under the 2020 Recovery Rebate in the Coronavirus Aid, Relief, and Economic Security Act [Pub. L. 116–136, see Tables for classification] shall not be treated as income or resources for purposes of determining eligibility for pension under chapter 15 of title 38, United States Code, or any other benefit under a law administered by the Secretary of Veterans Affairs.''

§ 1504. Persons heretofore having a pensionable status

The pension benefits of subchapters II and III of this chapter shall, notwithstanding the service requirements of such subchapters, be granted to persons heretofore recognized by law as having a pensionable status.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1134, § 504; renumbered § 1504, Pub. L. 102–83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

PRIOR PROVISIONS

Prior section 1504 was renumbered section 3104 of this title.

Another prior section 1504, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1172; Pub. L. 89–137, § 1(a), Aug. 26, 1965, 79 Stat. 576; Pub. L. 90–431, July 26, 1968, 82 Stat. 447; Pub. L. 91–219, title I, § 101, Mar. 26, 1970, 84 Stat. 76; Pub. L. 92–540, title I, § 101(2), Oct. 24, 1972, 86 Stat. 1074; Pub. L. 93–508, title I, § 101(3), Dec. 3, 1974, 88 Stat. 1579; Pub. L. 93–602, title II, § 202, Jan. 2, 1975, 88 Stat. 1958; Pub. L. 94–502, title I, §§ 101, 104(4), Oct. 15, 1976, 90 Stat. 2383, 2384; Pub. L. 95–202, title I, § 101, Nov. 23, 1977, 91 Stat. 1433, related to subsistence allowances to be paid veterans while pursuing a course of vocational rehabilitation training 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 3108 of this title.

AMENDMENTS

1991—Pub. L. 102–83 renumbered section 504 of this title as this section.

§ 1505. Payment of pension during confinement in penal institutions

(a) No pension under public or private laws administered by the Secretary shall be paid to or for an individual who has been imprisoned in a Federal, State, local, or other penal institution or correctional facility as a result of conviction of a felony or misdemeanor for any part of the period beginning sixty-one days after such individual's imprisonment begins and ending when such individual's imprisonment ends.

(b) Where any veteran is disqualified for pension for any period solely by reason of subsection (a) of this section, the Secretary may apportion and pay to such veteran's spouse or children the pension which such veteran would receive for that period but for this section.

(c) Where any surviving spouse or child of a veteran is disqualified for pension for any period solely by reason of subsection (a) of this section, the Secretary may (1) if the surviving spouse is so disqualified, pay to the child, or children, the pension which would be payable if there were no such surviving spouse or (2) if a child is so disqualified, pay to the surviving spouse or other children, as applicable, the pension which would be payable if there were no such child.

(Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1134, § 505; Pub. L. 94–169, title I, § 106(9)–(11), Dec. 23, 1975, 89 Stat. 1017; renumbered § 1505 and amended Pub. L. 102–83, §§ 4(a)(1), (b)(1), (2)(E), 5(a), Aug. 6, 1991, 105 Stat. 403–406; Pub. L. 109–461, title X, § 1002(a), Dec. 22, 2006, 120 Stat. 3464.)

Editorial Notes

PRIOR PROVISIONS

Prior section 1505 was renumbered section 3105 of this title.

Another prior section 1505, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1172; Pub. L. 94–502, title I, § 104(5), Oct. 15, 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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 94–169, title I, § 106, Dec. 23, 1975, 89 Stat. 1017, 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 de-