

1983—Pub. L. 98-160 substituted “(1) has suffered” for “has suffered (1)”.

1976—Pub. L. 94-433 substituted “such veteran’s” for “his” wherever appearing.

1965—Pub. L. 89-311 added cl. (3) referring to total deafness in one ear as a result of service-connected disability and total deafness in the other ear as the result of non-service-connected disability not the result of his own willful misconduct, inserted reference to total deafness in both ears and, in section catchline, inserted reference to bilateral deafness.

EFFECTIVE DATE OF 1986 AMENDMENT

Section 109(c) of Pub. L. 99-576 provided that:

“(1) Except as provided in paragraph (2), the amendments made by this section [amending this section and section 314 [now 1114] of this title] shall take effect on the date of the enactment of this Act [Oct. 28, 1986].

“(2) In the case of an award of compensation for a disability described in clause (1), (2), (3), or (5) of subsection (a) of section 360 [now 1160] of title 38, United States Code, as amended by subsection (a) of this section, subsection (b) of such section shall apply only to awards of compensation made on or after the date of the enactment of this Act [Oct. 28, 1986].”

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-311 effective first day of second calendar month following Oct. 31, 1965, see section 9 of Pub. L. 89-311, set out as a note under section 1114 of this title.

§ 1161. Payment of disability compensation in disability severance cases

The deduction of disability severance pay from disability compensation, to the extent required by section 1212(d) of title 10, shall be made at a monthly rate not in excess of the rate of compensation to which the former member would be entitled based on the degree of such former member’s disability as determined on the initial Department rating.

(Added Pub. L. 91-241, May 7, 1970, 84 Stat. 203, §361; amended Pub. L. 94-433, title IV, §404(23), Sept. 30, 1976, 90 Stat. 1379; Pub. L. 98-160, title VII, §702(4), Nov. 21, 1983, 97 Stat. 1009; renumbered §1161 and amended Pub. L. 102-83, §§4(a)(3), (4), 5(a), Aug. 6, 1991, 105 Stat. 404, 406; Pub. L. 110-181, div. A, title XVI, §1646(c), as added Pub. L. 110-389, title I, §103(a)(2), Oct. 10, 2008, 122 Stat. 4148.)

AMENDMENTS

2008—Pub. L. 110-181, §1646(c), as added by Pub. L. 110-389, §103(a)(2), substituted “to the extent required by section 1212(d) of title 10” for “as required by section 1212(c) of title 10”.

1991—Pub. L. 102-83, §5(a), renumbered section 361 of this title as this section.

Pub. L. 102-83, §4(a)(3), (4), substituted “Department” for “Veterans’ Administration”.

1983—Pub. L. 98-160 struck out “United States Code,” after “title 10.”

1976—Pub. L. 94-433 substituted “such former member’s” for “his”.

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-389, title I, §103(b), Oct. 10, 2008, 122 Stat. 4148, provided that: “The amendments made by subsection (a) [adding section 1646(c) to Pub. L. 110-181 and

provisions set out as a note under section 1212 of Title 10, Armed Forces] shall take effect on January 28, 2008 (the date of the enactment of the Wounded Warrior Act [title XVI of Pub. L. 110-181]), as if included in that Act, to which they relate.”

Amendment by section 1646(c) of Pub. L. 110-181 effective Jan. 28, 2008, and applicable with respect to members of the Armed Forces separated from the Armed Forces under chapter 61 of title 10, United States Code, on or after that date, see section 1646(d) of Pub. L. 110-181, set out as a note under section 1212 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-433 effective Oct. 1, 1976, see section 406 of Pub. L. 94-433, set out as a note under section 1101 of this title.

§ 1162. Clothing allowance

The Secretary under regulations which the Secretary shall prescribe, shall pay a clothing allowance of \$716 per year to each veteran who—

(1) because of a service-connected disability, wears or uses a prosthetic or orthopedic appliance (including a wheelchair) which the Secretary determines tends to wear out or tear the clothing of the veteran; or

(2) uses medication which (A) a physician has prescribed for a skin condition which is due to a service-connected disability, and (B) the Secretary determines causes irreparable damage to the veteran’s outer garments.

(Added Pub. L. 92-328, title I, §103(a), June 30, 1972, 86 Stat. 394, §362; amended Pub. L. 94-71, title I, §103, Aug. 5, 1975, 89 Stat. 396; Pub. L. 94-433, title III, §301, title IV, §404(24), Sept. 30, 1976, 90 Stat. 1377, 1379; Pub. L. 95-117, title III, §301, Oct. 3, 1977, 91 Stat. 1065; Pub. L. 95-479, title I, §103, Oct. 18, 1978, 92 Stat. 1562; Pub. L. 96-128, title I, §103, Nov. 28, 1979, 93 Stat. 984; Pub. L. 96-385, title I, §103, Oct. 7, 1980, 94 Stat. 1529; Pub. L. 97-66, title I, §103, Oct. 17, 1981, 95 Stat. 1027; Pub. L. 97-253, title IV, §405(d), Sept. 8, 1982, 96 Stat. 804; Pub. L. 97-306, title I, §§103, 107, Oct. 14, 1982, 96 Stat. 1430, 1431; Pub. L. 98-223, title I, §103, Mar. 2, 1984, 98 Stat. 38; Pub. L. 98-543, title I, §103, Oct. 24, 1984, 98 Stat. 2736; Pub. L. 99-238, title I, §103, Jan. 13, 1986, 99 Stat. 1766; Pub. L. 99-576, title I, §103, Oct. 28, 1986, 100 Stat. 3251; Pub. L. 100-227, title I, §103, Dec. 31, 1987, 101 Stat. 1553; Pub. L. 100-687, div. B, title XI, §1103, Nov. 18, 1988, 102 Stat. 4124; Pub. L. 101-237, title I, §§103, 112, Dec. 18, 1989, 103 Stat. 2063, 2065; Pub. L. 102-3, §4, Feb. 6, 1991, 105 Stat. 8; renumbered §1162, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102-152, §4, Nov. 12, 1991, 105 Stat. 986; Pub. L. 103-78, §3, Aug. 13, 1993, 107 Stat. 768; Pub. L. 103-140, §4, Nov. 11, 1993, 107 Stat. 1486; Pub. L. 105-98, §4, Nov. 19, 1997, 111 Stat. 2156; Pub. L. 106-118, §4, Nov. 30, 1999, 113 Stat. 1602; Pub. L. 107-94, §4, Dec. 21, 2001, 115 Stat. 901; Pub. L. 107-330, title III, §309(c), Dec. 6, 2002, 116 Stat. 2830; Pub. L. 108-454, title III, §307(c), Dec. 10, 2004, 118 Stat. 3613; Pub. L. 109-111, §2(c), Nov. 22, 2005, 119 Stat. 2363; Pub. L. 109-444, §9(c), Dec. 21, 2006, 120 Stat. 3315; Pub. L. 109-461, title X, §§1005(c), 1006(b), Dec. 22, 2006, 120 Stat. 3467, 3468; Pub. L. 110-324, §3(c), Sept. 24, 2008, 122 Stat. 3551; Pub. L. 111-37, §3(c), June 30, 2009, 123 Stat. 1929.)

AMENDMENTS

2009—Pub. L. 111-37 substituted “\$716” for “\$677” in introductory provisions.