

payment under subsection (a) and section 16301(a) of this title.

(g) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of this title, a member of the armed forces who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303a(e) of title 37.

(h) The Secretary of Defense may prescribe, by regulations, procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow for the payment as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member's death or disability.

(Added Pub. L. 99-145, title VI, § 671(a)(1), Nov. 8, 1985, 99 Stat. 661; amended Pub. L. 103-337, div. A, title XVI, § 1663(e), Oct. 5, 1994, 108 Stat. 3009; Pub. L. 104-106, div. A, title X, § 1079(a), Feb. 10, 1996, 110 Stat. 451; Pub. L. 109-163, div. A, title V, § 537, Jan. 6, 2006, 119 Stat. 3249; Pub. L. 111-383, div. A, title V, § 552(a), Jan. 7, 2011, 124 Stat. 4220.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (a)(1), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Parts B, D, and E of title IV of the Higher Education Act of 1965 are classified to parts B (§1071 et seq.), C (§107a et seq.), and D (§107aa et seq.) of subchapter IV of chapter 28 of Title 20, Education, respectively. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

AMENDMENTS

2011—Subsecs. (g), (h). Pub. L. 111-383 added subsecs. (g) and (h).

2006—Subsec. (a)(1)(D). Pub. L. 109-163, § 537(a), added subpar. (D).

Subsec. (a)(2). Pub. L. 109-163, § 537(b), substituted “a member in an officer program or military specialty” for “an enlisted member in a military specialty”.

1996—Subsec. (a)(1). Pub. L. 104-106 struck out “or” at end of subpar. (A), added subpar. (B), and redesignated former subpar. (B) as (C).

1994—Pub. L. 103-337, § 1663(e)(6), substituted “Education loan repayment program: enlisted members on active duty in specified military specialties” for “General educational loan repayment program” as section catchline.

Subsec. (a)(1)(B). Pub. L. 103-337, § 1663(e)(1), struck out “or” after “(B)”.

Subsec. (a)(2). Pub. L. 103-337, § 1663(e)(2), substituted “case of any person for—

“(A) service performed—

“(i) as an enlisted member of the Selected Reserve of the Ready Reserve of an armed force; and

“(ii) in a reserve component and military specialty specified by the Secretary of Defense; or

“(B) service performed”

and struck out at end “In the case of service described in clause (A) of the first sentence of this paragraph, the Secretary may repay a loan described in paragraph (1) only if the person to whom the loan was made performed such service after the loan was made.”

Subsec. (b). Pub. L. 103-337, § 1663(e)(3), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The portion or amount of a loan that may be repaid under subsection (a) is—

“(1) 15 percent or \$500, whichever is greater, for each year of service, in the case of service described in subsection (a)(2)(A); or

“(2) 33½ percent or \$1,500, whichever is greater, for each year of service, in the case of service described in subsection (a)(2)(B).”

Subsec. (e). Pub. L. 103-337, § 1663(e)(4), substituted “A person who transfers from service making the person eligible for repayment of loans under this section (as described in subsection (a)(2)) to service making the person eligible for repayment of loans under section 16301 of this title (as described in subsection (a)(2) of that section)” for “Any individual who transfers from service described in clause (A) or (B) of subsection (a)(2) to service described in the other clause of such subsection”.

Subsec. (f). Pub. L. 103-337, § 1663(e)(5), inserted “and section 16301 of this title” after “this section” and “and section 16301(a) of this title” after “subsection (a)”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

EFFECTIVE DATE

Section 671(b)(1) of Pub. L. 99-145 provided that: “The authority provided under section 2171 of title 10, United States Code, as added by subsection (a), shall apply only—

“(A) in the case of persons who enlist or reenlist in the Selected Reserve of the Ready Reserve of an Armed Force or enlist or reenlist for service on active duty after September 30, 1980;

“(B) with respect to service performed after that date; and

“(C) with respect to loans made after October 1, 1975.”

[§ 2172. Renumbered § 16302]

§ 2173. Education loan repayment program: commissioned officers in specified health professions

(a) **AUTHORITY TO REPAY EDUCATION LOANS.**—For the purpose of maintaining adequate numbers of commissioned officers of the armed forces on active duty who are qualified in the various health professions, the Secretary of a military department may repay, in the case of a person described in subsection (b), a loan that—

(1) was used by the person to finance education regarding a health profession; and

(2) was obtained from a governmental entity, private financial institution, school, or other authorized entity.

(b) **ELIGIBLE PERSONS.**—To be eligible to obtain a loan repayment under this section, a person must—

(1) satisfy one of the requirements specified in subsection (c);

(2) be fully qualified for, or hold, an appointment as a commissioned officer in one of the health professions; and

(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

(c) **ACADEMIC AND PROFESSIONAL REQUIREMENTS.**—One of the following academic requirements must be satisfied for purposes of determining the eligibility of a person for a loan repayment under this section: