

(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-