§ 21.7803

compétent military or naval authority
or by the Coast Guard as to whether or
not an individual is participating satisfac-
torily in required training as a
member of the Selected Reserve is
binding upon VA.

(Authority: 10 U.S.C. 16134; Pub. L. 98–525)
[53 FR 34740, Sept. 8, 1988, as amended at 61
FR 29483, June 11, 1996]

§ 21.7803 Revision of decisions.

The revision of a decision on which
an action was predicated is subject to
the following sections:

(a) Clear and unmistakable error,
§ 3.105(a) of this chapter; and
(b) Difference of opinion, § 3.105(b) of
this chapter.

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

§ 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.

(Authority: 10 U.S.C. 16136(b), 38 U.S.C. 3683;
Pub. L. 98–525)
[53 FR 34740, Sept. 8, 1988, as amended at 61
FR 20729, May 8, 1996; 61 FR 29483, June 11,
1996]

§ 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.

(Authority: 10 U.S.C. 16136(b), 38 U.S.C. 3690;
Pub. L. 98–525)
[53 FR 34740, Sept. 8, 1988, as amended at 61
FR 20729, May 8, 1996]

Subpart M—Vocational Training
and Rehabilitation for Certain
Children of Vietnam Veterans
and Veterans with Covered
Service in Korea—Spina Bifida
and Covered Birth Defects

AUTHORITY: 38 U.S.C. 101, 501, 512, 1151 note,
ch. 18, 5112, and as noted in specific sections.

38 CFR Ch. 1 (7–1–14 Edition)

SOURCE: 67 FR 72565, Dec. 6, 2002, unless
otherwise noted.

GENERAL

§ 21.8010 Definitions and abbrevia-
tions.

(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 employ-
ment 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 learn-
ing.

Program of employment services means
the services an eligible child may re-
ceive if the child’s entire program con-
ists 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 fea-
sible, elects to participate in a voca-
tional training program under this sub-
part.

Spina bifida means the same as de-
fining 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 § 3.814(c)(1) or
§ 3.815(a)(1) of this title and, in the case
of a child with a covered birth defect,
the same as defined at § 3.815(c)(1) of
this title.

Vocational training program means the
vocationally oriented training services,
and assistance, including placement
and post-placement services, and per-
sonal and work-adjustment training
that VA finds necessary to enable an