

nual report shall include an assessment of the rehabilitation needs of veterans and a review of the programs and activities of the Department of Veterans Affairs designed to meet such needs. The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a copy of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary was submitted to the Congress pursuant to such section.

(Added Pub. L. 96-466, title I, §101(a), Oct. 17, 1980, 94 Stat. 2186, §1521; amended Pub. L. 101-237, title IV, §423(b)(1), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 102-54, §14(c)(5), June 13, 1991, 105 Stat. 285; renumbered §3121 and amended Pub. L. 102-83, §§2(c)(3), 5(a), Aug. 6, 1991, 105 Stat. 402, 406; Pub. L. 103-446, title XII, §1201(b)(1), (i)(5), Nov. 2, 1994, 108 Stat. 4682, 4688.)

Editorial Notes

AMENDMENTS

1994—Subsec. (a)(3)(A). Pub. L. 103-446 substituted “Veterans Health Administration” for “Department of Medicine and Surgery” and “Veterans Benefits Administration” for “Department of Veterans’ Benefits”.

1991—Pub. L. 102-83, §5(a), renumbered section 1521 of this title as this section.

Subsec. (a)(3). Pub. L. 102-54 substituted “Veterans’ Employment and Training” for “Veterans’ Employment”.

Subsec. (c). Pub. L. 102-83, §2(c)(3), substituted “section 529” for “section 214”.

1989—Subsecs. (a)(1), (2), (b). Pub. L. 101-237 substituted “Secretary” and “Department of Veterans Affairs” for “Administrator” and “Veterans’ Administration”, respectively, wherever appearing.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1980, see section 802(a)(2) of Pub. L. 96-466, set out as a note under section 3100 of this title.

§ 3122. Longitudinal study of vocational rehabilitation programs

(a) **STUDY REQUIRED.**—(1) Subject to the availability of appropriated funds, the Secretary shall conduct a longitudinal study of a statistically valid sample of each of the groups of individuals described in paragraph (2). The Secretary shall study each such group over a period of at least 20 years.

(2) The groups of individuals described in this paragraph are the following:

(A) Individuals who begin participating in a vocational rehabilitation program under this chapter during fiscal year 2010.

(B) Individuals who begin participating in such a program during fiscal year 2012.

(C) Individuals who begin participating in such a program during fiscal year 2014.

(b) **ANNUAL REPORTS.**—By not later than July 1 of each year covered by the study required under subsection (a), the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report on the study during the preceding year.

(c) **CONTENTS OF REPORT.**—The Secretary shall include in the report required under subsection

(b) any data the Secretary determines is necessary to determine the long-term outcomes of the individuals participating in the vocational rehabilitation programs under this chapter. The Secretary may add data elements from time to time as necessary. In addition, each such report shall contain the following information:

(1) The number of individuals participating in vocational rehabilitation programs under this chapter who suspended participation in such a program during the year covered by the report.

(2) The average number of months such individuals served on active duty.

(3) The distribution of disability ratings of such individuals.

(4) The types of other benefits administered by the Secretary received by such individuals.

(5) The types of social security benefits received by such individuals.

(6) Any unemployment benefits received by such individuals.

(7) The average number of months such individuals were employed during the year covered by the report.

(8) The average annual starting and ending salaries of such individuals who were employed during the year covered by the report.

(9) The number of such individuals enrolled in an institution of higher learning, as that term is defined in section 3452(f) of this title.

(10) The average number of academic credit hours, degrees, and certificates obtained by such individuals during the year covered by the report.

(11) The average number of visits such individuals made to Department medical facilities during the year covered by the report.

(12) The average number of visits such individuals made to non-Department medical facilities during the year covered by the report.

(13) The average annual income of such individuals.

(14) The average total household income of such individuals for the year covered by the report.

(15) The percentage of such individuals who own their principal residences.

(16) The average number of dependents of each such veteran.

(Added Pub. L. 110-389, title III, §334(a), Oct. 10, 2008, 122 Stat. 4172.)

CHAPTER 32—POST-VIETNAM ERA VETERANS’ EDUCATIONAL ASSISTANCE

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Editorial Notes

AMENDMENTS

1991—Pub. L. 102-83, §5(b)(1), Aug. 6, 1991, 105 Stat. 406, renumbered items 1601 to 1643 as 3201 to 3243, respectively.

Pub. L. 102-16, §5(b), Mar. 22, 1991, 105 Stat. 50, struck out item 1642 "Reporting requirements".

1988—Pub. L. 100-689, title I, §107(b)(2), Nov. 18, 1988, 102 Stat. 4169, added item 1634.

1986—Pub. L. 99-576, title III, §310(b)(3), Oct. 28, 1986, 100 Stat. 3272, added item 1633.

1982—Pub. L. 97-295, §4(36), Oct. 12, 1982, 96 Stat. 1307, inserted "the" after "bar" in item 1625.

SUBCHAPTER I—PURPOSE; DEFINITIONS

§ 3201. Purpose

It is the purpose of this chapter (1) to provide educational assistance to those men and women who enter the Armed Forces after December 31, 1976, and before July 1, 1985, (2) to assist young men and women in obtaining an education they might not otherwise be able to afford, and (3) to promote and assist the all volunteer military program of the United States by attracting qualified men and women to serve in the Armed Forces.

(Added Pub. L. 94-502, title IV, §404, Oct. 15, 1976, 90 Stat. 2393, §1601; amended Pub. L. 99-576, title III, §309(a)(1), Oct. 28, 1986, 100 Stat. 3270; renumbered §3201, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

Editorial Notes

PRIOR PROVISIONS

Prior section 3201 was renumbered section 5501 of this title.

AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1601 of this title as this section.

1986—Pub. L. 99-576 inserted "and before July 1, 1985,".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 406 of title IV of Pub. L. 94-502 provided that: "The provisions of this title [enacting this chapter, amending sections 1652, 1661, and 1662 [now 3452, 3461, and 3462] of this title and section 725s of former Title 31, Money and Finance, and enacting provisions set out as a note under section 3221 of this title] shall become effective on January 1, 1977."

SHORT TITLE

For short titles of Pub. L. 94-502, and title IV of Pub. L. 94-502, which enacted this chapter, see Short Title of 1976 Amendments note set out under section 101 of this title.

ENROLLMENT IN PROGRAM BEFORE APRIL 1, 1987

Pub. L. 99-576, title III, §309(c), (d), Oct. 28, 1986, 100 Stat. 3270, provided that:

"(c) EXCEPTION.—Notwithstanding the amendments made by subsection (a) [amending this section and sections 1602 and 1621 [now 3202 and 3221] of this title], any individual on active duty in the Armed Forces who was eligible on June 30, 1985, to enroll in the program established by chapter 32 of title 38, United States Code, may enroll, before April 1, 1987, in such program.

"(d) NOTICE REQUIREMENT.—The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall carry out activities for the purpose of notifying, to the maximum extent feasible, individuals described in subsection (c) of the opportunity provided by such subsection."

§ 3202. Definitions

For the purposes of this chapter—

(1)(A) The term "eligible veteran" means any veteran who is not eligible for educational assistance under chapter 34 of this title and who (i) entered military service on or after January 1, 1977, and before July 1, 1985, served on active duty for a period of more than 180 days commencing on or after January 1, 1977, and was discharged or released therefrom under conditions other than dishonorable, or (ii) entered military service on or after January 1, 1977, and before July 1, 1985, and was discharged or released from active duty after January 1, 1977, for a service-connected disability.

(B) The requirement of discharge or release, prescribed in subparagraph (A), shall be waived in the case of any participant who has completed his or her first obligated period of active duty (which began after December 31, 1976) or 6 years of active duty (which began after December 31, 1976), whichever period is less.

(C) For the purposes of subparagraphs (A) and (B), the term "active duty" does not include any period during which an individual (i) was assigned full time by the Armed Forces to a civilian institution for a course of education which was substantially the same as established courses offered to civilians, (ii) served as a cadet or midshipman at one of the service academies, or (iii) served under the provisions of section 511(d)¹ of title 10 pursuant to an enlistment in the Army National Guard or the Air National Guard, or as a Reserve for service in the Army Reserve, Navy Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve.

(D)(i) The requirement of ineligibility for educational assistance under chapter 34 of this title, prescribed in subparagraph (A), shall be waived in the case of a veteran described in division (ii) of this subparagraph who elects to receive benefits under this chapter instead of assistance under such chapter 34. A veteran who makes such an election shall be ineligible for assistance under such chapter. Such an election is irrevocable.

(ii) A veteran referred to in division (i) of this subparagraph is a veteran who before January 1, 1977, performed military service described in subparagraph (C)(iii), is entitled under section 3452(a)(3)(C) of this title to have such service considered to be "active duty" for the purposes of chapter 34 of this title, and is eligible for assistance under such chapter only by reason of having such service considered to be active duty.

¹ See References in Text note below.