

tion shall be derived from amounts available to the Secretary of Veterans Affairs for the Veterans Health Administration for Medical Services."

### § 7682. Eligibility

(a) ELIGIBILITY.—An individual is eligible to participate in the Education Debt Reduction Program if the individual—

(1) is an employee in the Veterans Health Administration serving in a position (as determined by the Secretary) providing direct-patient care services or services incident to direct-patient care services for which recruitment or retention of qualified health-care personnel (as so determined) is difficult; and

(2) owes any amount of principal or interest under a loan, the proceeds of which were used by or on behalf of that individual to pay costs relating to a course of education or training which led to a degree that qualified the individual for the position referred to in paragraph (1).

(b) COVERED COSTS.—For purposes of subsection (a)(2), costs relating to a course of education or training include—

(1) tuition expenses;

(2) all other reasonable educational expenses, including expenses for fees, books, and laboratory expenses; and

(3) reasonable living expenses.

(Added Pub. L. 105-368, title VIII, §803(a), Nov. 11, 1998, 112 Stat. 3357; amended Pub. L. 107-135, title I, §102(b), Jan. 23, 2002, 115 Stat. 2448; Pub. L. 111-163, title III, §301(b), May 5, 2010, 124 Stat. 1146.)

#### AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-163, §301(b)(1), substituted "an" for "a recently appointed".

Subsec. (c). Pub. L. 111-163, §301(b)(2), struck out subsec. (c). Text read as follows: "For purposes of subsection (a), an individual shall be considered to be recently appointed to a position if the individual has held that position for less than 6 months."

2002—Subsec. (a)(1). Pub. L. 107-135 substituted "in a position (as determined by the Secretary) providing direct-patient care services or services incident to direct-patient care services" for "under an appointment under section 7402(b) of this title in a position" and "(as so determined)" for "(as determined by the Secretary)".

#### TEMPORARY EXPANSION OF INDIVIDUALS ELIGIBLE FOR PARTICIPATION IN PROGRAM

Pub. L. 107-135, title I, §102(e), Jan. 23, 2002, 115 Stat. 2449, granted the Secretary of Veterans Affairs authority to treat certain individuals as recently appointed employees in the Veterans Health Administration under subsec. (a) of this section for purposes of eligibility in the Education Debt Reduction Program under this subchapter but prohibited exercise of this authority after June 30, 2002.

### § 7683. Education debt reduction

(a) IN GENERAL.—Education debt reduction payments under the Education Debt Reduction Program shall consist of—

(1) payments to individuals selected to participate in the program of principal and interest on loans described in section 7682(a)(2) of this title; or

(2) payments for the principal and interest on such loans of such individuals to the holders of such loans.

(b) FREQUENCY OF PAYMENT.—(1) The Secretary may make education debt reduction payments to or for any given participant in the Education Debt Reduction Program on a monthly or annual basis, as determined by the Secretary.

(2) The Secretary shall make such payments at the end of the period determined by the Secretary under paragraph (1).

(c) PERFORMANCE REQUIREMENT.—The Secretary may make education debt reduction payments to or for a participant in the Education Debt Reduction Program for a period only if the Secretary determines that the individual maintained an acceptable level of performance in the position or positions served by the participant during the period.

(d) MAXIMUM ANNUAL AMOUNT.—(1) The amount of education debt reduction payments made to or for a participant under the Education Debt Reduction Program may not exceed \$120,000 over a total of five years of participation in the Program, of which not more than \$24,000 of such payments may be made in each year of participation in the Program.

(2)(A) The Secretary may waive the limitations under paragraph (1) in the case of a participant described in subparagraph (B). In the case of such a waiver, the total amount of education debt repayments payable to or for that participant is the total amount of the principal and the interest on the participant's loans referred to in subsection (a).

(B) A participant described in this subparagraph is a participant in the Program who the Secretary determines serves in a position for which there is a shortage of qualified employees by reason of either the location or the requirements of the position.

(Added Pub. L. 105-368, title VIII, §803(a), Nov. 11, 1998, 112 Stat. 3357; amended Pub. L. 107-135, title I, §102(c), Jan. 23, 2002, 115 Stat. 2448; Pub. L. 111-163, title III, §301(c), (d), May 5, 2010, 124 Stat. 1146; Pub. L. 113-146, title III, §302(b), Aug. 7, 2014, 128 Stat. 1788; Pub. L. 113-175, title IV, §408, Sept. 26, 2014, 128 Stat. 1906; Pub. L. 114-58, title VI, §601(24), Sept. 30, 2015, 129 Stat. 539.)

#### AMENDMENTS

2015—Subsec. (d). Pub. L. 114-58 inserted period at end.

2014—Subsec. (a). Pub. L. 113-175, §408(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: "Education debt reduction payments under the Education Debt Reduction Program shall consist of payments to individuals selected to participate in the program of amounts to reimburse such individuals for payments by such individuals of principal and interest on loans described in section 7682(a)(2) of this title."

Subsecs. (b)(1), (c). Pub. L. 113-175, §408(2), substituted "payments to or for" for "payments to".

Subsec. (d)(1). Pub. L. 113-175, §408(3)(A), substituted "made to or for" for "made to".

Pub. L. 113-146, §302(b)(1), (2)(B), substituted "The amount" for "Subject to paragraph (2), the amount", "\$120,000" for "\$60,000", and "\$24,000 of such payments may be made in each year of participation in the Program" for "\$12,000 of such payments may be made in each of the fourth and fifth years of participation in the Program".

Subsec. (d)(2). Pub. L. 113-146, §302(b)(2)(A)(i), (ii), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: "The total amount payable to a