[SURVIVING SPOUSES OF VETERANS OF ALL PERIODS OF WAR—REPEALED]

Editorial Notes

AMENDMENTS

1978—Pub. L. 95–588, title I, §112(a)(2), Nov. 4, 1978, 92 Stat. 2505, struck out heading ''SURVIVING SPOUSES OF VETERANS OF ALL PERIODS OF WAR'' below section 543 [now 1543].

1975—Pub. L. 94–169, title I, §101(2)(I), Dec. 23, 1975, 89 Stat. 1014, substituted ''SURVIVING SPOUSES'' for ''WIDOWS'' in heading below section 543.

[§ 1544. Vacant]

Editorial Notes

CODIFICATION

Prior to renumbering of sections 501 to 543 of this chapter as sections 1501 to 1543 by Pub. L. 102–83, §5(a), Aug. 6, 1991, 105 Stat. 406, section 544 of this chapter, added Pub. L. 90–77, title I, §108(a), Aug. 31, 1967, 81 Stat. 180; amended Pub. L. 91–588, §3(a), Dec. 24, 1970, 84 Stat. 1583; Pub. L. 93–527, §5, Dec. 21, 1974, 88 Stat. 1704; Pub. L. 94–169, title I, §105, Dec. 23, 1975, 89 Stat. 1017; Pub. L. 94–432, title II, §205, Sept. 30, 1976, 90 Stat. 1371; Pub. L. 95–204, title I, §104, Dec. 2, 1977, 91 Stat. 1457, which authorized an increase by $79 of the monthly rate of pension payable to the surviving spouse if the surviving spouse was entitled to pension under this subchapter and was in need of regular aid and attendance, was repealed by Pub. L. 95–588, title I, §112(a)(1), title IV, §401, Nov. 4, 1978, 92 Stat. 2505, 2511, effective Jan. 1, 1979.

SUBCHAPTER IV—ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL

Editorial Notes

AMENDMENTS

1963—Pub. L. 88–77, §5(3), July 25, 1963, 77 Stat. 96, substituted ''ARMY, NAVY, AIR FORCE, AND COAST GUARD'' for ''ARMY, NAVY, AND AIR FORCE'' in subchapter heading.

[§§ 1560, 1561. Repealed. Pub. L. 113–66, div. A, title V, § 563(c)(1), Dec. 26, 2013, 127 Stat. 768]

Section 1560, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1139, §560; Pub. L. 87–138, §1, Aug. 14, 1961, 75 Stat. 338; Pub. L. 88–77, §5(1), July 25, 1963, 77 Stat. 95; Pub. L. 88–651, Oct. 13, 1964, 78 Stat. 1078; Pub. L. 89–311, §4, Oct. 31, 1965, 79 Stat. 1156; Pub. L. 91–24, §5, June 11, 1969, 83 Stat. 33; Pub. L. 94–169, title I, §106(41), Dec. 23, 1975, 89 Stat. 1019; renumbered §1560 and amended Pub. L. 102–83, §§4(b)(4)(A), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 405, 406; Pub. L. 107–296, title XVII, §1704(d), Nov. 25, 2002, 116 Stat. 2315, related to persons eligible for Medal of Honor Roll.

Section 1561, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1139, §561; Pub. L. 87–138, §2(a), Aug. 14, 1961, 75 Stat. 338; Pub. L. 88–77, §5(2), July 25, 1963, 77 Stat. 95; Pub. L. 94–169, title I, §106(42), (43), Dec. 23, 1975, 89 Stat. 1019; renumbered §1561 and amended Pub. L. 102–83, §§4(b)(1), (2)(E), 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 404–406, related to certificates issued to persons on the Medal of Honor Roll.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to Medals of Honor awarded on or after Dec. 26, 2013, see section 563(d) of Pub. L. 113–66, set out as an Effective Date note under section 1134a of Title 10, Armed Forces.

§ 1562. Special provisions relating to pension

(a)(1) The Secretary shall pay monthly to each living person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, and a copy of whose certificate has been delivered to the Secretary under subsection (d) of section 1134a of title 10, a special pension at the rate of $1,406.73, as adjusted from time to time under subsection (e),[1] beginning as of the date on which the person's name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll under subsection (b) of such section.

(2)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall pay special pension under this section to the surviving spouse of a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll and a copy of whose certificate has been delivered to the Secretary under section 1134a(d) of title 10.

(B) No special pension shall be paid to a surviving spouse of a person under this section unless such surviving spouse was married to such person—

(i) for one year or more prior to the veteran's death; or

(ii) for any period of time if a child was born of the marriage, or was born to them before the marriage.

(C) No special pension shall be paid to a surviving spouse of a person under this section if such surviving spouse is receiving benefits under section 1311 or 1318 of this title.

(b) The receipt of special pension shall not deprive any person of any other pension or other benefit, right, or privilege to which such person is or may hereafter be entitled under any existing or subsequent law. Special pension shall be paid in addition to all other payments under laws of the United States.

(c) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

(d) If any person has been awarded more than one medal of honor, or married to more than one person who has been awarded a medal of honor, such person shall not receive more than one special pension.

(e) Effective as of December 1 each year, the Secretary shall increase the amount of monthly special pension payable under subsection (a) as of November 30 of such year by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1 of such year as a result of a determination under section 215(i) of that Act (42 U.S.C. 415(i)).

(f)(1) The Secretary shall pay, in a lump sum, to each person who is in receipt of special pension payable under paragraph (1) of subsection (a), or under paragraph (2) of such subsection in the case of a posthumous entry on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, an amount equal to the total amount of special pension that the person would have received during the period beginning on the

[1] See Special Benefit Allowance Rates note below.