

Pub. L. 109-163, div. A, title V, § 515(b)(1)(WW), Jan. 6, 2006, 119 Stat. 3234; Pub. L. 110-417, [div. A], title VI, § 616(c), Oct. 14, 2008, 122 Stat. 4486; Pub. L. 111-84, div. A, title X, § 1073(c)(3), Oct. 28, 2009, 123 Stat. 2474; Pub. L. 112-81, div. A, title V, § 556, Dec. 31, 2011, 125 Stat. 1416; Pub. L. 113-66, div. A, title VI, § 618, Dec. 26, 2013, 127 Stat. 782.)

## AMENDMENTS

2013—Subsec. (a). Pub. L. 113-66, § 618(b)(1), substituted “the Selected Reserve of the Ready Reserve” for “the Ready Reserve”.

Subsec. (c)(2)(D). Pub. L. 113-66, § 618(b)(2), added subpar. (D) and struck out former subpar. (D) which read as follows: “the participant shall agree to serve, upon successful completion of the program, one year in the Ready Reserve for each six months, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.”

Subsec. (d)(1)(B). Pub. L. 113-66, § 618(a)(1), added subpar. (B) and struck out former subpar. (B) which read as follows: “is eligible for appointment as—

“(i) a Reserve officer for service in the Army Reserve in the Army Nurse Corps;

“(ii) a Reserve officer for service in the Navy Reserve in the Navy Nurse Corps; or

“(iii) a Reserve officer for service in the Air Force Reserve with a view to designation as an Air Force nurse under section 8067(e) of this title; and”.

Subsec. (d)(2)(B). Pub. L. 113-66, § 618(a)(2), added subpar. (B) and struck out former subpar. (B) which read as follows: “the participant shall not be eligible to receive such stipend before being appointed as a Reserve officer for service in the Ready Reserve—

“(i) in the Nurse Corps of the Army or Navy; or

“(ii) as an Air Force nurse of the Air Force;”.

Subsec. (d)(2)(D). Pub. L. 113-66, § 618(b)(3), added subpar. (D) and struck out former subpar. (D) which read as follows: “the participant shall agree to serve, upon successful completion of the program, one year in the Ready Reserve for each six months, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.”

Subsec. (e)(2)(D). Pub. L. 113-66, § 618(b)(4), substituted “the Selected Reserve” for “the Ready Reserve”.

Subsec. (g). Pub. L. 113-66, § 618(c), amended subsec. (g) generally. Prior to amendment, text read as follows: “The amount of a stipend under an agreement under subsection (b), (c), or (f) shall be—

“(1) the stipend rate in effect for participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of this title, if the participant has agreed to serve in the Selected Reserve; or

“(2) one-half of that rate, if the participant has agreed to serve in the Individual Ready Reserve.”

2011—Subsecs. (b)(2)(A), (c)(2)(A), (d)(2)(A). Pub. L. 112-81, § 556(b)(1), substituted “subsection (g)” for “subsection (f)”.

Subsec. (f). Pub. L. 112-81, § 556(a)(2), added subsec. (f). Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 112-81, § 556(a)(1), (b)(2), redesignated subsec. (f) as (g) and substituted “subsection (b), (c), or (f)” for “subsection (b) or (c)” in introductory provisions.

2009—Subsec. (e)(2)(A). Pub. L. 111-84 made technical amendment to directory language of Pub. L. 110-417, § 616(c). See 2008 Amendment note below.

2008—Subsec. (e)(2)(A). Pub. L. 110-417, § 616(c), as amended by Pub. L. 111-84, substituted “monthly stipend in an amount not to exceed the stipend rate in effect under section 2121(d) of this title” for “stipend of \$100 per month”.

2006—Subsec. (d)(1)(B)(ii). Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

2001—Subsec. (a). Pub. L. 107-107, § 539(a), struck out “specialties critically needed in wartime” after “qualified in health professions” and substituted “training

that leads to a degree in medicine or dentistry or training in a health professions specialty that is critically needed in wartime” for “training in such specialties” and “health care education and training” for “training in certain health care specialties”.

Subsec. (b). Pub. L. 107-107, § 539(b)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 107-107, § 539(b)(1), (c)(1), redesignated subsec. (b) as (c) and inserted “Wartime” after “Critical” in heading. Former subsec. (c) redesignated (d).

Subsec. (c)(1)(B). Pub. L. 107-107, § 539(c)(2), inserted “or has been appointed as a medical or dental officer in the Reserve of the armed force concerned” before semicolon at end.

Subsec. (c)(2)(A). Pub. L. 107-107, § 539(e), substituted “subsection (f)” for “subsection (e)”.

Subsec. (c)(2)(D). Pub. L. 107-107, § 539(d), substituted “one year in the Ready Reserve for each six months” for “two years in the Ready Reserve for each year”.

Subsec. (d). Pub. L. 107-107, § 539(b)(1), redesignated subsec. (c) as (d). Former subsec. (d) redesignated (e).

Subsec. (d)(2)(A). Pub. L. 107-107, § 539(e), substituted “subsection (f)” for “subsection (e)”.

Subsec. (d)(2)(D). Pub. L. 107-107, § 539(d), substituted “one year in the Ready Reserve for each six months” for “two years in the Ready Reserve for each year”.

Subsecs. (e), (f). Pub. L. 107-107, § 539(b)(1), redesignated subsecs. (d) and (e) as (e) and (f), respectively.

1996—Subsec. (b). Pub. L. 104-106, § 736(1), inserted “and Dentists” in heading.

Subsec. (b)(1)(A). Pub. L. 104-106, § 736(2), inserted “or dental school” after “medical school”.

Subsec. (b)(1)(B). Pub. L. 104-106, § 736(3), inserted “or dental officer” after “medical officer”.

Subsec. (b)(1)(C). Pub. L. 104-106, § 736(4), substituted “physicians or dentists in a medical or dental specialty” for “physicians in a medical specialty”.

Subsec. (b)(2)(B). Pub. L. 104-106, § 736(3), inserted “or dental officer” after “medical officer”.

1994—Pub. L. 103-337, § 1663(c)(2), renumbered section 2128 of this title as this section.

Subsecs. (a), (b)(1), (c)(1), (d)(1). Pub. L. 103-337, § 1663(c)(5), substituted “chapter” for “subchapter”.

Subsec. (f). Pub. L. 103-337, § 1663(c)(2), struck out subsec. (f) which defined “Individual Ready Reserve”.

## EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-84, div. A, title X, § 1073(c), Oct. 28, 2009, 123 Stat. 2474, provided that the amendment made by section 1073(c)(3) is effective as of Oct. 14, 2008, and as if included in Pub. L. 110-417 as enacted.

## 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.

## PAYMENTS FOR PERIOD PRIOR TO DECEMBER 4, 1987

Pub. L. 100-180, div. A, title VII, § 711(e)(2), Dec. 4, 1987, 101 Stat. 1111, provided that: “An agreement entered into by the Secretary of a military department under section 2128 [now 16201] of title 10, United States Code, as added by subsection (a), may not obligate the United States to make a payment for any period before the date of the enactment of this Act [Dec. 4, 1987].”

### § 16202. Reserve service: required active duty for training

(a) **SELECTED RESERVE.**—A person who is required under an agreement under section 16201 of this title to serve in the Selected Reserve shall serve not less than 12 days of active duty for training each year during the period of service required by the agreement.

(b) **IRR SERVICE.**—A person who is required under an agreement under section 16201 of this

title to serve in the Individual Ready Reserve shall serve—

- (1) not less than 30 days of initial active duty for training; and
- (2) not less than five days of active duty for training each year during the period of service required by the agreement.

(Added Pub. L. 100-180, div. A, title VII, §711(a)(3), Dec. 4, 1987, 101 Stat. 1111, §2129; renumbered §16202 and amended Pub. L. 103-337, div. A, title XVI, §1663(c)(3), (6), Oct. 5, 1994, 108 Stat. 3007, 3008.)

#### AMENDMENTS

1994—Pub. L. 103-337, §1663(c)(3), renumbered section 2129 of this title as this section.

Subsecs. (a), (b). Pub. L. 103-337, §1663(c)(6), substituted “16201” for “2128”.

#### 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.

### § 16203. Penalties and limitations

(a) FAILURE TO COMPLETE PROGRAM OF TRAINING.—(1) A member of the program who, under regulations prescribed by the Secretary of Defense, is dropped from the program for deficiency in training, or for other reasons, shall be required, at the discretion of the Secretary concerned—

(A) to perform one year of active duty for each year (or part thereof) for which such person was provided financial assistance under this section; or

(B) to comply with the repayment provisions of section 303a(e) of title 37.

(2) The Secretary of a military department, under regulations prescribed by the Secretary of Defense, may relieve a member participating in the program who is dropped from the program from any requirement that may be imposed under paragraph (1), but such relief shall not relieve him from any military obligation imposed by any other law.

(b) PROHIBITIONS OF DUPLICATE BENEFITS.—Financial assistance may not be provided under this section to a member receiving financial assistance under section 2107 of this title.

(Added Pub. L. 100-180, div. A, title VII, §711(a)(3), Dec. 4, 1987, 101 Stat. 1111, §2130; renumbered §16203 and amended Pub. L. 103-337, div. A, title XVI, §1663(c)(4), Oct. 5, 1994, 108 Stat. 3008; Pub. L. 109-163, div. A, title VI, §687(c)(13), Jan. 6, 2006, 119 Stat. 3335.)

#### AMENDMENTS

2006—Subsec. (a)(1)(B). Pub. L. 109-163 amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “to repay the United States an amount equal to the total amount paid to such person under the program.”

1994—Pub. L. 103-337, §1663(c)(4), renumbered section 2130 of this title as this section and substituted “Penalties and limitations” for “Penalties, limitations, and other administrative provisions” as section catchline.

Subsec. (c). Pub. L. 103-337, §1663(c)(4)(A), struck out subsec. (c) which related to regulations. See section 16204 of this title.

#### 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.

#### SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

### § 16204. Regulations

This chapter shall be administered under regulations prescribed by the Secretary of Defense.

(Added Pub. L. 103-337, div. A, title XVI, §1663(c)(1), Oct. 5, 1994, 108 Stat. 3007.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2130(c) of this title, prior to amendment by Pub. L. 103-337, §1663(c)(4)(A).

#### EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

## CHAPTER 1609—EDUCATION LOAN REPAYMENT PROGRAMS

Sec. 16301.	Education loan repayment program: members of Selected Reserve.
16302.	Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages.
16303.	Loan repayment program: chaplains serving in the Selected Reserve.

#### AMENDMENTS

2008—Pub. L. 110-181, div. A, title VI, §672(c)(2), Jan. 28, 2008, 122 Stat. 185, substituted “Education loan repayment program: members of Selected Reserve” for “Education loan repayment program: enlisted members of Selected Reserve with critical specialties” in item 16301.

2006—Pub. L. 109-163, div. A, title VI, §684(b), Jan. 6, 2006, 119 Stat. 3325, added item 16303.

### § 16301. Education loan repayment program: members of Selected Reserve

(a)(1) Subject to the provisions of this section, the Secretary of Defense may repay—

(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.);

(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.); or

(D) any loan incurred for educational purposes made by a lender that is—

(i) an agency or instrumentality of a State;

(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

(iii) a pension fund approved by the Secretary for purposes of this section; or