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- 3697A. Educational and vocational counseling.  
[SUBCHAPTER III—REPEALED]

[3698, 3699. Repealed.]

#### AMENDMENTS

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—STATE APPROVING AGENCIES

#### § 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.)

#### 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) 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.

(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.)

#### AMENDMENTS

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".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-502 effective Oct. 15, 1976, see section 703(b) of Pub. L. 94-502, set out as an Effective Date note under section 3693 of this title.

### § 3672. Approval of courses

(a) An eligible person or veteran shall receive the benefits of this chapter and chapters 34 and 35 of this title while enrolled in a course of education offered by an educational institution only if (1) such course is approved as provided in this chapter and chapters 34 and 35 of this title by the State approving agency for the State where such educational institution is located, or by the Secretary, or (2) such course is approved (A) for the enrollment of the particular individual under the provisions of section 3536 of this title or (B) for special restorative training under subchapter V of chapter 35 of this title. Approval of courses by State approving agencies shall be in accordance with the provisions of this chapter and chapters 34 and 35 of this title and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Secretary with a

current list of educational institutions specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Secretary as it and the Secretary may determine to be necessary to carry out the purposes of this chapter and chapters 34 and 35 of this title. Each State approving agency shall notify the Secretary of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

(b) The Secretary shall be responsible for the approval of courses of education offered by any agency of the Federal Government authorized under other laws to supervise such education. The Secretary may approve any course in any other educational institution in accordance with the provisions of this chapter and chapters 34 and 35 of this title.

(c)(1) In the case of programs of apprenticeship where—

(A) the apprenticeship standards have been approved by the Secretary of Labor pursuant to section 2 of the Act of August 16, 1937 (popularly known as the "National Apprenticeship Act") (29 U.S.C. 50a), as a national apprenticeship program for operation in more than one State, and

(B) the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State,

the Secretary shall act as a "State approving agency" as such term is used in section 3687(a)(1) of this title and shall be responsible for the approval of all such programs.

(2) The period of a program of apprenticeship may be determined based upon a specific period of time (commonly referred to as a "time-based program"), based upon the demonstration of successful mastery of skills (commonly referred to as a "competency-based program"), or based upon a combination thereof.

(3)(A) In the case of a competency-based program of apprenticeship, State approving agencies shall determine the period for which payment may be made for such a program under chapters 30 and 35 of this title and chapter 1606 of title 10. In determining the period of such a program, State approving agencies shall take into consideration the approximate term of the program recommended in registered apprenticeship program standards recognized by the Secretary of Labor.

(B) The sponsor of a competency-based program of apprenticeship shall provide notice to the State approving agency involved of any such standards that may apply to the program and the proposed approximate period of training under the program.

(4) The sponsor of a competency-based program of apprenticeship shall notify the Secretary upon the successful completion of a program of apprenticeship by an individual under chapter 30 or 35 of this title, or chapter 1606 of title 10, as the case may be.

(d)(1) Pursuant to regulations prescribed by the Secretary in consultation with the Secretary of Labor, the Secretary and State approving agencies shall actively promote the development of apprenticeship and on the job training programs for the purposes of sections 3677 and