

Affairs provides assistance to a veteran or member of the Armed Forces.”

**§ 3698A. Provision of certificates of eligibility and award letters using electronic means**

(a) REQUIREMENT.—Except as provided by subsection (b), the Secretary shall provide to an individual the following documents using electronic means:

(1) A certificate of eligibility for the entitlement of the individual to covered educational assistance.

(2) An award letter regarding the authorization of the individual to receive covered educational assistance.

(b) ELECTION TO OPT OUT.—An individual may elect to receive the documents specified in subsection (a) by mail rather than through electronic means under subsection (a). An individual may revoke such an election at any time, by means prescribed by the Secretary.

(c) COVERED EDUCATIONAL ASSISTANCE.—In this section, the term “covered educational assistance” means educational assistance under chapter 30, 33, or 35 of this title, or section 3699C of this title.

(Added Pub. L. 118–210, title II, §210(a), Jan. 2, 2025, 138 Stat. 2766.)

**§ 3699. Effects of closure or disapproval of educational institution**

(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 (c), 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 or 1607 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;

(B) the disapproval of the course or a course that is a necessary part of that program under this chapter by reason of—

(i) a provision of law enacted after the date on which the individual enrolls at such institution affecting the approval or disapproval of courses under this chapter; or

(ii) after the date on which the individual enrolls at such institution, the Secretary prescribing or modifying regulations or policies of the Department affecting such approval or disapproval; or

(C) the temporary closure of an educational institution or training establish-

ment or the temporary closure or termination of a course or program of education by reason of an emergency situation; and

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

(c) PERIOD NOT CHARGED.—(1) The period for which, by reason of this subsection, 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—

(A) 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

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

(2)(A)(i) An individual described in subparagraph (B) who transfers fewer than 12 credits from a program of education that is closed or disapproved as described in subsection (b)(1) shall be deemed to be an individual who did not receive such credits, as described in subsection (b)(2), except that the period for which such individual's entitlement is not charged shall be the entire period of the individual's enrollment in the program of education.

(ii) In carrying out clause (i), the Secretary shall—

(I) require an individual to certify in writing that the individual has transferred fewer than 12 credits as described in such clause;

(II) require an individual who makes a certification under subclause (I) to acknowledge in writing that if the individual transfers 12 or more credits as described in such clause (i)—

(aa) the individual may not be deemed under such clause to be an individual who did not receive such credits; and

(bb) the Secretary shall rescind the certificate of eligibility provided under subclause (IV);

(III) accept a certification under subclause (I) as proof of the individual transferring fewer than 12 credits; and

(IV) provide to the individual who makes a certification under subclause (I) and makes the acknowledgment under subclause (II) a certificate of eligibility that the individual may provide to an educational institution as proof of the individual being covered by this paragraph.

(iii) The Secretary shall notify individuals described in subparagraph (B) of being eligible to be covered by this paragraph.

(iv) In carrying out this subparagraph, the Secretary, in consultation with the Secretary of Education, shall establish procedures to determine whether the individual transferred credits to a comparable course or program of education.

(B) An individual described in this subparagraph is an individual who is enrolled in a course or program of education closed or discontinued as described in subsection (b)(1) during the period beginning on the date that is 120 days before the date of such closure or discontinu-

ance and ending on the date of such closure or discontinuance, as the case may be.

(C) This paragraph, including clauses (ii) and (iii) of subparagraph (A), shall apply with respect to the closure or discontinuation of a course or program of education, as described in subsection (b)(1), that occurs during the period beginning on August 1, 2021, and ending on September 30, 2025.

(d) 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 case-by-case basis, that—

(A) such disapproval is the result of an action described in clause (i) or (ii) of 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 or 1607 of title 10, as of the date on which the course is disapproved under this chapter.

(e) NOTICE OF CLOSURES.—Not later than 5 business days after the date on which the Secretary receives notice that an educational institution will close or is closed, the Secretary shall provide to each individual who is enrolled in a course or program or education at such educational institution using entitlement to educational assistance under chapter 30, 31, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, notice of—

(1) such closure and the date of such closure; and

(2) the effect of such closure on the individual’s entitlement to educational assistance pursuant to this section.

(Added Pub. L. 115–48, title I, §109(a)(1), Aug. 16, 2017, 131 Stat. 978; amended Pub. L. 116–61, §6(6), Sept. 30, 2019, 133 Stat. 1117; Pub. L. 116–315, title I, §§1007(a), 1021(a), Jan. 5, 2021, 134 Stat. 4940, 4958; Pub. L. 117–297, §2, Dec. 27, 2022, 136 Stat. 4375; Pub. L. 117–333, §8(a), Jan. 5, 2023, 136 Stat. 6130; Pub. L. 118–19, §2, Oct. 6, 2023, 137 Stat. 106; Pub. L. 118–210, title II, §211, Jan. 2, 2025, 138 Stat. 2767.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 3699, added Pub. L. 93–508, title III, §301(a), Dec. 3, 1974, 88 Stat. 1591, §1799; amended Pub. L. 94–502, title V, §513(a)(24), Oct. 15, 1976, 90 Stat. 2404; Pub. L. 97–295, §4(61), Oct. 12, 1982, 96 Stat. 1309; Pub. L. 101–237, title IV, §423(b)(1), (2), Dec. 18, 1989, 103 Stat. 2092; renumbered §3699 and amended Pub. L. 102–83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406, related to revolving fund available for making of loans under former subchapter III of this chapter, prior to repeal by Pub. L. 108–183, title III, §306(e), Dec. 16, 2003, 117 Stat. 2661, effective 90 days after Dec. 16, 2003.

**AMENDMENTS**

2025—Subsec. (c)(2)(C). Pub. L. 118–210 added subpar. (C) and struck out former subpar. (C) which read as follows: “This paragraph shall apply with respect to a course or program of education closed or discontinued before September 30, 2025.”

2023—Subsec. (b)(1)(C). Pub. L. 117–333 added subpar. (C).

Subsec. (c)(2)(C). Pub. L. 118–19 substituted “September 30, 2025” for “September 30, 2023”.

2022—Subsec. (c)(2)(A). Pub. L. 117–297 designated first sentence as cl. (i) and second sentence as cl. (iv) and realigned margins and added cls. (ii) and (iii) after cl. (i).

2021—Pub. L. 116–315, §1007(a), substituted “chapter 30, 31,” for “chapter 30,” wherever appearing.

Subsec. (c). Pub. L. 116–315, §1021(a), amended subsec. (c) generally. Prior to amendment, text read as follows: “The period for which, by reason of this subsection, 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.”

2019—Subsec. (b). Pub. L. 116–61 substituted “this subsection” for “this paragraph”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2021 AMENDMENT**

Amendment by section 1007(a) of Pub. L. 116–315 applicable as if included in the enactment of section 109 of Pub. L. 115–48, see section 1007(d) of Pub. L. 116–315, set out as a note under section 3680 of this title, and Effective Date note below.

Pub. L. 116–315, title I, §1021(b), Jan. 5, 2021, 134 Stat. 4959, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on August 1, 2021.”

**EFFECTIVE DATE**

Pub. L. 115–48, title I, §109(c)(1), Aug. 16, 2017, 131 Stat. 980, as amended by Pub. L. 115–62, title V, §501(d), Sept. 29, 2017, 131 Stat. 1166, provided that:

“(A) IN GENERAL.—The amendments made by subsection (a) [enacting this section] shall take effect on the date that is 90 days after the date of the enactment of this Act [Aug. 16, 2017], and shall apply with respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), after January 1, 2015.

“(B) SPECIAL APPLICATION.—

“(i) IN GENERAL.—With respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), during the period beginning January 1, 2015, and ending on the date of the enactment of this Act [Sept. 29, 2017], an individual described in clause (ii) who does not transfer credits from such program of education shall be deemed to be an individual who did not receive such credits, as described in subsection (b)(2) of such section, except that the period for which such individual’s entitlement is not charged shall be the entire period of the individual’s enrollment in the program of education. In carrying out this subparagraph, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, shall establish procedures to determine whether the individual transferred credits to a comparable course or program of education.

“(ii) INDIVIDUAL DESCRIBED.—An individual described in this clause is an individual who is enrolled in a course or program of education discontinued as described in clause (i) during the period beginning on the date that is 120 days before the date of such discontinuance and ending on the date of such discontinuance.”

**PROHIBITION OF CHARGE TO ENTITLEMENT OF STUDENTS UNABLE TO PURSUE A PROGRAM OF EDUCATION DUE TO AN EMERGENCY SITUATION**

Pub. L. 116–315, title I, §1107(c), Jan. 5, 2021, 134 Stat. 4966, provided that: “The subparagraph (C) temporarily

added to section 3699(b)(1) of title 38, United States Code, by [former] section 5 of the Student Veteran Coronavirus Response Act of 2020 (Public Law 116-140; 38 U.S.C. 3699 note) [formerly set out below] is amended by inserting 'or training establishment' after 'educational institution'."

Pub. L. 116-140, § 5, Apr. 28, 2020, 134 Stat. 632, which temporarily added closure of educational institution or training establishment due to emergency situation as reason for payment of educational assistance not to be charged against entitlement of students, was repealed by Pub. L. 117-333, § 8(b), Jan. 5, 2023, 136 Stat. 6130. See subsec. (b)(1)(C) of this section.

**RESTORATION OF ENTITLEMENT TO REHABILITATION PROGRAMS FOR VETERANS AFFECTED BY SCHOOL CLOSURE OR DISAPPROVAL**

Pub. L. 116-140, § 7(a), Apr. 28, 2020, 134 Stat. 634, which provided that, during the period from Mar. 1, 2020, to Dec. 21, 2020, the Secretary of Veterans Affairs was to apply this section as if it were amended by striking "chapter 30," each time it appeared and inserting "chapter 30, 31," was repealed by Pub. L. 116-315, title I, § 1007(c), Jan. 5, 2021, 134 Stat. 4940. See 2021 Amendment note above.

**§ 3699A. Provision of certain information to educational institutions**

(a) **IN GENERAL.**—For each veteran or other individual pursuing a course of education that has been approved under this chapter using educational assistance to which the veteran or other individual is entitled under chapter 30, 32, 33, or 35 of this title, the Secretary shall make available to the educational institution offering the course information about the amount of such educational assistance to which the veteran or other individual is entitled. Such information shall be provided to such educational institution through a secure information technology system accessible by the educational institution and shall be regularly updated to reflect any amounts used by the veteran or other individual.

(b) **ELECTION.**—A veteran or other individual pursuing a course of education described in subsection (a) may elect not to provide the information described in such subsection to an educational institution in a manner prescribed by the Secretary.

(Added Pub. L. 115-48, title III, § 308(a), Aug. 16, 2017, 131 Stat. 994.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Pub. L. 115-48, title III, § 308(c), Aug. 16, 2017, 131 Stat. 994, provided that: "Section 3699A of title 38, United States Code, as added by this section, shall take effect on August 1, 2018."

**§ 3699B. Treatment of certain for-profit educational institutions**

(a) **IN GENERAL.**—In the case of any for-profit educational institution that is converted to a nonprofit educational institution, the State approving agency or the Secretary when acting as a State approving agency shall conduct annual risk-based surveys of the institution during the three-year period beginning on the date on which the educational institution is so converted.

(b) **RISK-BASED SURVEY DEFINED.**—In this section, the term "risk-based survey" means the

risk-based survey developed under section 3673A of this title.

(Added Pub. L. 116-315, title I, § 1022(a), Jan. 5, 2021, 134 Stat. 4959.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Pub. L. 116-315, title I, § 1022(c), Jan. 5, 2021, 134 Stat. 4959, as amended by Pub. L. 117-16, § 5(a), June 8, 2021, 135 Stat. 283, provided that: "Section 3699B of title 38, United States Code, as added by subsection (a), shall apply with respect to the conversion of a for-profit educational institution to a nonprofit educational institution, or the conversion of a for-profit educational institution to a public educational institution, that occurs on or after the date of the enactment of this Act [Jan. 5, 2021]."

[Pub. L. 117-16, § 5(b), June 8, 2021, 135 Stat. 283, provided that: "The amendment made by subsection (a) [amending section 1022(c) of Pub. L. 116-315, set out above] shall apply as if included in the enactment of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315)."]

**§ 3699C. High technology program**

(a) **ESTABLISHMENT.**—(1) The Secretary shall carry out a program under which the Secretary provides covered individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

(2) Not more than 4,000 covered individuals may participate in the program under this section in any fiscal year.

(b) **AMOUNT OF ASSISTANCE.**—(1) The Secretary shall provide, to each covered individual who pursues a high technology program of education under this section, educational assistance in amounts equal to the amounts provided under section 3313(c)(1) of this title, including, except as provided in paragraph (3), with respect to the housing stipend described in that section and in accordance with the treatment of programs that are distance learning and programs that are less than half-time.

(2) Under paragraph (1), the Secretary shall provide such amounts of educational assistance to a covered individual for each of the following:

(A) A high technology program of education.

(B) A second such program if—

(i) the second such program begins at least 18 months after the covered individual graduates from the first such program; and

(ii) the covered individual uses educational assistance under chapter 33 of this title to pursue the second such program.

(3) No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 of this title for that month.

(c) **CONTRACTS.**—(1) For purposes of carrying out subsection (a), the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to covered individuals. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the pro-