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;

Pub. L. 95–479, title II, § 203, Oct. 18, 1978, 92 Stat. 1563; Pub. L. 96–128, title II, § 203, Nov. 28, 1979, 93 Stat. 985; Pub. L. 96–385, title II, § 203, Oct. 7, 1980, 94 Stat. 1530; Pub. L. 97–66, title II, § 203, Oct. 17, 1981, 95 Stat. 1029; Pub. L. 97–253, title IV, § 405(g), Sept. 8, 1982, 96 Stat. 804; Pub. L. 97–306, title I, §§ 106, 107, Oct. 14, 1982, 96 Stat. 1431; Pub. L. 98–223, title I, § 106, Mar. 2, 1984, 98 Stat. 39; Pub. L. 98–543, title I, § 106, Oct. 24, 1984, 98 Stat. 2737; Pub. L. 99–238, title I, § 106, Jan. 13, 1986, 99 Stat. 1767; Pub. L. 99–576, title I, § 106, Oct. 28, 1986, 100 Stat. 3252; Pub. L. 100–227, title I, § 106, Dec. 31, 1987, 101 Stat. 1555; Pub. L. 100–687, div. B, title XI, § 1105(b), Nov. 18, 1988, 102 Stat. 4124; Pub. L. 101–237, title I, § 105(b), Dec. 18, 1989, 103 Stat. 2064; Pub. L. 102–3, § 6(b), Feb. 6, 1991, 105 Stat. 9; renumbered § 1314, Pub. L. 102–83, § 5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102–152, § 6(b), Nov. 12, 1991, 105 Stat. 987; Pub. L. 103–78, § 5(b), Aug. 13, 1993, 107 Stat. 769; Pub. L. 103–140, § 6(b), Nov. 11, 1993, 107 Stat. 1487; Pub. L. 105–98, § 6(b), Nov. 19, 1997, 111 Stat. 2157; Pub. L. 106–118, § 6(b), Nov. 30, 1999, 113 Stat. 1603; Pub. L. 107–94, § 6(b), Dec. 21, 2001, 115 Stat. 902; Pub. L. 107–330, title III, § 309(e)(2), Dec. 6, 2002, 116 Stat. 2831; Pub. L. 108–454, title III, § 307(e)(2), Dec. 10, 2004, 118 Stat. 3614; Pub. L. 109–111, § 2(e)(2), Nov. 22, 2005, 119 Stat. 2364; Pub. L. 109–444, § 9(e)(2), Dec. 21, 2006, 120 Stat. 3315; Pub. L. 109–461, title X, §§ 1005(e)(2), 1006(b), Dec. 22, 2006, 120 Stat. 3468; Pub. L. 110–324, § 3(e)(2), Sept. 24, 2008, 122 Stat. 3552.)

AMENDMENTS

2008—Subsec. (a). Pub. L. 110–324, § 3(e)(2)(A), substituted ''$271'' for ''$265''.

Subsec. (b). Pub. L. 110–324, § 3(e)(2)(B), substituted ''$462'' for ''$452''.

Subsec. (c). Pub. L. 110–324, § 3(e)(2)(C), substituted ''$230'' for ''$225''.

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). Pub. L. 109–461, § 1005(e)(2)(A), substituted ''$265'' for ''$257''.

Pub. L. 109–444, § 9(e)(2)(A), which substituted ''$265'' for ''$257'', was terminated by Pub. L. 109–461, § 1006(b). See Amendment notes above.

Subsec. (b). Pub. L. 109–461, § 1005(e)(2)(B), substituted ''$452'' for ''$438''.

Pub. L. 109–444, § 9(e)(2)(B), which substituted ''$452'' for ''$438'', was terminated by Pub. L. 109–461, § 1006(b). See Amendment notes above.

Subsec. (c). Pub. L. 109–461, § 1005(e)(2)(C), substituted ''$225'' for ''$218''.

Pub. L. 109–444, § 9(e)(2)(C), which substituted ''$225'' for ''$218'', was terminated by Pub. L. 109–461, § 1006(b). See Amendment notes above.

2005—Subsec. (a). Pub. L. 109–111, § 2(e)(2)(A), substituted ''$257'' for ''$241''.

Subsec. (b). Pub. L. 109–111, § 2(e)(2)(B), substituted ''$438'' for ''$410''.

Subsec. (c). Pub. L. 109–111, § 2(e)(2)(C), substituted ''$218'' for ''$205''.

2004—Subsec. (a). Pub. L. 108–454, § 307(e)(2)(A), substituted ''$241'' for ''$237''.

Subsec. (b). Pub. L. 108–454, § 307(e)(2)(B), substituted ''$410'' for ''$402''.

Subsec. (c). Pub. L. 108–454, § 307(e)(2)(C), substituted ''$205'' for ''$201''.

2002—Subsec. (a). Pub. L. 107–330, § 309(e)(2)(A), substituted ''$237'' for ''$234''.

Subsec. (b). Pub. L. 107–330, § 309(e)(2)(B), substituted ''$402'' for ''$397''.

Subsec. (c). Pub. L. 107–330, § 309(e)(2)(C), substituted ''$201'' for ''$199''.

2001—Subsec. (a). Pub. L. 107–94, § 6(b)(1), substituted ''$234'' for ''$222''.

Subsec. (b). Pub. L. 107–94, § 6(b)(2), substituted ''$397'' for ''$373''.

Subsec. (c). Pub. L. 107–94, § 6(b)(3), substituted ''$199'' for ''$188''.

1999—Subsec. (a). Pub. L. 106–118, § 6(b)(1), substituted ''$222'' for ''$215''.

Subsec. (b). Pub. L. 106–118, § 6(b)(2), substituted ''$373'' for ''$361''.

Subsec. (c). Pub. L. 106–118, § 6(b)(3), substituted ''$188'' for ''$182''.

1997—Subsec. (a). Pub. L. 105–98, § 6(b)(1), substituted ''$215'' for ''$195''.

Subsec. (b). Pub. L. 105–98, § 6(b)(2), substituted ''$361'' for ''$327''.

Subsec. (c). Pub. L. 105–98, § 6(b)(3), substituted ''$182'' for ''$166''.

1993—Subsec. (a). Pub. L. 103–140, § 6(b)(1), substituted ''$195'' for ''$191''.

Pub. L. 103–78, § 5(b)(1), substituted ''$191'' for ''$185''.

Subsec. (b). Pub. L. 103–140, § 6(b)(2), substituted ''$327'' for ''$319''.

Pub. L. 103–78, § 5(b)(2), substituted ''$319'' for ''$310''.

Subsec. (c). Pub. L. 103–140, § 6(b)(3), substituted ''$166'' for ''$162''.

Pub. L. 103–78, § 5(b)(3), substituted ''$162'' for ''$157''.

1991—Pub. L. 102–83 renumbered section 414 of this title as this section.

Subsec. (a). Pub. L. 102–152, § 6(b)(1), substituted ''$185'' for ''$178''.

Pub. L. 102–3, § 6(b)(1), substituted ''$178'' for ''$169''.

Subsec. (b). Pub. L. 102–152, § 6(b)(2), substituted ''$310'' for ''$299''.

Pub. L. 102–3, § 6(b)(2), substituted ''$299'' for ''$284''.

Subsec. (c). Pub. L. 102–152, § 6(b)(3), substituted ''$157'' for ''$151''.

Pub. L. 102–3, § 6(b)(3), substituted ''$151'' for ''$144''.

1989—Subsec. (a). Pub. L. 101–237, § 105(b)(1), substituted ''$169'' for ''$161''.

Subsec. (b). Pub. L. 101–237, § 105(b)(2), substituted ''$284'' for ''$271''.

Subsec. (c). Pub. L. 101–237, § 105(b)(3), substituted ''$144'' for ''$138''.

1988—Subsec. (a). Pub. L. 100–687, § 1105(b)(1), substituted ''$161'' for ''$155''.

Subsec. (b). Pub. L. 100–687, § 1105(b)(2), substituted ''$271'' for ''$261''.

Subsec. (c). Pub. L. 100–687, § 1105(b)(3), substituted ''$138'' for ''$133''.

1987—Subsec. (a). Pub. L. 100–227, § 106(1), substituted ''$155'' for ''$149''.

Subsec. (b). Pub. L. 100–227, § 106(2), substituted ''$261'' for ''$251''.

Subsec. (c). Pub. L. 100–227, § 106(3), substituted ''$133'' for ''$128''.

1986—Subsec. (a). Pub. L. 99–576, § 106(1), substituted ''$149'' for ''$147''.

Pub. L. 99–238, § 106(1), substituted ''$147'' for ''$143''.

Subsec. (b). Pub. L. 99–576, § 106(2), substituted ''$251'' for ''$247''.

Pub. L. 99–238, § 106(2), substituted ''$247'' for ''$240''.

Subsec. (c). Pub. L. 99–576, § 106(3), substituted ''$128'' for ''$126''.

Pub. L. 99–238, § 106(3), substituted ''$126'' for ''$122''.

1984—Subsec. (a). Pub. L. 98–543, § 106(1), substituted ''$143'' for ''$139''.

Pub. L. 98–223, § 106(1), substituted ''$139'' for ''$134''.

Subsec. (b). Pub. L. 98–543, § 106(2), substituted ''$240'' for ''$233''.

Pub. L. 98–223, § 106(2), substituted ''$233'' for ''$225''.

Subsec. (c). Pub. L. 98–543, § 106(3), substituted ''$122'' for ''$118''.

Pub. L. 98–223, § 106(3), substituted ''$118'' for ''$114''.

1982—Subsec. (a). Pub. L. 97–306, §§ 106(1), 107, 108, substituted ''$134'' for ''$125'', and repealed amendment made by Pub. L. 97–253, § 405(g)(1), eff. Oct. 1, 1982.

Pub. L. 97–253, § 405(g)(1), (h), eff. Jan. 1, 1983, substituted ''$124'' for ''$125''.

Subsec. (b). Pub. L. 97–306, §§ 106(2), 107, 108, substituted ''$225'' for ''$210'', and repealed amendment made by Pub. L. 97–253, § 405(g)(2), eff. Oct. 1, 1982.

Pub. L. 97–253, § 405(g)(2), (h), eff. Jan. 1, 1983, substituted ''$209'' for ''$210''.

Subsec. (c). Pub. L. 97–306, §§ 106(3), 107, 108, substituted ''$114'' for ''$107'', and repealed amendment made by Pub. L. 97–253, § 405(g)(3), eff. Oct. 1, 1982.

Pub. L. 97–253, § 405(g)(3), (h), eff. Jan. 1, 1983, substituted ''$106'' for ''$107''.

1981—Subsec. (a). Pub. L. 97–66, § 203(1), substituted ''$125'' for ''$112''.

Subsec. (b). Pub. L. 97–66, § 203(2), substituted ''$210'' for ''$189''.

Subsec. (c). Pub. L. 97–66, § 203(3), substituted ''$107'' for ''$96''.

1980—Subsec. (a). Pub. L. 96–385, § 203(1), substituted ''$112'' for ''$98''.

Subsec. (b). Pub. L. 96–385, § 203(2), substituted ''$189'' for ''$165''.

Subsec. (c). Pub. L. 96–385, § 203(3), substituted ''$96'' for ''$84''.

1979—Subsec. (a). Pub. L. 96–128, § 203(1), substituted ''$98'' for ''$89''.

Subsec. (b). Pub. L. 96–128, § 203(2), substituted ''$165'' for ''$150''.

Subsec. (c). Pub. L. 96–128, § 203(3), substituted ''$84'' for ''$76''.

1978—Subsec. (a). Pub. L. 95–479, § 203(1), substituted ''$89'' for ''$83''.

Subsec. (b). Pub. L. 95–479, § 203(2), substituted ''$150'' for ''$140''.

Subsec. (c). Pub. L. 95–479, § 203(3), substituted ''$76'' for ''$71''.

1977—Subsec. (a). Pub. L. 95–117, § 203(1), substituted ''$83'' for ''$78''.

Subsec. (b). Pub. L. 95–117, § 203(2) substituted ''$140'' for ''$131''.

Subsec. (c). Pub. L. 95–117, § 203(3), substituted ''$71'' for ''$67''.

1976—Subsec. (a). Pub. L. 94–433, §§ 203(1), 405(10), substituted ''$78'' for ''$72'' and ''such child'' for ''him''.

Subsec. (b). Pub. L. 94–433, §§ 203(2), 405(10), substituted ''$131'' for ''$121'' and ''person'' for ''woman'', ''surviving spouse'' for ''widow'' and ''such person's deceased spouse'' for ''her deceased husband'' wherever appearing.

Subsec. (c). Pub. L. 94–433, §§ 203(3), 405(10), substituted ''$67'' for ''$62'' and ''person'' for ''woman'', ''surviving spouse'' for ''widow'' and ''such person's deceased spouse'' for ''her deceased husband'' wherever appearing.

1975—Subsec. (a). Pub. L. 94–71, § 203(a), substituted ''$72'' for ''$64''.

Subsec. (b). Pub. L. 94–71, § 203(b), substituted ''$121'' for ''$108''.

Subsec. (c). Pub. L. 94–71, § 203(c), substituted ''$62'' for ''$55''.

1974—Subsec. (a). Pub. L. 93–295, § 203(a), substituted ''$64'' for ''55''.

Subsec. (b). Pub. L. 93–295, § 203(b), substituted ''$108'' for ''$92''.

Subsec. (c). Pub. L. 93–295, 203(c), substituted ''$55'' for ''$47''.

1971—Subsec. (a). Pub. L. 92–197, § 3(a), substituted ''$55'' for ''$32''.

Subsec. (b). Pub. L. 92–197, § 3(b), substituted ''$92'' for ''$88''.

Subsec. (c). Pub. L. 92–197, § 3(c), substituted ''$47'' for ''$45''.

1970—Subsec. (a). Pub. L. 91–262, § 3(a), substituted ''$32'' for ''$29''.

Subsec. (b). Pub. L. 91–262, § 3(b), substituted ''$88'' for ''$80''.

Subsec. (c). Pub. L. 91–262, § 3(c), substituted ''$45'' for ''$41''.

1966—Subsec. (a). Pub. L. 89–730, § 5(1), substituted ''$29'' for ''$28''.

Subsec. (b). Pub. L. 89–730, § 5(2), substituted ''$80'' for ''$77''.

Subsec. (c). Pub. L. 89–730, § 5(3), substituted ''41'' for ''39''.

1965—Subsec. (c). Pub. L. 89–311 substituted ''twenty-three'' for ''twenty-one''.

1963—Subsec. (a). Pub. L. 88–21, § 3(1), substituted ''$28'' for ''$25''.

Subsec. (b). Pub. L. 88–21, § 3(2), substituted ''$77'' for ''$70''.

Subsec. (c). Pub. L. 88–21, § 3(3), substituted ''$39'' for ''$35''.

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.

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

Amendment by Pub. L. 91–262 effective first day of second calendar month following May 1970, see section 4 of Pub. L. 91–262, set out as a note under section 1313 of this title.

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 1965 AMENDMENT

Amendment by Pub. L. 89–311 effective first day of second calendar month following Oct. 31, 1965, see section 9 of Pub. L. 89–311, set out as a note under section 1114 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(g) 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.

§ 1315. Dependency and indemnity compensation to parents

(a)(1) Except as provided in paragraph (2), dependency and indemnity compensation shall be paid monthly to parents of a deceased veteran in the amounts prescribed by this section.

(2) Under regulations prescribed by the Secretary, benefits under this section may be paid less frequently than monthly if the amount of the annual benefit is less than 4 percent of the maximum annual rate payable under this section.

(b)(1) Except as provided in paragraph (4) of this subsection, if there is only one parent, the monthly rate of dependency and indemnity compensation paid to such parent shall be $163, as increased from time to time under section 5312(b)(1) of this title and reduced by an amount, based upon the amount of such parent's annual income, determined in accordance with regulations which the Secretary shall prescribe under section 5312(b)(2) of this title.

(2) In no case may the amount of dependency and indemnity compensation payable to any parent under this subsection be less than $5 monthly.

(3) In no case may dependency and indemnity compensation be paid under paragraph (1) of this subsection to any parent if the annual income of such parent exceeds $4,038, as increased from time to time under section 5312 of this title.

(4) If there is only one parent and such parent has remarried and is living with such parent's spouse, dependency and indemnity compensation shall be paid to such parent under either paragraph (1) of this subsection or under subsection (d) of this section, whichever will result in the greater amount of such compensation being paid to such parent. In such a case of remarriage the total combined annual income of the parent and such parent's spouse shall be counted in determining the monthly rate of dependency and indemnity compensation under the appropriate formula.

(c)(1) Except as provided in subsection (d) of this section, if there are two parents, but they are not living together, the monthly rate of dependency and indemnity compensation paid to each such parent shall be $115, as increased from time to time under section 5312(b)(1) of this title and reduced by an amount, based upon the amount of such parent's annual income, determined in accordance with regulations which the Secretary shall prescribe under section 5312(b)(2) of this title.