tion and sections 1801 and 1806 of this title] shall take effect as of October 1, 1997.''

§ 1805. Monetary allowance

(a) The Secretary shall pay a monthly allowance under this section to any child of a Vietnam veteran for any disability resulting from spina bifida suffered by such child.

(b)(1) The amount of the allowance paid to a child under this section shall be based on the degree of disability suffered by the child, as determined in accordance with such schedule for rating disabilities resulting from spina bifida as the Secretary may prescribe.

(2) The Secretary shall, in prescribing the rating schedule for the purposes of this section, establish three levels of disability upon which the amount of the allowance provided by this section shall be based.

(3) The amounts of the allowance shall be $200 per month for the lowest level of disability prescribed, $700 per month for the intermediate level of disability prescribed, and $1,200 per month for the highest level of disability prescribed. Such amounts are subject to adjustment under section 5312 of this title.

(Added Pub. L. 104–204, title IV, § 421(b)(1), Sept. 26, 1996, 110 Stat. 2925; amended Pub. L. 106–419, title IV, § 401(c)(2), (e)(2), Nov. 1, 2000, 114 Stat. 1860.)

PRIOR PROVISIONS

A prior section 1805 was renumbered section 3705 of this title.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106–419, § 401(e)(2), substituted ''this section'' for ''this chapter''.

Subsecs. (c), (d). Pub. L. 106–419, § 401(c)(2), struck out subsecs. (c) and (d) which read as follows:

''(c) Notwithstanding any other provision of law, receipt by a child of an allowance under this section shall not impair, infringe, or otherwise affect the right of the child to receive any other benefit to which the child may otherwise be entitled under any law administered by the Secretary, nor shall receipt of such an allowance impair, infringe, or otherwise affect the right of any individual to receive any benefit to which the individual is entitled under any law administered by the Secretary that is based on the child's relationship to the individual.

''(d) Notwithstanding any other provision of law, the allowance paid to a child under this section shall not be considered income or resources in determining eligibility for or the amount of benefits under any Federal or federally assisted program.''

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–419 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 an Effective Date note under section 1811 of this title.

[§ 1806. Repealed. Pub. L. 106–419, title IV, § 401(c)(3), Nov. 1, 2000, 114 Stat. 1860]

Section, added Pub. L. 104–204, title IV, § 421(b)(1), Sept. 26, 1996, 110 Stat. 2926; amended Pub. L. 105–114, title IV, § 404(b)(1), Nov. 21, 1997, 111 Stat. 2294, related to applicability of certain administrative provisions.

Prior section 1806 was renumbered section 3706 of this title.

Prior section 1807, added Pub. L. 94–324, § 2(a), June 30, 1976, 90 Stat. 720; amended Pub. L. 97–72, title III, § 303(d), Nov. 3, 1981, 95 Stat. 1060, related to service after July 25, 1947, and prior to June 27, 1950, prior to repeal by Pub. L. 100–322, title IV, § 415(a)(4), May 20, 1988, 102 Stat. 550.

Prior section 1810 was renumbered section 3710 of this title.

EFFECTIVE DATE OF REPEAL

Repeal 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 an Effective Date note under section 1811 of this title.

SUBCHAPTER II—CHILDREN OF WOMEN VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

§ 1811. Definitions

In this subchapter:

(1) The term ''eligible child'' means an individual who—

(A) is the child (as defined in section 1831(1) of this title) of a woman Vietnam veteran; and

(B) was born with one or more covered birth defects.

(2) The term ''covered birth defect'' means a birth defect identified by the Secretary under section 1812 of this title.

(Added Pub. L. 106–419, title IV, § 401(a), Nov. 1, 2000, 114 Stat. 1857; amended Pub. L. 108–183, title I, § 102(d)(1), Dec. 16, 2003, 117 Stat. 2654.)

PRIOR PROVISIONS

A prior section 1811 was renumbered section 3711 of this title.

AMENDMENTS

2003—Par. (1)(A). Pub. L. 108–183 substituted ''section 1831(1)'' for ''section 1821(1)''.

EFFECTIVE DATE

Pub. L. 106–419, title IV, § 401(g), Nov. 1, 2000, 114 Stat. 1861, provided that:

''(1) Except as provided in paragraph (2), the amendments made by this section [enacting this subchapter and subchapter III of this chapter, amending sections 1802 and 1805 of this title, and repealing sections 1801 and 1806 of this title] shall take effect on the first day of the first month beginning more than one year after the date of the enactment of this Act [Nov. 1, 2000].

''(2) The Secretary of Veterans Affairs shall identify birth defects under section 1812 of title 38, United States Code (as added by subsection (a) of this section), and shall prescribe the regulations required by subchapter II of chapter 18 of that title (as so added), not later than the effective date specified in paragraph (1).''

§ 1812. Covered birth defects

(a) IDENTIFICATION.—The Secretary shall identify the birth defects of children of women Vietnam veterans that—

(1) are associated with the service of those veterans in the Republic of Vietnam during the Vietnam era; and

(2) result in permanent physical or mental disability.

(b) LIMITATIONS.—(1) The birth defects identified under subsection (a) may not include birth defects resulting from the following:

(A) A familial disorder.

(B) A birth-related injury.