

SUBCHAPTER II—STATE APPROVING AGENCIES

Editorial Notes

PRIOR PROVISIONS

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

AMENDMENTS

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

§ 3670. Scope of approval

(a) A course approved under and for the purposes of this chapter shall be deemed approved for the purposes of chapters 34 and 35 of this title.

(b) Any course approved under chapter 33 of this title, prior to February 1, 1965, under subchapter VII of chapter 35 of this title, prior to March 3, 1966, and not disapproved under section 3483, section 1656 (as in effect prior to February 1, 1965), or section 3679 of this title, shall be deemed approved for the purposes of this chapter.

(Added Pub. L. 89-358, §3(a)(5), Mar. 3, 1966, 80 Stat. 20, §1770; amended Pub. L. 92-540, title IV, §403(1), Oct. 24, 1972, 86 Stat. 1090; Pub. L. 97-295, §4(49), Oct. 12, 1982, 96 Stat. 1308; renumbered §3670 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

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REFERENCES IN TEXT

Chapter 33 of this title, prior to February 1, 1965, referred to in subsec. (b), means Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1174 to 1192, which was classified to sections 1601, 1610 to 1613, 1620 to 1626, 1631 to 1634, 1641 to 1645, 1651 to 1656, and 1661 to 1669 of this title, and was repealed by section 4(a) of Pub. L. 89-358.

Subchapter VII of chapter 35 of this title, prior to March 3, 1966, referred to in subsec. (b), means Pub. L. 88-126, §1, Sept. 23, 1963, 77 Stat. 158 to 162, which was classified to sections 1771 to 1778 of this title, and was redesignated as subchapter I of this chapter by section 3(a)(4) of Pub. L. 89-358.

Section 1656 of this title, as in effect prior to February 1, 1965, referred to in subsec. (b), is Pub. L. 85-857, §1656, Sept. 2, 1958, 72 Stat. 1189, which was repealed by section 4(a) of Pub. L. 89-358, and is covered by section 3679 of this title.

AMENDMENTS

1991—Pub. L. 102-83, §5(a), renumbered section 1770 of this title as this section.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted “3483” for “1683” and “3679” for “1779”.

1982—Subsec. (b). Pub. L. 97-295 substituted “March 3, 1966” and “section 1779” for “the date of enactment of this chapter” and “section 1778”, respectively.

1972—Subsec. (b). Pub. L. 92-540 substituted “1683” for “1686”.

§ 3671. Designation

(a) Unless otherwise established by the law of the State concerned, the chief executive of each State is requested to create or designate a State department or agency as the “State approving agency” for such State for the purposes of this chapter and chapters 34 and 35 of this title.

(b)(1) If any State fails or declines to create or designate a State approving agency, or fails to enter into an agreement under section 3674(a), the provisions of this chapter which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Secretary.

(2) Except as otherwise provided in this chapter, in the case of courses subject to approval by the Secretary under section 3672 of this title, the provisions of this chapter which refer to a State approving agency shall be deemed to refer to the Secretary.

(c) The Secretary may not recognize a State department or agency as the State approving agency for a State for purposes of this chapter if such department or agency is administered at, or colocated with, a university or university system that offers courses or programs of education that are subject to approval under this chapter by the State approving agency for that State.

(Added Pub. L. 88-126, §1, Sept. 23, 1963, 77 Stat. 158, §1771; amended Pub. L. 89-358, §3(a)(6), Mar. 3, 1966, 80 Stat. 20; Pub. L. 92-540, title IV, §403(2), Oct. 24, 1972, 86 Stat. 1090; Pub. L. 94-502, title V, §513(a)(1), Oct. 15, 1976, 90 Stat. 2402; Pub. L. 100-323, §13(b)(4), May 20, 1988, 102 Stat. 573; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3671 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 111-377, title II, §203(a)(2)(B), Jan. 4, 2011, 124 Stat. 4125; Pub. L. 116-315, title I, §1024(a), Jan. 5, 2021, 134 Stat. 4960; Pub. L. 117-16, §4, June 8, 2021, 135 Stat. 283.)

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AMENDMENTS

2021—Subsec. (c). Pub. L. 116-315, as amended by Pub. L. 117-16, added subsec. (c).

2011—Subsec. (b)(2). Pub. L. 111-377 substituted “Except as otherwise provided in this chapter, in the case” for “In the case”.

1991—Pub. L. 102-83, §5(a), renumbered section 1771 of this title as this section.

Subsec. (b). Pub. L. 102-83, §5(c)(1), substituted “3674(a)” for “1774(a)” in par. (1) and “3672” for “1772” in par. (2).

1989—Subsec. (b). Pub. L. 101-237 substituted “Secretary” for “Administrator” wherever appearing.

1988—Subsec. (b)(1). Pub. L. 100-323 inserted “or fails to enter into an agreement under section 1774(a),” after “State approving agency.”

1976—Subsec. (a). Pub. L. 94-502 substituted “such” for “his”.

1972—Subsec. (a). Pub. L. 92-540 inserted “this chapter and” after “purposes of”.

1966—Subsec. (a). Pub. L. 89-358 substituted “chapters 34 and 35 of this title” for “this chapter after the date for the expiration of all education and training provided in chapter 33 of this title. Such agency may be the agency designated or created in accordance with section 1641 of this title”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-315, title I, §1024(b), Jan. 5, 2021, 134 Stat. 4960, as amended by Pub. L. 117-16, §4, June 8, 2021, 135 Stat. 283, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on the date that is one year after the date of the enactment of this Act [Jan. 5, 2021].”