''(c) For the purposes of this section, the term ''former prisoner of war'' has the meaning given such term in paragraph (32) of section 101 of title 38, United States Code (as added by section 3(a) of this Act).''

STUDY ON DISABILITY COMPENSATION AND HEALTH-CARE NEEDS OF FORMER PRISONERS OF WAR; REPORT TO PRESIDENT AND CONGRESS

Pub. L. 95–479, title III, § 305, Oct. 18, 1978, 92 Stat. 1565, directed Administrator of Veterans' Affairs, in consultation with Secretary of Defense, to carry out a comprehensive study of disability compensation awarded to, and health care needs of veterans who are former prisoners of war and to submit a report on results of such study to Congress and President not later than Feb. 1, 1980.

AMPUTEES, CARDIOVASCULAR DISORDERS; STUDY

Section 403 of Pub. L. 94–433 directed Administrator to conduct a scientific study to determine if there is causal relationship between amputation of an extremity and subsequent development of cardiovascular disorders and to report to Speaker and President of Senate not later than June 30, 1977.

STUDY OF CLAIMS FOR DEPENDENCY AND INDEMNITY COMPENSATION

Pub. L. 93–295, title II, § 207, May 31, 1974, 88 Stat. 183, directed Administrator of Veterans' Affairs to make a detailed study of claims for dependency and indemnity compensation relating to veterans, as defined in section 101(2) of this title, who at time of death within six months prior to May 31, 1974, were receiving disability compensation from Veterans' Administration based upon a rating total and permanent in nature, and submit a report together with such comments and recommendations as Administrator deemed appropriate to Speaker of the House and President of the Senate not more than thirty days after Jan. 14, 1975.

§ 1102. Special provisions relating to surviving spouses

(a) No compensation shall be paid to the surviving spouse of a veteran under this chapter unless such surviving spouse was married to such veteran—

(1) before the expiration of fifteen years after the termination of the period of service in which the injury or disease causing the death of the veteran was incurred or aggravated; or

(2) for one year or more; or

(3) for any period of time if a child was born of the marriage, or was born to them before the marriage.

(b) Subsection (a) shall not be applicable to any surviving spouse who, with respect to date of marriage, could have qualified as a surviving spouse for death compensation under any law administered by the Secretary in effect on December 31, 1957.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1119, § 302; Pub. L. 86–491, June 8, 1960, 74 Stat. 161; Pub. L. 90–77, title I, § 101(a), Aug. 31, 1967, 81 Stat. 178; Pub. L. 94–433, title IV, § 404(2)–(4), Sept. 30, 1976, 90 Stat. 1378; renumbered § 1102 and amended Pub. L. 102–83, §§ 4(a)(1), 5(a), Aug. 6, 1991, 105 Stat. 403, 406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 302 of this title as this section.

Subsec. (b). Pub. L. 102–83, § 4(a)(1), substituted ''administered by the Secretary'' for ''administered by the Veterans' Administration''.

1976—Pub. L. 94–433, § 404(4), substituted ''surviving spouses'' for ''widows'' in section catchline.

Subsec. (a). Pub. L. 94–433, § 404(2), substituted ''surviving spouse of a veteran under this chapter unless such surviving spouse was married to such veteran'' for ''widow of a veteran under this chapter unless she was married to him''.

Subsec. (b). Pub. L. 94–433, § 404(3), substituted ''surviving spouse'' for ''widow'' in two places.

1967—Subsec. (a)(2), (3). Pub. L. 90–77 qualified widow of a veteran for receipt of compensation by reducing in par. (2) the requisite marriage period from five years to one year and by making her eligible for benefits in par. (3) in event of antenuptial birth.

1960—Subsec. (a)(1). Pub. L. 86–491 substituted ''fifteen years'' for ''ten years''.

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 1967 AMENDMENT

Amendment by Pub. L. 90–77 effective first day of first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90–77, set out as a note under section 101 of this title.

§ 1103. Special provisions relating to claims based upon effects of tobacco products

(a) Notwithstanding any other provision of law, a veteran's disability or death shall not be considered to have resulted from personal injury suffered or disease contracted in the line of duty in the active military, naval, or air service for purposes of this title on the basis that it resulted from injury or disease attributable to the use of tobacco products by the veteran during the veteran's service.

(b) Nothing in subsection (a) shall be construed as precluding the establishment of service connection for disability or death from a disease or injury which is otherwise shown to have been incurred or aggravated in active military, naval, or air service or which became manifest to the requisite degree of disability during any applicable presumptive period specified in section 1112 or 1116 of this title.

(Added Pub. L. 105–178, title VIII, § 8202(a)(1), as added Pub. L. 105–206, title IX, § 9014(a), July 22, 1998, 112 Stat. 865.)

PRIOR PROVISIONS

A prior section 1103 was renumbered section 1104 of this title.

EFFECTIVE DATE

Title IX of Pub. L. 105–206 effective simultaneously with enactment of Pub. L. 105–178 and to be treated as included in Pub. L. 105–178 at time of enactment, see section 9016 of Pub. L. 105–206, set out as an Effective Date of 1998 Amendment note under section 101 of Title 23, Highways.

Pub. L. 105–178, title VIII, § 8202(b), as amended by Pub. L. 105–206, title IX, § 9014(a), July 22, 1998, 112 Stat. 865, provided that: ''Section 1103 of title 38, United States Code, as added by subsection (a), shall apply with respect to claims received by the Secretary of Veterans Affairs after the date of the enactment of this Act [June 9, 1998].''

§ 1104. Cost-of-living adjustments

(a) In the computation of cost-of-living adjustments for fiscal years 1998 through 2013 in the