978—Pub. L. 95-588, title I, §§ 104(b), 106(b), 109(b), 110(b), 112(b), Nov. 4, 1978, 92 Stat. 2499, 2502, 2504, 2505, added item 508, substituted “Veterans of a period of war” for “Veterans of the Mexican border period, World War I, World War II, the Korean conflict, or the Vietnam era” in item 521, substituted “Surviving spouses of veterans of a period of war” for “Surviving spouses of Mexican border period, World War I, World War II, Korean conflict, or Vietnam era veterans” in item 541, substituted “Children of veterans of a period of war” for “Children of Mexican border period, World War I, World War II, Korean conflict, or Vietnam era veterans” in item 542, struck out heading “SURVIVING SPOUSES OF VETERANS OF ALL PERIODS OF WAR” following item 543, and struck out item 544.

1975—Pub. L. 94-169, title I, §§ 101(2)(J), 106(24), (30), (38), Dec. 23, 1975, 89 Stat. 1014, 1018, 1019, struck out items 510 relating to confederate forces veterans, and 531 relating to widows of Mexican War veterans, substituted “Surviving Spouses” for “Widows” in heading of Subchapter III and subheading preceding item 544, and substituted “Surviving spouses” for “Widows” in items 532, 534, 536 and 541.

1970—Pub. L. 91-588, § 9(h), Dec. 24, 1970, 84 Stat. 1585, inserted references to the Mexican border period in subheading preceding item 541 and in items 521, 541, and 542, respectively.

1967—Pub. L. 90-77, title I, § 108(b), title II, § 202(i), Aug. 31, 1967, 81 Stat. 180, 183, added item 544 and included references to Vietnam era in subheading preceding item 541 and in items 521, 541, and 542, respectively.

1966—Pub. L. 89-467, § 1(b), June 22, 1966, 80 Stat. 218, added item 507.

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 heading of Subchapter IV.

1961—Pub. L. 87-138, § 2(b), Aug. 14, 1961, 75 Stat. 339, struck out “entitling holder to pension” after “Certificate” in item 561.

1959—Pub. L. 86-211, § 7(a), Aug. 29, 1959, 73 Stat. 436, substituted “Determinations with respect to annual income” for “Items not considered in determining income” in item 503, “Net worth limitation” for “Income limitations” in item 522, and “Net worth limitation” for “Widows of World War II or Korean conflict veterans” in item 543, included widows of World War II and Korean conflict veterans in item 541 and children of World War II and Korean conflict veterans in item 542, added item 506, and struck out items 544 and 545 which related to children of World War II or Korean conflict veterans and to income limitations.

SUBCHAPTER I—GENERAL

§ 1501. Definitions

For the purposes of this chapter—

(1) The term “Indian Wars” means the campaigns, engagements, and expeditions of the United States military forces against Indian tribes or nations, service in which has been recognized heretofore as pensionable service.

(2) The term “World War I” includes, in the case of any veteran, any period of service performed by such veteran after November 11, 1918, and before July 2, 1921, if such veteran served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918.

(3) The term “Civil War veteran” includes a person who served in the military or naval

forces of the Confederate States of America during the Civil War, and the term “active military or naval service” includes active service in those forces.

(4) The term “period of war” means the Mexican border period, World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1134, § 501; Pub. L. 94-169, title I, § 106(1), Dec. 23, 1975, 89 Stat. 1017; Pub. L. 95-588, title I, § 101, Nov. 4, 1978, 92 Stat. 2497; Pub. L. 102-25, title III, § 333(a), Apr. 6, 1991, 105 Stat. 88; renumbered § 1501, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 1500 and 1501 were renumbered sections 3100 and 3101 of this title, respectively.

Another prior section 1501, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1171; Pub. L. 93-508, title I, § 101(1), Dec. 3, 1974, 88 Stat. 1578, defined “World War II” and “vocational rehabilitation” for purposes of chapter 31 of this title, prior to the general revision of chapter 31 of this title by Pub. L. 96-466. Section 802(a)(3) of Pub. L. 96-466, set out as an Effective Date note under section 3100 of this title, provided that this prior section 1501 continue in effect until Mar. 31, 1981.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 501 of this title as this section.

Par. (4). Pub. L. 102-25 inserted “the Persian Gulf War,” after “the Vietnam era.”

1978—Par. (4). Pub. L. 95-588 added par. (4).

1975—Par. (2). Pub. L. 94-169 substituted “such veteran” for “him”.

Statutory Notes and Related Subsidiaries

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, § 106, Dec. 23, 1975, 89 Stat. 1017, provided that the amendment made by that section is effective Jan. 1, 1976.

PLAN TO ADDRESS THE FINANCIAL EXPLOITATION OF VETERANS RECEIVING PENSION FROM THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 116-315, title VI, § 6002, Jan. 5, 2021, 134 Stat. 5051, provided that:

“(a) DEVELOPMENT OF METHOD FOR SOLICITATION AND COLLECTION OF INFORMATION.—Not later than one year after the date of the enactment of this Act [Jan. 5, 2021], the Secretary of Veterans Affairs shall develop a method for systematically soliciting and collecting information on complaints received, referrals made, and actions taken by the pension management centers of the Department of Veterans Affairs and any other relevant components of the Department, in cases of potential financial exploitation of individuals receiving pension under chapter 15 of title 38, United States Code.

“(b) PLAN TO ASSESS AND ADDRESS FINANCIAL EXPLOITATION OF VETERANS.—

“(1) IN GENERAL.—The Secretary shall develop and periodically update a plan—