

curred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965.

(g) **SPECIAL ALLOWANCE DEFINED.**—In this section, the term “special allowance” means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087-1).

(Added Pub. L. 107-314, div. A, title VI, § 651(a)(1), Dec. 2, 2002, 116 Stat. 2578.)

#### REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsecs. (c) and (f)(2)(B), 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.

#### EFFECTIVE DATE

Pub. L. 107-314, div. A, title VI, § 651(e), Dec. 2, 2002, 116 Stat. 2581, provided that: “The amendments made by this section [enacting this section and amending sections 1078, 1087e, and 1087dd of Title 20, Education] shall apply with respect to interest, and any special allowance under section 438 of the Higher Education Act of 1965 [20 U.S.C. 1087-1], that accrue for months beginning on or after October 1, 2003, on student loans described in subsection (c) of section 2174 of title 10, United States Code (as added by subsection (a)), that were made before, on, or after such date to members of the Armed Forces who are on active duty (as defined in section 101(d) of title 10, United States Code) on or after that date.”

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### CHAPTER 110—EDUCATIONAL ASSISTANCE FOR MEMBERS HELD AS CAPTIVES AND THEIR DEPENDENTS

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#### AMENDMENTS

1990—Pub. L. 101-510, div. A, title XIV, § 1484(i)(5), Nov. 5, 1990, 104 Stat. 1718, inserted “administered by” after “programs” in item 2185.

1989—Pub. L. 101-189, div. A, title XVI, § 1621(a)(7)(B), Nov. 29, 1989, 103 Stat. 1603, substituted “programs the Department of Veterans Affairs” for “programs administered by the Veterans’ Administration” in item 2185.

#### § 2181. Definitions

In this chapter:

(1) The terms “captive status” and “former captive” have the meanings given those terms in section 559 of title 37.

(2) The term “dependent” has the meaning given that term in section 551 of that title.

(Added Pub. L. 99-399, title VIII, § 806(d)(1), Aug. 27, 1986, 100 Stat. 887, and Pub. L. 100-26, § 7(k)(6), Apr. 21, 1987, 101 Stat. 284.)

#### AMENDMENTS

1987—Pub. L. 100-26, substituted “The terms ‘captive’” for “‘Captive’” in par. (1) and “The term ‘dependent’” for “‘Dependent’” in par. (2).

#### EFFECTIVE DATE

Pub. L. 99-399, title VIII, § 806(d)(3), Aug. 27, 1986, 100 Stat. 888, provided that: “Chapter 110 of title 10, United States Code, as added by paragraph (1), shall apply with respect to persons whose captive status begins after January 21, 1981.”

#### § 2182. Educational assistance: dependents of captives

(a) Under regulations prescribed by the President, the Secretary concerned shall pay (by advancement or reimbursement) a dependent of a person who is in a captive status for expenses incurred, while attending an educational or training institution, for—

- (1) subsistence;
- (2) tuition;
- (3) fees;
- (4) supplies;
- (5) books;
- (6) equipment; and
- (7) other educational expenses.

(b) Except as provided in section 2184 of this title, payments shall be available under this section for a dependent of a person who is in a captive status for education or training that occurs—

- (1) after that person is in a captive status for not less than 90 days; and
- (2) on or before—

(A) the end of any semester or quarter (as appropriate) that begins before the date on which the captive status of that person terminates;

(B) the earlier of the end of any course that began before such date or the end of the 16-week period following that date if the educational or training institution is not operated on a semester or quarter system; or

(C) a date specified by the Secretary concerned in order to respond to special circumstances.

(c) If a person in a captive status or a former captive dies and the death is incident to the captivity, payments shall be available under this section for a dependent of that person for education or training that occurs after the date of the death of that person.

(d) The provisions of this section shall not apply to any dependent who is eligible for assistance under chapter 35 of title 38 or similar assistance under any other provision of law.

(Added Pub. L. 99-399, title VIII, § 806(d)(1), Aug. 27, 1986, 100 Stat. 887.)

#### EFFECTIVE DATE

Section applicable with respect to persons whose captive status begins after Jan. 21, 1981, see section 806(d)(3) of Pub. L. 99-399, set out as a note under 2181 of this title.