

of the loan shall accrue and be paid in the same manner as is otherwise required. For the purposes of this section, any interest that has accrued on the loan for periods before the current year shall be considered as within the total loan amount that shall be repaid.

(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

(e) 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 2171 of this title (as described in subsection (a)(2) of that section) during a year shall be eligible to have repaid a portion of such loan determined by giving appropriate fractional credit for each portion of the year so served, in accordance with regulations of the Secretary concerned.

(f) The Secretary of Defense shall, by regulation, prescribe a schedule for the allocation of funds made available to carry out the provisions of this section and section 2171 of this title during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a) and section 2171(a) of this title.

(g) The Secretary of Homeland Security may repay loans described in subsection (a)(1) and otherwise administer this section in the case of members of the Selected Reserve of the Coast Guard Reserve when the Coast Guard is not operating as a service in the Navy.

(h) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 2171 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.

(i) 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. 103-337, div. A, title XVI, §1663(d)(1), Oct. 5, 1994, 108 Stat. 3008; amended Pub. L. 104-106, div. A, title X, §1079(b), Feb. 10, 1996, 110 Stat. 451; Pub. L. 106-65, div. A, title VI, §676, Oct. 5, 1999, 113 Stat. 676; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 108-136, div. A, title V, §534, Nov. 24, 2003, 117 Stat. 1474; Pub. L. 108-375, div. A, title V, §526, Oct. 28, 2004, 118 Stat. 1890; Pub. L. 110-181, div. A, title VI, §672(a)-(c)(1), Jan. 28, 2008, 122 Stat. 184, 185; Pub. L. 111-383, div. A, title V, §552(b), 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. Parts B, D, and E of title IV of the Act are classified to parts B (§1071 et seq.), D (§1087a et seq.), and E (§1087aa et seq.), respectively, of subchapter IV of chapter 28 of Title 20, Education. For complete classifica-

tion of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

AMENDMENTS

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

2008—Pub. L. 110-181, §672(c)(1), substituted “Education loan repayment program: members of Selected Reserve” for “Education loan repayment program: enlisted members of Selected Reserve with critical specialties” in section catchline.

Subsec. (a)(1)(D). Pub. L. 110-181, §672(a), added subpar. (D).

Subsec. (a)(2). Pub. L. 110-181, §672(b)(1), substituted “The Secretary” for “Except as provided in paragraph (3), the Secretary” and “a member of the Selected Reserve of the Ready Reserve of an armed force in a reserve component and in an officer program or military specialty” for “an enlisted member of the Selected Reserve of the Ready Reserve of an armed force in a reserve component and military specialty”.

Subsec. (a)(3). Pub. L. 110-181, §672(b)(2), struck out par. (3) which read as follows: “In the case of a commitment made by the Secretary of Defense after the date of the enactment of this paragraph to repay a loan under paragraph (1) conditioned upon the performance by the borrower of service as an enlisted member under paragraph (2), the Secretary may repay the loan for service performed by the borrower as an officer (rather than as an enlisted member) in the case of a borrower who, after such commitment is entered into and while performing service as an enlisted member, accepts an appointment or commission as a warrant officer or commissioned officer of the Selected Reserve.”

2004—Subsec. (a)(2). Pub. L. 108-375, §526(1), substituted “Except as provided in paragraph (3), the Secretary of Defense may repay loans” for “The Secretary may repay loans”.

Subsec. (a)(3). Pub. L. 108-375, §526(2), added par. (3).
2003—Subsec. (b). Pub. L. 108-136, §534(1), inserted before period at end “, plus the amount of any interest that may accrue during the current year”.

Subsec. (c). Pub. L. 108-136, §534(2), inserted last sentence.

2002—Subsec. (g). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1999—Subsec. (g). Pub. L. 106-65 added subsec. (g).

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).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

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.

§ 16302. Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages

(a) Under regulations prescribed by the Secretary of Defense and subject to the other provisions of this section, the Secretary concerned may repay—

(1) a 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.);

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

(3) a loan made under part E of such title (20 U.S.C. 1087aa et seq.) after October 1, 1975;

(4) a health professions education loan made or insured under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.) or under part B of title VIII of such Act (42 U.S.C. 297 et seq.); and

(5) a loan made, insured, or guaranteed through a recognized financial or educational institution if that loan was used to finance education regarding a basic professional qualifying degree (as determined under regulations prescribed by the Secretary of Defense) or graduate education in a health profession that the Secretary of Defense determines to be critically needed in order to meet identified wartime combat medical skill shortages.

(b) The Secretary concerned may repay loans described in subsection (a) only in the case of a person who—

(1) performs satisfactory service as an officer in the Selected Reserve of an armed force; and
 (2) possesses professional qualifications, or is enrolled in a program of education leading to professional qualifications, in a health profession that the Secretary of Defense has determined to be needed critically in order to meet identified wartime combat medical skill shortages.

(c)(1) The amount of any repayment of a loan made under this section on behalf of any person shall be determined on the basis of each complete year of service that is described in subsection (b)(1) and performed by the person after the date on which the loan was made.

(2) The annual maximum amount of a loan that may be repaid under this section shall be the same as the maximum amount in effect for the same year under subsection (e)(2) of section 2173 of this title for the education loan repayment program under such section.

(d) The authority provided in this section shall apply only in the case of a person first appointed as a commissioned officer on or before December 31, 2017.

(Added Pub. L. 99-145, title VI, § 671(a)(1), Nov. 8, 1985, 99 Stat. 662, § 2172; amended Pub. L. 100-180, div. A, title VII, § 713, Dec. 4, 1987, 101 Stat. 1112; Pub. L. 101-189, div. A, title VII, § 701(a)-(c), Nov. 29, 1989, 103 Stat. 1467; Pub. L. 102-484, div. A, title VI, § 612(f), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 613(f), Nov. 30, 1993, 107 Stat. 1681; renumbered § 16302 and amended Pub. L. 103-337, div. A, title VI, § 613(e), title X, § 1070(a)(9), title XVI, § 1663(d)(2), Oct. 5, 1994, 108 Stat. 2783, 2855, 3009; Pub. L. 104-106, div. A, title VI, § 613(h), title X, § 1079(c), Feb. 10, 1996, 110 Stat. 360, 452; Pub. L. 104-201, div. A, title VI, § 613(g), Sept. 23, 1996, 110 Stat. 2544; Pub. L. 105-85, div. A, title VI, § 611(h), Nov. 18, 1997, 111 Stat. 1785; Pub. L. 105-261, div. A, title VI, §§ 611(h), 654, Oct. 17, 1998, 112 Stat. 2039, 2052; Pub. L. 106-65, div. A, title VI, § 611(h), Oct. 5, 1999, 113 Stat. 650; Pub. L. 106-398, § 1 [[div. A], title VI, § 621(h)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, § 611(h), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-314, div. A, title VI, § 612(b), Dec. 2, 2002, 116 Stat. 2567; Pub. L. 108-136, div. A, title VI, § 612(b), Nov. 24, 2003, 117 Stat. 1501; Pub. L. 108-375, div. A, title VI, §§ 612(b), 662, Oct. 28, 2004, 118 Stat. 1947, 1974; Pub. L. 109-163, div. A, title

VI, § 622(b), Jan. 6, 2006, 119 Stat. 3294; Pub. L. 109-364, div. A, title VI, § 612(b), Oct. 17, 2006, 120 Stat. 2248; Pub. L. 110-181, div. A, title VI, § 612(b), Jan. 28, 2008, 122 Stat. 148; Pub. L. 110-417, [div. A], title V, § 547, title VI, § 612(b), Oct. 14, 2008, 122 Stat. 4466, 4484; Pub. L. 111-84, div. A, title VI, § 612(a)(2), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, § 612(a)(2), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, § 612(a)(2), Dec. 31, 2011, 125 Stat. 1449; Pub. L. 112-239, div. A, title VI, § 612(a)(2), Jan. 2, 2013, 126 Stat. 1776; Pub. L. 113-66, div. A, title VI, § 612(a)(2), Dec. 26, 2013, 127 Stat. 780; Pub. L. 113-291, div. A, title VI, § 612(a)(2), Dec. 19, 2014, 128 Stat. 3400; Pub. L. 114-92, div. A, title VI, § 612(a)(2), Nov. 25, 2015, 129 Stat. 838; Pub. L. 114-328, div. A, title VI, § 612(a)(2), Dec. 23, 2016, 130 Stat. 2158.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (a)(1) to (3), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Parts B, D, and E of title IV of the Act are classified to parts B (§ 1071 et seq.), D (§ 1087a et seq.), and E (§ 1087aa et seq.), respectively, of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

The Public Health Service Act, referred to in subsec. (a)(4), is act July 1, 1944, ch. 373, 58 Stat. 682, as amended. Part A of title VII of the Act is classified generally to part A (§ 292 et seq.) of subchapter V of chapter 6A of Title 42, The Public Health and Welfare. Part B of title VIII of the Act is classified generally to part B (§ 297 et seq.) of subchapter VI of chapter 6A of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

AMENDMENTS

2016—Subsec. (d). Pub. L. 114-328 substituted “December 31, 2017” for “December 31, 2016”.

2015—Subsec. (d). Pub. L. 114-92 substituted “December 31, 2016” for “December 31, 2015”.

2014—Subsec. (d). Pub. L. 113-291 substituted “December 31, 2015” for “December 31, 2014”.

2013—Subsec. (d). Pub. L. 113-66 substituted “December 31, 2014” for “December 31, 2013”.

Pub. L. 112-239 substituted “December 31, 2013” for “December 31, 2012”.

2011—Subsec. (d). Pub. L. 112-81 substituted “December 31, 2012” for “December 31, 2011”.

Pub. L. 111-383 substituted “December 31, 2011” for “December 31, 2010”.

2009—Subsec. (d). Pub. L. 111-84 substituted “December 31, 2010” for “December 31, 2009”.

2008—Subsec. (c)(2), (3). Pub. L. 110-417, § 547, added par. (2) and struck out former pars. (2) and (3) which read as follows:

“(2) Subject to paragraph (3), the amount of a loan that may be repaid under this section on behalf of any person may not exceed \$20,000 for each year of service described in paragraph (1).

“(3) The total amount that may be repaid on behalf of any person under this section may not exceed \$50,000.”

Subsec. (d). Pub. L. 110-417, § 612(b), substituted “on or before December 31, 2009” for “before January 1, 2009”.

Pub. L. 110-181 substituted “January 1, 2009” for “January 1, 2008”.

2006—Subsec. (d). Pub. L. 109-364 substituted “January 1, 2008” for “January 1, 2007”.

Pub. L. 109-163 substituted “January 1, 2007” for “January 1, 2006”.

2004—Subsec. (a)(5). Pub. L. 108-375, § 662, inserted “a basic professional qualifying degree (as determined

under regulations prescribed by the Secretary of Defense) or graduate education in” after “regarding”.

Subsec. (d). Pub. L. 108-375, §612(b), substituted “January 1, 2006” for “January 1, 2005”.

2003—Subsec. (d). Pub. L. 108-136 substituted “January 1, 2005” for “January 1, 2004”.

2002—Subsec. (d). Pub. L. 107-314 substituted “January 1, 2004” for “January 1, 2003”.

2001—Subsec. (d). Pub. L. 107-107 substituted “January 1, 2003” for “January 1, 2002”.

2000—Subsec. (d). Pub. L. 106-398 substituted “January 1, 2002” for “January 1, 2001”.

1999—Subsec. (d). Pub. L. 106-65 substituted “January 1, 2001” for “January 1, 2000”.

1998—Subsec. (b)(2). Pub. L. 105-261, §654(a), inserted “, or is enrolled in a program of education leading to professional qualifications,” after “possesses professional qualifications”.

Subsec. (c)(2). Pub. L. 105-261, §654(b)(1), substituted “\$20,000” for “\$3,000”.

Subsec. (c)(3). Pub. L. 105-261, §654(b)(2), substituted “\$50,000” for “\$20,000”.

Subsec. (d). Pub. L. 105-261, §611(h), substituted “January 1, 2000” for “October 1, 1999”.

1997—Subsec. (d). Pub. L. 105-85 substituted “October 1, 1999” for “October 1, 1998”.

1996—Subsec. (a)(2) to (5). Pub. L. 104-106, §1079(c), added par. (2) and redesignated former pars. (2) to (4) as (3) to (5), respectively.

Subsec. (d). Pub. L. 104-201 substituted “October 1, 1998” for “October 1, 1997”.

Pub. L. 104-106, §613(h), substituted “October 1, 1997” for “October 1, 1996”.

1994—Pub. L. 103-337, §1663(d)(2), renumbered section 2172 of this title as this section and substituted “Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages” for “Education loans for certain health professionals who serve in the Selected Reserve” as section catchline.

Subsec. (a)(3). Pub. L. 103-337, §1070(a)(9), substituted “health professions education loan” for “health education assistance loan”, “part A” for “part C”, and “42 U.S.C. 292” for “42 U.S.C. 294”.

Subsec. (d). Pub. L. 103-337, §613(e), substituted “October 1, 1996” for “October 1, 1995”.

1993—Subsec. (d). Pub. L. 103-160 substituted “October 1, 1995” for “October 1, 1993”.

1992—Subsec. (d). Pub. L. 102-484 substituted “October 1, 1993” for “October 1, 1992”.

1989—Subsec. (a)(1). Pub. L. 101-189, §701(c)(1), struck out “a portion of” before “a loan made”.

Subsec. (a)(4). Pub. L. 101-189, §701(a), added par. (4).

Subsec. (c)(2). Pub. L. 101-189, §701(c)(2), substituted “amount of” for “portion of”.

Subsec. (d). Pub. L. 101-189, §701(b), substituted “October 1, 1992” for “October 1, 1990”.

1987—Subsec. (a)(3). Pub. L. 100-180, §713(a), inserted “or under part B of title VIII of such Act (42 U.S.C. 297 et seq.)”.

Subsec. (d). Pub. L. 100-180, §713(b), substituted “October 1, 1990” for “October 1, 1988”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-181 effective as of Dec. 31, 2007, and subject to various special provisions, see section 610 of Pub. L. 110-181, set out as a Correction of Lapsed Authorities for Payment of Bonuses, Special Pays, and Similar Benefits for Members of the Uniformed Services note under section 2130a of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 1663(d)(2) of 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

Pub. L. 99-145, title VI, §671(b)(2), Nov. 8, 1985, 99 Stat. 663, provided that: “The authority provided under sec-

tion 2172 [now 16302] of title 10, United States Code, as added by subsection (a), shall apply only—

“(A) in the case of a person who is first appointed as a commissioned officer of an Armed Force after September 30, 1985; and

“(B) with respect to service performed after that date.”

§ 16303. Loan repayment program: chaplains serving in the Selected Reserve

(a) AUTHORITY TO REPAY EDUCATION LOANS.—For purposes of maintaining adequate numbers of chaplains in the Selected Reserve, the Secretary concerned may repay a loan that was obtained by a person who—

(1) satisfies the requirements for accessioning and commissioning of chaplains, as prescribed in regulations;

(2) holds, or is fully qualified for, an appointment as a chaplain in a reserve component of an armed force; and

(3) signs a written agreement with the Secretary concerned to serve not less than three years in the Selected Reserve.

(b) EXCEPTION FOR CHAPLAIN CANDIDATE PROGRAM.—A person accessioned into the Chaplain Candidate Program is not eligible for the repayment of a loan under subsection (a).

(c) LOAN REPAYMENT PROCESS; MAXIMUM AMOUNT.—(1) Subject to paragraph (2), the repayment of a loan under subsection (a) may consist of the payment of the principal, interest, and related expenses of the loan.

(2) The amount of any repayment of a loan made under subsection (a) on behalf of a person may not exceed \$20,000 for each three year period of obligated service that the person agrees to serve in an agreement described in subsection (a)(3). Of such amount, not more than an amount equal to 50 percent of such amount may be paid before the completion by the person of the first year of obligated service pursuant to the agreement. The balance of such amount shall be payable at such time or times as are prescribed in regulations.

(d) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—A person on whose behalf a loan is repaid under subsection (a) who fails to commence or complete the period of obligated service specified in the agreement described in subsection (a)(3) shall be subject to the repayment provisions of section 303a(e) of title 37.

(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

(Added and amended Pub. L. 109-163, div. A, title VI, §§684(a), 687(c)(14), Jan. 6, 2006, 119 Stat. 3324, 3335.)

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-163, §687(c)(14), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “If a person on whose behalf a loan is repaid under subsection (a) fails to commence or complete the period of obligated service specified in the agreement described in subsection (a)(3), the Secretary concerned may require the person to pay the United States an amount equal to the amount of the loan repayments made on behalf of the person in connection with the agreement.”

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or simi-