1976, 90 Stat. 2384, related to leaves of absence to veterans pursuing a course of vocational rehabilitation training under chapter 31 of this title, prior to the general revision of chapter 31 of this title by Pub. L. 96–466. Section 802(a)(3) of Pub. L. 96–466, set out as an Effective Date note under section 3100 of this title, provided that this prior section 1505 continue in effect until Mar. 31, 1981. See section 3110 of this title.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109–461 substituted ''local, or other penal institution or correctional facility'' for ''or local penal institution''.

1991—Pub. L. 102–83, § 5(a), renumbered section 505 of this title as this section.

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

Subsecs. (b), (c). Pub. L. 102–83, § 4(b)(1), (2)(E), substituted ''Secretary'' for ''Administrator''.

1975—Subsec. (a). Pub. L. 94–169, § 106(9), substituted ''such individual's'' for ''his'' wherever appearing.

Subsec. (b). Pub. L. 94–169, § 106(10), substituted ''such veteran's spouse'' for ''his wife''.

Subsec. (c). Pub. L. 94–169, § 106(11), substituted ''surviving spouse'' for ''widow'' wherever appearing.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 106 of Pub. L. 94–169 provided that the amendment made by that section is effective Jan. 1, 1976.

§ 1506. Resource reports and overpayment adjustments

As a condition of granting or continuing pension under section 1521, 1541, or 1542 of this title, the Secretary—

(1) may require from any person who is an applicant for or a recipient of pension such information, proofs, and evidence as the Secretary determines to be necessary in order to determine the annual income and the value of the corpus of the estate of such person, and of any spouse or child for whom the person is receiving or is to receive increased pension (such a child is hereinafter in this subsection referred to as a ''dependent child''), and, in the case of a child applying for or in receipt of pension under section 1542 of this title (hereinafter in this subsection referred to as a ''surviving child''), of any person with whom such child is residing who is legally responsible for such child's support;

(2) may require that any such applicant or recipient file for a calendar year with the Department (on such form as may be prescribed for such purpose by the Secretary) a report showing—

(A) the annual income which such applicant or recipient (and any such spouse or dependent child) received during the preceding year, the corpus of the estate of such applicant or recipient (and of any such spouse or dependent child) at the end of such year, and in the case of a surviving child, the income and corpus of the estate of any person with whom such child is residing who is legally responsible for such child's support;

(B) such applicant's or recipient's estimate for the then current year of the annual income such applicant or recipient (and any such spouse or dependent child) expects to receive and of any expected increase in the value of the corpus of the estate of such applicant or recipient (and for any such spouse or dependent child); and

(C) in the case of a surviving child, an estimate for the then current year of the annual income of any person with whom such child is residing who is legally responsible for such child's support and of any expected increase in the value of the corpus of the estate of such person;

(3) shall require that any such applicant or recipient promptly notify the Secretary whenever there is a material change in the annual income of such applicant or recipient (or of any such spouse or dependent child) or a material change in the value of the corpus of the estate of such applicant or recipient (or of any such spouse or dependent child), and in the case of a surviving child, a material change in the annual income or value of the corpus of the estate of any person with whom such child is residing who is legally responsible for such child's support; and

(4) shall require that any such applicant or recipient applying for or in receipt of increased pension on account of a person who is a spouse or child of such applicant or recipient promptly notify the Secretary if such person ceases to meet the applicable definition of spouse or child.

(Added Pub. L. 86–211, § 2(b), Aug. 29, 1959, 73 Stat. 432, § 506; amended Pub. L. 88–664, § 2, Oct. 13, 1964, 78 Stat. 1094; Pub. L. 91–588, § 6, Dec. 24, 1970, 84 Stat. 1584; Pub. L. 94–169, title I, § 106(12)–(14), Dec. 23, 1975, 89 Stat. 1017; Pub. L. 95–588, title I, § 103, Nov. 4, 1978, 92 Stat. 2498; Pub. L. 96–466, title VI, § 605(c)(2), Oct. 17, 1980, 94 Stat. 2211; renumbered § 1506 and amended Pub. L. 102–83, §§ 4(a)(3), (4), (b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406; Pub. L. 103–271, § 9(b), July 1, 1994, 108 Stat. 743.)

PRIOR PROVISIONS

Prior section 1506 was renumbered section 3106 of this title.

Another prior section 1506, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1173, authorized Administrator to furnish veterans receiving vocational rehabilitation such medical care, treatment, hospitalization, and prosthesis as were necessary to accomplish the purposes of chapter 31 of this title, prior to the general revision of chapter 31 of this title by Pub. L. 96–466. Section 802(a)(3) of Pub. L. 96–466, set out as an Effective Date note under section 3100 of this title, provided that this prior section 1506 continue in effect until Mar. 31, 1981. See section 3104 of this title.

AMENDMENTS

1994—Par. (2). Pub. L. 103–271, § 9(b)(1), substituted ''may require'' for ''shall require'' and ''file for a calendar year'' for ''file each year'' in introductory provisions.

Par. (3). Pub. L. 103–271, § 9(b)(2), substituted ''notify the Secretary'' for ''file a revised report'', struck out ''estimated'' before ''annual income'' in two places, and struck out ''such applicant's or recipient's estimate of'' before ''the value of the corpus of the estate of such applicant''.

1991—Pub. L. 102–83, § 5(a), renumbered section 506 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1521, 1541, or 1542'' for ''521, 541, or 542'' in introductory provisions and ''1542'' for ''542'' in par. (1).

Pub. L. 102–83, § 4(b)(1), (2)(E), substituted ''Secretary'' for ''Administrator'' in introductory provisions and pars. (1), (2), and (4).

Pub. L. 102–83, § 4(a)(3), (4), substituted ''Department'' for ''Veterans' Administration'' in par. (2) introductory provisions.

1980—Pub. L. 96–466 struck out ''(a)'' before ''As a condition'' and struck out subsec. (b) which provided that in the event of an overpayment of pension under section 521, 541, or 542 of this title, the amount thereof be deducted (unless waived) from any future payments made thereunder to the person concerned.

1978—Subsec. (a). Pub. L. 95–588 inserted provision authorizing the Administrator to consider the income of a spouse or child prior to granting a pension in par. (1), struck out exclusion from filing report for a child or person of 72 years of age or more who has been paid a pension for two consecutive years in par. (2), required changes in income of spouse or dependent child be included in the necessary revised income report in par. (3), and added par. (4).

1975—Subsec. (a). Pub. L. 94–169 substituted ''the Administrator'' for ''he'' in par. (1), ''the Administrator'' for ''him'', ''such person'' for ''he'' and ''such person's'' for ''his'' wherever appearing, in par. (2), and ''such person's'' for ''his'' wherever appearing, in par. (3).

1970—Subsec. (a)(2). Pub. L. 91–588 exempted from filing requirements of this section any person who has attained 72 years of age and has been paid a pension under sections 521, 541, or 542 of this title during two consecutive calendar years.

1964—Subsec. (a)(2). Pub. L. 88–664 inserted '', other than a child,'' after ''person''.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–466 effective Oct. 1, 1980, except as otherwise specifically provided, see section 802(f) of Pub. L. 96–466, set out as a note under section 5314 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–588 effective Jan. 1, 1979, see section 401 of Pub. L. 95–588, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 106 of Pub. L. 94–169 provided that the amendment made by that section is effective Jan. 1, 1976.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–588 effective Jan. 1, 1972, see section 10(b) of Pub. L. 91–588, set out as a note under section 1521 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88–664 effective Jan. 1, 1965, see section 11 of Pub. L. 88–664, set out as a note under section 1503 of this title.

EFFECTIVE DATE

Section 10 of Pub. L. 86–211 provided that: ''This Act [see Tables for classification] shall take effect on July 1, 1960.''

§ 1507. Disappearance

Where a veteran receiving pension under subchapter II of this chapter disappears, the Secretary may pay the pension otherwise payable to such veteran's spouse and children. In applying the provisions of this section, the Secretary may presume, without reports pursuant to section 1506(a) of this title, that the status of the veteran at the time of disappearance, with respect to permanent and total disability, income, and net worth, continues unchanged. Payments made to a spouse or child under this section shall not exceed the amount to which each would be entitled if the veteran died of a nonservice-connected disability.

(Added Pub. L. 89–467, § 1(a), June 22, 1966, 80 Stat. 218, § 507; amended Pub. L. 94–169, title I, § 106(15), Dec. 23, 1975, 89 Stat. 1017; renumbered § 1507 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406.)

PRIOR PROVISIONS

Prior section 1507 was renumbered section 3107 of this title.

Another prior section 1507, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1173; Pub. L. 92–540, title I, § 101(3), Oct. 24, 1972, 86 Stat. 1074; Pub. L. 94–502, title I, § 104(6), Oct. 15, 1976, 90 Stat. 2384, related to loans to trainees commencing or undertaking courses of vocational rehabilitation under chapter 31 of this title, prior to repeal, effective Oct. 1, 1980, by Pub. L. 96–466, title VIII, § 802(a)(4), Oct. 17, 1980, 94 Stat. 2218. See section 3112 of this title.

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 507 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1506(a)'' for ''506(a)''.

Pub. L. 102–83, § 4(b)(1), (2)(E), substituted ''Secretary'' for ''Administrator'' in two places.

1975—Pub. L. 94–169 struck out ''in his discretion'' after ''Administrator'' and substituted ''payable to such veteran's spouse'' for ''payable to his wife,'' and ''made to a spouse'' for ''made to a wife''.

EFFECTIVE DATE OF 1975 AMENDMENT

Section 106 of Pub. L. 94–169 provided that the amendment made by that section is effective Jan. 1, 1976.

§ 1508. Frequency of payment of pension benefits

(a) Except as provided under subsection (b) of this section, benefits under sections 1521, 1541, and 1542 of this title shall be paid monthly.

(b) Under regulations which the Secretary shall prescribe, benefits under sections 1521, 1541, and 1542 of this title 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 to a veteran under section 1521(b) of this title.

(Added Pub. L. 95–588, title I, § 104(a), Nov. 4, 1978, 92 Stat. 2499, § 508; amended Pub. L. 102–54, § 14(b)(6), June 13, 1991, 105 Stat. 283; renumbered § 1508 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406.)

PRIOR PROVISIONS

Prior section 1508 was renumbered section 3108 of this title.

Another prior section 1508, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1173; Pub. L. 94–502, title I, § 104(7), Oct. 15, 1976, 90 Stat. 2384, authorized Administrator to prescribe rules and regulations to promote good conduct and cooperation on the part of veterans receiving vocational rehabilitation under chapter 31 of this title, prior to the general revision of chapter 31 of this title by Pub. L. 96–466. Section 802(a)(3) of Pub. L. 96–466, set out as an Effective Date note under section 3100 of this title, provided that this prior section 1508 continue in effect until Mar. 31, 1981. See section 3111 of this title.

Prior section 1509 was renumbered section 3109 of this title.

Another prior section 1509, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1173; Pub. L. 94–502, title I, § 104(8), (9), Oct. 15, 1976, 90 Stat. 2384, related to books, supplies, and equipment furnished a veteran under chapter 31 of this title, prior to the general revision of chapter 31 of this title by Pub. L. 96–466. Section 802(a)(3) of Pub. L. 96–466, set out as an Effective Date note under section 3100 of this title, provided that this prior section 1509 continue in effect until Mar. 31, 1981.