

Subsec. (h). Pub. L. 101-237, § 423(b)(1)(B), substituted "Department of Veterans Affairs" for "Veterans' Administration".

1984—Subsec. (b). Pub. L. 98-543 increased the monthly rehabilitation subsistence allowance for eligible veterans in column II from \$282, \$212, \$141, \$246, \$282, \$282, \$212, and \$141 to \$310, \$233, \$155, \$271, \$310, \$310, \$233, and \$155; in column III from \$349, \$262, \$175, \$297, \$349, \$349, \$262, and \$175 to \$384, \$288, \$193, \$323, \$384, \$384, \$288, and \$193; in column IV from \$411, \$308, \$206, \$343, \$411, \$411, \$308, and \$206 to \$452, \$339, \$227, \$377, \$452, \$452, \$339, and \$227; in column V from \$30, \$23, \$15, \$22, \$30, \$30, \$23, and \$15 to \$33, \$25, \$17, \$24, \$33, \$33, \$25, and \$17, respectively.

Subsec. (f)(1)(A), (B). Pub. L. 98-525 inserted references to chapter 30 of this title.

1982—Subsec. (g)(2). Pub. L. 97-306 inserted "not" after "shall" and struck out "if the Administrator determines that all the veteran's living expenses are being defrayed by a Federal, State, or local government" at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-154 effective on the date that is one year after Aug. 6, 2012, see section 701(g) of Pub. L. 112-154, set out as an Effective Date note under section 2109 of this title.

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-377, title II, § 205(b), Jan. 4, 2011, 124 Stat. 4126, provided that: "The amendment made by this section [amending this section] shall take effect on August 1, 2011."

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-568, title IV, § 405(c), Oct. 29, 1992, 106 Stat. 4339, provided that: "The amendments made by subsections (a) and (b) [amending this section] shall take effect on October 1, 1993."

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-237, title IV, § 402(b), Dec. 18, 1989, 103 Stat. 2078, provided that: "The amendment made by this section [amending this section] shall take effect on January 1, 1990."

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-543, title II, § 205, Oct. 24, 1984, 98 Stat. 2743, provided that: "The amendments made by this part [part A (§§ 201-205) of title II of Pub. L. 98-543, see Tables for classification] shall take effect as of October 1, 1984."

EFFECTIVE DATE; VETERANS PURSUING PROGRAM OF VOCATIONAL REHABILITATION UNDER THIS CHAPTER

Section effective Oct. 1, 1980, and during period beginning on Oct. 1, 1980, and ending on Mar. 31, 1981, the provisions of this section, as added by Pub. L. 96-466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2178, shall apply to veterans pursuing a program of vocational rehabilitation training under this chapter in the same manner as former section 1504 of this title applied to veterans pursuing such a program under this chapter on Sept. 30, 1980, see section 802(a)(2), (4) of Pub. L. 96-466, set out as an Effective Date note under section 3100 of this title.

EXTENSION OF PAYMENT OF VOCATIONAL REHABILITATION SUBSISTENCE ALLOWANCES

Pub. L. 116-140, § 8, Apr. 28, 2020, 134 Stat. 634, which temporarily allowed for additional subsistence allowances for certain veterans, was repealed by Pub. L. 117-333, § 4(b), Jan. 5, 2023, 136 Stat. 6128.

APPLICABILITY OF SUBSECTION (g)(1) TO APPORTIONMENTS MADE BEFORE OCTOBER 17, 1980

Pub. L. 96-466, title I, § 101(c), Oct. 17, 1980, 94 Stat. 2186, provided that: "The provisions of section 1508(g)(1)

[now 3108(g)(1)] of title 38, United States Code, as added by subsection (a) shall not apply to an apportionment made under section 3107(c) [now 5307(c)] of such title before the date of the enactment of this Act [Oct. 17, 1980]."

§ 3109. Entitlement to independent living services and assistance

In any case in which the Secretary has determined under section 3106(e) of this title that the achievement of a vocational goal by a veteran currently is not reasonably feasible, such veteran shall be entitled, in accordance with the provisions of section 3120 of this title, to a program of independent living services and assistance designed to enable such veteran to achieve maximum independence in daily living.

(Added Pub. L. 96-466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2181, § 1509; amended Pub. L. 99-576, title III, § 333(b)(5), Oct. 28, 1986, 100 Stat. 3279; Pub. L. 101-237, title IV, § 423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3109 and amended Pub. L. 102-83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104-275, title I, § 101(f)(2)(B), Oct. 9, 1996, 110 Stat. 3325.)

Editorial Notes

PRIOR PROVISIONS

Prior section 3109 was renumbered section 5309 of this title.

AMENDMENTS

1996—Pub. L. 104-275 substituted "3106(e)" for "3106(d)".

1991—Pub. L. 102-83 renumbered section 1509 of this title as this section and substituted "3106(d)" for "1506(d)" and "3120" for "1520".

1989—Pub. L. 101-237 substituted "Secretary" for "Administrator".

1986—Pub. L. 99-576 inserted "currently" after first reference to "veteran".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Apr. 1, 1981, see section 802(a)(1) of Pub. L. 96-466, set out as a note under section 3100 of this title.

§ 3110. Leaves of absence

The Secretary shall prescribe such regulations as the Secretary determines necessary for granting leaves of absence to veterans pursuing rehabilitation programs under this chapter. During authorized leaves of absence, a veteran shall be considered to be pursuing such program.

(Added Pub. L. 96-466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2181, § 1510; amended Pub. L. 101-237, title IV, § 423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3110, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

PRIOR PROVISIONS

Prior section 3110 was renumbered section 5310 of this title.

Provisions similar to those comprising this section were contained in former section 1505 of this title prior to the general revision of this chapter by Pub. L. 96-466.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1510 of this title as this section.