

(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**

Sec.	
5301.	Nonassignability and exempt status of benefits.
5302.	Waiver of recovery of claims by the United States.
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.
5303.	Certain bars to benefits.
5303A.	Minimum active-duty service requirement.
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.
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.

Sec.	
5318.	Review of Social Security Administration death information.
5319.	Limitations on access to financial records.

AMENDMENTS

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.

1980—Pub. L. 96-466, title VI, §605(a)(2), Oct. 17, 1980, 94 Stat. 2211, added items 3114, 3115, and 3116.

Pub. L. 96-385, title V, §504(b), Oct. 7, 1980, 94 Stat. 1535, added item 3113.

1978—Pub. L. 95-588, title III, §305(b), Nov. 4, 1978, 92 Stat. 2508, added item 3112.

1972—Pub. L. 92-328, title II, §203, June 30, 1972, 86 Stat. 397, substituted "claims by the United States" for "overpayments" in item 3102.

1970—Pub. L. 91-376, §8(c), Aug. 12, 1970, 84 Stat. 790, added item 3111.

1962—Pub. L. 87-825, §4(b), Oct. 15, 1962, 76 Stat. 950, added item 3110.

**§ 5301. Nonassignability and exempt status of benefits**

(a)(1) Payments of benefits due or to become due under any law administered by the Secretary shall not be assignable except to the extent specifically authorized by law, and such payments made to, or on account of, a beneficiary shall be exempt from taxation, shall be exempt from the claim of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. The preceding sentence shall not apply to claims of the United States arising under such laws nor shall the exemption therein contained as to taxation extend to any property purchased in part or wholly out of such payments. The provisions of this section shall not be construed to prohibit the assignment of insurance otherwise authorized under chapter 19 of this title, or of servicemen's indemnity.

(2) For the purposes of this subsection, in any case where a payee of an educational assistance allowance has designated the address of an attorney-in-fact as the payee's address for the purpose of receiving a benefit check and has also executed a power of attorney giving the attorney-in-fact authority to negotiate such benefit check, such action shall be deemed to be an assignment and is prohibited.

(3)(A) This paragraph is intended to clarify that, in any case where a beneficiary entitled to compensation, pension, or dependency and in-