

(1) The term “child” means the following:

(A) For purposes of subchapters I and II of this chapter, an individual, regardless of age or marital status, who—

(i) is the natural child of a Vietnam veteran; and

(ii) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.

(B) For purposes of section 1821 of this title, an individual, regardless of age or marital status, who—

(i) is the natural child of a veteran of covered service in Korea (as determined for purposes of that section); and

(ii) was conceived after the date on which that veteran first entered service described in subsection (c) of that section.

(C) For purposes of section 1822 of this title, an individual, regardless of age or marital status, who—

(i) is the natural child of a veteran of covered service in Thailand (as determined for purposes of that section); and

(ii) was conceived after the date on which that veteran first entered service described in subsection (c) of that section.

(2) The term “Vietnam veteran” means an individual who performed active military, naval, or air service in the Republic of Vietnam during the Vietnam era, without regard to the characterization of that individual's service.

(3) The term “Vietnam era” with respect to—

(A) subchapter I of this chapter, means the period beginning on January 9, 1962, and ending on May 7, 1975; and

(B) subchapter II of this chapter, means the period beginning on February 28, 1961, and ending on May 7, 1975.

(Added Pub. L. 106-419, title IV, §401(b), Nov. 1, 2000, 114 Stat. 1859, §1821; renumbered §1831 and amended Pub. L. 108-183, title I, §102(a)(1), (b), Dec. 16, 2003, 117 Stat. 2653, 2654; Pub. L. 116-23, §4(b), June 25, 2019, 133 Stat. 971.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1831 was renumbered section 3731 of this title.

AMENDMENTS

2019—Par. (1)(B). Pub. L. 116-23, §4(b)(1)(A), substituted “section 1821 of this title” for “subchapter III of this chapter” in introductory provisions.

Par. (1)(B)(i). Pub. L. 116-23, §4(b)(1)(B), substituted “that section” for “section 1821 of this title”.

Par. (1)(C). Pub. L. 116-23, §4(b)(2), added subpar. (C).
2003—Pub. L. 108-183, §102(a)(1), renumbered section 1821 of this title as this section.

Par. (1). Pub. L. 108-183, §102(b), added par. (1) and struck out former par. (1) which read as follows: “The term ‘child’ means an individual, regardless of age or marital status, who—

“(A) is the natural child of a Vietnam veteran; and

“(B) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116-23 effective Jan. 1, 2020, see section 4(f) of Pub. L. 116-23, set out as an Effective Date note under section 1822 of this title.

EFFECTIVE DATE

Subchapter effective on the first day of the first month beginning more than one year after Nov. 1, 2000, see section 401(g) of Pub. L. 106-419, set out as a note under section 1811 of this title.

§ 1832. Applicability of certain administrative provisions

(a) APPLICABILITY OF CERTAIN PROVISIONS RELATING TO COMPENSATION.—The provisions of this title specified in subsection (b) apply with respect to benefits and assistance under this chapter in the same manner as those provisions apply to compensation paid under chapter 11 of this title.

(b) SPECIFIED PROVISIONS.—The provisions of this title referred to in subsection (a) are the following:

(1) Section 5101(c).

(2) Subsections (a), (b)(3), (g), and (i) of section 5110.

(3) Section 5111.

(4) Subsection (a) and paragraphs (1), (6), (9), and (10) of subsection (b) of section 5112.

(Added Pub. L. 106-419, title IV, §401(b), Nov. 1, 2000, 114 Stat. 1859, §1822; renumbered §1832, Pub. L. 108-183, title I, §102(a)(1), Dec. 16, 2003, 117 Stat. 2653; amended Pub. L. 114-58, title VI, §601(8), Sept. 30, 2015, 129 Stat. 538.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1832 was renumbered section 3732 of this title.

Another prior section 1832 was renumbered section 3733(d) of this title.

AMENDMENTS

2015—Subsec. (b)(2). Pub. L. 114-58 substituted “(b)(3)” for “(b)(2)”.

2003—Pub. L. 108-183 renumbered section 1822 of this title as this section.

§ 1833. Treatment of receipt of monetary allowance and other benefits

(a) COORDINATION WITH OTHER BENEFITS PAID TO THE RECIPIENT.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

(b) COORDINATION WITH BENEFITS BASED ON RELATIONSHIP OF RECIPIENTS.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of any other individual to receive any benefit to which such other individual is entitled under any law administered by the Secretary based on the relationship of such other individual to the individual who receives such monetary allowance.

(c) MONETARY ALLOWANCE NOT TO BE CONSIDERED AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.—Notwithstanding any other provision of law, a monetary allowance paid an individual under this chapter shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

(Added Pub. L. 106-419, title IV, §401(b), Nov. 1, 2000, 114 Stat. 1860, §1823; renumbered §1833, Pub. L. 108-183, title I, §102(a)(1), Dec. 16, 2003, 117 Stat. 2653.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1833 was renumbered section 3733 of this title.

AMENDMENTS

2003—Pub. L. 108-183 renumbered section 1823 of this title as this section.

§ 1834. Nonduplication of benefits

(a) MONETARY ALLOWANCE.—In the case of an eligible child under subchapter II of this chapter whose only covered birth defect is spina bifida, a monetary allowance shall be paid under subchapter I of this chapter. In the case of an eligible child under subchapter II of this chapter who has spina bifida and one or more additional covered birth defects, a monetary allowance shall be paid under subchapter II of this chapter. In the case of a child eligible for benefits under subchapter I or II of this chapter who is also eligible for benefits under subchapter III of this chapter, a monetary allowance shall be paid under the subchapter of this chapter elected by the child.

(b) VOCATIONAL REHABILITATION.—An individual may only be provided one program of vocational training under this chapter.

(Added Pub. L. 106-419, title IV, §401(b), Nov. 1, 2000, 114 Stat. 1860, §1824; renumbered §1834 and amended, Pub. L. 108-183, title I, §102(a)(1), (c), Dec. 16, 2003, 117 Stat. 2653, 2654.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 1834, 1835, and 1841 to 1851 were renumbered sections 3734, 3735, and 3741 to 3751 of this title, respectively.

AMENDMENTS

2003—Pub. L. 108-183, §102(a)(1), renumbered section 1824 of this title as this section.

Subsec. (a). Pub. L. 108-183, §102(c), inserted at end: "In the case of a child eligible for benefits under subchapter I or II of this chapter who is also eligible for benefits under subchapter III of this chapter, a monetary allowance shall be paid under the subchapter of this chapter elected by the child."

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