

inability to secure or follow a substantially gainful occupation as a result of such disability or disabilities.

“(B) The term ‘program period’ means the period beginning on February 1, 1985, and ending on December 31, 1992.”

Pub. L. 102-291 substituted “December 31, 1992” for “January 31, 1992” in subpar. (B).

Subsec. (b). Pub. L. 102-568, §401(b), substituted “The Secretary” for “During the program period, the Secretary”.

Subsec. (c)(1). Pub. L. 102-568, §401(c), substituted “after January 31, 1985, of a rating of total disability described in subsection (a)(2)” for “during the program period of a rating of total disability described in subsection (a)(2)(A)”.

1991—Pub. L. 102-83, §5(a), renumbered section 363 of this title as this section.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted “3104(a)(2)” for “1504(a)(2)” and “3104(a)(5)” for “1504(a)(5)”.

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

Subsec. (c). Pub. L. 102-83, §5(c)(1), substituted “3106(a)” for “1506(a)” in par. (2).

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

1988—Subsec. (a)(2)(B). Pub. L. 100-687, §1301(a), substituted “1992” for “1989”.

Subsec. (c)(1). Pub. L. 100-687, §1301(b)(2), (3), substituted “(1) In” for “(1)(A) Except as provided in paragraph (4) of this subsection, in”, redesignated cls. (i), (ii), and (iii) as subpars. (A), (B), and (C), respectively, and struck out former subpar. (B) which required that, after providing notice, Administrator arrange promptly for evaluation to determine whether achievement of vocational goal by veteran is feasible.

Subsec. (c)(2). Pub. L. 100-687, §1301(b)(1), (3)(B), added par. (2) and struck out former par. (2) which related to failure of veteran to participate in evaluation, and reduction of disability rating.

Subsec. (c)(3). Pub. L. 100-687, §1301(b)(1), struck out par. (3) which related to individualized written plan of vocational rehabilitation after completion of evaluation, and failure to pursue program of vocational rehabilitation described in such plan.

Subsec. (c)(4). Pub. L. 100-687, §1301(b)(1), struck out par. (4) which read as follows: “This subsection does not apply with respect to a veteran as to whom the Administrator determines that an evaluation of vocational rehabilitation potential or achievement of a vocational goal is not reasonably feasible.”

EFFECTIVE DATE OF 1992 AMENDMENT

Section 2(d) of Pub. L. 102-291 provided that: “The amendments made by subsections (a) through (c) [amending this section and sections 1524 and 1525 of this title] shall take effect as of January 31, 1992.”

RATIFICATION OF ACTIONS OF SECRETARY OF VETERANS AFFAIRS DURING LAPSED PERIOD

Section 2(e) of Pub. L. 102-291 provided that: “The following actions of the Secretary of Veterans Affairs during the period beginning on February 1, 1992, and ending on the date of the enactment of this Act [May 20, 1992] are hereby ratified with respect to that period:

“(1) A failure to reduce the disability rating of a veteran who began to engage in a substantially gainful occupation during that period.

“(2) The provision of a vocational training program (including related evaluations and other related services) to a veteran under section 1524 of title 38, United States Code, and the making of related determinations under that section.

“(3) The provision of health care and services to a veteran pursuant to section 1525 of title 38, United States Code.”

INFORMATION; TEMPORARY PROGRAM; ADMINISTRATOR

Section 111(b) of Pub. L. 98-543 directed Administrator of Veterans' Affairs to provide, not later than

Apr. 1, 1985, to certain veterans with service-connected disabilities, a statement containing information explaining subsec. (b) of this section, information explaining purposes and availability of and eligibility for, and procedures for pursuing, a vocational rehabilitation program under chapter 31 of this title, and a summary description of scope of services and assistance available under chapter 31.

REPORT TO CONGRESSIONAL COMMITTEES; TRIAL PROGRAM

Section 111(c) of Pub. L. 98-543, as amended by Pub. L. 99-576, title VII, §703(a)(2), Oct. 28, 1986, 100 Stat. 3303, directed Administrator of Veterans' Affairs to submit, not later than Apr. 15, 1988, to Committees on Veterans' Affairs of Senate and House of Representatives a report on results of implementation of this section during the three-year period beginning on Feb. 1, 1985.

CHAPTER 13—DEPENDENCY AND INDEMNITY COMPENSATION FOR SERVICE-CONNECTED DEATHS

SUBCHAPTER I—GENERAL

- Sec. 1301. Definitions.
- 1302. Determination of pay grade.
- 1303. Cost-of-living adjustments.
- 1304. Special provisions relating to surviving spouses.

SUBCHAPTER II—DEPENDENCY AND INDEMNITY COMPENSATION

- 1310. Deaths entitling survivors to dependency and indemnity compensation.
- 1311. Dependency and indemnity compensation to a surviving spouse.
- 1312. Benefits in certain cases of in-service or service-connected deaths.
- 1313. Dependency and indemnity compensation to children.
- 1314. Supplemental dependency and indemnity compensation to children.
- 1315. Dependency and indemnity compensation to parents.
- 1316. Dependency and indemnity compensation in cases of prior deaths.
- 1317. Restriction on payments under this chapter.
- 1318. Benefits for survivors of certain veterans rated totally disabled at time of death.

SUBCHAPTER III—CERTIFICATIONS

- 1321. Certifications with respect to pay grade.
- 1322. Certifications with respect to social security entitlement.
- 1323. Certifications with respect to circumstances of death.

AMENDMENTS

1997—Pub. L. 105-33, title VIII, §8031(b)(2), Aug. 5, 1997, 111 Stat. 669, added item 1303.

1991—Pub. L. 102-83, §§4(b)(3)(B), 5(b)(1), Aug. 6, 1991, 105 Stat. 405, 406, renumbered items 401 to 423 as 1301 to 1323, respectively, and in item 1323 substituted “with respect to circumstances of death” for “by Administrator”.

1988—Pub. L. 100-687, div. B, title XIV, §1403(a)(2), Nov. 18, 1988, 102 Stat. 4130, added item 418.

1982—Pub. L. 97-306, title I, §113(b)(2), Oct. 14, 1982, 96 Stat. 1432, struck out item 403 “Coverage of members of Reserve Officers' Training Corps”.

1976—Pub. L. 94-433, §405(6), (8), Sept. 30, 1976, 90 Stat. 1379, substituted “surviving spouses” for “widows” in item 404 and “surviving spouse” for “widow” in item 411.

1969—Pub. L. 91-96, §6, Oct. 27, 1969, 83 Stat. 145, substituted “Determination of pay grade” for “Computation of basic pay” in item 402 and “Certifications with