

title I, § 111(a)–(d), title II, § 202(a), Jan. 4, 2011, 124 Stat. 4120, 4121, 4124.)

REFERENCES IN TEXT

The Hostage Relief Act of 1980, referred to in subsecs. (a) and (d), is Pub. L. 96–449, Oct. 14, 1980, 94 Stat. 1967, which was formerly set out as a note under section 5561 of Title 5, Government Organization and Employees.

Section 5003(c) of the Post-9/11 Veterans Educational Assistance Act of 2008, referred to in subsec. (d), is section 5003(c) of Pub. L. 110–252, which is set out as a note under section 3301 of this title.

AMENDMENTS

2011—Subsec. (a). Pub. L. 111–377, § 202(a), inserted “or section 510” after “or 1607”.

Subsec. (e). Pub. L. 111–377, § 111(a), added subsec. (e).
Subsec. (f). Pub. L. 111–377, § 111(b), added subsec. (f).
Subsec. (g). Pub. L. 111–377, § 111(c), added subsec. (g).
Subsec. (h). Pub. L. 111–377, § 111(d), added subsec. (h).

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111–377, title I, § 111(e), Jan. 4, 2011, 124 Stat. 4121, provided that: “The amendments made by this section [amending this section] shall take effect on August 1, 2011.”

Pub. L. 111–377, title II, § 202(c), Jan. 4, 2011, 124 Stat. 4124, provided that: “The amendments made by this section [amending this section and section 3681 of this title] shall take effect on August 1, 2011.”

§ 3323. Administration

(a) IN GENERAL.—

(1) IN GENERAL.—Except as otherwise provided in this chapter, the provisions specified in sections 3034(a)(1) and 3680(c) shall apply to the provision of educational assistance under this chapter.

(2) SPECIAL RULE.—In applying the provisions referred to in paragraph (1) to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such provisions to the term “eligible veteran” shall be deemed to refer to an individual entitled to educational assistance under this chapter.

(3) RULE FOR APPLYING SECTION 3474.—In applying section 3474 to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such section 3474 to the term “educational assistance allowance” shall be deemed to refer to educational assistance payable under section 3313.

(4) RULE FOR APPLYING SECTION 3482.—In applying section 3482(g) to an individual entitled to educational assistance under this chapter for purposes of this section—

(A) the first reference to the term “educational assistance allowance” in such section 3482(g) shall be deemed to refer to educational assistance payable under section 3313; and

(B) the first sentence of paragraph (1) of such section 3482(g) shall be applied as if such sentence ended with “equipment”.

(b) INFORMATION ON BENEFITS.—

(1) TIMING FOR PROVIDING.—The Secretary shall provide the information described in paragraph (2) to each member of the Armed Forces at such times as the Secretary and the Secretary of Defense shall jointly prescribe in regulations.

(2) DESCRIPTION OF INFORMATION.—The information described in this paragraph is information on benefits, limitations, procedures, eligibility requirements (including time-in-service requirements), and other important aspects of educational assistance under this chapter, including application forms for such assistance under section 5102.

(3) TO WHOM PROVIDED.—The Secretary of Veterans Affairs shall furnish the information and forms described in paragraph (2), and other educational materials on educational assistance under this chapter, to educational institutions, training establishments, military education personnel, and such other persons and entities as the Secretary considers appropriate.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall prescribe regulations for the administration of this chapter.

(2) UNIFORMITY.—Any regulations prescribed by the Secretary of Defense for purposes of this chapter shall apply uniformly across the Armed Forces.

(Added Pub. L. 110–252, title V, § 5003(a)(1), June 30, 2008, 122 Stat. 2374; amended Pub. L. 111–377, title I, § 112(c), Jan. 4, 2011, 124 Stat. 4122.)

AMENDMENTS

2011—Subsec. (a). Pub. L. 111–377 substituted “sections 3034(a)(1) and 3680(c)” for “section 3034(a)(1)”.

§ 3324. Allocation of administration and costs

(a) ADMINISTRATION.—Except as otherwise provided in this chapter, the Secretary shall administer the provision of educational assistance under this chapter.

(b) COSTS.—Payments for entitlement to educational assistance earned under this chapter shall be made from funds appropriated to, or otherwise made available to, the Department for the payment of readjustment benefits.

(Added Pub. L. 110–252, title V, § 5003(a)(1), June 30, 2008, 122 Stat. 2375.)

CHAPTER 34—VETERANS’ EDUCATIONAL ASSISTANCE

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AMENDMENTS

1992—Pub. L. 102-568, title III, §313(a)(3)(B), Oct. 29, 1992, 106 Stat. 4332, struck out item 3473 “Disapproval of enrollment in certain courses”.

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1651 to 1693 as 3451 to 3493, respectively.

Pub. L. 102-16, §2(b)(1)(B), Mar. 22, 1991, 105 Stat. 49, struck out item 1663 “Educational and vocational counseling”.

1989—Pub. L. 101-237, title IV, §405(d)(4)(B), Dec. 18, 1989, 103 Stat. 2082, substituted “Work-study allowance” for “Veteran-student services” in item 1685.

1988—Pub. L. 100-689, title I, §§107(c)(2)(B), 124(c)(1), Nov. 18, 1988, 102 Stat. 4169, 4175, substituted “Tutorial assistance” for “Special supplementary assistance” in item 1692 and struck out items 1682A “Accelerated payment of educational assistance allowances” and 1686 “Education loans”.

1981—Pub. L. 97-35, title XX, §2003(b)(3)(B), Aug. 13, 1981, 95 Stat. 782, struck out item 1677 “Flight training”.

1980—Pub. L. 96-466, title VI, §601(a)(2), Oct. 17, 1980, 94 Stat. 2208, struck out “SUBCHAPTER VI—PRE-DISCHARGE EDUCATION PROGRAM” heading and items 1695 “Purpose; definition”, 1696 “Payment of educational assistance allowance”, 1697 “Educational and vocational guidance”, and 1698 “Coordination with and participation by Department of Defense”.

1977—Pub. L. 95-202, title II, §201(c)(1), Nov. 23, 1977, 91 Stat. 1438, added item 1682A.

1976—Pub. L. 94-502, title II, §210(4), Oct. 15, 1976, 90 Stat. 2388, renumbered item 1697A as 1698.

1974—Pub. L. 93-508, title III, §302(b), Dec. 3, 1974, 88 Stat. 1591, added item 1686.

1972—Pub. L. 92-540, title IV, §404(a), Oct. 24, 1972, 86 Stat. 1090, inserted in Subchapter IV heading “VETERAN-STUDENT SERVICES”, and substituted in item 1683 “Approval of courses” for “Apprenticeship or other on-job training”; in item 1684 “Apprenticeship or other on-job training; correspondence courses” for “Measurement of courses”, and in item 1685 “Veteran-student services” for “Overcharges by educational institutions”, struck out item 1672 “Change of program”, item 1675 “Period of operation for approval”, item 1686 “Approval of courses”, and item 1687 “Discontinuance of allowances”, and added item 1697A.

1970—Pub. L. 91-219, title II, §204(b), Mar. 26, 1970, 84 Stat. 81, struck out item 1678 “Special training for the educationally disadvantaged” and added subchapters V and VI.

1967—Pub. L. 90-77, title III, §§302(c), 304(b), 306(b)(1), Aug. 31, 1967, 81 Stat. 185, 186, 188, added items 1677, 1678, and 1683, and renumbered former items 1683 to 1686 as 1684 to 1687, respectively.

1966—Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 12, added “CHAPTER 34—VETERANS' EDUCATIONAL ASSISTANCE”.

SUBCHAPTER I—PURPOSE—DEFINITIONS

§ 3451. Purpose

The Congress of the United States hereby declares that the education program created by this chapter is for the purpose of (1) enhancing

and making more attractive service in the Armed Forces of the United States, (2) extending the benefits of a higher education to qualified and deserving young persons who might not otherwise be able to afford such an education, (3) providing vocational readjustment and restoring lost educational opportunities to those service men and women whose careers have been interrupted or impeded by reason of active duty after January 31, 1955, and (4) aiding such persons in attaining the vocational and educational status which they might normally have aspired to and obtained had they not served their country.

(Added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 12, §1651; renumbered §3451, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

PRIOR PROVISIONS

Provisions similar to those comprising clauses (3) and (4) of this section were contained in Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1175, which was classified to former section 1601(c) of this title, prior to repeal by section 4(a) of Pub. L. 89-358.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1651 of this title as this section.

EFFECTIVE DATE

Section 12(a) of Pub. L. 89-358 provided that: “Except as otherwise specifically provided, the provisions of this Act [see Tables for classification] shall take effect on the date of its enactment [Mar. 3, 1966], but no educational assistance allowance shall be payable under chapter 34 of title 38, United States Code, as added by section 2 of this Act, for any period before June 1, 1966, nor for the month of June 1966, unless (1) the eligible veteran commenced the pursuit of the course of education on or after June 1, 1966, or (2) the pursuit of such course continued through June 30, 1966.”

SAVINGS PROVISION

Section 4(b) of Pub. L. 89-358 provided that: “Nothing in this Act or any amendment or repeal made by it [see Tables for classification], shall affect any right or liability (civil or criminal) which matured under chapter 33 of this title 38 before the date of enactment of this Act [Mar. 3, 1966]: and all offenses committed, and all penalties and forfeitures incurred, under any provision of law amended or repealed by this Act, may be punished or recovered, as the case may be, in the same manner and with the same effect as if such amendments or repeals had not been made.”

§ 3452. Definitions

For the purposes of this chapter and chapter 36 of this title—

(a)(1) The term “eligible veteran” means any veteran who—

(A) served on active duty for a period of more than 180 days, any part of which occurred after January 31, 1955, and before January 1, 1977, and was discharged or released therefrom under conditions other than dishonorable;

(B) contracted with the Armed Forces and was enlisted in or assigned to a reserve component prior to January 1, 1977, and as a result of such enlistment or assignment served on active duty for a period of more than 180 days, any part of which commenced within 12 months after January 1, 1977, and was dis-