

allowances payable under this chapter and section 3687(b)(2) of this title for months beginning on or after that date, see section 302(e) of Pub. L. 108-183, set out as a note under section 3532 of this title.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by section 102(c) of Pub. L. 107-103 effective Jan. 1, 2002, and applicable with respect to educational assistance allowances payable under this chapter and section 3687(b)(2) of this title for months beginning on or after that date, see section 102(e) of Pub. L. 107-103, set out as a note under section 3532 of this title.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-419 effective Nov. 1, 2000, and applicable with respect to educational assistance allowances paid under this chapter for months after October 2000, see section 111(e) of Pub. L. 106-419, set out as a note under section 3532 of this title.

EFFECTIVE DATE OF 1998 AMENDMENTS

Title IX of Pub. L. 105-206 effective simultaneously with enactment of Pub. L. 105-178 and to be treated as included in Pub. L. 105-178 at time of enactment, see section 9016 of Pub. L. 105-206, set out as a note under section 101 of Title 23, Highways.

Amendment by Pub. L. 105-178 effective Oct. 1, 1998, and applicable with respect to educational assistance allowances paid for months after September 1998, see section 8210(e) of Pub. L. 105-178, set out as a note under section 3532 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by section 403(a)(10) of Pub. L. 101-237 effective Jan. 1, 1990, see section 403(c) of Pub. L. 101-237, set out as a note under section 3532 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-543 effective Oct. 1, 1984, see section 205 of Pub. L. 98-543, set out as a note under section 3108 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by sections 202(2) and 212(c) of Pub. L. 96-466 effective Oct. 1, 1980, and Jan. 1, 1981, respectively, see section 802(b) of Pub. L. 96-466, set out as a note under section 3482 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-202 effective retroactively to Oct. 1, 1977, see section 501 of Pub. L. 95-202, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-502 effective Oct. 1, 1976, see section 703(a) of Pub. L. 94-502, set out as an Effective Date note under section 3693 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Amendment by Pub. L. 93-602 effective Jan. 1, 1975, see section 206 of Pub. L. 93-602, set out as a note under section 3482 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-508 effective Sept. 1, 1974, see section 501 of Pub. L. 93-508, set out as a note under section 3482 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-540 effective Oct. 1, 1972, except for those veterans and eligible persons in training on Oct. 24, 1972, see section 601(a) of Pub. L. 92-540, set out as a note under section 3482 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-219 effective Feb. 1, 1970, see section 301 of Pub. L. 91-219, set out as a note under section 3482 of this title.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-222 effective first day of second calendar month following September 30, 1965, see section 4 of Pub. L. 89-222, set out as a note under section 3532 of this title.

§ 3543. Special administrative provisions

(a) In carrying out the Secretary's responsibilities under this chapter the Secretary may by agreement arrange with public or private educational institutions or others to provide training arrangements as may be suitable and necessary to accomplish the purposes of this subchapter. In any instance where the Secretary finds that a customary tuition charge is not applicable, the Secretary may agree on the fair and reasonable amounts which may be charged for the training provided to the eligible person.

(b) The Secretary shall make such rules and regulations as the Secretary may deem necessary in order to promote good conduct on the part of the persons who are following courses of special restorative training and otherwise to carry out the purposes of this chapter.

(c) In a case in which the Secretary authorizes training under section 3541(a) of this title on behalf of an eligible person, the parent or guardian shall be entitled—

(1) to receive on behalf of the eligible person the special training allowance provided for under section 3542(a) of this title;

(2) to elect an increase in the basic monthly allowance provided for under such section; and

(3) to agree with the Secretary on the fair and reasonable amounts which may be charged under subsection (a).

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1200, § 1743; Pub. L. 94-502, title III, § 310(22), Oct. 15, 1976, 90 Stat. 2392; Pub. L. 101-237, title IV, § 423(b)(1)(A), (2), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3543, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406; amended Pub. L. 107-103, title I, § 109(b)(3), (4), Dec. 27, 2001, 115 Stat. 986.)

AMENDMENTS

2001—Subsec. (a). Pub. L. 107-103, § 109(b)(3), substituted “for the training provided to the eligible person” for “the parent or guardian for the training provided to an eligible person” in last sentence.

Subsec. (c). Pub. L. 107-103, § 109(b)(4), added subsec. (c).

1991—Pub. L. 102-83 renumbered section 1743 of this title as this section.

1989—Pub. L. 101-237 substituted “Secretary's” for “Administrator's” in subsec. (a) and “Secretary” for “Administrator” wherever appearing in subsecs. (a) and (b).

1976—Subsec. (a). Pub. L. 94-502 substituted “the Administrator's” for “his” and “the Administrator may agree” for “he may agree”.

Subsec. (b). Pub. L. 94-502 substituted “the Administrator may deem” for “he may deem”.

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.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

§ 3561. Authority and duties of Secretary

(a) The Secretary may provide the educational and vocational counseling authorized under sec-

tion 3520 of this title, and may provide additional counseling if the Secretary deems it to be necessary to accomplish the purposes of this chapter.

(b) Where any provision of this chapter authorizes or requires any function, power, or duty to be exercised by a State, or by any officer or agency thereof, such function, power, or duty shall, with respect to the Republic of the Philippines, be exercised by the Secretary.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1200, §1761; Pub. L. 89-358, §3(a)(1), Mar. 3, 1966, 80 Stat. 19; Pub. L. 94-502, title III, §310(23), Oct. 15, 1976, 90 Stat. 2392; Pub. L. 96-466, title III, §323(b), Oct. 17, 1980, 94 Stat. 2196; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3561 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 1761 of this title as this section.

Subsec. (a). Pub. L. 102-83, §5(c)(1), substituted “3520” for “1720”.

1989—Pub. L. 101-237 substituted “Secretary” for “Administrator” wherever appearing.

1980—Subsec. (a). Pub. L. 96-466 substituted “authorized” for “required” and “may provide additional counseling” for “may provide or require additional counseling”.

1976—Subsec. (a). Pub. L. 94-502 substituted “if the Administrator deems” for “if he deems”.

1966—Subsec. (a). Pub. L. 89-358 redesignated subsec. (b) as (a) and struck out provisions of former subsec. (a) for audit and review of payments by the GAO as provided by Budget and Accounting Act of 1921 and Budget and Accounting Procedures Act of 1950.

Subsec. (b). Pub. L. 89-358 redesignated subsec. (d) as (b). Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 89-358 struck out subsec. (c) which provided for use of other Federal agencies. See now, section 1790 of this title.

Subsec. (d). Pub. L. 89-358 redesignated subsec. (d) as (b).

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.

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.

§ 3562. Nonduplication of benefits

The commencement of a program of education or special restorative training under this chapter shall be a bar (1) to subsequent payments of compensation, dependency and indemnity compensation, or pension based on the death of a parent to an eligible person over the age of eighteen by reason of pursuing a course in an educational institution, or (2) to increased rates, or additional amounts, of compensation, dependency and indemnity compensation, or pension because of such a person whether eligibility is based upon the death or upon the total permanent disability of the parent.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1201, §1762; Pub. L. 88-361, §4, July 7, 1964, 78 Stat. 298; Pub. L. 89-358, §3(a)(2), Mar. 3, 1966, 80 Stat. 20; re-

numbered §3562, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1762 of this title as this section.

1966—Pub. L. 89-358 redesignated former subsec. (a) as the entire section and deleted former subsec. (b) which prohibited payment of educational assistance allowance or special training allowance on behalf of any eligible person for any period paid for under other provision of law where the payment would constitute a duplication of benefits and which is now incorporated in section 1781 of this title.

1964—Subsec. (a). Pub. L. 88-361 inserted “whether eligibility is based upon the death or upon the total permanent disability of the parent”.

§ 3563. Notification of eligibility

The Secretary shall notify the parent or guardian of each eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title of the educational assistance available to such person under this chapter. Such notification shall be provided not later than the month in which such eligible person attains such person's thirteenth birthday or as soon thereafter as feasible.

(Added Pub. L. 91-219, title II, §207(a), Mar. 26, 1970, 84 Stat. 82, §1763; amended Pub. L. 94-502, title III, §310(24), Oct. 15, 1976, 90 Stat. 2392; Pub. L. 97-295, §4(46), Oct. 12, 1982, 96 Stat. 1308; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3563 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 109-444, §3(b)(5), Dec. 21, 2006, 120 Stat. 3307; Pub. L. 109-461, title III, §301(b)(5), title X, §1006(b), Dec. 22, 2006, 120 Stat. 3427, 3468.)

AMENDMENTS

2006—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, §301(b)(5), substituted “each eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title” for “each eligible person defined in section 3501(a)(1)(A) of this title”.

Pub. L. 109-444, which substituted “each eligible person whose eligibility is based on the death or disability of a parent or on a parent being listed in one of the categories referred to in section 3501(a)(1)(C) of this title” for “each eligible person defined in section 3501(a)(1)(A) of this title”, was terminated by Pub. L. 109-461, §1006(b). See Amendment notes above.

1991—Pub. L. 102-83 renumbered section 1763 of this title as this section and substituted “3501(a)(1)(A)” for “1701(a)(1)(A)”.

1989—Pub. L. 101-237 substituted “Secretary” for “Administrator”.

1982—Pub. L. 97-295 substituted “of this title” for “of this chapter”.

1976—Pub. L. 94-502 substituted “such person's” for “his”.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 301(b)(5) of Pub. L. 109-461 applicable with respect to a payment of educational as-