

under subsection (a), the institution concerned shall—

(1) assign a grade of “incomplete” (or equivalent) to the covered member for covered education for the academic term from which the covered member takes such leave of absence; and

(2) to the extent practicable, permit the covered member, upon completion of the period covered service, to complete such academic term.

(d) DEFINITIONS.—In this section:

(1) The term “covered education” means a course of education—

(A) at an institution of higher education; and

(B) paid for with educational assistance furnished under a law administered by the Secretary.

(2) The term “covered member” means a member of the Armed Forces (including the reserve components) enrolled in covered education.

(3) The term “covered service” means—

(A) active service or inactive-duty training, as such terms are defined in section 101 of title 10; or

(B) State active duty, as defined in section 4303 of this title.

(4) The term “institution concerned” means, with respect to a covered member, the institution of higher education where the covered member is enrolled in covered education.

(5) The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(6) The term “period of covered service” means the period beginning on the date on which a covered member enters covered service and ending on the date on which the covered member is released from covered service or dies while in covered service.

(Added Pub. L. 117–328, div. U, title II, §216(a), Dec. 29, 2022, 136 Stat. 5455.)

§ 3692. Advisory committee

(a) There shall be a Veterans' Advisory Committee on Education formed by the Secretary which shall be composed of persons who are eminent in their respective fields of education, labor, and management and of representatives of institutions and establishments furnishing education to eligible veterans or persons enrolled under chapter 30, 32, 33, or 35 of this title and chapter 1606 of title 10. The committee shall also, to the maximum extent practicable, include a representative sample of veterans and other individuals who have used, or may in the future use, educational assistance benefits administered by the Secretary. The Assistant Secretary of Education for Postsecondary Education (or such other comparable official of the Department of Education as the Secretary of Education may designate) and the Assistant Secretary of Labor for Veterans' Employment and Training shall be ex officio members of the advisory committee.

(b) The Secretary shall consult with and seek the advice of the committee from time to time

with respect to the administration of this chapter, chapters 30, 32, 33, and 35 of this title, and chapter 1606 of title 10. The committee may make such reports and recommendations as it considers desirable to the Secretary and the Congress.

(c) The committee shall remain in existence until December 31, 2026.

(Added Pub. L. 89–358, §3(b), Mar. 3, 1966, 80 Stat. 23, §1788; renumbered §1792 and amended Pub. L. 92–540, title III, §316(2), (3), Oct. 24, 1972, 86 Stat. 1086, 1089; Pub. L. 96–466, title III, §346, Oct. 17, 1980, 94 Stat. 2200; Pub. L. 99–576, title III, §304, Oct. 28, 1986, 100 Stat. 3269; Pub. L. 100–689, title I, §123, Nov. 18, 1988, 102 Stat. 4174; Pub. L. 101–237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 102–25, title III, §338, Apr. 6, 1991, 105 Stat. 91; Pub. L. 102–54, §14(c)(7), June 13, 1991, 105 Stat. 285; renumbered §3692, Pub. L. 102–83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103–210, §2(d), Dec. 20, 1993, 107 Stat. 2497; Pub. L. 103–446, title VI, §608, Nov. 2, 1994, 108 Stat. 4672; Pub. L. 108–183, title III, §307, Dec. 16, 2003, 117 Stat. 2661; Pub. L. 110–252, title V, §5003(b)(2)(A)(v), June 30, 2008, 122 Stat. 2375; Pub. L. 111–275, title I, §102, Oct. 13, 2010, 124 Stat. 2866; Pub. L. 113–59, §12, Dec. 20, 2013, 127 Stat. 663; Pub. L. 113–175, title III, §301, Sept. 26, 2014, 128 Stat. 1904; Pub. L. 114–58, title II, §201, Sept. 30, 2015, 129 Stat. 533; Pub. L. 114–228, title II, §201, Sept. 29, 2016, 130 Stat. 938; Pub. L. 114–315, title IV, §413, Dec. 16, 2016, 130 Stat. 1562; Pub. L. 115–48, title III, §306, Aug. 16, 2017, 131 Stat. 993; Pub. L. 117–180, div. E, title IV, §404, Sept. 30, 2022, 136 Stat. 2139.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1190, which was classified to former section 1662 of this title, prior to repeal by section 4(a) of Pub. L. 89–358.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117–180 substituted “December 31, 2026” for “December 31, 2022”.

2017—Subsec. (c). Pub. L. 115–48 substituted “December 31, 2022” for “December 31, 2017”.

2016—Subsec. (a). Pub. L. 114–315 substituted “a representative sample of veterans and other individuals who have used, or may in the future use, educational assistance benefits administered by the Secretary.” for “veterans representative of World War II, the Korean conflict era, the post-Korean conflict era, the Vietnam era, the post-Vietnam era, and the Persian Gulf War.”

Subsec. (c). Pub. L. 114–228 substituted “December 31, 2017” for “December 31, 2016”.

2015—Subsec. (c). Pub. L. 114–58 substituted “December 31, 2016” for “December 31, 2015”.

2014—Subsec. (c). Pub. L. 113–175 substituted “December 31, 2015” for “December 31, 2014”.

2013—Subsec. (c). Pub. L. 113–59 substituted “December 31, 2014” for “December 31, 2013”.

2010—Subsec. (c). Pub. L. 111–275 substituted “December 31, 2013” for “December 31, 2009”.

2008—Subsecs. (a), (b). Pub. L. 110–252 inserted “33,” after “32.”

2003—Subsec. (a). Pub. L. 108–183, §307(a), (c)(1), substituted “chapter 1606” for “chapter 106” in first sentence and inserted “, to the maximum extent practicable,” after “The committee shall also” in second sentence.

Subsec. (b). Pub. L. 108–183, §307(c), substituted “chapters 30” for “chapter 30” and “chapter 1606” for “chapter 106”.

Subsec. (c). Pub. L. 108-183, §307(b), substituted "December 31, 2009" for "December 31, 2003".

1994—Subsec. (a). Pub. L. 103-446, §608(1), struck out "34," after "chapter 30, 32," and inserted "and chapter 106 of title 10" after "of this title".

Subsec. (b). Pub. L. 103-446, §608(2), substituted "this chapter, chapter 30, 32, and 35 of this title, and chapter 106 of title 10" for "this chapter and chapters 30, 32, 34, and 35 of this title".

Subsec. (c). Pub. L. 103-446, §608(3), substituted "December 31, 2003" for "December 31, 1994".

1993—Subsec. (c). Pub. L. 103-210 substituted "1994" for "1993".

1991—Pub. L. 102-83 renumbered section 1792 of this title as this section.

Subsec. (a). Pub. L. 102-54 inserted "and Training" after "Employment".

Pub. L. 102-25 substituted "the post-Vietnam era, and the Persian Gulf War" for "and the post-Vietnam era".

1989—Subsecs. (a), (b). Pub. L. 101-237 substituted "Secretary" for "Administrator" wherever appearing.

1988—Subsec. (c). Pub. L. 100-689 substituted "1993" for "1989".

1986—Subsec. (a). Pub. L. 99-576, §304(1), substituted "a Veterans' Advisory Committee on Education" for "an advisory committee", and inserted reference to chapter 30.

Subsec. (b). Pub. L. 99-576, §304(2), inserted reference to chapter 30.

1980—Pub. L. 96-466 designated existing provisions as subsecs. (a) and (b), substituted reference to furnishing education to eligible veterans or persons enrolled under chapter 32, 34, or 35 of this title for reference to furnishing vocational rehabilitation under chapter 31 of this title or education to eligible persons or veterans enrolled under chapter 34 or 35 of this title, reference to the Assistant Secretary of Education for Postsecondary Education or other comparable official and the Assistant Secretary of Labor for Veterans' Employment, for reference to the Commissioner of Education and the Administrator, Manpower Administration, Department of Labor, and reference to seeking the advice of the committee with respect to the administration of this chapter and chapters 32, 34, and 35 of this title for reference to advising the committee with respect to the administration of this chapter and chapters 31, 34, and 35 of this title, and inserted provision that the committee include veterans representative of the post-Vietnam era, and added subsec. (c).

1972—Pub. L. 92-540, §316(3), inserted provisions that the Committee also include veterans representative of World War II, the Korean conflict era, the post-Korean conflict era and the Vietnam era.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-252 effective Aug. 1, 2009, see section 5003(d) of Pub. L. 110-252, set out as a note under section 16163 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-466 effective Oct. 1, 1980, except as otherwise specifically provided, see section 802(c) of Pub. L. 96-466, set out as a note under section 3452 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 1013 of Title 5, Government Organization and Employees.

COMMISSION TO ASSESS VETERANS' EDUCATION POLICY

Pub. L. 99-576, title III, §320, Oct. 23, 1986, 100 Stat. 3275, as amended by Pub. L. 100-323, §14, May 20, 1988,

102 Stat. 574, provided for establishment of a Commission on Veterans' Education Policy, provided for appointment of members of Commission not later than Mar. 1, 1987, directed Commission to submit a report, not later than 18 months after at least 8 members had been appointed, to Committees on Veterans' Affairs of Senate and House of Representatives, containing the Commission's findings and recommendations on various matters relating to veterans' education, directed Administrator of Veterans Affairs to file interim and final reports, not later than 2 years after Commission's report, to those Committees responding to Commission's report, and provided for termination of Commission 90 days after Administrator submitted final report.

STUDY OF EDUCATIONAL ASSISTANCE PROGRAMS FOR VETERANS, SURVIVORS, AND DEPENDENTS; SUBMISSION TO CONGRESS AND PRESIDENT BY SEPTEMBER 30, 1979

Pub. L. 95-202, title III, §304(b), Nov. 23, 1977, 91 Stat. 1442, directed Administrator of Veterans' Affairs, in consultation with Advisory Committee formed pursuant to this section, to conduct a study respecting operation of programs of educational assistance carried out under this chapter and chapter 34 of this title and that a report concerning such study be submitted to Congress not later than Sept. 30, 1979.

STUDY OF OPERATION OF POST-KOREAN CONFLICT PROGRAMS OF EDUCATIONAL ASSISTANCE

Pub. L. 92-540, title IV, §413, Oct. 24, 1972, 86 Stat. 1093, provided for a comparative study of operation of post-Korean conflict program of educational assistance with similar prior programs available to veterans of World War II and Korean conflict, the results of such study and recommendations for improvement to be transmitted to President and Congress within six months of Oct. 24, 1972.

§ 3693. Compliance surveys

(a)(1) Except as provided in subsection (b), the Secretary shall conduct an annual compliance survey of educational institutions and training establishments offering one or more courses approved for the enrollment of eligible veterans or persons if at least 20 such veterans or persons are enrolled in any such course. The Secretary shall—

(A) design the compliance surveys to ensure that such institutions or establishments, as the case may be, and approved courses are in compliance with all applicable provisions of chapters 30 through 36 of this title;

(B) survey each such educational institution and training establishment not less than once during every 2-year period; and

(C) assign not fewer than 1 education compliance specialist to work on compliance surveys in any year for each 40 compliance surveys required to be made under this section for such year.

(2) The Secretary, in consultation with the State approving agencies, shall—

(A) annually determine the parameters of the surveys required under paragraph (1); and

(B) not later than September 1 of each year, make available to the State approving agencies a list of the educational institutions and training establishments that will be surveyed during the fiscal year following the date of making such list available.

(b) The Secretary may waive the requirement in subsection (a)(1) for a compliance survey with respect to an educational institution or training