§§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406.)

REFERENCES IN TEXT

Section 544 of this title, referred to in subsec. (d)(2), was repealed by Pub. L. 95–588, title I, § 112(a)(1), Nov. 4, 1978, 92 Stat. 2505, eff. Jan. 1, 1979.

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 536 of this title as this section.

Subsec. (a). Pub. L. 102–83, § 5(c)(1), substituted ''1512(a)'' for ''512(a)''.

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

Subsec. (d). Pub. L. 102–83, § 5(c)(1), substituted ''1541'' for ''541'' in pars. (1) and (2).

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

1978—Subsec. (d)(1). Pub. L. 95–588, § 108(1), substituted ''a period of war'' for ''World War I'', and struck out '', except as provided in paragraph (2)'' after ''irrevocable''.

Subsec. (d)(2). Pub. L. 95–588, § 108(2), inserted '', as in effect on December 31, 1978'' after ''of this title'' in two places, and ''as in effect on such date'' after ''such section 544''.

1975—Pub. L. 94–169, § 106(37), substituted ''Surviving spouses'' for ''Widows'' in section catchline.

Subsec. (a). Pub. L. 94–169, § 106(32), substituted ''pay to the surviving spouse'' for ''pay to the widow'', ''unless such surviving spouse'' for ''unless she'', ''the spouse'' for ''the wife'' and ''such veteran's'' for ''his''.

Subsec. (b). Pub. L. 94–169, § 106(33), substituted ''surviving spouse'' for ''widow''.

Subsec. (c). Pub. L. 94–169, § 106(33), substituted ''paid to a surviving spouse'' for ''paid to a widow'', ''unless such surviving spouse'' for ''unless she'' and ''such veteran'' for ''him''.

Subsec. (d)(1). Pub. L. 94–169, § 106(34), substituted ''Any surviving spouse'' for ''Any widow'', ''if such surviving spouse'' for ''if she'' and ''surviving spouses'' for ''widows''.

Subsec. (d)(2). Pub. L. 94–169, § 106(35), (36), substituted ''surviving spouse'' for ''widow'' wherever appearing, and ''such surviving spouse'' for ''her''.

1972—Subsec. (d). Pub. L. 92–328 added subsec. (d).

1967—Subsec. (a). Pub. L. 90–77, § 105, substituted ''$70'' for ''$65''.

Subsec. (c). Pub. L. 90–77, § 101(a), qualified widow of a veteran for a pension 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.

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 1972 AMENDMENT

Amendment by Pub. L. 92–328 effective first day of second calendar month which begins after June 30, 1972, see section 301(a) of Pub. L. 92–328, set out as a note under section 1114 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.

INCREASE IN AID AND ATTENDANCE RATES FOR VETERANS ELIGIBLE FOR PENSION

Maximum annual pension rates under subsec. (d)(2) of this section increased by $600, effective Oct. 1, 1998, see section 8206 of Pub. L. 105–178, set out as a note under section 1521 of this title.

§ 1537. Children of Spanish-American War veterans

Whenever there is no surviving spouse entitled to pension under section 1536 of this title, the Secretary shall pay to the children of each Spanish-American War veteran who met the service requirements of section 1512(a) of this title a pension at the monthly rate of $73.13 for one child, plus $8.13 for each additional child, with the total amount equally divided.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1138, § 537; Pub. L. 94–169, title I, § 106(39), Dec. 23, 1975, 89 Stat. 1019; renumbered § 1537 and amended Pub. L. 102–83, §§ 4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406.)

AMENDMENTS

1991—Pub. L. 102–83, § 5(a), renumbered section 537 of this title as this section.

Pub. L. 102–83, § 5(c)(1), substituted ''1536'' for ''536'' and ''1512(a)'' for ''512(a)''.

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

1975—Pub. L. 94–169 substituted ''surviving spouse'' for ''widow''.

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.

OTHER PERIODS OF WAR

AMENDMENTS

1991—Pub. L. 102–25, title III, § 333(c)(1), Apr. 6, 1991, 105 Stat. 88, substituted ''OTHER PERIODS OF WAR'' for ''MEXICAN BORDER PERIOD, WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA'' as subheading.

1970—Pub. L. 91–588, § 9(d)(3), Dec. 24, 1970, 84 Stat. 1585, inserted reference to Mexican border period in subheading.

1967—Pub. L. 90–77, title III, § 202(j), Aug. 31, 1967, 81 Stat. 183, inserted reference to Vietnam era in subheading.

§ 1541. Surviving spouses of veterans of a period of war

(a) The Secretary shall pay to the surviving spouse of each veteran of a period of war who met the service requirements prescribed in section 1521(j) of this title, or who at the time of death was receiving (or entitled to receive) compensation or retirement pay for a service-connected disability, pension at the rate prescribed by this section, as increased from time to time under section 5312 of this title.

(b) If no child of the veteran is in the custody of the surviving spouse, pension shall be paid to the surviving spouse at the annual rate of $7,933, reduced by the amount of the surviving spouse's annual income.

(c) If there is a child of the veteran in the custody of the surviving spouse, pension shall be paid to the surviving spouse at the annual rate of $10,385. If the surviving spouse has custody of two or more such children, the annual pension rate shall be increased by $2,020 for each such child in excess of one. In each case, the rate payable shall be reduced by the amount of the surviving spouse's annual income and, subject to