

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 4124 of this title prior to the repeal of that section as part of the complete revision of chapter 73 of this title by Pub. L. 102-40.

AMENDMENTS

1992—Pub. L. 102-405 substituted “Under Secretary for Health” for “Chief Medical Director”.

CHAPTER 75—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM

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PRIOR PROVISIONS

A prior chapter 75 which consisted of sections 4201 to 4210 was renumbered chapter 78 of this title and transferred to follow chapter 76 of this title, and sections 4201 to 4210 were renumbered sections 7801 to 7810 of this title, respectively.

§ 7501. Establishment of scholarship program; purpose

(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish and carry out a scholarship program to provide financial assistance in accordance with this chapter to individuals who—

(1) are accepted for enrollment or currently enrolled in a program of study leading to a degree or certificate in visual impairment or orientation and mobility, or a dual degree or certification in both such areas, at an accredited (as determined by the Secretary) educational institution that is in a State; and

(2) enter into an agreement with the Secretary as described in section 7504 of this title.

(b) PURPOSE.—The purpose of the scholarship program is to increase the supply of qualified blind rehabilitation specialists for the Department and the Nation.

(c) OUTREACH.—The Secretary shall publicize the scholarship program to educational institutions throughout the United States, with an emphasis on disseminating information to such institutions with high numbers of Hispanic students and to Historically Black Colleges and Universities.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1146.)

IMPLEMENTATION

Pub. L. 111-163, title III, §302(c), May 5, 2010, 124 Stat. 1149, provided that: “The Secretary of Veterans Affairs shall implement chapter 75 of title 38, United States Code, as added by subsection (a), not later than 6 months after the date of the enactment of this Act [May 5, 2010].”

§ 7502. Application and acceptance

(a) APPLICATION.—(1) To apply and participate in the scholarship program under this chapter,

an individual shall submit to the Secretary an application for such participation together with an agreement described in section 7504 of this title under which the participant agrees to serve a period of obligated service in the Department as provided in the agreement in return for payment of educational assistance as provided in the agreement.

(2) In distributing application forms and agreement forms to individuals desiring to participate in the scholarship program, the Secretary shall include with such forms the following:

(A) A fair summary of the rights and liabilities of an individual whose application is approved (and whose agreement is accepted) by the Secretary.

(B) A full description of the terms and conditions that apply to participation in the scholarship program and service in the Department.

(b) APPROVAL.—(1) Upon the Secretary's approval of an individual's participation in the scholarship program, the Secretary shall, in writing, promptly notify the individual of that acceptance.

(2) An individual becomes a participant in the scholarship program upon such approval by the Secretary.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1147.)

§ 7503. Amount of assistance; duration

(a) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided an individual under the scholarship program under this chapter shall be the amount determined by the Secretary as being necessary to pay the tuition and fees of the individual. In the case of an individual enrolled in a program of study leading to a dual degree or certification in both the areas of study described in section 7501(a)(1) of this title, the tuition and fees shall not exceed the amounts necessary for the minimum number of credit hours to achieve such dual degree or certification.

(b) RELATIONSHIP TO OTHER ASSISTANCE.—Financial assistance may be provided to an individual under the scholarship program to supplement other educational assistance to the extent that the total amount of educational assistance received by the individual during an academic year does not exceed the total tuition and fees for such academic year.

(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) The total amount of assistance provided under the scholarship program for an academic year to an individual who is a full-time student may not exceed \$15,000.

(2) In the case of an individual who is a part-time student, the total amount of assistance provided under the scholarship program shall bear the same ratio to the amount that would be paid under paragraph (1) if the participant were a full-time student in the program of study being pursued by the individual as the coursework carried by the individual to full-time coursework in that program of study.

(3) The total amount of assistance provided to an individual under the scholarship program may not exceed \$45,000.

(d) **MAXIMUM DURATION OF ASSISTANCE.**—Financial assistance may not be provided to an individual under the scholarship program for more than six academic years.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1147.)

§ 7504. Agreement

An agreement between the Secretary and a participant in the scholarship program under this chapter shall be in writing, shall be signed by the participant, and shall include—

(1) the Secretary's agreement to provide the participant with financial assistance as authorized under this chapter;

(2) the participant's agreement—

(A) to accept such financial assistance;

(B) to maintain enrollment and attendance in the program of study described in section 7501(a)(1) of this title;

(C) while enrolled in such program, to maintain an acceptable level of academic standing (as determined by the educational institution offering such program under regulations prescribed by the Secretary); and

(D) after completion of the program, to serve as a full-time employee in the Department for a period of three years, to be served within the first six years after the participant has completed such program and received a degree or certificate described in section 7501(a)(1) of this title; and

(3) any other terms and conditions that the Secretary considers appropriate for carrying out this chapter.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1148.)

§ 7505. Repayment for failure to satisfy requirements of agreement

(a) **IN GENERAL.**—An individual who receives educational assistance under the scholarship program under this chapter shall repay to the Secretary an amount equal to the unearned portion of such assistance if the individual fails to satisfy the requirements of the agreement entered into under section 7504 of this title, except in circumstances authorized by the Secretary.

(b) **AMOUNT OF REPAYMENT.**—The Secretary shall establish, by regulations, procedures for determining the amount of the repayment required under this section and the circumstances under which an exception to the required repayment may be granted.

(c) **WAIVER OR SUSPENSION OF COMPLIANCE.**—The Secretary shall prescribe regulations providing for the waiver or suspension of any obligation of an individual for service or payment under this chapter (or an agreement under this chapter) whenever—

(1) noncompliance by the individual is due to circumstances beyond the control of the individual; or

(2) the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

(d) **OBLIGATION AS DEBT TO UNITED STATES.**—An obligation to repay the Secretary under this section is, for all purposes, a debt owed the

United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.

(Added Pub. L. 111-163, title III, §302(a), May 5, 2010, 124 Stat. 1148.)

CHAPTER 76—HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM

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SUBCHAPTER II—SCHOLARSHIP PROGRAM

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7613.	Scholarship.
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SUBCHAPTER V—STIPEND PROGRAM FOR MEMBERS OF THE SELECTED RESERVE

7651.	Authority for program.
7652.	Eligibility: individuals entitled to benefits under the GI Bill program for members of the Selected Reserve.
7653.	Amount of assistance.
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SUBCHAPTER VI—EMPLOYEE INCENTIVE SCHOLARSHIP PROGRAM

7671.	Authority for program.
7672.	Eligibility; agreement.
7673.	Scholarship.
7674.	Obligated service.
7675.	Breach of agreement: liability.
[7676.]	Repealed.]

SUBCHAPTER VII—EDUCATION DEBT REDUCTION PROGRAM

7681.	Authority for program.
7682.	Eligibility.
7683.	Education debt reduction.
[7684.]	Repealed.]

AMENDMENTS

2010—Pub. L. 111-163, title VI, §603(d), May 5, 2010, 124 Stat. 1174, added items 7618 and 7619 and struck out former item 7618 "Expiration of program".