AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 332 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1131'' for ''331''.

§ 1133. Presumptions relating to certain diseases

(a) For the purposes of section 1131 of this title, and subject to the provisions of subsections (b) and (c) of this section, any veteran who served for six months or more and contracts a tropical disease or a resultant disorder or disease originating because of therapy administered in connection with a tropical disease, or as a preventative thereof, shall be deemed to have incurred such disability in the active military, naval, or air service when it is shown to exist within one year after separation from active service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service.

(b) Service-connection shall not be granted pursuant to subsection (a), in any case where the disease or disorder is shown by clear and unmistakable evidence to have had its inception before or after active military, naval, or air service.

(c) Nothing in this section shall be construed to prevent the granting of service-connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active military, naval, or air service.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1123, § 333; renumbered § 1133 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 333 of this title as this section.

Subsec. (a). Pub. L. 102–83, § 5(c)(1), substituted ''1131'' for ''331''.

§ 1134. Rates of peacetime disability compensation

For the purposes of section 1131 of this title, the compensation payable for the disability shall be that specified in section 1114 of this title.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1123, § 334; Pub. L. 92–328, title I, § 108(a), June 30, 1972, 86 Stat. 396; renumbered § 1134 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 334 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1131'' for ''331'' and ''1114'' for ''314''.

1972—Pub. L. 92–328 substituted provisions that compensation payable for the disability be that specified in section 314 of this title, for provisions that compensation payable for the disability be equal to 80% of the compensation payable for such disability under section 314 of this title, adjusted upward or downward to the nearest dollar.

EFFECTIVE DATE OF 1972 AMENDMENT

Section 301(b) of Pub. L. 92–328 provided that: ''Section 108 [repealing section 336 of this title and amending this section and section 335 [now 1135] of this title] shall take effect on July 1, 1973.''

§ 1135. Additional compensation for dependents

Any veteran entitled to compensation at the rates provided in section 1134 of this title, and whose disability is rated not less than 30 percent, shall be entitled to additional monthly compensation for dependents as provided in section 1115 of this title.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1123, § 335; Pub. L. 92–328, title I, § 108(b), June 30, 1972, 86 Stat. 396; Pub. L. 98–543, title I, § 112(a), Oct. 24, 1984, 98 Stat. 2740; renumbered § 1135 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 335 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1134'' for ''334'' and ''1115'' for ''315''.

1984—Pub. L. 98–543 substituted ''30 percent'' for ''50 per centum''.

1972—Pub. L. 92–328 substituted provisions that the veteran be entitled to additional monthly compensation for dependents as provided in section 315 of this title, for provisions that the veteran be entitled to additional monthly compensation for dependents equal to 80% of the additional compensation for dependents provided in section 315 of this title, and subject to the limitations thereof, and adjusted upward or downward to the nearest dollar.

EFFECTIVE DATE OF 1984 AMENDMENT

Section 112(b) of Pub. L. 98–543 provided that: ''The amendment made by subsection (a) [amending this section] shall take effect as of October 1, 1978.''

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92–328 effective July 1, 1973, see section 301(b) of Pub. L. 92–328, set out as a note under section 1134 of this title.

[§ 1136. Vacant]

CODIFICATION

Prior to renumbering of sections 301 to 363 of this chapter as sections 1101 to 1163 by Pub. L. 102–83, § 5(a), Aug. 6, 1991, 105 Stat. 406, section 336 of this chapter, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1123, which set forth the conditions under which wartime rates were payable to any veteran otherwise entitled to compensation under the provisions of this subchapter, was repealed by Pub. L. 92–328, title I, § 108(c), title III, § 301(b), June 30, 1972, 86 Stat. 396, 398, effective July 1, 1973.

§ 1137. Wartime presumptions for certain veterans

For the purposes of this subchapter and subchapter V of this chapter and notwithstanding the provisions of sections 1132 and 1133 of this subchapter, the provisions of sections 1111, 1112, and 1113 of this chapter shall be applicable in the case of any veteran who served in the active military, naval, or air service after December 31, 1946.

(Added Pub. L. 89–358, § 7(a), Mar. 3, 1966, 80 Stat. 27, § 337; amended Pub. L. 93–295, title II, § 205, May 31, 1974, 88 Stat. 183; renumbered § 1137 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 337 of this title as this section.