

(i) a provision of law enacted after the date on which the individual enrolls at such institution affecting the approval or disapproval of courses under this chapter; or

(ii) after the date on which the individual enrolls at such institution, the Secretary prescribing or modifying regulations or policies of the Department affecting such approval or disapproval; and

(2) did not receive credit or lost training time, toward completion of the program of education being so pursued.

(c) PERIOD NOT CHARGED.—The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the aggregate of—

(1) the portion of the period of enrollment in the course from which the individual did not receive credit or with respect to which the individual lost training time, as determined under subsection (b)(2); and

(2) the period by which a monthly stipend is extended under section 3680(a)(2)(B) of this title.

(d) CONTINUING PURSUIT OF DISAPPROVED COURSES.—(1) The Secretary may treat a course of education that is disapproved under this chapter as being approved under this chapter with respect to an individual described in paragraph (2) if the Secretary determines, on a case-by-case basis, that—

(A) such disapproval is the result of an action described in clause (i) or (ii) of subsection (b)(1)(B); and

(B) continuing pursuing such course is in the best interest of the individual.

(2) An individual described in this paragraph is an individual who is pursuing a course of education at an educational institution under chapter 30, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, as of the date on which the course is disapproved under this chapter.

(e) NOTICE OF CLOSURES.—Not later than 5 business days after the date on which the Secretary receives notice that an educational institution will close or is closed, the Secretary shall provide to each individual who is enrolled in a course or program or education at such educational institution using entitlement to educational assistance under chapter 30, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, notice of—

(1) such closure and the date of such closure; and

(2) the effect of such closure on the individual's entitlement to educational assistance pursuant to this section.

(Added Pub. L. 115-48, title I, § 109(a)(1), Aug. 16, 2017, 131 Stat. 978.)

PRIOR PROVISIONS

A prior section 3699, added Pub. L. 93-508, title III, § 301(a), Dec. 3, 1974, 88 Stat. 1591, § 1799; amended Pub. L. 94-502, title V, § 513(a)(24), Oct. 15, 1976, 90 Stat. 2404; Pub. L. 97-295, § 4(61), Oct. 12, 1982, 96 Stat. 1309; Pub. L. 101-237, title IV, § 423(b)(1), (2), Dec. 18, 1989, 103 Stat.

2092; renumbered § 3699 and amended Pub. L. 102-83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406, related to revolving fund available for making of loans under former subchapter III of this chapter, prior to repeal by Pub. L. 108-183, title III, § 306(e), Dec. 16, 2003, 117 Stat. 2661, effective 90 days after Dec. 16, 2003.

EFFECTIVE DATE

Pub. L. 115-48, title I, § 109(c)(1), Aug. 16, 2017, 131 Stat. 980, as amended by Pub. L. 115-62, title V, § 501(d), Sept. 29, 2017, 131 Stat. 1166, provided that:

“(A) IN GENERAL.—The amendments made by subsection (a) [enacting this section] shall take effect on the date that is 90 days after the date of the enactment of this Act [Aug. 16, 2017], and shall apply with respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), after January 1, 2015.

“(B) SPECIAL APPLICATION.—

“(i) IN GENERAL.—With respect to courses and programs of education discontinued as described in section 3699 of title 38, United States Code, as added by subsection (a)(1), during the period beginning January 1, 2015, and ending on the date of the enactment of this Act [Sept. 29, 2017], an individual described in clause (ii) who does not transfer credits from such program of education shall be deemed to be an individual who did not receive such credits, as described in subsection (b)(2) of such section, except that the period for which such individual's entitlement is not charged shall be the entire period of the individual's enrollment in the program of education. In carrying out this subparagraph, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, shall establish procedures to determine whether the individual transferred credits to a comparable course or program of education.

“(ii) INDIVIDUAL DESCRIBED.—An individual described in this clause is an individual who is enrolled in a course or program of education discontinued as described in clause (i) during the period beginning on the date that is 120 days before the date of such discontinuance and ending on the date of such discontinuance.”

§ 3699A. Provision of certain information to educational institutions

(a) IN GENERAL.—For each veteran or other individual pursuing a course of education that has been approved under this chapter using educational assistance to which the veteran or other individual is entitled under chapter 30, 32, 33, or 35 of this title, the Secretary shall make available to the educational institution offering the course information about the amount of such educational assistance to which the veteran or other individual is entitled. Such information shall be provided to such educational institution through a secure information technology system accessible by the educational institution and shall be regularly updated to reflect any amounts used by the veteran or other individual.

(b) ELECTION.—A veteran or other individual pursuing a course of education described in subsection (a) may elect not to provide the information described in such subsection to an educational institution in a manner prescribed by the Secretary.

(Added Pub. L. 115-48, title III, § 308(a), Aug. 16, 2017, 131 Stat. 994.)

EFFECTIVE DATE

Pub. L. 115-48, title III, § 308(c), Aug. 16, 2017, 131 Stat. 994, provided that: “Section 3699A of title 38, United

States Code, as added by this section, shall take effect on August 1, 2018.”

CHAPTER 37—HOUSING AND SMALL BUSINESS LOANS

SUBCHAPTER I—GENERAL

- Sec.
- 3701. Definitions.
- 3702. Basic entitlement.
- 3703. Basic provisions relating to loan guaranty and insurance.
- 3704. Restrictions on loans.
- 3705. Warranties.
- 3706. Escrow of deposits and downpayments.
- 3707. Adjustable rate mortgages.
- 3707A. Hybrid adjustable rate mortgages.
- 3708. Authority to buy down interest rates: pilot program.

SUBCHAPTER II—LOANS

- 3710. Purchase or construction of homes.
- 3711. Direct loans to veterans.
- 3712. Loans to purchase manufactured homes and lots.
- 3713. Release from liability under guaranty.
- 3714. Assumptions; release from liability.

SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

- 3720. Powers of Secretary.
- 3721. Incontestability.
- 3722. Veterans Housing Benefit Program Fund. [3723 to 3725. Repealed.]
- 3726. Withholding of payments, benefits, etc.
- 3727. Expenditures to correct or compensate for structural defects in mortgaged homes.
- 3728. Exemption from State anti-usury provisions.
- 3729. Loan fee.
- 3730. Use of attorneys in court.
- 3731. Appraisals.
- 3732. Procedure on default.
- 3733. Property management.
- 3734. Annual submission of information on the Veterans Housing Benefit Program Fund and housing programs.
- [3735. Renumbered.]
- 3736. Reporting requirements.

SUBCHAPTER IV—SMALL BUSINESS LOANS

- 3741. Definitions.
- 3742. Small business loan program.
- 3743. Liability on loans.
- 3744. Approval of loans by the Secretary.
- 3745. Interest on loans.
- 3746. Maturity of loans.
- 3747. Eligible financial institutions.
- 3748. Preference for disabled veterans.
- 3749. Revolving fund.
- 3750. Incorporation of other provisions by the Secretary.
- 3751. Termination of program.

SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS

- 3761. Direct housing loans to Native American veterans; program authority.
- 3762. Direct housing loans to Native American veterans; program administration.
- 3763. Native American Veteran Housing Loan Program Account.
- 3764. Qualified non-Native American veterans.
- 3765. Definitions.

[SUBCHAPTER VI—TRANSFERRED]

[3771 to 3775. Repealed or renumbered.]

AMENDMENTS

2006—Pub. L. 109-233, title I, §§ 103(f)(4), 104(c), June 15, 2006, 120 Stat. 401, 402, substituted “DIRECT HOUSING

LOANS FOR NATIVE AMERICAN VETERANS” for “NATIVE AMERICAN VETERAN HOUSING LOAN PILOT PROGRAM” in item for subchapter V, “Direct housing loans to Native American veterans; program authority” for “Pilot program” in item 3761, “Direct housing loans to Native American veterans; program administration” for “Direct housing loans to Native American veterans” in item 3762, and “Qualified non-Native American veterans” for “Definitions” in item 3764 and added item 3765.

2002—Pub. L. 107-330, title III, § 303(b), Dec. 6, 2002, 116 Stat. 2826, added item 3707A.

2001—Pub. L. 107-95, § 5(g)(2), Dec. 21, 2001, 115 Stat. 918, struck out item 3735 “Housing assistance for homeless veterans”, item for subchapter VI “LOAN GUARANTEE FOR MULTIFAMILY TRANSITIONAL HOUSING FOR HOMELESS VETERANS”, and items 3771 “Definitions”, 3772 “General authority”, 3773 “Requirements”, 3774 “Default”, and 3775 “Audit”.

1998—Pub. L. 105-368, title VI, §§ 601(b), 602(e)(3)(C), Nov. 11, 1998, 112 Stat. 3345, 3347, added item 3722, struck out items 3723 “Direct loan revolving fund”, 3724 “Loan Guaranty Revolving Fund”, and 3725 “Guaranty and Indemnity Fund”, substituted “Veterans Housing Benefit Program Fund and housing programs” for “Loan Guaranty Revolving Fund and the Guaranty and Indemnity Fund” in item 3734, substituted “Native American Veteran Housing Loan Program Account” for “Housing loan program account” in item 3763, and added item for subchapter VI and items 3771 to 3775.

1996—Pub. L. 104-110, title II, § 201(a)(2), Feb. 13, 1996, 110 Stat. 770, added item 3736.

Pub. L. 104-106, div. B, title XXVIII, § 2822(b)(2), Feb. 10, 1996, 110 Stat. 557, added item 3708.

1992—Pub. L. 102-547, §§ 3(a)(2), 8(c), Oct. 28, 1992, 106 Stat. 3635, 3640, added item 3707, item for subchapter V, and items 3761 to 3764.

1991—Pub. L. 102-83, § 5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1801 to 1851 as 3701 to 3751, respectively.

Pub. L. 102-54, § 9(b), June 13, 1991, 105 Stat. 273, added item 1835.

1989—Pub. L. 101-237, title III, §§ 302(a)(3)(B), (b)(2), 313(b)(1), Dec. 18, 1989, 103 Stat. 2070, 2071, 2077, substituted “Secretary” for “Administrator” in items 1820, 1844, and 1850, “Loan Guaranty Revolving Fund” for “Loan guaranty revolving fund” in item 1824, and “Guaranty and Indemnity Fund” for “Waiver of discharge requirements for hospitalized persons” in item 1825, and added item 1834.

1988—Pub. L. 100-322, title IV, § 415(e), May 20, 1988, 102 Stat. 552, in item 1803 substituted “guaranty and insurance” for “guaranty”, struck out item 1807 “Service after July 25, 1947, and prior to June 27, 1950”, reenacted items 1810 and 1811 without change, redesignated item 1819 “Loans to purchase manufactured homes and lots” as item 1812, item 1817 “Release from liability under guaranty” as item 1813, and item 1817A “Assumptions; release from liability” as item 1814, struck out item 1815 “Insurance of loans” and item 1818 “Service after January 31, 1955, and prior to August 5, 1964, or after May 7, 1975”, redesignated item 1816 “Procedure on default” as item 1832, struck out former item 1832 “Furnishing information to real estate professionals to facilitate the disposition of properties”, and added item 1833.

1987—Pub. L. 100-198, § 10(a)(3), Dec. 21, 1987, 101 Stat. 1323, added item 1817A.

1986—Pub. L. 99-576, title IV, §§ 407(b), 408(b), Oct. 28, 1986, 100 Stat. 3283, added items 1831 and 1832.

1984—Pub. L. 98-369, div. B, title V, § 2512(b)(2), July 18, 1984, 98 Stat. 1120, added item 1830.

1982—Pub. L. 97-306, title IV, § 406(c)(3), Oct. 14, 1982, 96 Stat. 1445, substituted “Loans to purchase manufactured homes and lots” for “Loans to purchase mobile homes and mobile home lots” in item 1819.

Pub. L. 97-253, title IV, § 406(a)(2), Sept. 8, 1982, 96 Stat. 805, added item 1829.

1981—Pub. L. 97-72, title III, § 302(b)(1), (3), Nov. 3, 1981, 95 Stat. 1059, substituted “HOUSING AND SMALL