

vided monthly pension for persons who served in military or naval forces of Confederate States of America, was repealed by Pub. L. 94-169, title I, §101(2)(F), Dec. 23, 1975, 89 Stat. 1014, effective Jan. 1, 1976.

### § 1511. Indian War veterans

(a) The Secretary shall pay to each veteran of the Indian Wars who meets the service requirements of this section a pension at the following monthly rate:

- (1) \$101.59; or
- (2) \$135.45 if the veteran is in need of regular aid and attendance.

(b) A veteran meets the service requirements of this section if such veteran served in one of the Indian Wars—

- (1) for thirty days or more; or
- (2) for the duration of such Indian War;

in any military organization, whether or not such service was the result of regular muster into the service of the United States, if such service was under the authority or by the approval of the United States or any State.

(c)(1) Any veteran eligible for pension under this section shall, if such veteran so elects, be paid pension at the rates prescribed by section 1521 of this title, and under the conditions (other than the service requirements) applicable to pension paid under that section to veterans of World War I. If pension is paid pursuant to such an election, the election shall be irrevocable, except as provided in paragraph (2).

(2) The Secretary shall pay each month to each veteran of the Indian Wars who is receiving, or entitled to receive, pension based on a need of regular aid and attendance, whichever amount is greater (A) that provided by paragraph (2) of subsection (a) of this section, or (B) that which is payable to the veteran under section 1521 of this title if such veteran has elected, or would be payable if such veteran were to elect, to receive pension under such section pursuant to paragraph (1) of this subsection. Each change in the amount of pension payment required by this paragraph shall be effective as of the first day of the month during which the facts of the particular case warrant such change, and shall be made without specific application therefor.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1135, §511; Pub. L. 86-670, §1, July 14, 1960, 74 Stat. 545; Pub. L. 90-77, title I, §111(a), Aug. 31, 1967, 81 Stat. 181; Pub. L. 94-169, title I, §106(16), Dec. 23, 1975, 89 Stat. 1017; renumbered §1511 and amended Pub. L. 102-83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404-406.)

### Editorial Notes

#### PRIOR PROVISIONS

Prior section 1511 was renumbered section 3111 of this title.

Another prior section 1511, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1171, §1503, renumbered Pub. L. 89-138, §2(4), Aug. 26, 1965, 79 Stat. 578, and amended Pub. L. 94-502, title , §103, 104(11), Oct. 15, 1976, 90 Stat. 2384, related to training and training facilities 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 1511

continue in effect until Mar. 31, 1981. See section 3115 of this title.

#### AMENDMENTS

1991—Pub. L. 102-83, §5(a), renumbered section 511 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator" in introductory provisions.

Subsec. (c). Pub. L. 102-83, §5(c)(1), substituted "1521" for "521" in pars. (1) and (2).

Subsec. (c)(2). Pub. L. 102-83, §4(b)(1), (2)(E), substituted "Secretary" for "Administrator".

1975—Subsecs. (b), (c). Pub. L. 94-169 substituted "such veteran" for "he" wherever appearing.

1967—Subsec. (c). Pub. L. 90-77 designated existing provisions as par. (1), inserted "except as provided in paragraph (2)", and added par. (2).

1960—Subsec. (c). Pub. L. 86-670 added subsec. (c).

### 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.

#### 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.

#### EFFECTIVE DATE OF 1960 AMENDMENT

Pub. L. 86-670, §3, July 14, 1960, 74 Stat. 545, provided that: "This Act [amending this section and section 512 [now 1512] of this title] shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act [July 14, 1960]."

### § 1512. Spanish-American War veterans

(a)(1) The Secretary shall pay to each veteran of the Spanish-American War who meets the service requirements of this subsection a pension at the following monthly rate:

- (A) \$101.59; or
- (B) \$135.45 if the veteran is in need of regular aid and attendance.

(2) A veteran meets the service requirements of this subsection if such veteran served in the active military or naval service—

(A) for ninety days or more during the Spanish-American War;

(B) during the Spanish-American War and was discharged or released from such service for a service-connected disability; or

(C) for a period of ninety consecutive days or more and such period began or ended during the Spanish-American War.

(3)(A) Any veteran eligible for pension under this subsection shall, if such veteran so elects, be paid pension at the rates prescribed by section 1521 of this title (except the rate provided under subsection (g) of such section), and under the conditions (other than the service requirements) applicable to pension paid under that section to veterans of a period of war. If pension is paid pursuant to such an election, the election shall be irrevocable.

(B) The Secretary shall pay each month to each Spanish-American War veteran who is receiving, or entitled to receive, pension based on a need of regular aid and attendance, whichever