

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-

lar 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.

CHAPTER 1611—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

Sec.
16401. Marine Corps Platoon Leaders Class: college tuition assistance program.

AMENDMENTS

2000—Pub. L. 106-398, § 1 [[div. A], title V, § 533(g)], Oct. 30, 2000, 114 Stat. 1654, 1654A-112, substituted “Class: college tuition assistance program” for “Class program: officer candidates pursuing degrees” in item 16401.

§ 16401. Marine Corps Platoon Leaders Class: college tuition assistance program

(a) **AUTHORITY.**—The Secretary of the Navy may provide financial assistance to an eligible member of the Marine Corps Reserve for expenses of the member while the member is pursuing on a full-time basis at an institution of higher education a program of education approved by the Secretary that leads to—

(1) a baccalaureate degree in less than five academic years; or

(2) a doctor of jurisprudence or bachelor of laws degree in not more than four academic years.

(b) **ELIGIBILITY.**—(1) To be eligible for financial assistance under this section, a member of the Marine Corps Reserve must—

(A) be a member of the Marine Corps Platoon Leaders Class program and have successfully completed one six-week (or longer) increment of military training required under that program;

(B) be enrolled on a full-time basis in a program of education referred to in subsection (a) at any institution of higher education; and

(C) enter into a written agreement with the Secretary described in paragraph (2).

(2) A written agreement referred to in paragraph (1)(C) is an agreement between the member and the Secretary in which the member agrees—

(A) to accept an appointment as a commissioned officer in the Marine Corps, if tendered by the President;

(B) to serve on active duty for at least five years; and

(C) under such terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment.

(c) **COVERED EXPENSES.**—Expenses for which financial assistance may be provided under this section are—

(1) tuition and fees charged by the institution of higher education involved;

(2) the cost of books; and

(3) in the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(d) **AMOUNT.**—The amount of financial assistance provided to a member under this section shall be prescribed by the Secretary, but may not exceed \$5,200 for any academic year.

(e) **LIMITATIONS.**—(1) Financial assistance may be provided to a member under this section only for three consecutive academic years.

(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year.

(f) **FAILURE TO COMPLETE PROGRAM.**—(1) An enlisted member who receives financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to serve in an appropriate enlisted grade for such period as the Secretary prescribes, but not for more than four years, and an officer who receives financial assistance under this section shall be subject to the repayment provisions of section 303a(e) of title 37, if the member—

(A) completes the military and academic requirements of the Marine Corps Platoon Leaders Class program and refuses to accept an appointment as a commissioned officer in the Marine Corps when offered or, if already a commissioned officer in the Marine Corps, refuses to accept an assignment on active duty when offered;

(B) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program; or

(C) is disenrolled from the Marine Corps Platoon Leaders Class program for failure to maintain eligibility for an original appointment as a commissioned officer under section 532 of this title.

(2) Any requirement to repay any portion of financial assistance received under this section shall be administered under the regulations issued under section 303a(e) of title 37. The Secretary of the Navy may waive the requirements of paragraph (1) in the case of a person who—

(A) becomes unqualified to serve on active duty as an officer due to a circumstance not within the control of the person;

(B) is not physically qualified for appointment under section 532 of this title and later is determined by the Secretary of the Navy under section 505 of this title to be unqualified for service as an enlisted member of the Marine Corps due to a physical or medical condition that was not the result of misconduct or grossly negligent conduct; or

(C) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program due to a circumstance not within the control of the person.

(g) **INSTITUTION OF HIGHER EDUCATION DEFINED.**—In this section, the term “institution of higher education” has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(Added Pub. L. 106-65, div. A, title V, § 551(a)(1), Oct. 5, 1999, 113 Stat. 612; amended Pub. L. 106-398, § 1 [[div. A], title V, § 533(a)-(d), (f)], Oct. 30, 2000, 114 Stat. 1654, 1654A-110, 1654A-111; Pub. L. 109-163, div. A, title VI, § 687(c)(15), Jan. 6, 2006, 119 Stat. 3336.)

AMENDMENTS

2006—Subsec. (f)(1). Pub. L. 109-163, § 687(c)(15)(A), substituted “shall be subject to the repayment provisions of section 303a(e) of title 37” for “may be required to repay the full amount of financial assistance” in introductory provisions.