

“(2) In the cases of individuals to whom pension is payable under sections 521, 541, and 542 [now 1521, 1541, and 1542] of title 38, United States Code, the amendment made by subsection (a)(1) shall take effect on the first day after May 31, 1983, that an increase is made in maximum annual rates of pension pursuant to section 3112 [now 5312] of title 38, United States Code.”

§ 5124. Acceptance of claimant's statement as proof of relationship

(a) For purposes of benefits under laws administered by the Secretary, the Secretary may accept the written statement of a claimant as proof of the existence of any relationship specified in subsection (b) for the purpose of acting on such individual's claim for benefits.

(b) Subsection (a) applies to proof of the existence of any of the following relationships between a claimant and another person:

- (1) Marriage.
- (2) Dissolution of a marriage.
- (3) Birth of a child.
- (4) Death of any family member.

(c) The Secretary may require the submission of documentation in support of the claimant's statement if—

- (1) the claimant does not reside within a State;
- (2) the statement on its face raises a question as to its validity;
- (3) there is conflicting information of record; or
- (4) there is reasonable indication, in the statement or otherwise, of fraud or misrepresentation.

(Added Pub. L. 103-446, title III, §301(a), Nov. 2, 1994, 108 Stat. 4657.)

§ 5125. Acceptance of reports of private physician examinations

For purposes of establishing any claim for benefits under chapter 11 or 15 of this title, a report of a medical examination administered by a private physician that is provided by a claimant in support of a claim for benefits under that chapter may be accepted without a requirement for confirmation by an examination by a physician employed by the Veterans Health Administration if the report is sufficiently complete to be adequate for the purpose of adjudicating such claim.

(Added Pub. L. 103-446, title III, §301(b), Nov. 2, 1994, 108 Stat. 4658.)

§ 5126. Benefits not to be denied based on lack of mailing address

Benefits under laws administered by the Secretary may not be denied a claimant on the basis that the claimant does not have a mailing address.

(Added Pub. L. 106-475, §3(b), Nov. 9, 2000, 114 Stat. 2098.)

CHAPTER 53—SPECIAL PROVISIONS RELATING TO BENEFITS

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| Sec.
5301. | Nonassignability and exempt status of benefits. |
| 5302. | Waiver of recovery of claims by the United States. |

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| Sec.
5302A. | Collection of indebtedness: certain debts of members of the Armed Forces and veterans who die of injury incurred or aggravated in the line of duty in a combat zone. |
| 5302B. | Prohibition of debt arising from overpayment due to delay in processing. |
| 5303. | Certain bars to benefits. |
| 5303A. | Minimum active-duty service requirement. |
| 5303B. | Character of service determinations. |
| 5304. | Prohibition against duplication of benefits. |
| 5305. | Waiver of retired pay. |
| 5306. | Renouncement of right to benefits. |
| 5307. | Apportionment of benefits. |
| 5308. | Withholding benefits of persons in territory of the enemy. |
| 5309. | Payment of certain withheld benefits. |
| 5310. | Payment of benefits for month of death. |
| 5311. | Prohibition of certain benefit payments. |
| 5312. | Annual adjustment of certain benefit rates. |
| 5313. | Limitation on payment of compensation and dependency and indemnity compensation to persons incarcerated for conviction of a felony. |
| 5313A. | Limitation on payment of clothing allowance to incarcerated veterans. |
| 5313B. | Prohibition on providing certain benefits with respect to persons who are fugitive felons. |
| 5314. | Indebtedness offsets. |
| 5314A. | Dispute of indebtedness. |
| 5315. | Interest and administrative cost charges on delinquent payments of certain amounts due the United States. |
| 5316. | Authority to sue to collect certain debts. |
| 5317. | Use of income information from other agencies: notice and verification. |
| 5317A. | Use of income information from other agencies: independent verification required before termination or reduction of certain benefits and services. |
| 5318. | Review of Social Security Administration death information. |
| 5319. | Limitations on access to financial records. |
| 5320. | Threshold for reporting debts to consumer reporting agencies. |

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-328, div. U, title II, §§252(a)(2), 255(b)(4), Dec. 29, 2022, 136 Stat. 5463, 5465, added items 5302B and 5314A.

2021—Pub. L. 116-315, title II, §2007(b), Jan. 5, 2021, 134 Stat. 4977, added item 5320.

2018—Pub. L. 115-141, div. J, title II, §259(b), Mar. 23, 2018, 132 Stat. 829, added item 5303B.

2008—Pub. L. 110-252, title I, §1303(a)(2), June 30, 2008, 122 Stat. 2327, added item 5302A.

2007—Pub. L. 110-157, title III, §301(b)(2), Dec. 26, 2007, 121 Stat. 1836, added item 5317A.

2003—Pub. L. 108-183, title VII, §708(c)(4)(B)(ii), Dec. 16, 2003, 117 Stat. 2675, substituted “Social Security Administration” for “Department of Health and Human Services” in item 5318.

2001—Pub. L. 107-103, title V, §505(a)(2), Dec. 27, 2001, 115 Stat. 996, added item 5313B.

1996—Pub. L. 104-275, title V, §502(b), Oct. 9, 1996, 110 Stat. 3341, added item 5313A.

1992—Pub. L. 102-568, title VI, §603(b)(2), Oct. 29, 1992, 106 Stat. 4343, added item 5319.

1991—Pub. L. 102-40, title IV, §402(c)(1), May 7, 1991, 105 Stat. 239, renumbered items 3101 to 3118 as 5301 to 5318, respectively.

1990—Pub. L. 101-508, title VIII, §§8051(b)(2), 8053(b)(2), Nov. 5, 1990, 104 Stat. 1388-351, 1388-353, added items 3117 and 3118.

1981—Pub. L. 97-66, title VI, §604(a)(2), Oct. 17, 1981, 95 Stat. 1036, added item 3103A.