

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-466 effective Oct. 1, 1980, see section 802(h) 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 Nov. 23, 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. 15, 1976, see section 703(b) of Pub. L. 94-502, set out as an Effective Date note under section 3693 of this title.

**§ 3691. Change of program**

(a) Except as provided in subsections (b) and (c) of this section, each eligible veteran and eligible person may make not more than one change of program of education, but an eligible veteran or eligible person whose program has been interrupted or discontinued due to the veteran's or person's own misconduct, the veteran's or person's own neglect, or the veteran's or person's own lack of application shall not be entitled to any such change.

(b) The Secretary, in accordance with procedures that the Secretary may establish, may approve a change other than a change under subsection (a) of this section (or an initial change in the case of a veteran or person not eligible to make a change under subsection (a)) in program if the Secretary finds that—

(1) the program of education which the eligible veteran or eligible person proposes to pursue is suitable to the veteran's or person's aptitudes, interests, and abilities; and

(2) in any instance where the eligible veteran or eligible person has interrupted, or failed to progress in, the veteran's or person's program due to the veteran's or person's own misconduct, the veteran's or person's own neglect, or the veteran's or person's own lack of application, there exists a reasonable likelihood with respect to the program which the eligible veteran or eligible person proposes to pursue that there will not be a recurrence of such an interruption or failure to progress.

(c) The Secretary may also approve additional changes in program if the Secretary finds such changes are necessitated by circumstances beyond the control of the eligible veteran or eligible person.

(d)(1) For the purposes of this section, the term "change of program of education" shall not be deemed to include a change by a veteran or eligible person from the pursuit of one program to the pursuit of another program if—

(A) the veteran or eligible person has successfully completed the former program;

(B) the program leads to a vocational, educational, or professional objective in the same general field as the former program;

(C) the former program is a prerequisite to, or generally required for, pursuit of the subsequent program;

(D) in the case of a change from the pursuit of a subsequent program to the pursuit of a former program, the veteran or eligible person resumes pursuit of the former program without loss of credit or standing in the former program; or

(E) the change from the program to another program is at the same educational institution and such educational institution determines that the new program is suitable to the aptitudes, interests, and abilities of the veteran or eligible person and certifies to the Secretary the enrollment of the veteran or eligible person in the new program.

(2) A veteran or eligible person undergoing a change from one program of education to another program of education as described in paragraph (1)(E) shall not be required to apply to the Secretary for approval of such change.

(Added Pub. L. 92-540, title III, §316(2), Oct. 24, 1972, 86 Stat. 1089, §1791; amended Pub. L. 94-502, title V, §513(a)(20), Oct. 15, 1976, 90 Stat. 2403; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 101-366, title II, §208(a), Aug. 15, 1990, 104 Stat. 443; renumbered §3691, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 102-568, title III, §317, Oct. 29, 1992, 106 Stat. 4334; Pub. L. 110-389, title III, §324, Oct. 10, 2008, 122 Stat. 4168.)

## PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in former section 1672, as added by Pub. L. 89-358, §2, Mar. 3, 1966, 80 Stat. 15; and former section 1722, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1196, prior to repeal by sections 401(6) and 402(2) of Pub. L. 92-540, respectively.

## AMENDMENTS

2008—Subsec. (d). Pub. L. 110-389 designated existing provisions as par. (1), redesignated former pars. (1) to (4) as subpars. (A) to (D) of par. (1), respectively, and added subpar. (E) of par. (1) and par. (2).

1992—Subsec. (d). Pub. L. 102-568 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "As used in this section the term 'change of program of education' shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second."

1991—Pub. L. 102-83 renumbered section 1791 of this title as this section.

1990—Subsec. (b). Pub. L. 101-366 substituted "The Secretary, in accordance with procedures that the Secretary may establish, may approve a change other than a change under subsection (a) of this section" for "The Secretary may approve one additional change".

1989—Subsecs. (b), (c). Pub. L. 101-237 substituted "Secretary" for "Administrator" wherever appearing.

1976—Subsec. (a). Pub. L. 94-502 substituted "the veteran's or person's" for "his" in three places.

Subsec. (b). Pub. L. 94-502 substituted "if the Administrator finds" for "if he finds" and "the veteran's or person's" for "his" wherever appearing.

Subsec. (c). Pub. L. 94-502 substituted "if the Administrator finds" for "if he finds".

## EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-366, title II, §208(b), Aug. 15, 1990, 104 Stat. 443, provided that: "The amendment made by subsection (a) [amending this section] shall take effect on June 1, 1991."

## 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.

**§ 3692. Advisory committee**

(a) There shall be a Veterans' Advisory Committee on Education formed by the Secretary

which shall be composed of persons who are eminent in their respective fields of education, labor, and management and of representatives of institutions and establishments furnishing education to eligible veterans or persons enrolled under chapter 30, 32, 33, or 35 of this title and chapter 1606 of title 10. The committee shall also, to the maximum extent practicable, include a representative sample of veterans and other individuals who have used, or may in the future use, educational assistance benefits administered by the Secretary. The Assistant Secretary of Education for Postsecondary Education (or such other comparable official of the Department of Education as the Secretary of Education may designate) and the Assistant Secretary of Labor for Veterans' Employment and Training shall be ex officio members of the advisory committee.

(b) The Secretary shall consult with and seek the advice of the committee from time to time with respect to the administration of this chapter, chapters 30, 32, 33, and 35 of this title, and chapter 1606 of title 10. The committee may make such reports and recommendations as it considers desirable to the Secretary and the Congress.

(c) The committee shall remain in existence until December 31, 2022.

(Added Pub. L. 89-358, §3(b), Mar. 3, 1966, 80 Stat. 23, §1788; renumbered §1792 and amended Pub. L. 92-540, title III, §316(2), (3), Oct. 24, 1972, 86 Stat. 1086, 1089; Pub. L. 96-466, title III, §346, Oct. 17, 1980, 94 Stat. 2200; Pub. L. 99-576, title III, §304, Oct. 28, 1986, 100 Stat. 3269; Pub. L. 100-689, title I, §123, Nov. 18, 1988, 102 Stat. 4174; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 102-25, title III, §338, Apr. 6, 1991, 105 Stat. 91; Pub. L. 102-54, §14(c)(7), June 13, 1991, 105 Stat. 285; renumbered §3692, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103-210, §2(d), Dec. 20, 1993, 107 Stat. 2497; Pub. L. 103-446, title VI, §608, Nov. 2, 1994, 108 Stat. 4672; Pub. L. 108-183, title III, §307, Dec. 16, 2003, 117 Stat. 2661; Pub. L. 110-252, title V, §5003(b)(2)(A)(v), June 30, 2008, 122 Stat. 2375; Pub. L. 111-275, title I, §102, Oct. 13, 2010, 124 Stat. 2866; Pub. L. 113-59, §12, Dec. 20, 2013, 127 Stat. 663; Pub. L. 113-175, title III, §301, Sept. 26, 2014, 128 Stat. 1904; Pub. L. 114-58, title II, §201, Sept. 30, 2015, 129 Stat. 533; Pub. L. 114-228, title II, §201, Sept. 29, 2016, 130 Stat. 938; Pub. L. 114-315, title IV, §413, Dec. 16, 2016, 130 Stat. 1562; Pub. L. 115-48, title III, §306, Aug. 16, 2017, 131 Stat. 993.)

#### PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1190, which was classified to former section 1662 of this title, prior to repeal by section 4(a) of Pub. L. 89-358.

#### AMENDMENTS

2017—Subsec. (c). Pub. L. 115-48 substituted “December 31, 2022” for “December 31, 2017”.

2016—Subsec. (a). Pub. L. 114-315 substituted “a representative sample of veterans and other individuals who have used, or may in the future use, educational assistance benefits administered by the Secretary.” for “veterans representative of World War II, the Korean conflict era, the post-Korean conflict era, the Vietnam era, the post-Vietnam era, and the Persian Gulf War.”

Subsec. (c). Pub. L. 114-228 substituted “December 31, 2017” for “December 31, 2016”.

2015—Subsec. (c). Pub. L. 114-58 substituted “December 31, 2016” for “December 31, 2015”.

2014—Subsec. (c). Pub. L. 113-175 substituted “December 31, 2015” for “December 31, 2014”.

2013—Subsec. (c). Pub. L. 113-59 substituted “December 31, 2014” for “December 31, 2013”.

2010—Subsec. (c). Pub. L. 111-275 substituted “December 31, 2013” for “December 31, 2009”.

2008—Subsecs. (a), (b). Pub. L. 110-252 inserted “33,” after “32,”.

2003—Subsec. (a). Pub. L. 108-183, §307(a), (c)(1), substituted “chapter 1606” for “chapter 106” in first sentence and inserted “, to the maximum extent practicable,” after “The committee shall also” in second sentence.

Subsec. (b). Pub. L. 108-183, §307(c), substituted “chapters 30” for “chapter 30” and “chapter 1606” for “chapter 106”.

Subsec. (c). Pub. L. 108-183, §307(b), substituted “December 31, 2009” for “December 31, 2003”.

1994—Subsec. (a). Pub. L. 103-446, §608(1), struck out “34,” after “chapter 30, 32,” and inserted “and chapter 106 of title 10” after “of this title”.

Subsec. (b). Pub. L. 103-446, §608(2), substituted “this chapter, chapter 30, 32, and 35 of this title, and chapter 106 of title 10” for “this chapter and chapters 30, 32, 34, and 35 of this title”.

Subsec. (c). Pub. L. 103-446, §608(3), substituted “December 31, 2003” for “December 31, 1994”.

1993—Subsec. (c). Pub. L. 103-210 substituted “1994” for “1993”.

1991—Pub. L. 102-83 renumbered section 1792 of this title as this section.

Subsec. (a). Pub. L. 102-54 inserted “and Training” after “Employment”.

Pub. L. 102-25 substituted “the post-Vietnam era, and the Persian Gulf War” for “and the post-Vietnam era”.

1989—Subsecs. (a), (b). Pub. L. 101-237 substituted “Secretary” for “Administrator” wherever appearing.

1988—Subsec. (c). Pub. L. 100-689 substituted “1993” for “1989”.

1986—Subsec. (a). Pub. L. 99-576, §304(1), substituted “a Veterans' Advisory Committee on Education” for “an advisory committee”, and inserted reference to chapter 30.

Subsec. (b). Pub. L. 99-576, §304(2), inserted reference to chapter 30.

1980—Pub. L. 96-466 designated existing provisions as subsecs. (a) and (b), substituted reference to furnishing education to eligible veterans or persons enrolled under chapter 32, 34, or 35 of this title for reference to furnishing vocational rehabilitation under chapter 31 of this title or education to eligible persons or veterans enrolled under chapter 34 or 35 of this title, reference to the Assistant Secretary of Education for Postsecondary Education or other comparable official and the Assistant Secretary of Labor for Veterans' Employment, for reference to the Commissioner of Education and the Administrator, Manpower Administration, Department of Labor, and reference to seeking the advice of the committee with respect to the administration of this chapter and chapters 32, 34, and 35 of this title, and inserted provision that the committee include veterans representative of the post-Vietnam era, and added subsec. (c).

1972—Pub. L. 92-540, §316(3), inserted provisions that the Committee also include veterans representative of World War II, the Korean conflict era, the post-Korean conflict era and the Vietnam era.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-252 effective Aug. 1, 2009, see section 5003(d) of Pub. L. 110-252, set out as a note under section 16163 of Title 10, Armed Forces.

#### 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.

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### COMMISSION TO ASSESS VETERANS' EDUCATION POLICY

Pub. L. 99-576, title III, §320, Oct. 28, 1986, 100 Stat. 3275, as amended by Pub. L. 100-323, §14, May 20, 1988, 102 Stat. 574, provided for establishment of a Commission on Veterans' Education Policy, provided for appointment of members of Commission not later than Mar. 1, 1987, directed Commission to submit a report, not later than 18 months after at least 8 members had been appointed, to Committees on Veterans' Affairs of Senate and House of Representatives, containing the Commission's findings and recommendations on various matters relating to veterans' education, directed Administrator of Veterans Affairs to file interim and final reports, not later than 2 years after Commission's report, to those Committees responding to Commission's report, and provided for termination of Commission 90 days after Administrator submitted final report.

#### STUDY OF EDUCATIONAL ASSISTANCE PROGRAMS FOR VETERANS, SURVIVORS, AND DEPENDENTS; SUBMISSION TO CONGRESS AND PRESIDENT BY SEPTEMBER 30, 1979

Pub. L. 95-202, title III, §304(b), Nov. 23, 1977, 91 Stat. 1442, directed Administrator of Veterans' Affairs, in consultation with Advisory Committee formed pursuant to this section, to conduct a study respecting operation of programs of educational assistance carried out under this chapter and chapter 34 of this title and that a report concerning such study be submitted to Congress not later than Sept. 30, 1979.

#### STUDY OF OPERATION OF POST-KOREAN CONFLICT PROGRAMS OF EDUCATIONAL ASSISTANCE

Pub. L. 92-540, title IV, §413, Oct. 24, 1972, 86 Stat. 1093, provided for a comparative study of operation of post-Korean conflict program of educational assistance with similar prior programs available to veterans of World War II and Korean conflict, the results of such study and recommendations for improvement to be transmitted to President and Congress within six months of Oct. 24, 1972.

### § 3693. Compliance surveys

(a)(1) Except as provided in subsection (b), the Secretary shall conduct an annual compliance survey of educational institutions and training establishments offering one or more courses approved for the enrollment of eligible veterans or persons if at least 20 such veterans or persons are enrolled in any such course. The Secretary shall—

(A) design the compliance surveys to ensure that such institutions or establishments, as the case may be, and approved courses are in compliance with all applicable provisions of chapters 30 through 36 of this title;

(B) survey each such educational institution and training establishment not less than once during every 2-year period; and

(C) assign not fewer than 1 education compliance specialist to work on compliance sur-

veys in any year for each 40 compliance surveys required to be made under this section for such year.

(2) The Secretary, in consultation with the State approving agencies, shall—

(A) annually determine the parameters of the surveys required under paragraph (1); and

(B) not later than September 1 of each year, make available to the State approving agencies a list of the educational institutions and training establishments that will be surveyed during the fiscal year following the date of making such list available.

(b) The Secretary may waive the requirement in subsection (a)(1) for a compliance survey with respect to an educational institution or training establishment if the Secretary determines, based on the record of compliance of such institution or establishment with all the applicable provisions of chapters 30 through 36 of this title, that the waiver would be appropriate and in the best interest of the United States Government.

(c) In this section, the terms "educational institution" and "training establishment" have the meanings given such terms in section 3452 of this title.

(Added Pub. L. 94-502, title V, §511(1), Oct. 15, 1976, 90 Stat. 2401, §1793; amended Pub. L. 100-322, title III, §322, May 20, 1988, 102 Stat. 535; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3693, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; Pub. L. 114-315, title IV, §411, Dec. 16, 2016, 130 Stat. 1561.)

#### AMENDMENTS

2016—Subsec. (a). Pub. L. 114-315, §411(a)(1), added subsec. (a) and struck out former subsec. (a) which read as follows: "Except as provided in subsection (b) of this section, the Secretary shall conduct an annual compliance survey of each institution offering one or more courses approved for the enrollment of eligible veterans or persons if at least 300 veterans or persons are enrolled in such course or courses under provisions of this title or if any such course does not lead to a standard college degree. Such compliance survey shall be designed to ensure that the institution and approved courses are in compliance with all applicable provisions of chapters 30 through 36 of this title. The Secretary shall assign at least one education compliance specialist to work on compliance surveys in any year for each 40 compliance surveys required to be made under this section for such year."

Subsec. (b). Pub. L. 114-315, §411(b), substituted "subsection (a)(1) for a compliance survey" for "subsection (a) of this section for an annual compliance survey", "educational institution or training establishment" for "institution", and "record of compliance of such institution or establishment" for "institution's demonstrated record of compliance".

Subsec. (c). Pub. L. 114-315, §411(a)(2), added subsec. (c).

1991—Pub. L. 102-83 renumbered section 1793 of this title as this section.

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

1988—Pub. L. 100-322 amended section generally. Prior to amendment, section read as follows: "The Administrator shall conduct an annual compliance survey of each institution offering one or more courses approved for the enrollment of eligible veterans or persons where at least 300 veterans or persons are enrolled under provisions of this title or where the course does not lead to a standard college degree. Such compliance survey