

<h1 style="margin: 0;">ACF</h1> <p style="margin: 0;"><b>Administration for Children and Families</b></p>	<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> <b>Administration on Children, Youth and Families</b>	
	<b>1. Log No. ACYF-IM-CC-03-01</b>	<b>2. Issuance Date: March 31, 2003</b>
	<b>3. Originating Office: Child Care Bureau</b>	
	<b>4. Key Words: Child Care and Development Fund</b>	
	<b>Disregard of Monetary Allowances for Certain Children of Vietnam War Veterans</b>	

**To:** State and Territorial Lead Agencies administering child care programs under the Child Care and Development Block Grant (CCDBG) Act of 1990 as amended, and other interested parties.

**Subject:** Income Disregard of Monetary Allowances for Certain Children of Vietnam War Veterans

**Purpose:** To inform States, Territories, Tribes and other interested parties of the final regulations published on July 31, 2002 by the Department of Veterans Affairs and to provide notification that the monetary allowances covered by these regulations should be disregarded in determining eligibility and family co-payments for child care services funded through CCDF.

**References:** 38 U.S.C. ? 1823(c) on monetary benefits to Vietnam Veterans; the Child Care and Development Block Grant Act of 1990 as amended (CCDBG Act); section 418 of the Social Security Act; 45 CFR 98 and 99; Consolidated Appropriations Act, 2003 (Pub. L. 108-7).

**Background:** Pursuant to sections 421 and 422(c) of Pub. L. 104-204, effective October 1, 1997, title 38, United States Code (U.S.C.), was amended by the addition of a new chapter 18, under which certain VA benefits and services are provided to children of Vietnam veterans (including adult children) who were born with the congenital defect spina bifida. A subsequent amendment to chapter 18 made by section 401 of Pub. L. 106-419, effective December 1, 2001, provides VA benefits and services to children of women Vietnam veterans born with certain other birth defects. Included among the benefits provided for these children is a monthly monetary allowance paid at a rate that is based on the child's level of disability. Section 1823(c) of title 38, U.S.C., states that

“[n]otwithstanding any other provision of law, a monetary allowance paid an individual under [chapter 18] shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.”

Guidance: In determining eligibility and family co-payment amounts for child care services funded through CCDF, monetary benefits provided to the children of Vietnam veterans, as described in 38 U.S.C. 1823(c). This statute can be found at <http://www4.law.cornell.edu/uscode/38/1823.html>

Inquiries:

Inquiries should be directed to the appropriate Veterans Administration Office.

---

Joan E. Ohl  
Commissioner  
Administration on Children,  
Youth and Families