

Subsec. (c). Pub. L. 97-295, §4(39)(B), substituted "June 1, 1966" for "the date for which an educational assistance allowance is first payable under this chapter", "August 31, 1967," for "the date of enactment of this sentence" after "active duty before", and "August 31, 1967" for "the date of enactment of this sentence" after "shall run from".

1981—Subsec. (a)(3). Pub. L. 97-72 added par. (3).

Subsec. (c). Pub. L. 97-35 struck out provisions relating to applicability to flight training.

1980—Subsec. (a)(1). Pub. L. 96-466 inserted "made within one year after (A) the last date of the delimiting period otherwise applicable under this section, (B) the termination of the period of such mental or physical disability, or (C) the effective date of the Veterans' Rehabilitation and Education Amendments of 1980, whichever is the latest" after "application", inserted "so" after "that such veteran was"; and inserted provision relating to the running of the delimiting period when an extension of the applicable delimiting period is granted a veteran.

1977—Subsec. (a). Pub. L. 95-202 designated existing provisions as par. (1), added par. (2), and inserted "except that, in the case of any eligible veteran who was prevented from initiating or completing such veteran's chosen program of education within such time period because of a physical or mental disability which was not the result of such veteran's own willful misconduct, such veteran shall, upon application, be granted an extension of the applicable delimiting period for such length of time as the Administrator determines, from the evidence, that such veteran was prevented from initiating or completing such program of education" after "active duty after January 31, 1955" in par. (1) as so redesignated.

1976—Subsec. (a). Pub. L. 94-502, §211(3), substituted "the veteran's" for "his".

Subsecs. (b), (d). Pub. L. 94-502, §211(3), substituted "the veteran's" for "his" and "the veteran" for "he", wherever appearing.

Subsec. (e). Pub. L. 94-502, §403(b), added subsec. (e).

1974—Subsec. (a). Pub. L. 93-337, §1(1), substituted "10" for "eight".

Subsec. (b). Pub. L. 93-337, §1(2), substituted "10-year" for "8-year".

Subsec. (c). Pub. L. 93-337, §1(3), substituted "10-year" for "8-year" and "eight year," respectively.

Subsec. (d). Pub. L. 93-337, §1(4), added subsec. (d).

1967—Subsec. (c). Pub. L. 90-77 inserted second sentence respecting commencement of the delimiting period in the case of an eligible veteran discharged from active duty and pursuing training on the job or flight training.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-183, title III, §306(h)(1), Dec. 16, 2003, 117 Stat. 2661, provided that: "The amendments made by subsection (d) [amending this section] shall take effect on the date of the enactment of this Act [Dec. 16, 2003]."

#### EFFECTIVE DATE OF 1982 AMENDMENT

Pub. L. 97-306, title II, §206(c), Oct. 14, 1982, 96 Stat. 1435, provided that: "The amendments made by subsection (a) [amending this section] shall take effect as of January 1, 1982."

#### EFFECTIVE DATE OF 1981 AMENDMENTS

Pub. L. 97-72, title II, §201(b), Nov. 3, 1981, 95 Stat. 1054, provided that: "The amendment made by subsection (a) [amending this section] shall take effect on January 1, 1982."

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, except as otherwise provided, see section 2006 of Pub. L. 97-35, set out as a note under section 3231 of this title.

#### 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 1977 AMENDMENT

Amendment by Pub. L. 95-202 effective retroactively to May 31, 1976, 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 section 211(3) of 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.

Amendment by section 403(b) of Pub. L. 94-502 effective Jan. 1, 1977, see section 406 of Pub. L. 94-502, set out as an Effective Date note under section 3201 of this title.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-77 effective first day of first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90-77, set out as a note under section 101 of this title.

#### PROPOSAL OF REGULATIONS

Pub. L. 97-306, title II, §206(b), Oct. 14, 1982, 96 Stat. 1435, directed Administrator of Veterans' Affairs to publish, not later than 30 days after Oct. 14, 1982, proposed regulations under subsec. (a)(3)(C)(i) of this section and to publish, not later than 90 days after Oct. 14, 1982, final regulations under subsec. (a)(3)(C)(i).

#### EXTENSION OF TIME FOR PURSUIT OF EDUCATIONAL PROGRAMS

Pub. L. 93-293, May 31, 1974, 88 Stat. 176, provided that the eight-year delimiting date for pursuit of educational programs under this chapter for eligible veterans discharged or released from active duty between Jan. 31, 1955, and Sept. 1, 1966, with certain exceptions, was to run from July 1, 1966.

#### [§ 3463. Vacant]

#### CODIFICATION

Prior to renumbering of sections 1651 to 1693 of this chapter as sections 3451 to 3493 by Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406, section 1663 of this chapter, added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 15; and amended Pub. L. 94-502, title II, §211(4), Oct. 15, 1976, 90 Stat. 2388; Pub. L. 95-202, title III, §302(a), Nov. 23, 1977, 91 Stat. 1440; Pub. L. 99-576, title III, §312, Oct. 28, 1986, 100 Stat. 3273; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092, which related to educational and vocational counseling, was repealed by Pub. L. 102-16, §2(b)(1)(A), Mar. 22, 1991, 105 Stat. 49.

### SUBCHAPTER III—ENROLLMENT

#### § 3470. Selection of program

Subject to the provisions of this chapter, each eligible veteran may select a program of education to assist the veteran in attaining an educational, professional, or vocational objective at any educational institution (approved in accordance with chapter 36 of this title) selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which such institution finds the veteran qualified to undertake or pursue.

(Added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 15, §1670; amended Pub. L. 94-502, title II, §211(5), Oct. 15, 1976, 90 Stat. 2388; renumbered §3470, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

#### PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in Pub. L. 85-857, Sept. 2, 1958, 72 Stat.

1177, which was classified to section 1620 (first sentence) of this title, prior to repeal by section 4(a) of Pub. L. 89-358.

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1670 of this title as this section.

1976—Pub. L. 94-502 substituted “the veteran” for “him” wherever appearing.

#### 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.

### § 3471. Applications; approval

Any eligible veteran, or any person on active duty (after consultation with the appropriate service education officer), who desires to initiate a program of education under this chapter shall submit an application to the Secretary which shall be in such form, and contain such information, as the Secretary shall prescribe. The Secretary shall approve such application unless the Secretary finds that (1) such veteran or person is not eligible for or entitled to the educational assistance for which application is made, (2) the veteran's or person's selected educational institution or training establishment fails to meet any requirement of this chapter or chapter 36 of this title, (3) the veteran's or person's enrollment in, or pursuit of, the program of education selected would violate any provision of this chapter or chapter 36 of this title, or (4) the veteran or person is already qualified, by reason of previous education or training, for the educational, professional, or vocational objective for which the program of education is offered. The Secretary shall not treat a person as already qualified for the objective of a program of education offered by a qualified provider of entrepreneurship courses solely because such person is the owner or operator of a business. The Secretary shall notify the veteran or person of the approval or disapproval of the veteran's or person's application.

(Added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 15, §1671; amended Pub. L. 92-540, title III, §302, Oct. 24, 1972, 86 Stat. 1080; Pub. L. 94-502, title II, §21(6), Oct. 15, 1976, 90 Stat. 2388; Pub. L. 96-466, title III, §302, Oct. 17, 1980, 94 Stat. 2192; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3471, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 108-183, title III, §305(b), Dec. 16, 2003, 117 Stat. 2660.)

#### PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1177, which was classified to section 1621 of this title, prior to repeal by section 4(a) of Pub. L. 89-358.

#### AMENDMENTS

2003—Pub. L. 108-183 inserted before last sentence “The Secretary shall not treat a person as already qualified for the objective of a program of education offered by a qualified provider of entrepreneurship courses solely because such person is the owner or operator of a business.”

1991—Pub. L. 102-83 renumbered section 1671 of this title as this section.

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

1980—Pub. L. 96-466, among other changes, substituted reference to the veteran's or person's selected educational institution or training establishment failing to meet any requirement of this chapter or chapter 36 of this title for reference to the veteran's or person's program of education failing to meet any of the requirements of this chapter, inserted provision for disapproval of an application upon a finding that the veteran's or person's enrollment in, or pursuit of, the program of education selected would violate this chapter or chapter 36 of this title, and substituted reference to the veteran or person being already qualified, by reason of previous education or training, for the educational, professional, or vocational objective for which the program of education is offered for reference simply to the veteran or person being already qualified.

1976—Pub. L. 94-502 substituted “unless the Administrator finds” for “unless he finds”, “the veteran or person” for “he”, and “the veteran's or person's” for “his” in two places.

1972—Pub. L. 92-540 inserted provision authorizing any person on active duty, after consultation with the appropriate service education officer, to submit an application to the Administrator.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-183 applicable to courses approved by State approving agencies after Dec. 16, 2003, see section 305(f) of Pub. L. 108-183, set out as a note under section 3452 of this title.

#### 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.

### § 3472. Vacant

#### CODIFICATION

Prior to renumbering of sections 1651 to 1693 of this chapter as sections 3451 to 3493 by Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406, section 1672 of this chapter, added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 15, which related to change of program by veteran, was repealed by Pub. L. 92-540, title IV, §401(6), Oct. 24, 1972, 86 Stat. 1090.

### § 3473. Repealed. Pub. L. 102-568, title III, § 313(a)(3)(A), Oct. 29, 1992, 106 Stat. 4332

Section, added Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 16, §1673; amended Pub. L. 90-77, title III, §§302(a), 303(a), Aug. 31, 1967, 81 Stat. 185; Pub. L. 91-219, title II, §202, Mar. 26, 1970, 84 Stat. 78; Pub. L. 92-540, title IV, §401(2), Oct. 24, 1972, 86 Stat. 1090; Pub. L. 93-508, title II, §203, Dec. 3, 1974, 88 Stat. 1582; Pub. L. 94-502, title II, §§205, 211(7), Oct. 15, 1976, 90 Stat. 2387, 2388; Pub. L. 95-202, title III, §305(a)(2), Nov. 23, 1977, 91 Stat. 1443; Pub. L. 96-466, title III, §§303-305, Oct. 17, 1980, 94 Stat. 2192, 2193; Pub. L. 97-35, title XX, §2003(b)(2), Aug. 13, 1981, 95 Stat. 782; Pub. L. 97-295, §4(40), Oct. 12, 1982, 96 Stat. 1308; Pub. L. 97-306, title II, §§202(a), 203(a), Oct. 14, 1982, 96 Stat. 1433; Pub. L. 98-525, title VII, §703(b), Oct. 19, 1984, 98 Stat. 2564; Pub. L. 100-689, title I, §111(a)(9), Nov. 18, 1988, 102 Stat. 4172; Pub. L. 101-237, title IV, §423(b)(1), Dec. 18, 1989, 103 Stat. 2092; renumbered §3473 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406, related to disapproval of enrollment in certain courses.

#### SAVINGS PROVISION

Repeal not applicable to any person receiving educational assistance for pursuit of an independent study