§ 3101. Definitions

For the purposes of this chapter—

(1) The term “employment handicap” means an impairment, resulting in substantial part from a disability described in section 3102 (1)(A) of this title, of a veteran’s ability to prepare for, obtain, or retain employment consistent with such veteran’s abilities, aptitudes, and interests.

(2) The term “independence in daily living” means the ability of a veteran, without the services of others or with a reduced level of the services of others, to live and function within such veteran’s family and community.

(3) The term “program of education” has the meaning provided in section 3452 (b) of this title.

(4) The term “program of independent living services and assistance” includes

(A) the services provided for in this chapter that are needed to enable a veteran to achieve independence in daily living, including such counseling, diagnostic, medical, social, psychological, and educational services as are determined by the Secretary to be needed for such veteran to achieve maximum independence in daily living, and

(B) the assistance authorized by this chapter for such veteran.

(5) The term “rehabilitated to the point of employability” means rendered employable in an occupation for which a vocational rehabilitation program has been provided under this chapter.

(6) The term “rehabilitation program” means

(A) a vocational rehabilitation program, or

(B) a program of independent living services and assistance authorized under section 3120 of this title for a veteran for whom a vocational goal has been determined not to be currently reasonably feasible.

(7) The term “serious employment handicap” means a significant impairment, resulting in substantial part from a service-connected disability rated at 10 percent or more, of a veteran’s ability to prepare for, obtain, or retain employment consistent with such veteran’s abilities, aptitudes, and interests.

(8) The term “vocational goal” means a gainful employment status consistent with a veteran’s abilities, aptitudes, and interests.

(9) The term “vocational rehabilitation program” includes—

(A) the services provided for in this chapter that are needed for the accomplishment of the purposes of this chapter, including such counseling, diagnostic, medical, social, psychological, independent living, economic, educational, vocational, and employment services as are determined by the Secretary to be needed—

(i) in the case of a veteran for whom the achievement of a vocational goal has not been determined not to be currently reasonably feasible,

(II) to determine whether a vocational goal is reasonably feasible,

(I) to improve such veteran’s potential to participate in a program of services designed to achieve a vocational goal, and

(III) to enable such veteran to achieve maximum independence in daily living, and

(ii) in the case of a veteran for whom the achievement of a vocational goal is determined to be reasonably feasible, to enable such veteran to become, to the maximum extent feasible, employable and to obtain and maintain suitable employment, and

(B) the assistance authorized by this chapter for a veteran receiving any of the services described in clause (A) of this paragraph.
Prior Provisions
Prior section 3101 was renumbered section 5301 of this title.

Amendments
1996—Par. (1). Pub. L. 104–275, § 101(a)(1), inserted “, resulting in substantial part from a disability described in section 3102 (1)(A) of this title,” after “impairment”.
Par. (6). Pub. L. 104–275, § 101(a)(2), inserted “authorized under section 3120 of this title” after “assistance”.
Par. (7). Pub. L. 104–275, § 101(a)(3), inserted “, resulting in substantial part from a service-connected disability rated at 10 percent or more,” after “impairment”.
1991—Pub. L. 102–83, § 5(a), renumbered section 1501 of this title as this section.
Par. (3). Pub. L. 102–83, § 5(c)(1), substituted “3452(b)” for “1652(b)”.

Effective Date of 1996 Amendment
Section 101(j) of Pub. L. 104–275 provided that:
“(1) Except as provided in paragraph (2), the amendments made by this section [amending this section and sections 3102 to 3109, 3117, 3118, and 3120 of this title] shall take effect on the date of the enactment of this Act [Oct. 9, 1996].
“(2) The amendments made by subsection (a) (other than paragraph (2)) [amending this section], subsection (d) (other than subparagraphs (A) and (B) of paragraph (1)) [amending section 3104 of this title], and subsection (i) [amending section 3120 of this title] shall only apply with respect to claims of eligibility or entitlement to services and assistance (including claims for extension of such services and assistance) under chapter 31 of title 38, United States Code, received by the Secretary of Veterans Affairs on or after the date of the enactment of this Act, including those claims based on original applications, and applications seeking to reopen, revise, reconsider, or otherwise adjudicate or readjudicate on any basis claims for services and assistance under such chapter.”

Effective Date
Section effective Apr. 1, 1981, see section 802(a)(1) of Pub. L. 96–466, as amended, set out as a note under section 3100 of this title.