

“(4) On October 1, 2024, for everyone not described in paragraph (1), with respect to subparagraphs (A), (B), (D), (E), (F), [former] (G), and (K) [now (J)] of section 1120(b)(2) of such title, as so added.

“(5) On October 1, 2025, for everyone not described in paragraph (1), with respect to subparagraphs (H) [now (G)] and (J) [now (I)] of section 1120(b)(2) of such title, as so added.”

SUBCHAPTER III—WARTIME DEATH COMPENSATION

§ 1121. Basic entitlement

The surviving spouse, child or children, and dependent parent or parents of any veteran who died before January 1, 1957 as the result of injury or disease incurred in or aggravated by active military, naval, or air service, in line of duty, during a period of war, shall be entitled to receive compensation at the monthly rates specified in section 1122 of this title.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1122, § 321; Pub. L. 92-197, § 6, Dec. 15, 1971, 85 Stat. 662; Pub. L. 94-433, title IV, § 404(12), Sept. 30, 1976, 90 Stat. 1378; renumbered § 1121 and amended Pub. L. 102-83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

AMENDMENTS

1991—Pub. L. 102-83, § 5(a), renumbered section 321 of this title as this section.

Pub. L. 102-83, § 5(c)(1), substituted “1122” for “322”.

1976—Pub. L. 94-433 substituted “spouse” for “widow”.

1971—Pub. L. 92-197 struck out eligibility clause when the veteran died after April 30, 1957, under circumstances described in section 417(a) of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-197 effective Jan. 1, 1972, see section 10 of Pub. L. 92-197, set out as a note under section 1311 of this title.

§ 1122. Rates of wartime death compensation

(a) The monthly rates of death compensation shall be as follows:

- (1) Surviving spouse but no child, \$87;
- (2) Surviving spouse with one child, \$121 (with \$29 for each additional child);
- (3) No surviving spouse but one child, \$67;
- (4) No surviving spouse but two children, \$94 (equally divided);
- (5) No surviving spouse but three children, \$122 (equally divided) (with \$23 for each additional child, total amount to be equally divided);
- (6) Dependent parent, \$75;
- (7) Both dependent parents, \$40 each.

(b) The monthly rate of death compensation payable to a surviving spouse or dependent parent under subsection (a) of this section shall be increased by \$79 if the payee is (1) a patient in a nursing home or (2) blind, or so nearly blind or significantly disabled as to need or require the regular aid and attendance of another person.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1122, § 322; Pub. L. 91-96, § 7, Oct. 27, 1969, 83 Stat. 146; Pub. L. 91-588, § 3(a), Dec. 24, 1970, 84 Stat. 1583; Pub. L. 92-197, § 9, Dec. 15, 1971, 85 Stat. 662; Pub. L. 93-295, title II, § 204, May 31, 1974, 88 Stat. 183; Pub. L. 94-169, title II, § 202, Dec. 23, 1975, 89 Stat. 1021; Pub. L. 94-432, title IV, § 401, Sept. 30, 1976, 90 Stat. 1372; Pub. L. 94-433, title IV, § 404(13)-(17), Sept. 30, 1976, 90 Stat. 1378, 1379; Pub. L. 95-204, title III, § 301, Dec. 2, 1977, 91 Stat. 1459; renumbered § 1122, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 109-233, title V, § 502(3), June 15, 2006, 120 Stat. 415.)

Editorial Notes

AMENDMENTS

2006—Subsec. (b)(2). Pub. L. 109-233 substituted “blind, or so nearly blind or significantly disabled as to” for “helpless or blind, or so nearly helpless or blind as to”.

1991—Pub. L. 102-83 renumbered section 322 of this title as this section.

1977—Subsec. (b). Pub. L. 95-204 substituted “\$79” for “\$74”.

1976—Subsec. (a). Pub. L. 94-433, § 404(13)-(16), substituted “Surviving spouse” for “Widow” in pars. (1) and (2); “surviving spouse” for “widow” in pars. (3), (4), and (5); “parent” for “mother or father” in par. (6); and “Both dependent parents” for “Dependent mother and father” in par. (7).

Subsec. (b). Pub. L. 94-433, § 404(17), substituted “surviving spouse” for “widow”.

Pub. L. 94-432 substituted “\$74” for “\$69”.

1975—Subsec. (b). Pub. L. 94-169 substituted, effective for period beginning Jan. 1, 1976, and ending Sept. 30, 1976, “\$69” for “\$64”.

1974—Subsec. (b). Pub. L. 93-295 substituted “\$64” for “\$55”.

1971—Subsec. (b). Pub. L. 92-197 extended benefits to dependent parents under subsec. (a) of this section and increased the increase in benefits from \$50 to \$55.

1970—Subsec. (b). Pub. L. 91-588 substituted “\$55” for “\$50”.

1969—Pub. L. 91-96 designated existing provisions as subsec. (a) and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-204, title III, § 302, Dec. 2, 1977, 91 Stat. 1459, provided that: “The provisions of this Act [see Tables for classification] shall take effect January 1, 1978.”

EFFECTIVE DATE OF 1976 AMENDMENTS

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

Amendment by Pub. L. 94-432 effective Jan. 1, 1977, see section 405(b) of Pub. L. 94-432, set out as a note under section 1521 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 94-169, title II, § 202, Dec. 23, 1975, 89 Stat. 1021, as amended by section 101 of Pub. L. 94-432, eff. Sept. 30, 1976, provided that the amendment made by that section is effective Jan. 1, 1976.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-295 effective May 1, 1974, see section 401 of Pub. L. 93-295, set out as a note under section 1114 of this title.

EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-197 effective Jan. 1, 1972, see section 10 of Pub. L. 92-197, set out as a note under section 1311 of this title.