

§ 1821. Benefits for children of certain Korea service veterans born with spina bifida

(a) **BENEFITS AUTHORIZED.**—The Secretary may provide to any child of a veteran of covered service in Korea who is suffering from spina bifida the health care, vocational training and rehabilitation, and monetary allowance required to be paid to a child of a Vietnam veteran who is suffering from spina bifida under subchapter I of this chapter as if such child of a veteran of covered service in Korea were a child of a Vietnam veteran who is suffering from spina bifida under such subchapter.

(b) **SPINA BIFIDA CONDITIONS COVERED.**—This section applies with respect to all forms and manifestations of spina bifida, except spina bifida occulta.

(c) **VETERAN OF COVERED SERVICE IN KOREA.**—For purposes of this section, a veteran of covered service in Korea is any individual, without regard to the characterization of that individual's service, who—

(1) served in the active military, naval, or air service in or near the Korean demilitarized zone (DMZ), as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on September 1, 1967, and ending on August 31, 1971; and

(2) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service in or near the Korean demilitarized zone.

(d) **HERBICIDE AGENT.**—For purposes of this section, the term "herbicide agent" means a chemical in a herbicide used in support of United States and allied military operations in or near the Korean demilitarized zone, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on September 1, 1967, and ending on August 31, 1971.

(Added Pub. L. 108-183, title I, §102(a)(2), Dec. 16, 2003, 117 Stat. 2653.)

PRIOR PROVISIONS

A prior section 1821 was renumbered section 1831 of this title.

Another prior section 1821 was renumbered section 3721 of this title.

A prior section 1822 was renumbered section 1832 of this title.

Another prior section 1822, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1214; Pub. L. 89-358, §5(c), Mar. 3, 1966, 88 Stat. 26; Pub. L. 89-623, §1, Oct. 4, 1966, 80 Stat. 873; Pub. L. 90-301, §2(b), May 7, 1968, 82 Stat. 113, provided for bringing of an action in district court, by veteran or Attorney General, against one who knowingly participated in sale of property to a veteran for consideration in excess of reasonable value of property, prior to repeal by Pub. L. 93-569, §§7(a), 10, Dec. 31, 1974, 88 Stat. 1866, 1867, effective Dec. 31, 1974.

A prior section 1823 was renumbered section 1833 of this title.

Another prior section 1823 was renumbered section 3723 of this title and subsequently repealed.

A prior section 1824 was renumbered section 1834 of this title.

Another prior section 1824 was renumbered section 3724 of this title and subsequently repealed.

Another prior section 1824 was renumbered section 3725 of this title and subsequently repealed.

A prior section 1825 was renumbered 3725 of this title and subsequently repealed.

Prior sections 1826 to 1830 were renumbered sections 3726 to 3730 of this title, respectively.

SUBCHAPTER IV—GENERAL PROVISIONS

AMENDMENTS

2003—Pub. L. 108-183, §102(a)(1), Dec. 16, 2003, 117 Stat. 2653, redesignated former subchapter III of this chapter as this subchapter.

§ 1831. Definitions

In this chapter:

(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 subchapter III of this chapter, 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 section 1821 of this title); 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.)

PRIOR PROVISIONS

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

AMENDMENTS

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."

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.