

(B) indicating whether it is necessary for the purposes of maintaining adequate levels of well-qualified active-duty personnel in the Armed Forces to continue to offer the opportunity for educational assistance under this chapter to individuals who have not yet entered active-duty service; and

(C) describing the efforts under section 3323(b) of this title to inform members of the Armed Forces of the active duty service requirements for entitlement to educational assistance under this chapter and the results from such efforts; and

(2) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary of Defense considers appropriate.

(C) CONTENTS OF SECRETARY OF VETERANS AFFAIRS REPORTS.—The Secretary shall include in each report submitted under this section—

(1) information concerning the level of utilization of educational assistance and of expenditures under this chapter and under chapter 35 of this title;

(2) appropriate student outcome measures, such as the number of credit hours, certificates, degrees, and other qualifications earned by beneficiaries under this chapter and chapter 35 of this title during the academic year covered by the report;

(3) the information received by the Secretary under section 3326 of this title; and

(4) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary considers appropriate.

(d) TERMINATION.—No report shall be required under this section after January 1, 2021.

(Added Pub. L. 112-154, title IV, § 402(a)(1), Aug. 6, 2012, 126 Stat. 1188; amended Pub. L. 114-315, title IV, § 404(a)(1), Dec. 16, 2016, 130 Stat. 1554.)

Editorial Notes

AMENDMENTS

2016—Subsec. (c)(3), (4). Pub. L. 114-315 added par. (3) and redesignated former par. (3) as (4).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-315, title IV, § 404(c), Dec. 16, 2016, 130 Stat. 1554, provided that: “The amendments made by this section [enacting section 3326 of this title and amending this section] shall take effect on the date that is 1 year after the date of the enactment of this Act [Dec. 16, 2016].”

DEADLINE FOR SUBMITTAL OF FIRST REPORT

Pub. L. 112-154, title IV, § 402(a)(3), Aug. 6, 2012, 126 Stat. 1189, provided that: “The first reports required under section 3325 of title 38, United States Code, as added by paragraph (1), shall be submitted by not later than November 1, 2013.”

§ 3326. Report on student progress

(a) SUBMITTAL OF INFORMATION BY EDUCATIONAL INSTITUTIONS.—As a condition of ap-

proval under chapter 36 of this title of a course offered by an educational institution (as defined in section 3452 of this title), each year, each educational institution (as so defined) that received a payment in that year on behalf of an individual entitled to educational assistance under this chapter shall submit to the Secretary such information regarding the academic progress of the individual as the Secretary may require.

(b) REPORTS TO CONGRESS.—Not later than March 1 of each year, the Secretary shall submit to Congress a report that includes a summary of the information provided by educational institutions under subsection (a) for the calendar year preceding the year during which such report is submitted.

(Added Pub. L. 114-315, title IV, § 404(a)(2), Dec. 16, 2016, 130 Stat. 1554; amended Pub. L. 115-48, title I, § 114, Aug. 16, 2017, 131 Stat. 985.)

Editorial Notes

AMENDMENTS

2017—Pub. L. 115-48 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 1 year after Dec. 16, 2016, see section 404(c) of Pub. L. 114-315, set out as an Effective Date of 2016 Amendment note under section 3325 of this title.

§ 3327. Election to receive educational assistance

(a) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPATION IN POST-9/11 EDUCATIONAL ASSISTANCE.—An individual may elect to receive educational assistance under this chapter if such individual—

(1) as of August 1, 2009—

(A) is entitled to basic educational assistance under chapter 30 of this title and has used, but retains unused, entitlement under that chapter;

(B) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10 and has used, but retains unused, entitlement under the applicable chapter;

(C) is entitled to basic educational assistance under chapter 30 of this title but has not used any entitlement under that chapter;

(D) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10 but has not used any entitlement under such chapter;

(E) is a member of the Armed Forces who is eligible for receipt of basic educational assistance under chapter 30 of this title and is making contributions toward such assistance under section 3011(b) or 3012(c) of this title; or

(F) is a member of the Armed Forces who is not entitled to basic educational assistance under chapter 30 of this title by reason of an election under section 3011(c)(1) or 3012(d)(1) of this title; and

(2) as of the date of the individual's election under this paragraph, meets the requirements for entitlement to educational assistance under this chapter.