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

3687 of this title and shall utilize the services of disabled veterans' outreach program specialists under section 4103A of this title to promote the development of such programs. The Secretary of Labor shall provide assistance and services to the Secretary, and to State approving agencies, to increase the use of apprenticeships.

(2) In conjunction with outreach services provided by the Secretary under chapter 77 of this title for education and training benefits, each State approving agency shall conduct outreach programs and provide outreach services to eligible persons and veterans about education and training benefits available under applicable Federal and State law.

(e) A program of education exclusively by correspondence, and the correspondence portion of a combination correspondence-residence course leading to a vocational objective, that is offered by an educational institution (as defined in section 3452(c) of this title) may be approved only if (1) the educational institution is accredited by an entity recognized by the Secretary of Education, and (2) at least 50 percent of those pursuing such a program or course require six months or more to complete the program or course.

(Added Pub. L. 88–126, § 1, Sept. 23, 1963, 77 Stat. 158, § 1772; amended Pub. L. 89–358, § 3(a)(7), (8), Mar. 3, 1966, 80 Stat. 20, 21; Pub. L. 91–219, title II, § 211, Mar. 26, 1970, 84 Stat. 83; Pub. L. 92–540, title IV, § 403(3)–(5), Oct. 24, 1972, 86 Stat. 1090; Pub. L. 96–466, title V, § 502, Oct. 17, 1980, 94 Stat. 2203; Pub. L. 97–295, § 4(50), Oct. 12, 1982, 96 Stat. 1308; Pub. L. 101–237, title IV, § 423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3672 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103–446, title VI, § 605(a)(1), Nov. 2, 1994, 108 Stat. 4671; Pub. L. 107–103, title III, § 303, Dec. 27, 2001, 115 Stat. 992; Pub. L. 108–454, title I, §§ 104(a),(b), 110(b), Dec. 10, 2004, 118 Stat. 3601, 3602, 3605.)

AMENDMENTS

2004—Subsec. (c). Pub. L. 108–454, §§ 104(a), 110(b)(1), designated existing provisions as par. (1), redesignated former par. (1) as subpar. (A) of par. (1) and inserted ''apprenticeship'' before ''standards'', redesignated former par. (2) as subpar. (B) of par. (1), and added pars. (2) to (4).

Subsec. (d)(1). Pub. L. 108–454, §§ 104(b), 110(b)(2), substituted ''of apprenticeship and on the job training programs'' for ''of programs of training on the job (including programs of apprenticeship)'' and inserted at end ''The Secretary of Labor shall provide assistance and services to the Secretary, and to State approving agencies, to increase the use of apprenticeships.''

2001—Subsec. (d). Pub. L. 107–103 designated existing provisions as par. (1), inserted ''and State approving agencies'' before ''shall actively promote'', and added par. (2).

1994—Subsec. (e). Pub. L. 103–446 added subsec. (e).

1991—Pub. L. 102–83, § 5(a), renumbered section 1772 of this title as this section.

Subsec. (a). Pub. L. 102–83, § 5(c)(1), substituted ''3536'' for ''1736''.

Subsec. (c). Pub. L. 102–83, § 5(c)(1), substituted ''3687(a)(1)'' for ''1787(a)(1)'' in concluding provisions.

Subsec. (d). Pub. L. 102–83, § 5(c)(1), substituted ''3677 and 3687'' for ''1777 and 1787'' and ''4103A'' for ''2003A''.

1989—Pub. L. 101–237 substituted ''Secretary'' for ''Administrator'' wherever appearing.

1982—Subsecs. (a), (b). Pub. L. 97–295, § 4(50)(A), inserted ''of this title'' after ''34 and 35'' wherever appearing.

Subsec. (c)(1). Pub. L. 97–295, § 4(50)(B), substituted ''section 2 of the Act of August 16, 1937 (popularly known as the 'National Apprenticeship Act') (29 U.S.C. 50a),'' for ''section 50a of title 29''.

1980—Subsec. (d). Pub. L. 96–466 added subsec. (d).

1972—Subsec. (a). Pub. L. 92–540, § 403(3), (4), inserted ''this chapter and'' before ''chapters 34 and 35'' and substituted ''1736'' for ''1737''.

Subsec. (b). Pub. L. 92–540, § 403(3), inserted ''this chapter and'' before ''chapters 34 and 35''.

Subsec. (c). Pub. L. 92–540, § 403(5), substituted ''1787(a)(1)'' for ''1683(a)(1)''.

1970—Subsec. (c). Pub. L. 91–219 added subsec. (c).

1966—Subsec. (a). Pub. L. 89–358, § 3(a)(7), (8), substituted ''under subchapter V of chapter 35 of this title'' for ''under subchapter V of this chapter'' in first sentence, and substituted ''chapters 34 and 35'' for ''this chapter'' twice in first sentence, and wherever appearing in second, third, and fourth sentences, and inserted ''or veteran'' after ''eligible person'', in first sentence.

Subsec. (b). Pub. L. 89–358, § 3(a)(7), substituted ''chapters 34 and 35'' for ''this chapter''.

EFFECTIVE DATE OF 1994 AMENDMENT

Section 605(b) of Pub. L. 103–446 provided that: ''The amendments made by subsection (a) [amending this section and sections 3675, 3680, and 3686 of this title] shall apply with respect to programs of education exclusively by correspondence and to correspondence-residence courses commencing more than 90 days after the date of the enactment of this Act [Nov. 2, 1994].''

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–466 effective Oct. 1, 1980, see section 802(e) of Pub. L. 96–466, set out as a note under section 4101 of this title.

§ 3673. Approval activities: cooperation and coordination of activities

(a) COOPERATION IN ACTIVITIES.—The Secretary and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Secretary and each State approving agency under the educational programs established under this chapter and chapters 34 and 35 of this title. To assure that such programs are effectively and efficiently administered, the cooperation of the Secretary and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions, and particular attention should be given to the enforcement of approval standards, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions in which eligible persons or veterans are enrolled under this chapter and chapters 34 and 35 of this title.

(b) COORDINATION OF ACTIVITIES.—The Secretary shall take appropriate actions to ensure the coordination of approval activities performed by State approving agencies under this chapter and chapters 34 and 35 of this title and approval activities performed by the Department of Labor, the Department of Education, and other entities in order to reduce overlap and improve efficiency in the performance of such activities.

(c) AVAILABILITY OF INFORMATION MATERIAL.—The Secretary will furnish the State approving agencies with copies of such Department of Veterans Affairs informational material as may aid them in carrying out chapters 34 and 35 of this title.