

AMENDMENTS

2016—Subsec. (b)(4). Pub. L. 114-315 substituted “12304, 12304a, or 12304b” for “or 12304” in introductory provisions.

2008—Subsec. (a). Pub. L. 110-252 substituted “on the date the person is separated from the Selected Reserve.” for “(1) at the end of the 14-year period beginning on the date on which such person becomes entitled to such assistance, or (2) on the date the person is separated from the Selected Reserve, whichever occurs first.”

Subsec. (b)(1)(B). Pub. L. 110-181 inserted “or the period beginning on October 1, 2007, and ending on September 30, 2014,” after “December 31, 2001.”

2002—Subsec. (a)(1). Pub. L. 107-314 substituted “14-year” for “10-year”.

2000—Subsec. (b)(1)(B). Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001”.

1998—Subsec. (b)(1)(B). Pub. L. 105-261 substituted “September 30, 2001” for “September 30, 1999”.

1997—Subsec. (b)(4). Pub. L. 105-85 struck out “(A)” before “In the case of”, redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively, struck out “, during the Persian Gulf War,” after “Ready Reserve who”, and struck out former subpar. (B) which read as follows: “For the purposes of this paragraph, the term ‘Persian Gulf War’ shall have the meaning given such term in section 101(33) of title 38.”

1994—Pub. L. 103-337, §1663(b)(2), renumbered section 2133 of this title as this section.

Subsec. (b)(1)(B). Pub. L. 103-337, §1663(b)(5)(A), substituted “10143(a)” for “268(b)”.

Subsec. (b)(4)(A). Pub. L. 103-337, §1663(b)(5)(B), substituted “12301(a), 12301(d), 12301(g), 12302, or 12304” for “672(a), (d), or (g), 673, or 673b”.

1993—Subsec. (b)(1)(B). Pub. L. 103-160 substituted “September 30, 1999” for “September 30, 1995”.

1992—Subsec. (b)(1). Pub. L. 102-484 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “In the case of a person separated from the Selected Reserve because of a disability which was not the result of the individual’s own willful misconduct incurred on or after the date on which such person became entitled to educational assistance under this chapter, the period for using entitlement prescribed by subsection (a) shall be determined without regard to clause (2) of such subsection.”

Subsec. (b)(2), (3). Pub. L. 102-568 substituted “section 3031(f) of title 38” for “section 1431(f) of title 38” in par. (2) and “section 3031(d) of title 38” for “section 1431(d) of title 38” in par. (3).

1991—Subsec. (b)(4). Pub. L. 102-127 added par. (4).

1988—Subsec. (a). Pub. L. 100-689, §111(b)(5)(A), substituted “chapter” for “section”.

Subsec. (b). Pub. L. 100-689, §111(b)(5)(B), added par. (1), redesignated existing pars. (1) and (2) as (2) and (3), respectively, and directed the substitution of “1431(f)” for “1431(e)” in par. (2) as redesignated, which could not be executed because such substitution was previously made by Pub. L. 100-456, prior to redesignation of par. (1) as (2), see below.

Pub. L. 100-456 substituted “section 1431(f)” for “section 1431(e)” in par. (1).

1984—Pub. L. 98-525 amended section generally, substituting provisions setting a time limit for the use of educational entitlement for provisions covering the termination of assistance and refund by members. See section 2134 of this title.

1980—Subsec. (a). Pub. L. 96-513 inserted “of this title” after “2131” and “2107”.

1979—Subsec. (b). Pub. L. 96-107 redesignated existing provisions as par. (1), inserted provisions respecting agreement for term of enlistment, substituted provisions relating to computation under par. (2) for provisions relating to computation under section 2131, and added par. (2).

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-314, div. A, title VI, §641(b), Dec. 2, 2002, 116 Stat. 2577, provided that: “The amendment made by

subsection (a) [amending this section] shall take effect on October 1, 2002, and shall apply with respect to periods of entitlement to educational assistance under chapter 1606 of title 10, United States Code, that begin on or after October 1, 1992.”

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.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-525 effective July 1, 1985, applicable only to members of the Armed Forces who qualify for educational assistance under this chapter on or after such date, see section 705(b) of Pub. L. 98-525, set out as a note under section 16131 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-107 applicable only to individuals enlisting in the Reserves after Sept. 30, 1979, see section 402(c) of Pub. L. 96-107, set out as a note under section 16131 of this title.

§ 16134. Termination of assistance

Educational assistance may not be provided under this chapter—

(1) to a member receiving financial assistance under section 2107 of this title as a member of the Senior Reserve Officers’ Training Corps program; or

(2) to a member who fails to participate satisfactorily in required training as a member of the Selected Reserve.

(Added Pub. L. 95-79, title IV, §402(a), July 30, 1977, 91 Stat. 330, §2134; amended Pub. L. 98-94, title XII, §1268(14), Sept. 24, 1983, 97 Stat. 707; Pub. L. 98-525, title VII, §705(a)(1), Oct. 19, 1984, 98 Stat. 2566; renumbered §16134, Pub. L. 103-337, div. A, title XVI, §1663(b)(2), Oct. 5, 1994, 108 Stat. 3006.)

AMENDMENTS

1994—Pub. L. 103-337 renumbered section 2134 of this title as this section.

1984—Pub. L. 98-525 amended section generally, substituting provisions covering termination of educational assistance for provisions relating to reports to Congress. See section 16137 of this title.

1983—Pub. L. 98-94 struck out provision requiring the first report under this section to be submitted not later than Dec. 31, 1977.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-525 effective July 1, 1985, applicable only to members of the Armed Forces who qualify for educational assistance under this chapter on or after such date, see section 705(b) of Pub. L. 98-525, set out as a note under section 16131 of this title.

§ 16135. Failure to participate satisfactorily; penalties

(a) PENALTIES.—At the option of the Secretary concerned, a member of the Selected Reserve of an armed force who does not participate satisfactorily in required training as a member of the Selected Reserve during a term of enlistment or other period of obligated service that created