

rity Act (42 U.S.C. 401 et seq.), if such veteran had been both fully and currently insured at the time of such veteran's death and if such survivor had filed application therefor on the same date on which application for benefits under this section is filed with the Secretary.

(b) In any case where the amount of dependency and indemnity compensation payable under this chapter to a surviving spouse who has children is less than the amount of pension which would be payable to (1) such surviving spouse, or (2) such children if the surviving spouse were not entitled, under chapter 15 of this title had the death occurred under circumstances authorizing payment of death pension, the Secretary shall pay dependency and indemnity compensation to such surviving spouse in an amount equal to such amount of pension.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1128, §412; Pub. L. 87-268, §1(a), Sept. 21, 1961, 75 Stat. 566; Pub. L. 89-466, June 22, 1966, 80 Stat. 217; Pub. L. 94-433, title IV, §405(9), Sept. 30, 1976, 90 Stat. 1379; Pub. L. 98-223, title II, §213(2), Mar. 2, 1984, 98 Stat. 46; Pub. L. 102-54, §14(b)(3), June 13, 1991, 105 Stat. 283; renumbered §1312 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 404-406.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title II of the Social Security Act is classified generally to subchapter II (§401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. Sections 214 and 202 of the Social Security Act are classified to sections 414 and 402 of Title 42, respectively. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

AMENDMENTS

1991—Pub. L. 102-83, §5(a), renumbered section 412 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in two places in concluding provisions.

Pub. L. 102-54 substituted "401" for "201" in concluding provisions.

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

1984—Subsec. (a). Pub. L. 98-223, §213(2), substituted "section 214 of the Social Security Act (42 U.S.C. 414)" for "section 414 of title 42" in par. (1), "section 202 of the Social Security Act (42 U.S.C. 402)" for "section 402 of title 42" in par. (3), and "title II of the Social Security Act (42 U.S.C. 201 et seq.)" for "subchapter II of chapter 7 of title 42" in provision following par. (3).

1976—Subsec. (a). Pub. L. 94-433 substituted "such veteran's" for "his" in cls. (1) and (3) and in text following cl. (3) and "such veteran" for "he" in cl. (3).

Subsec. (b). Pub. L. 94-433 substituted "surviving spouse" for "widow" wherever appearing.

1966—Pub. L. 89-466 inserted "to a widow who has children", "to (1) such widow, or (2) such children if the widow were not entitled", and "such widow".

1961—Pub. L. 87-268 designated existing provisions as subsec. (a) and added subsec. (b).

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

Section 3 of Pub. L. 87-268 provided that: "The amendments made by this Act [amending this section

and sections 107, 411 [now 1311], 415 [now 1315], 422 [now 1322], and 503 [now 1503] of this title and enacting provisions set out as notes under this section] shall take effect as of the first day of the first calendar month which begins after the date of its enactment [Sept. 21, 1961]."

FILING OF APPLICATION FOR BENEFITS

Section 2 of Pub. L. 87-268 provided that the increased pension benefits authorized by Pub. L. 87-268 were to be payable from the effective date of Pub. L. 87-268 to anyone receiving dependency and indemnity compensation on such date only if the application for such increased benefits were filed with the Veterans' Administration within one year from such date and evidence of entitlement were of record or received within one year from the date of request therefor.

§ 1313. Dependency and indemnity compensation to children

(a) Whenever there is no surviving spouse of a deceased veteran entitled to dependency and indemnity compensation, dependency and indemnity compensation shall be paid in equal shares to the children of the deceased veteran at the following monthly rates:

- (1) one child, \$462;
- (2) two children, \$663;
- (3) three children, \$865; and
- (4) more than three children, \$865, plus \$165 for each child in excess of three.

(b) If dependency and indemnity compensation has been awarded under this section to a veteran's child or children and the entitlement to dependency and indemnity compensation under this section of an additional child of that veteran who is over the age of eighteen years and who had previously been entitled to dependency and indemnity compensation under this section before becoming eighteen years of age is later reestablished effective retroactively upon determination that such child is pursuing a course of instruction at an approved educational institution, the amount payable retroactively to the additional child is the amount equal to the difference between the total of the increased award payable under this section to the children of the deceased veteran for the retroactive period and the prior total award for such purpose for that period.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1128, §413; Pub. L. 88-21, §2, May 15, 1963, 77 Stat. 17; Pub. L. 89-730, §4, Nov. 2, 1966, 80 Stat. 1159; Pub. L. 91-262, §2, May 21, 1970, 84 Stat. 256; Pub. L. 92-197, §2, Dec. 15, 1971, 85 Stat. 660; Pub. L. 93-295, title II, §202, May 31, 1974, 88 Stat. 182; Pub. L. 94-71, title II, §202, Aug. 5, 1975, 89 Stat. 397; Pub. L. 94-433, title II, §202, Sept. 30, 1976, 90 Stat. 1376; Pub. L. 95-117, title II, §202, Oct. 3, 1977, 91 Stat. 1065; Pub. L. 95-479, title II, §202, Oct. 18, 1978, 92 Stat. 1563; Pub. L. 96-128, title II, §202, Nov. 28, 1979, 93 Stat. 985; Pub. L. 96-385, title II, §202, Oct. 7, 1980, 94 Stat. 1530; Pub. L. 97-66, title II, §§202, 204(a), Oct. 17, 1981, 95 Stat. 1029; Pub. L. 97-253, title IV, §405(f), Sept. 8, 1982, 96 Stat. 804; Pub. L. 97-306, title I, §§105, 107, Oct. 14, 1982, 96 Stat. 1431; Pub. L. 98-223, title I, §105, Mar. 2, 1984, 98 Stat. 39; Pub. L. 98-543, title I, §105, Oct. 24, 1984, 98 Stat. 2737; Pub. L. 99-238, title I, §105, Jan. 13, 1986, 99 Stat. 1767; Pub. L. 99-576, title I, §105, title VII, §703(a)(1), Oct. 28,

1986, 100 Stat. 3252, 3302; Pub. L. 100-227, title I, § 105, Dec. 31, 1987, 101 Stat. 1554; Pub. L. 100-687, div. B, title XI, § 1105(a), Nov. 18, 1988, 102 Stat. 4124; Pub. L. 101-237, title I, § 105(a), Dec. 18, 1989, 103 Stat. 2064; Pub. L. 102-3, § 6(a), Feb. 6, 1991, 105 Stat. 9; renumbered § 1313, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102-152, § 6(a), Nov. 12, 1991, 105 Stat. 987; Pub. L. 103-78, § 5(a), Aug. 13, 1993, 107 Stat. 768; Pub. L. 103-140, § 6(a), Nov. 11, 1993, 107 Stat. 1487; Pub. L. 105-98, § 6(a), Nov. 19, 1997, 111 Stat. 2157; Pub. L. 106-118, § 6(a), Nov. 30, 1999, 113 Stat. 1603; Pub. L. 107-94, § 6(a), Dec. 21, 2001, 115 Stat. 902; Pub. L. 107-330, title III, § 309(e)(1), Dec. 6, 2002, 116 Stat. 2831; Pub. L. 108-454, title III, § 307(e)(1), Dec. 10, 2004, 118 Stat. 3614; Pub. L. 109-111, § 2(e)(1), Nov. 22, 2005, 119 Stat. 2364; Pub. L. 109-444, § 9(e)(1), Dec. 21, 2006, 120 Stat. 3315; Pub. L. 109-461, title X, §§ 1005(e)(1), 1006(b), Dec. 22, 2006, 120 Stat. 3468; Pub. L. 110-324, § 3(e)(1), Sept. 24, 2008, 122 Stat. 3552.)

CODIFICATION

Amendments by section 105 of Pub. L. 99-576, section 105 of Pub. L. 99-238, and section 105 of Pub. L. 98-223, which directed that cls. (1) to (4) of this section be amended, were executed by amending subsec. (a) of this section, as the probable intent of Congress, in view of subsec. (a) containing cls. (1) to (4).

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-324, § 3(e)(1)(A), substituted “\$462” for “\$452”.

Subsec. (a)(2). Pub. L. 110-324, § 3(e)(1)(B), substituted “\$663” for “\$649”.

Subsec. (a)(3). Pub. L. 110-324, § 3(e)(1)(C), substituted “\$865” for “\$846”.

Subsec. (a)(4). Pub. L. 110-324, § 3(e)(1)(D), substituted “\$865” and “\$165” for “\$846” and “\$162”, respectively.

2006—Pub. L. 109-461, § 1006(b), provided that as of the enactment of Pub. L. 109-461, the amendments made by Pub. L. 109-444 were deemed for all purposes not to have taken effect and that Pub. L. 109-444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109-461, set out as a Coordination of Provisions With Pub. L. 109-444 note under section 101 of this title.

Subsec. (a)(1). Pub. L. 109-461, § 1005(e)(1)(A), substituted “\$452” for “\$438”.

Pub. L. 109-444, § 9(e)(1)(A), which substituted “\$452” for “\$438”, was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

Subsec. (a)(2). Pub. L. 109-461, § 1005(e)(1)(B), substituted “\$649” for “\$629”.

Pub. L. 109-444, § 9(e)(1)(B), which substituted “\$649” for “\$629”, was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

Subsec. (a)(3). Pub. L. 109-461, § 1005(e)(1)(C), substituted “\$846” for “\$819”.

Pub. L. 109-444, § 9(e)(1)(C), which substituted “\$846” for “\$819”, was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

Subsec. (a)(4). Pub. L. 109-461, § 1005(e)(1)(D), substituted “\$846” and “\$162” for “\$819” and “\$157”, respectively.

Pub. L. 109-444, § 9(e)(1)(D), which substituted “\$846” and “\$162” for “\$819” and “\$157”, respectively, was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

2005—Subsec. (a)(1). Pub. L. 109-111, § 2(e)(1)(A), substituted “\$438” for “\$410”.

Subsec. (a)(2). Pub. L. 109-111, § 2(e)(1)(B), substituted “\$629” for “\$590”.

Subsec. (a)(3). Pub. L. 109-111, § 2(e)(1)(C), substituted “\$819” for “\$767”.

Subsec. (a)(4). Pub. L. 109-111, § 2(e)(1)(D), substituted “\$819” and “\$157” for “\$767” and “\$148”, respectively.

2004—Subsec. (a)(1). Pub. L. 108-454, § 307(e)(1)(A), substituted “\$410” for “\$402”.

Subsec. (a)(2). Pub. L. 108-454, § 307(e)(1)(B), substituted “\$590” for “\$578”.

Subsec. (a)(3). Pub. L. 108-454, § 307(e)(1)(C), substituted “\$767” for “\$752”.

Subsec. (a)(4). Pub. L. 108-454, § 307(e)(1)(D), substituted “\$767” and “\$148” for “\$752” and “\$145”, respectively.

2002—Subsec. (a)(1). Pub. L. 107-330, § 309(e)(1)(A), substituted “\$402” for “\$397”.

Subsec. (a)(2). Pub. L. 107-330, § 309(e)(1)(B), substituted “\$578” for “\$571”.

Subsec. (a)(3). Pub. L. 107-330, § 309(e)(1)(C), substituted “\$752” for “\$742”.

Subsec. (a)(4). Pub. L. 107-330, § 309(e)(1)(D), substituted “\$752” and “\$145” for “\$742” and “\$143”, respectively.

2001—Subsec. (a)(1). Pub. L. 107-94, § 6(a)(1), substituted “\$397” for “\$373”.

Subsec. (a)(2). Pub. L. 107-94, § 6(a)(2), substituted “\$571” for “\$538”.

Subsec. (a)(3). Pub. L. 107-94, § 6(a)(3), substituted “\$742” for “\$699”.

Subsec. (a)(4). Pub. L. 107-94, § 6(a)(4), substituted “\$742” and “\$143” for “\$699” and “\$136”, respectively.

1999—Subsec. (a)(1). Pub. L. 106-118, § 6(a)(1), substituted “\$373” for “\$361”.

Subsec. (a)(2). Pub. L. 106-118, § 6(a)(2), substituted “\$538” for “\$520”.

Subsec. (a)(3). Pub. L. 106-118, § 6(a)(3), substituted “\$699” for “\$675”.

Subsec. (a)(4). Pub. L. 106-118, § 6(a)(4), substituted “\$699” and “\$136” for “\$675” and “\$132”, respectively.

1997—Subsec. (a)(1). Pub. L. 105-98, § 6(a)(1), substituted “\$361” for “\$327”.

Subsec. (a)(2). Pub. L. 105-98, § 6(a)(2), substituted “\$520” for “\$471”.

Subsec. (a)(3). Pub. L. 105-98, § 6(a)(3), substituted “\$675” for “\$610”.

Subsec. (a)(4). Pub. L. 105-98, § 6(a)(4), substituted “\$675” and “\$132” for “\$610” and “\$120”, respectively.

1993—Subsec. (a)(1). Pub. L. 103-140, § 6(a)(1), substituted “\$327” for “\$319”.

Pub. L. 103-78, § 5(a)(1), substituted “\$319” for “\$310”.

Subsec. (a)(2). Pub. L. 103-140, § 6(a)(2), substituted “\$471” for “\$460”.

Pub. L. 103-78, § 5(a)(2), substituted “\$460” for “\$447”.

Subsec. (a)(3). Pub. L. 103-140, § 6(a)(3), substituted “\$610” for “\$595”.

Pub. L. 103-78, § 5(a)(3), substituted “\$595” for “\$578”.

Subsec. (a)(4). Pub. L. 103-140, § 6(a)(4), substituted “\$610” for “\$595” and “\$120” for “\$117”.

Pub. L. 103-78, § 5(a)(4), substituted “\$595” for “\$578” and “\$117” for “\$114”.

1991—Pub. L. 102-83 renumbered section 413 of this title as this section.

Subsec. (a)(1). Pub. L. 102-152, § 6(a)(1), substituted “\$310” for “\$299”.

Pub. L. 102-3, § 6(a)(1), substituted “\$299” for “\$284”.

Subsec. (a)(2). Pub. L. 102-152, § 6(a)(2), substituted “\$447” for “\$431”.

Pub. L. 102-3, § 6(a)(2), substituted “\$431” for “\$409”.

Subsec. (a)(3). Pub. L. 102-152, § 6(a)(3), substituted “\$578” for “\$557”.

Pub. L. 102-3, § 6(a)(3), substituted “\$557” for “\$529”.

Subsec. (a)(4). Pub. L. 102-152, § 6(a)(4), substituted “\$578” for “\$557” and “\$114” for “\$110”.

Pub. L. 102-3, § 6(a)(4), substituted “\$557” for “\$529” and “\$110” for “\$105”.

1989—Subsec. (a)(1). Pub. L. 101-237, § 105(a)(1), substituted “\$284” for “\$271”.

Subsec. (a)(2). Pub. L. 101-237, § 105(a)(2), substituted “\$409” for “\$391”.

Subsec. (a)(3). Pub. L. 101-237, § 105(a)(3), substituted “\$529” for “\$505”.

Subsec. (a)(4). Pub. L. 101-237, § 105(a)(4), substituted “\$529” and “\$105” for “\$505” and “\$100”, respectively.

1988—Subsec. (a)(1). Pub. L. 100-687, § 1105(a)(1), substituted “\$271” for “\$261”.

Subsec. (a)(2). Pub. L. 100-687, § 1105(a)(2), substituted “\$391” for “\$376”.

Subsec. (a)(3). Pub. L. 100-687, §1105(a)(3), substituted "\$505" for "\$486".

Subsec. (a)(4). Pub. L. 100-687, §1105(a)(4), substituted "\$505" and "\$100" for "\$486" and "\$97", respectively.

1987—Subsec. (a)(1). Pub. L. 100-227, §105(1), substituted "\$261" for "\$251".

Subsec. (a)(2). Pub. L. 100-227, §105(2), substituted "\$376" for "\$361".

Subsec. (a)(3). Pub. L. 100-227, §105(3), substituted "\$486" for "\$467".

Subsec. (a)(4). Pub. L. 100-227, §105(4), substituted "\$486" and "\$97" for "\$467" and "\$94", respectively.

1986—Subsec. (a). Pub. L. 99-576, §703(a)(1), amended directory language of Pub. L. 98-543, §105. See 1984 Amendment notes below.

Subsec. (a)(1). Pub. L. 99-576, §105(1), substituted "\$251" for "\$247".

Pub. L. 99-238, §105(1), substituted "\$247" for "\$240".

Subsec. (a)(2). Pub. L. 99-576, §105(2), substituted "\$361" for "\$356".

Pub. L. 99-238, §105(2), substituted "\$356" for "\$345".

Subsec. (a)(3). Pub. L. 99-576, §105(3), substituted "\$467" for "\$460".

Pub. L. 99-238, §105(3), substituted "\$460" for "\$446".

Subsec. (a)(4). Pub. L. 99-576, §105(4), substituted "\$467" and "\$94" for "\$460" and "\$93", respectively.

Pub. L. 99-238, §105(4), substituted "\$460" and "\$93" for "\$446" and "\$90", respectively.

1984—Subsec. (a)(1). Pub. L. 98-543, §105(1), as amended by Pub. L. 99-576, §703(a), substituted "\$240" for "\$233".

Pub. L. 98-223, §105(1), substituted "\$233" for "\$225".

Subsec. (a)(2). Pub. L. 98-543, §105(2), as amended by Pub. L. 99-576, §703(a), substituted "\$345" for "\$334".

Pub. L. 98-223, §105(2), substituted "\$334" for "\$323".

Subsec. (a)(3). Pub. L. 98-543, §105(3), as amended by Pub. L. 99-576, §703(a), substituted "\$446" for "\$432".

Pub. L. 98-223, §105(3), substituted "\$432" for "\$417".

Subsec. (a)(4). Pub. L. 98-543, §105(4), as amended by Pub. L. 99-576, §703(a), substituted "\$446" and "\$90" for "\$432" and "\$87", respectively.

Pub. L. 98-223, §105(4), substituted "\$432" and "\$87" for "\$417" and "\$84", respectively.

1982—Subsec. (a)(1). Pub. L. 97-306, §§105(1), 107, 108, substituted "\$225" for "\$210", and repealed amendment made by Pub. L. 97-253, §405(f)(1), eff. Oct. 1, 1982.

Pub. L. 97-253, §405(f)(1), (h), eff. Jan. 1, 1983, substituted "\$209" for "\$210".

Subsec. (a)(2). Pub. L. 97-306, §§105(2), 107, 108, substituted "\$323" for "\$301", and repealed amendment made by Pub. L. 97-253, §405(f)(2), eff. Oct. 1, 1982.

Pub. L. 97-253, §405(f)(2), (h), eff. Jan. 1, 1983, substituted "\$300" for "\$301".

Subsec. (a)(3). Pub. L. 97-306, §§105(3), 107, 108, substituted "\$417" for "\$389", and repealed amendment made by Pub. L. 97-253, §405(f)(3), eff. Oct. 1, 1982.

Pub. L. 97-253, §405(f)(3), (h), eff. Jan. 1, 1983, substituted "\$388" for "\$389".

Subsec. (a)(4). Pub. L. 97-306, §§105(4), 107, 108, substituted "\$417, plus \$84" for "\$389, plus \$79", and repealed amendments made by Pub. L. 97-253, §405(f)(4), eff. Oct. 1, 1982.

Pub. L. 97-253, §405(f)(4), (h), eff. Jan. 1, 1983, substituted "\$388, plus \$78" for "\$389, plus \$79".

1981—Pub. L. 97-66, §§202, 204(a), designated existing provisions as subsec. (a) and, in subsec. (a) as so designated, substituted "\$210", "\$301", "\$389", and "\$79" for "\$189", "\$271", "\$350", and "\$71", respectively, in pars. (1), (2), (3), and (4).

Subsec. (b). Pub. L. 97-66, §204(a), added subsec. (b).

1980—Pub. L. 96-385 substituted "\$189", "\$271", "\$350", "\$350" and "\$71" for "\$165", "\$237", "\$306", "\$306" and "\$62", respectively, in pars. (1), (2), (3), and (4).

1979—Pub. L. 96-128 substituted "\$165", "\$237", "\$306", "\$306" and "\$62" for "\$150", "\$216", "\$278", "\$278" and "\$56", in pars. (1), (2), (3), and (4), respectively.

1978—Pub. L. 95-479 substituted "\$150", "\$216", "\$278", "\$278" and "\$56" for "\$140", "\$201", "\$259", "\$259" and "\$52", in pars. (1), (2), (3), and (4), respectively.

1977—Pub. L. 95-117 substituted "\$140", "\$201", "\$259", "\$259", and "\$52" for "\$131", "\$189", "\$243", "\$243", and "\$49", in pars. (1), (2), (3), and (4), respectively.

1976—Pub. L. 94-433 substituted "surviving spouse" for "widow" in introductory text and \$131, \$189, \$243, \$243, and \$49 for \$121, \$175, \$225, \$225, and \$45 in pars. (1), (2), (3), and (4), respectively.

1975—Pub. L. 94-71 substituted \$121, \$175, \$225, \$225 and \$45 for \$108, \$156, \$201, \$201 and \$40 in pars. (1), (2), (3) and (4), respectively.

1974—Pub. L. 93-295 substituted "\$108", "\$156", "\$201", "\$201", and "\$40" for "\$92", "\$133", "\$172", "\$172", and "\$34", in pars. (1), (2), (3), and (4), respectively.

1971—Pub. L. 92-197 substituted "\$92", "\$133", "\$172", and "\$172" and "\$34" for "\$88", "\$127", "\$164" and "\$164" and "\$32", in pars. (1), (2), (3), and (4), respectively.

1970—Pub. L. 91-262 substituted "\$88", "\$127", "\$164", and "\$164" and "\$32", for "\$80", "\$115", "\$149", and "\$149" and "\$29", in pars. (1), (2), (3), and (4), respectively.

1966—Pub. L. 89-730 substituted "\$80", "\$115", "\$149", and "\$29", for "\$77", "\$110", "\$143", and "\$143" and "\$28", in pars. (1), (2), (3), and (4), respectively.

1963—Pub. L. 88-21 substituted "\$77", "\$110", "\$143" and "\$28" for "\$70", "\$100", "\$130" and "\$25", in pars. (1), (2), (3), and (4), respectively.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-324 effective Dec. 1, 2007, see section 3(f) of Pub. L. 110-324, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-111 effective Dec. 1, 2005, see section 2(f) of Pub. L. 109-111, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-94 effective Dec. 1, 2001, see section 7 of Pub. L. 107-94, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-118 effective Dec. 1, 1999, see section 7 of Pub. L. 106-118, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-98 effective Dec. 1, 1997, see section 7 of Pub. L. 105-98, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-140 effective Dec. 1, 1993, see section 7 of Pub. L. 103-140, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1991 AMENDMENTS

Amendment by Pub. L. 102-152 effective Dec. 1, 1991, see section 7 of Pub. L. 102-152, set out as a note under section 1114 of this title.

Amendment by Pub. L. 102-3 effective Jan. 1, 1991, see section 7 of Pub. L. 102-3, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-237 effective Dec. 1, 1989, see section 106 of Pub. L. 101-237, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-687 effective Dec. 1, 1988, see section 1106 of Pub. L. 100-687, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-227 effective Dec. 1, 1987, see section 107 of Pub. L. 100-227, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1986 AMENDMENTS

Amendment by Pub. L. 99-576 effective Dec. 1, 1986, but not effective unless benefit amounts payable under

section 401 et seq. of Title 42, The Public Health and Welfare, are increased effective Dec. 1, 1986, as a result of a determination under section 415(i) of Title 42, see section 107 of Pub. L. 99-576, set out as a note under section 1114 of this title.

Section 703(c) of Pub. L. 99-576 provided that: "The amendments made by this section [amending this section and sections 524 and 525 [now 1524 and 1525] of this title and amending provisions set out as a note under section 1163 of this title] shall take effect as if included in the Veterans' Benefits Improvement Act of 1984 (Public Law 98-543)."

Amendment by Pub. L. 99-238 effective Dec. 1, 1985, see section 107 of Pub. L. 99-238, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1984 AMENDMENTS

Amendment by Pub. L. 98-543 effective Dec. 1, 1984, see section 107 of Pub. L. 98-543, set out as a note under section 1114 of this title.

Amendment by Pub. L. 98-223 effective Apr. 1, 1984, see section 107 of Pub. L. 98-223, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-306 effective Oct. 1, 1982, see section 108 of Pub. L. 97-306, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-66 effective Oct. 1, 1981, see section 701(a) of Pub. L. 97-66, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 applicable only to payments for months beginning after Sept. 30, 1980, see section 601(a) of Pub. L. 96-385, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-128 effective Oct. 1, 1979, see section 601(a)(1) of Pub. L. 96-128, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-479 effective Oct. 1, 1978, see section 401(a) of Pub. L. 95-479, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-117 effective Oct. 1, 1977, see section 501 of Pub. L. 95-117, set out as a note under section 1114 of this title.

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 1975 AMENDMENT

Amendment by Pub. L. 94-71 effective Aug. 1, 1975, see section 301 of Pub. L. 94-71, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-295 effective May 1, 1974, see section 401 of Pub. L. 93-295, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-197 effective Jan. 1, 1972, see section 10 of Pub. L. 92-197, set out as a note under section 1311 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Section 4 of Pub. L. 91-262 provided that: "The amendments made by sections 2 and 3 of this Act

[amending this section and section 414 [now 1314] of this title] shall become effective on the first day of the second calendar month following the month in which this Act is enacted [May 1970]."

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-730 effective first day of second calendar month following Nov. 2, 1966, see section 7(a) of Pub. L. 89-730, set out as a note under section 1315 of this title.

EFFECTIVE DATE OF 1963 AMENDMENT

Amendment by Pub. L. 88-21 effective first day of second calendar month beginning after May 15, 1963, see section 5 of Pub. L. 88-21, set out as a note under section 1311 of this title.

REPEAL

Section 405(f) of Pub. L. 97-253, cited as a credit to this section, was repealed by Pub. L. 97-306, §§107, 108, Oct. 14, 1982, 96 Stat. 1431, 1432, eff. Oct. 1, 1982.

DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASES

For increases in rates and limitations on Department of Veterans Affairs disability compensation and dependency and indemnity compensation, see notes set out under section 1114 of this title.

§ 1314. Supplemental dependency and indemnity compensation to children

(a) In the case of a child entitled to dependency and indemnity compensation who has attained the age of eighteen and who, while under such age, became permanently incapable of self-support, the dependency and indemnity compensation paid monthly to such child shall be increased by \$271.

(b) If dependency and indemnity compensation is payable monthly to a person as a surviving spouse and there is a child (of such person's deceased spouse) who has attained the age of eighteen and who, while under such age, became permanently incapable of self-support, dependency and indemnity compensation shall be paid monthly to each such child, concurrently with the payment of dependency and indemnity compensation to the surviving spouse, in the amount of \$462.

(c) If dependency and indemnity compensation is payable monthly to a person as a surviving spouse and there is a child (of such person's deceased spouse), who has attained the age of eighteen and who, while under the age of twenty-three, is pursuing a course of instruction at an educational institution approved under section 104 of this title, dependency and indemnity compensation shall be paid monthly to each such child, concurrently with the payment of dependency and indemnity compensation to the surviving spouse, in the amount of \$230.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1128, §414; Pub. L. 88-21, §3, May 15, 1963, 77 Stat. 17; Pub. L. 89-311, §2(c)(2), Oct. 31, 1965, 79 Stat. 1155; Pub. L. 89-730, §5, Nov. 2, 1966, 80 Stat. 1159; Pub. L. 91-262, §3, May 21, 1970, 84 Stat. 256; Pub. L. 92-197, §3, Dec. 15, 1971, 85 Stat. 661; Pub. L. 93-295, title II, §203, May 31, 1974, 88 Stat. 183; Pub. L. 94-71, title II, §203, Aug. 5, 1975, 89 Stat. 397; Pub. L. 94-433, title II, §203, title IV, §405(10), Sept. 30, 1976, 90 Stat. 1376, 1380; Pub. L. 95-117, title II, §203, Oct. 3, 1977, 91 Stat. 1065;