

1966—Pub. L. 89-358, §3(a)(4), Mar. 3, 1966, 80 Stat. 20, substituted “CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS” heading, including Subchapter I and II analyses, preceding section 1770 of this title for “SUBCHAPTER VII—STATE APPROVING AGENCIES” heading preceding section 1771 of this title, Subchapter VII heading being redesignated Subchapter I.

SUBCHAPTER I—EMERGENCY SITUATIONS

Editorial Notes

PRIOR PROVISIONS

A prior subchapter I of this chapter was redesignated as subchapter II of this chapter by Pub. L. 117-333, §2(a)(1), Jan. 5, 2023, 136 Stat. 6122.

§ 3601. Definition of emergency situation

In this chapter, the term “emergency situation” means a situation that—

- (1) the President declares is an emergency; and
- (2) the Secretary determines is an emergency for purposes of the laws administered by the Secretary.

(Added Pub. L. 117-333, §2(a)(2), Jan. 5, 2023, 136 Stat. 6122.)

§ 3602. Continuation of educational assistance benefits during emergency situations

(a) **AUTHORITY.**—(1) If the Secretary determines under subsection (c) that an individual is negatively affected by an emergency situation, the Secretary may provide educational assistance to that individual under the laws administered by the Secretary as if such negative effects did not occur.

(2) The authority under this section is in addition to the other authorities of the Secretary to provide benefits in emergency situations, but in no case may the Secretary provide more than a total of four weeks of additional educational assistance by reason of any other such authority and this section.

(b) **HOUSING AND ALLOWANCES.**—In providing educational assistance to an individual pursuant to subsection (a), the Secretary may—

- (1) continue to pay a monthly housing stipend under chapter 33 of this title, during a month the individual would have been enrolled in a program of education or training but for the emergency situation at the same rate such stipend would have been payable if the individual had not been negatively affected by the emergency situation, except that the total number of weeks for which stipends may continue to be so payable may not exceed four weeks; and

- (2) continue to pay payments or subsistence allowances under chapters 30, 31, 32, 33, and 35 of this title and chapter 1606 of title 10 during a month for a period of time that the individual would have been enrolled in a program of education or training but for the emergency situation, except that the total number of weeks for which payments or allowances may continue to be so payable may not exceed four weeks.

(c) **DETERMINATION OF NEGATIVE EFFECTS.**—The Secretary shall determine that an indi-

vidual was negatively affected by an emergency situation if—

- (1) the individual is enrolled in a covered program of education of an educational institution or enrolled in training at a training establishment and is pursuing such program or training using educational assistance under the laws administered by the Secretary;

- (2) the educational institution or training establishment certifies to the Secretary that such program or training is truncated, delayed, relocated, canceled, partially canceled, converted from being on-site to being offered by distance learning, or otherwise modified or made unavailable by reason of the emergency situation; and

- (3) the Secretary determines that the modification to such program or training specified under paragraph (2) would reduce the amount of educational assistance (including with respect to monthly housing stipends, payments, or subsistence allowances) that would be payable to the individual but for the emergency situation.

(d) **EFFECT ON ENTITLEMENT PERIOD.**—If the Secretary determines that an individual who received assistance under this section did not make progress toward the completion of the program of education in which the individual is enrolled during the period for which the individual received such assistance, any assistance provided pursuant to this section shall not be counted for purposes of determining the total amount of an individual's entitlement to educational assistance, housing stipends, or payments or subsistence allowances under chapters 30, 31, 32, and 35 of this title and chapter 1606 of title 10.

(Added Pub. L. 117-333, §2(a)(2), Jan. 5, 2023, 136 Stat. 6122.)

§ 3603. Continuation of educational assistance benefits for certain programs of education converted to distance learning by reason of emergency situations

In the case of a program of education approved by a State approving agency, or the Secretary when acting in the role of a State approving agency, that is converted from being offered on-site at an educational institution or training establishment to being offered by distance learning by reason of an emergency or health-related situation, as determined by the Secretary, the Secretary may continue to provide educational assistance under the laws administered by the Secretary without regard to such conversion, including with respect to paying any—

- (1) monthly housing stipends under chapter 33 of this title; or
- (2) payments or subsistence allowances under chapters 30, 31, 32, and 35 of this title and chapter 1606 of title 10.

(Added Pub. L. 117-333, §2(a)(2), Jan. 5, 2023, 136 Stat. 6123.)

§ 3604. Effects of closure of educational institution and modification of courses by reason of emergency situation

- (a) **CLOSURE OR DISAPPROVAL.**—Any payment of educational assistance described in subsection (b) shall not—