

items 3673A, 3696, and 3699B and struck out former item 3696 "Limitation on certain advertising, sales, and enrollment practices".

2017—Pub. L. 115-48, title I, §109(a)(2), title III, §§307(b), 308(b), Aug. 16, 2017, 131 Stat. 980, 993, 994, added items 3697B, 3699, and 3699A.

2013—Pub. L. 112-249, §1(a)(2), Jan. 10, 2013, 126 Stat. 2400, added item 3698.

2008—Pub. L. 110-389, title III, §326(a)(2)(B), Oct. 10, 2008, 122 Stat. 4169, substituted "Approval activities: cooperation and coordination of activities" for "Cooperation" in item 3673.

Pub. L. 110-387, title IX, §901(a)(3), Oct. 10, 2008, 122 Stat. 4142, substituted "Procedures relating to computer matching program" for "Procedures relating to computer matching programs" in item 3684A.

2003—Pub. L. 108-183, title III, §306(g), Dec. 16, 2003, 117 Stat. 2661, struck out subchapter III heading "EDUCATION LOANS" and items 3698 "Eligibility for loans; amount and conditions of loans; interest rate on loans" and 3699 "Revolving fund; insurance".

2000—Pub. L. 106-419, title I, §122(c)(2), Nov. 1, 2000, 114 Stat. 1837, added item 3689.

1996—Pub. L. 104-275, title I, §103(a)(1)(B), Oct. 9, 1996, 110 Stat. 3326, struck out item 3689 "Period of operation for approval".

1992—Pub. L. 102-568, title III, §313(a)(8), Oct. 29, 1992, 106 Stat. 4333, added item 3680A.

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1770 to 1799 as 3670 to 3699, respectively.

Pub. L. 102-16, §2(b)(4), Mar. 22, 1991, 105 Stat. 49, added item 1797A.

1990—Pub. L. 101-366, title II, §206(c), Aug. 15, 1990, 104 Stat. 442, added item 1784A.

1988—Pub. L. 100-689, title I, §124(c)(3), Nov. 18, 1988, 102 Stat. 4175, substituted in heading for subchapter III "EDUCATION LOANS" for "EDUCATION LOANS TO ELIGIBLE VETERANS AND ELIGIBLE PERSONS".

Pub. L. 100-687, div. B, title XIII, §1302(b), Nov. 18, 1988, 102 Stat. 4128, added item 1797.

Pub. L. 100-323, §13(b)(1)(B), May 20, 1988, 102 Stat. 573, added item 1774A.

1982—Pub. L. 97-295, §4(48), Oct. 12, 1982, 96 Stat. 1308, substituted "Payment of educational assistance or subsistence allowances" for "Payment of educational or subsistence assistance allowances" in item 1780.

1980—Pub. L. 96-466, title III, §343(b)(2), Oct. 17, 1980, 94 Stat. 2199, substituted "Reports by veterans, eligible persons, and institutions" for "Reports by institutions" in item 1784.

1976—Pub. L. 94-502, title V, §511(2), Oct. 15, 1976, 90 Stat. 2402, substituted "Compliance surveys" for "Institutions listed by Attorney General" in item 1793.

1974—Pub. L. 93-508, title II, §212(b), title III, §301(b), Dec. 3, 1974, 88 Stat. 1586, 1591, added subchapter III heading and items 1796, 1798, and 1799.

1972—Pub. L. 92-540, title IV, §406, Oct. 24, 1972, 86 Stat. 1091, redesignated items 1788 to 1791 as 1792 to 1795, added items 1780 and 1788 to 1791, and substituted in item 1786 "Correspondence courses" for "Examination of records" and in item 1787 "Apprenticeship or other on-job training" for "False or misleading statements".

1970—Pub. L. 91-219, title II, §213(2), Mar. 26, 1970, 84 Stat. 84, substituted "Limitations on educational assistance" for "Nonduplication of benefits" as item 1781.

1968—Pub. L. 90-631, §1(d)(2), Oct. 23, 1968, 82 Stat. 1331, added item 1791.

1967—Pub. L. 90-77, title III, §§304(e), 308(b), Aug. 31, 1967, 81 Stat. 188, 189, added item 1777 and renumbered former items 1777 and 1778 as 1778 and 1779, respectively, and provided for the reporting fee in item 1784.

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 individual 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—

(1) be charged against any entitlement to educational assistance of the individual concerned; or

(2) be counted against the aggregate period for which section 3695 of this title limits the receipt of educational assistance by such individual.

(b) EDUCATIONAL ASSISTANCE DESCRIBED.—Subject to subsection (d), the payment of educational assistance described in this subsection is the payment of such assistance to an individual for pursuit of a course or program of education at an educational institution under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 of title 10, if the Secretary determines that the individual—

(1) was unable to complete such course or program as a result of—

(A) the closure of the educational institution, or the full or partial cancellation of a course or program of education, by reason of an emergency situation; or

(B) the disapproval of the course or a course that is a necessary part of that program under this chapter because the course was modified by reason of such emergency; and

(2) did not receive credit or lost training time, toward completion of the program of education being so pursued.

(c) HOUSING ASSISTANCE.—In this section, educational assistance includes, as applicable—

(1) monthly housing stipends payable under chapter 33 of this title for any month the individual would have been enrolled in a course or program of education; and

(2) payments or subsistence allowances under chapters 30, 31, 32, and 35 of this title and chapter 1606 of title 10 during a month the individual would have been enrolled in a course or program of education.

(d) PERIOD NOT CHARGED.—The period for which, by reason of this section, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the aggregate of—

(1) the portion of the period of enrollment in the course from which the individual did not receive credit or with respect to which the individual lost training time, as determined under subsection (b)(2); and

(2) the period by which a monthly stipend is extended under section 3680(a)(2)(B) of this title.

(e) CONTINUING PURSUIT OF DISAPPROVED COURSES.—(1) The Secretary may treat a course of education that is disapproved under this chapter as being approved under this chapter with respect to an individual described in paragraph (2) if the Secretary determines, on a programmatic basis, that—

(A) such disapproval is the result of an action described in subsection (b)(1)(B); and

(B) continuing pursuing such course is in the best interest of the individual.

(2) An individual described in this paragraph is an individual who is pursuing a course of education at an educational institution under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 of title 10, as of the date on which the course is disapproved as described in subsection (b)(1)(B).

(f) STATUS AS FULL-TIME STUDENT FOR PURPOSES OF HOUSING STIPEND CALCULATION.—In the case of an individual who, as of the first day of an emergency situation was enrolled on a full-