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the absence of clear and unmistakable error.

(Authority: 38 U.S.C. 511)

(c) Determinations of satisfactory participation. A determination made by a competent military or naval authority or by the Coast Guard as to whether or not an individual is participating satisfactorily in required training as a member of the Selected Reserve is binding upon VA.

(Authority: 10 U.S.C. 16134; Pub. L. 98–525)

§ 21.7805 Conflicting interests.

In administering benefits payable under 10 U.S.C. chapter 1606, VA will apply the provisions of § 21.4005 in the same manner as they are applied in the administration of 38 U.S.C. chapters 34 and 36.


§ 21.7807 Examination of records.

In administering benefits payable under 10 U.S.C. chapter 1606, VA will apply the provisions of § 21.4209 in the same manner as they are applied in the administration of 38 U.S.C. chapters 34 and 36.


§ 21.8010 Definitions and abbreviations.

(a) Program-specific definitions and abbreviations. For the purposes of this subpart:

Covered birth defect means the same as defined at § 3.815(c)(3) of this title.

Eligible child means, as appropriate, either an individual as defined at § 3.814(c)(3) of this title who suffers from spina bifida, or an individual as defined at § 3.815(c)(2) of this title who has a covered birth defect other than a birth defect described in § 3.815(a)(2).

Employment assistance means employment counseling, placement and post-placement services, and personal and work adjustment training.

Institution of higher education has the same meaning that § 21.4200 provides for the term institution of higher learning.

Program of employment services means the services an eligible child may receive if the child’s entire program consists only of employment assistance.

Program participant means an eligible child who, following an evaluation in which VA finds the child’s achievement of a vocational goal is reasonably feasible, elects to participate in a vocational training program under this subpart.

Spina bifida means the same as defined at § 3.814(c)(4) of this title.

Veteran with covered service in Korea means a veteran defined at § 3.814(c)(2) of this title.

Vietnam veteran means, in the case of a child suffering from spina bifida, the same as defined at § 3.811(c)(1) or § 3.815(c)(1) of this title and, in the case of a child with a covered birth defect,