

Another prior section 1823 was renumbered section 3723 of this title and subsequently repealed.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Another prior section 1824 was renumbered section 3724 of this title and subsequently repealed.

Another prior section 1824 was renumbered section 3725 of this title and subsequently repealed.

A prior section 1825 was renumbered 3725 of this title and subsequently repealed.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

EFFECTIVE DATE

Pub. L. 116-23, §4(f), June 25, 2019, 133 Stat. 972, provided that: "The amendments made by this section [enacting this section and amending section 1831 of this title] shall take effect on January 1, 2020."

IMPLEMENTATION

Pub. L. 116-23, §4(d), June 25, 2019, 133 Stat. 971, provided that:

"(1) GUIDANCE.—Notwithstanding section 501 of such title, the Secretary of Veterans Affairs may issue guidance to implement section 1822 of title 38, United States Code, as added by subsection (a), before prescribing new regulations under such section.

"(2) UPDATES.—(A) Not later than 120 days after the date of the enactment of this Act [June 25, 2019], the Secretary shall submit a report to the Committees on Veterans' Affairs of the House of Representatives and the Senate regarding the plans of the Secretary to respond to inquiries from veterans regarding claims for disability compensation under section 1822 of title 38, United States Code, as added by subsection (a) of this section.

"(B) On a quarterly basis during the period beginning on the date of the enactment of this Act and ending on the date on which regulations are prescribed to carry out such section 1822, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate updates on the status of such regulations.

"(3) PENDING CASES.—

"(A) AUTHORITY TO STAY.—The Secretary may stay a claim described in subparagraph (B) until the date on which the Secretary commences the implementation of section 1822 of title 38, United States Code, as added by subsection (a).

"(B) CLAIMS DESCRIBED.—A claim described in this subparagraph is a claim for benefits—

"(i) relating to the spina bifida and service covered by such section 1822; and

"(ii) that is pending at the Veterans Benefits Administration or the Board of Veterans' Appeals on or after the date of the enactment of this Act and before the date on which the Secretary commences the implementation of such section 1822."

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 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.)

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."

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