

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 similar 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) or 373 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) or 373 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.