

ability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title" for "each eligible person defined in section 3501(a)(1)(A) of this title".

Pub. L. 109-444, which substituted "each eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title" for "each eligible person defined in section 3501(a)(1)(A) of this title", was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

1991—Pub. L. 102-83 renumbered section 1763 of this title as this section and substituted "3501(a)(1)(A)" for "1701(a)(1)(A)".

1989—Pub. L. 101-237 substituted "Secretary" for "Administrator".

1982—Pub. L. 97-295 substituted "of this title" for "of this chapter".

1976—Pub. L. 94-502 substituted "such person's" for "his".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 301(b)(5) of Pub. L. 109-461 applicable with respect to a payment of educational assistance for a course of education pursued after Dec. 22, 2006, see section 301(d) of Pub. L. 109-461, set out as a note under section 3501 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-502 effective Oct. 15, 1976, see section 703(b) of Pub. L. 94-502, set out as an Effective Date note under section 3693 of this title.

§ 3564. Annual adjustment of amounts of educational assistance

(a) With respect to any fiscal year, the Secretary shall provide a percentage increase in the rates payable under sections 3532, 3534(b), and 3542(a) of this title equal to the percentage by which—

(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

(2) such Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).

(b) Any increase under subsection (a) in a rate with respect to a fiscal year after fiscal year 2004 and before fiscal year 2014 shall be rounded down to the next lower whole dollar amount. Any such increase with respect to a fiscal year after fiscal year 2013 shall be rounded to the nearest whole dollar amount.

(Added Pub. L. 106-419, title I, §111(f)(1)(A), Nov. 1, 2000, 114 Stat. 1831; amended Pub. L. 108-183, title III, §304(b), Dec. 16, 2003, 117 Stat. 2660.)

Editorial Notes

AMENDMENTS

2003—Pub. L. 108-183 designated existing provisions as subsec. (a), struck out "(rounded to the nearest dollar)" after "percentage increase", and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 106-419, title I, §111(f)(3), Nov. 1, 2000, 114 Stat. 1831, as amended by Pub. L. 107-14, §8(b)(1), June 5, 2001,

115 Stat. 36, provided that: "Sections 3564 and 3687(d) of title 38, United States Code, as added by this subsection, shall take effect on October 1, 2001."

SUBCHAPTER VII—PHILIPPINE COMMONWEALTH ARMY AND PHILIPPINE SCOUTS

§ 3565. Children of certain Philippine veterans

(a) BASIC ELIGIBILITY.—The term "eligible person" as used in section 3501(a)(1) of this title includes the children of those Commonwealth Army veterans and "New" Philippine Scouts who meet the requirements of service-connected disability or death, based on service as defined in section 3566 of this title.

(b) ADMINISTRATIVE PROVISIONS.—The provisions of this chapter and chapter 36 shall apply to the educational assistance for children of Commonwealth Army veterans and "New" Philippine Scouts, except that—

(1) educational assistance allowances authorized by section 3532 of this title and the special training allowance authorized by section 3542 of this title shall be paid at the rate of \$0.50 for each dollar, and

(2) any reference to a State approving agency shall be deemed to refer to the Secretary.

(c) DELIMITING DATES.—In the case of any individual who is an eligible person solely by virtue of subsection (a) of this section, and who is above the age of seventeen years and below the age of twenty-three years on September 30, 1966, the period referred to in section 3512 of this title shall not end until the expiration of the five-year period which begins on September 30, 1966.

(Added Pub. L. 89-613, §1, Sept. 30, 1966, 80 Stat. 861, §1765; amended Pub. L. 91-24, §9(c), June 11, 1969, 83 Stat. 34; Pub. L. 97-295, §4(47), Oct. 12, 1982, 96 Stat. 1308; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3565 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103-446, title V, §507(b), Nov. 2, 1994, 108 Stat. 4664; Pub. L. 109-233, title V, §503(8)(A), June 15, 2006, 120 Stat. 416.)

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-233 revised style of subsec. headings.

1994—Subsec. (b)(1). Pub. L. 103-446 substituted "the rate of" for "a rate in Philippine pesos equivalent to".

1991—Pub. L. 102-83, §5(a), renumbered section 1765 of this title as this section.

Subsec. (a). Pub. L. 102-83, §5(c)(1), substituted "3501(a)(1)" for "1701(a)(1)" and "3566" for "1766".

Subsec. (b)(1). Pub. L. 102-83, §5(c)(1), substituted "3532" for "1732" and "3542" for "1742".

Subsec. (c). Pub. L. 102-83, §5(c)(1), substituted "3512" for "1712".

1989—Subsec. (b)(2). Pub. L. 101-237 substituted "Secretary" for "Administrator".

1982—Subsec. (a). Pub. L. 97-295 inserted "of this title" after "section 1766".

1969—Subsec. (c). Pub. L. 91-24 substituted "September 30, 1966" for "the date of enactment of this section" and "September 30, 1966" for "the date of enactment of such section".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-446 applicable with respect to payments made after Dec. 31, 1994, see section

507(c) of Pub. L. 103-446, set out as a note under section 107 of this title.

SAVINGS PROVISION

Pub. L. 89-358, §12(b), Mar. 3, 1966, 80 Stat. 28, provided that the provisions of subsec. (b) of this section, relating to payment of reporting allowance at rate of \$1 per month, as in effect before Mar. 3, 1966, were to remain in effect through May 31, 1966.

§ 3566. Definitions

(a) The term “Commonwealth Army veterans” means persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines, while such forces were in the service of the Armed Forces pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander-in-Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable.

(b) The term “‘New’ Philippine Scouts” means Philippine Scouts who served under section 14 of the Armed Forces Voluntary Recruitment Act of 1945, and who were discharged or released from such service under conditions other than dishonorable.

(Added Pub. L. 89-613, §1, Sept. 30, 1966, 80 Stat. 861, §1766; renumbered §3566, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

REFERENCES IN TEXT

Section 14 of the Armed Forces Voluntary Recruitment Act of 1945, referred to in subsec. (b), means section 14 of act Oct. 6, 1945, ch. 393, 59 Stat. 543, which enacted section 637 of former Title 10, Army and Air Force, and was omitted from the Code in the revision and reenactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, 70A Stat. 1.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1766 of this title as this section.

CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS

SUBCHAPTER I—EMERGENCY SITUATIONS

- 3601.¹ Definition of emergency situation.
- 3602. Continuation of educational assistance benefits during emergency situations.
- 3603. Continuation of educational assistance benefits for certain programs of education converted to distance learning by reason of emergency situations.
- 3604. Effects of closure of educational institution and modification of courses by reason of emergency situation.
- 3605. Payment of educational assistance in cases of withdrawal.

SUBCHAPTER II—STATE APPROVING AGENCIES

Sec.²

- 3670. Scope of approval.

¹ So in original. Probably should be preceded by “Sec.”.

² So in original. “Sec.” probably should not appear.

- 3672. Approval of courses.
- 3672A. Uniform application.
- 3673. Approval activities: cooperation and coordination of activities.
- 3673A. Risk-based surveys.
- 3674. Reimbursement of expenses.
- 3674A. Evaluations of agency performance; qualifications and performance of agency personnel.
- 3675. Approval of accredited courses.
- 3676. Approval of nonaccredited courses.
- 3677. Approval of training on the job.
- 3678. Notice of approval of courses.
- 3679. Disapproval of courses.

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

- 3680. Payment of educational assistance or subsistence allowances.
- 3680A. Disapproval of enrollment in certain courses.
- 3681. Limitations on educational assistance.
- 3682. Control by agencies of the United States.
- 3683. Conflicting interests.
- 3684. Reports by veterans, eligible persons, and institutions; reporting fee.
- 3684A. Procedures relating to computer matching program.
- 3685. Overpayments to eligible persons or veterans.
- 3686. Correspondence courses.
- 3687. Apprenticeship or other on-job training.
- 3688. Measurement of courses.
- 3689. Approval requirements for licensing and certification testing.
- 3690. Overcharges by educational institutions; discontinuance of allowances; examination of records; false or misleading statements.
- 3691. Change of program.
- 3691A. Withdrawal or leave of absence from certain education.
- 3692. Advisory committee.
- 3693. Compliance surveys.
- 3694. Use of other Federal agencies.
- 3695. Limitation on period of assistance under two or more programs.
- 3696. Prohibition on certain advertising, sales, and enrollment practices.
- 3697. Funding of contract educational and vocational counseling.
- 3697A. Educational and vocational counseling.
- 3697B. On-campus educational and vocational counseling.
- 3698. Comprehensive policy on providing education information to veterans.
- 3698A. Provision of certificates of eligibility and award letters using electronic means.
- 3699. Effects of closure or disapproval of educational institution.
- 3699A. Provision of certain information to educational institutions.
- 3699B. Treatment of certain for-profit educational institutions.
- 3699C. High technology program.
- 3699D. Notice of changes to policies and guidance relating to educational assistance programs.

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-210, title II, §§212(a)(2), 213(b), Jan. 2, 2025, 138 Stat. 2772, 2774, added items 3699C and 3699D.

Pub. L. 118-210, title II, §210(a), (b), Jan. 2, 2025, 138 Stat. 2766, identically added item 3698A.

2023—Pub. L. 117-333, §§2(b), 11(b), Jan. 5, 2023, 136 Stat. 6125, 6134, redesignated items for subchapter I and subchapter II as subchapter II and subchapter III, respectively, and added item for subchapter I and items 3601 to 3605 and 3672A.

2022—Pub. L. 117-328, div. U, title II, §216(b), Dec. 29, 2022, 136 Stat. 5456, added item 3691A.

2021—Pub. L. 116-315, title I, §§1013(a)(2), 1020(a)(2), 1022(b), Jan. 5, 2021, 134 Stat. 4943, 4958, 4959, added