

(C) funds appropriated to the Department of Homeland Security,

in the same proportion as the Fund described in subclause (B) of this clause and the funds described in subclause (A) or (C) of this clause are used to pay the educational assistance allowance to the individual under this chapter.

(Added Pub. L. 98-525, title VII, §702(a)(1), Oct. 19, 1984, 98 Stat. 2562, §1435; amended Pub. L. 99-576, title III, §321(8), Oct. 28, 1986, 100 Stat. 3278; Pub. L. 100-689, title I, §107(a)(2), Nov. 18, 1988, 102 Stat. 4168; Pub. L. 101-237, title IV, §423(b)(1), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 101-510, div. A, title V, §561(b)(3), Nov. 5, 1990, 104 Stat. 1573; renumbered §3035 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102-484, div. D, title XLIV, §4404(b)(3), Oct. 23, 1992, 106 Stat. 2706; Pub. L. 103-446, title XII, §1201(d)(7), Nov. 2, 1994, 108 Stat. 4684; Pub. L. 104-275, title I, §106(c)(2), Oct. 9, 1996, 110 Stat. 3329; Pub. L. 107-296, title XVII, §1704(d), Nov. 25, 2002, 116 Stat. 2315; Pub. L. 107-314, div. A, title VI, §643(b), Dec. 2, 2002, 116 Stat. 2577; Pub. L. 107-330, title III, §308(c)(1), Dec. 6, 2002, 116 Stat. 2827.)

AMENDMENTS

2002—Subsec. (b)(1). Pub. L. 107-314, §643(b)(1), and Pub. L. 107-330, §308(c)(1)(A), amended par. (1) identically, substituting “paragraphs (2), (3), and (4),” for “paragraphs (2) and (3) of this subsection.”

Subsec. (b)(2). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (b)(4). Pub. L. 107-314, §643(b)(2), and Pub. L. 107-330, §308(c)(1)(B), amended subsec. (b) identically, adding par. (4).

Subsecs. (c) to (e). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” wherever appearing.

1996—Subsec. (b)(1). Pub. L. 104-275 inserted before period at end “and from transfers from the Post-Vietnam Era Veterans Education Account pursuant to section 3232(b)(2)(B) of this title”.

1994—Subsec. (b)(2). Pub. L. 103-446, §1201(d)(7)(A), substituted “section 3015(d)” for “section 3015(c)”.

Subsec. (b)(3)(C). Pub. L. 103-446, §1201(d)(7)(B), substituted “section 3015(f)” for “section 3015(e)”.

1992—Subsec. (b)(3). Pub. L. 102-484 inserted “or 3018B” in introductory provisions and “, 3018B(a)(1)(C), or 3018B(a)(2)(C)” in subpar. (B).

1991—Pub. L. 102-83, §5(a), renumbered section 1435 of this title as this section.

Subsec. (b)(2). Pub. L. 102-83, §5(c)(1), substituted “3015(c)” for “1415(c)” and “3015” for “1415”.

Subsec. (b)(3). Pub. L. 102-83, §5(c)(1), substituted “3018A” for “1418A” in introductory provisions, “3018A(a)(3)” for “1418A(a)(3)” in subpar. (B), and “3015(e)” for “1415(e)” and “3222(a)” for “1622(a)” in subpar. (C).

Subsec. (e). Pub. L. 102-83, §5(c)(1), substituted “3019” for “1419” in introductory provisions.

1990—Subsec. (b)(1). Pub. L. 101-510, §561(b)(3)(A), substituted “paragraphs (2) and (3)” for “paragraph (2)”.

Subsec. (b)(3). Pub. L. 101-510, §561(b)(3)(B), added par. (3).

1989—Subsecs. (a), (b)(1), (d), (e)(1), (2)(A). Pub. L. 101-237 substituted “Secretary” and “Department of Veterans Affairs” for “Administrator” and “Veterans Administration”, respectively, wherever appearing.

1988—Subsec. (e). Pub. L. 100-689 added subsec. (e).

1986—Subsec. (b)(2). Pub. L. 99-576 substituted “sub-section (a) or (b) of section 1415” for “section 1415(a)”.

EFFECTIVE DATE OF 2002 AMENDMENTS

Pub. L. 107-330, title III, §308(c)(2), Dec. 6, 2002, 116 Stat. 2828, provided that: “The amendments made by

this subsection [amending this section] shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107), to which such amendments relate.”

Pub. L. 107-314, div. A, title VI, §643(c)(2), Dec. 2, 2002, 116 Stat. 2578, provided that: “The amendments made by subsection (b) [amending this section] shall take effect as if made by section 654 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1153).”

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

§ 3036. Reporting requirement

(a) The Secretary of Defense and the Secretary shall submit to the Congress at least once every two years separate reports on the operation of the program provided for in this chapter.

(b) The Secretary of Defense shall include in each report submitted under this section—

(1) information indicating (A) the extent to which the benefit levels provided under this chapter are adequate to achieve the purposes of inducing individuals to enter and remain in the Armed Forces and of providing an adequate level of financial assistance to help meet the cost of pursuing a program of education, (B) whether it is necessary for the purposes of maintaining adequate levels of well-qualified active-duty personnel in the Armed Forces to continue to offer the opportunity for educational assistance under this chapter to individuals who have not yet entered active-duty service, and (C) describing the efforts under sections 3011(i) and 3012(g) of this title to inform members of the Armed Forces of the minimum service requirements for entitlement to educational assistance benefits under this chapter and the results from such efforts; and

(2) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary of Defense considers appropriate.

(c) The Secretary shall include in each report submitted under this section—

(1) information concerning the level of utilization of educational assistance and of expenditures under this chapter; and

(2) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary considers appropriate.

(d) No report shall be required under this section after January 1, 2011.

(Added Pub. L. 98-525, title VII, §702(a)(1), Oct. 19, 1984, 98 Stat. 2563, §1436; amended Pub. L. 101-237, title IV, §423(b)(1)(A), (4)(D), Dec. 18, 1989, 103 Stat. 2092; renumbered §3036, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 105-368, title II, §207(c), Nov. 11, 1998, 112 Stat. 3328; Pub. L. 106-419, title IV, §403(c)(4), Nov. 1, 2000, 114 Stat. 1864; Pub. L. 109-444, §4(b), Dec. 21, 2006, 120 Stat. 3308; Pub. L. 109-461, title III,

§ 305(b), title X, § 1006(b), Dec. 22, 2006, 120 Stat. 3428, 3468.)

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-461, § 1006(b), provided that as of the enactment of Pub. L. 109-461, the amendments made by Pub. L. 109-444 were deemed for all purposes not to have taken effect and that Pub. L. 109-444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109-461, set out as a Coordination of Provisions With Pub. L. 109-444 note under section 101 of this title.

Pub. L. 109-461, § 305(b), substituted “January 1, 2011” for “January 1, 2005”.

Pub. L. 109-444, which struck out subsec. (d), was terminated by Pub. L. 109-461, § 1006(b). See Amendment notes above.

2000—Subsec. (d). Pub. L. 106-419 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows:

“(d)(1) The first report by the Secretary of Defense under this section shall be submitted not later than January 1, 1986.

“(2) The first report by the Secretary under this section shall be submitted not later than January 1, 1988.”

1998—Subsec. (b)(1)(C). Pub. L. 105-368 added cl. (C).

1991—Pub. L. 102-83 renumbered section 1436 of this title as this section.

1989—Subsec. (a). Pub. L. 101-237, § 423(b)(1)(A), substituted “Secretary shall” for “Administrator shall”.

Subsec. (b). Pub. L. 101-237, § 423(b)(4)(D), inserted “of Defense” after “Secretary” in introductory provisions and par. (2).

Subsecs. (c), (d)(2). Pub. L. 101-237, § 423(b)(1)(A), substituted “Secretary” for “Administrator” wherever appearing.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-368, title II, § 207(d)(2), Nov. 11, 1998, 112 Stat. 3328, provided that: “The amendments made by subsection (c) [amending this section] shall apply with respect to reports to Congress submitted by the Secretary of Defense under section 3036 of title 38, United States Code, on or after January 1, 2000.”

CHAPTER 31—TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES

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AMENDMENTS

2008—Pub. L. 110-389, title III, § 334(b), Oct. 10, 2008, 122 Stat. 4173, added item 3122.

1991—Pub. L. 102-83, § 5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1500 to 1521 as 3100 to 3121, respectively.

1986—Pub. L. 99-576, title III, § 333(b)(7), Oct. 28, 1986, 100 Stat. 3279, substituted “Program” for “Pilot program” in item 1520.

1980—Pub. L. 96-466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2171, amended chapter generally, substituting in chapter heading “TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES” for “VOCATIONAL REHABILITATION”, in item 1504 “Scope of services and assistance” for “Subsistence allowances”, in item 1505 “Duration of rehabilitation programs” for “Leaves of absence”, in item 1506 “Initial and extended evaluations; determinations regarding serious employment handicap” for “Medical care of trainees”, in item 1507 “Individualized vocational rehabilitation plan” for “Loans to trainees”, in item 1508 “Allowances” for “Regulations to promote good conduct”, in item 1509 “Entitlement to independent living services and assistance” for “Books, supplies, and equipment”, in item 1510 “Leaves of absence” for “Vocational rehabilitation for hospitalized persons”, in item 1511 “Regulations to promote satisfactory conduct and cooperation” for “Training and training facilities”, and adding items 1500 and 1512 to 1521.

1965—Pub. L. 89-138, § 2(1), Aug. 26, 1965, 79 Stat. 578, struck out item 1502A, added item 1503, and redesignated former item 1503 as 1511.

1962—Pub. L. 87-591, § 2, Aug. 16, 1962, 76 Stat. 394, added item 1502A.

§ 3100. Purposes

The purposes of this chapter are to provide for all services and assistance necessary to enable veterans with service-connected disabilities to achieve maximum independence in daily living and, to the maximum extent feasible, to become employable and to obtain and maintain suitable employment.

(Added Pub. L. 96-466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2172, § 1500; renumbered § 3100, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1500 of this title as this section.

EFFECTIVE DATE

Section 802(a)(1)–(5) of Pub. L. 96-466 provided that:

“(a)(1) Except as provided in paragraph (2), the amendments made by subsections (a) and (b) of section 101 [enacting this chapter] shall become effective on April 1, 1981.

“(2) The provisions of sections 1508, 1512, 1516, 1518, 1519, 1520, and 1521 [now 3108, 3112, 3116, 3118, 3119, 3120, and 3121] of title 38, United States Code, as added by section 101(a), shall become effective on October 1, 1980.

“(3) Notwithstanding paragraph (2), the provisions of chapter 31 of title 38, United States Code, as in effect on the day before the date of the enactment of this Act [Oct. 17, 1980] (other than section 1504, relating to subsistence allowances, and section 1507, relating to loans [former sections 1504 and 1507 of this title, respectively]), shall continue in effect until March 31, 1981.

“(4) Effective on October 1, 1980, sections 1504 and 1507 [former sections 1504 and 1507 of this title] are repealed.