

**§ 1513. Veterans 65 years of age and older**

(a) The Secretary shall pay to each veteran of a period of war who is 65 years of age or older and who meets the service requirements of section 1521 of this title (as prescribed in subsection (j) of that section) pension at the rates prescribed by section 1521 of this title and under the conditions (other than the permanent and total disability requirement) applicable to pension paid under that section.

(b) If a veteran is eligible for pension under both this section and section 1521 of this title, pension shall be paid to the veteran only under section 1521 of this title.

(Added Pub. L. 107-103, title II, §207(a)(1), Dec. 27, 2001, 115 Stat. 991; amended Pub. L. 109-233, title V, §503(2), June 15, 2006, 120 Stat. 416.)

**PRIOR PROVISIONS**

Prior sections 1513 to 1520 were renumbered sections 3113 to 3120 of this title, respectively.

**AMENDMENTS**

2006—Subsec. (a). Pub. L. 109-233 inserted “section” after “prescribed by”.

**EFFECTIVE DATE**

Pub. L. 107-103, title II, §207(c), Dec. 27, 2001, 115 Stat. 991, provided that: “The amendments made by this section [enacting this section and amending sections 1521 and 1522 of this title] shall take effect as of September 17, 2001.”

**NON-SERVICE-CONNECTED DISABILITY PENSION****§ 1521. Veterans of a period of war**

(a) The Secretary shall pay to each veteran of a period of war who meets the service requirements of this section (as prescribed in subsection (j) of this section) and who is permanently and totally disabled from non-service-connected disability not the result of the veteran's willful misconduct, pension at the rate prescribed by this section, as increased from time to time under section 5312 of this title.

(b) If the veteran is unmarried (or married but not living with or reasonably contributing to the support of such veteran's spouse) and there is no child of the veteran in the custody of the veteran or to whose support the veteran is reasonably contributing, and unless the veteran is entitled to pension at the rate provided by subsection (d)(1) or (e) of this section, pension shall be paid to the veteran at the annual rate of \$3,550, reduced by the amount of the veteran's annual income.

(c) If the veteran is married and living with or reasonably contributing to the support of such veteran's spouse, or if there is a child of the veteran in the custody of the veteran or to whose support the veteran is reasonably contributing, pension shall be paid to the veteran at the annual rate of \$4,651, unless the veteran is entitled to pension at the rate provided by subsection (d)(2), (e), or (f) of this section. If the veteran has two or more such family members, such annual rate shall be increased by \$600 for each such family member in excess of one. The rate payable shall be reduced by the amount of the veteran's annual income and, subject to subsection (h)(1) of this section, the amount of annual income of such family members.

(d)(1) If the veteran is in need of regular aid and attendance, the annual rate of pension payable to the veteran under subsection (b) of this section shall be \$5,680, reduced by the amount of the veteran's annual income.

(2) If the veteran is in need of regular aid and attendance, the annual rate of pension payable to the veteran under subsection (c) of this section shall be \$6,781. If such veteran has two or more family members, as described in subsection (c) of this section, the annual rate of pension shall be increased by \$600 for each such family member in excess of one. The rate payable shall be reduced by the amount of the veteran's annual income and, subject to subsection (h)(1) of this section, the amount of annual income of such family members.

(e) If the veteran has a disability rated as permanent and total and (1) has additional disability or disabilities independently ratable at 60 per centum or more, or (2) by reason of a disability or disabilities, is permanently housebound but does not qualify for pension at the aid and attendance rate provided by subsection (d) of this section, the annual rate of pension payable to the veteran under subsection (b) of this section shall be \$4,340 and the annual rate of pension payable to the veteran under subsection (c) of this section shall be \$5,441. If such veteran has two or more family members, as described in subsection (c) of this section, the annual rate of pension shall be increased by \$600 for each such family member in excess of one. The rate payable shall be reduced by the amount of the veteran's annual income and, subject to subsection (h)(1) of this section, the annual income of such family members.

(f)(1) If two veterans are married to one another and each meets the disability and service requirements prescribed in subsections (a) and (j), respectively, of this section, or the age and service requirements prescribed in section 1513 of this title, the annual rate of pension payable to such veterans shall be a combined annual rate of \$4,651.

(2) If either such veteran is in need of regular aid and attendance, the annual rate provided by paragraph (1) of this subsection shall be \$6,781. If both such veterans are in need of regular aid and attendance, such rate shall be \$8,911.

(3) If either such veteran would be entitled (if not married to a veteran) to pension at the rate provided by subsection (e) of this section, the annual rate provided by paragraph (1) of this subsection shall be \$5,441. If both such veterans would be entitled (if not married to one another) to such rate, such rate shall be \$6,231.

(4) If one such veteran is in need of regular aid and attendance and the other would be entitled (if not married to a veteran) to the rate provided for under subsection (e) of this section, the annual rate provided by paragraph (1) of this subsection shall be \$7,571.

(5) The annual rate provided by paragraph (1), (2), (3), or (4) of this subsection, as appropriate, shall (A) be increased by \$600 for each child of such veterans (or of either such veteran) who is in the custody of either or both such veterans or to whose support either such veteran is, or both such veterans are, reasonably contributing, and (B) be reduced by the amount of the annual in-