

108TH CONGRESS
2D SESSION

H. R. 4367

To amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2004

Mr. MATHESON introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Resuming Education
5 After Defense Service Act of 2004”.

1 **SEC. 2. EDUCATIONAL ASSISTANCE UNDER MONTGOMERY**
2 **GI BILL FOR MEMBERS OF THE SELECTED**
3 **RESERVE WHO AGGREGATE MORE THAN 2**
4 **YEARS OF ACTIVE DUTY SERVICE DURING**
5 **ANY 5-YEAR PERIOD.**

6 (a) ENTITLEMENT.—Section 3012(a)(1) of title 38,
7 United States Code, is amended—

8 (1) in subparagraph (B), by striking “or” at
9 the end;

10 (2) in subparagraph (C), by adding “or” at the
11 end; and

12 (3) by inserting after subparagraph (C) the fol-
13 lowing new subparagraph (D):

14 “(D) while in the Selected Reserve—

15 “(i) is first ordered to serve on active
16 duty in the Armed Forces under section
17 12301(a), 12301(d), 12301(g), 12302, or
18 12304 of title 10, during the period begin-
19 ning on September 11, 2001, and ending
20 December 31, 2006; and

21 “(ii) serves on active duty in the
22 Armed Forces for one or more periods
23 (whether continuous or otherwise) aggre-
24 gating not less than two years of service on
25 active duty during a five-year period begin-
26 ning on the date the individual is first or-

1 dered to serve on active duty during the
2 period referred to in clause (i);”.

3 (b) DURATION OF ASSISTANCE.—Section 3013(b) of
4 such title is amended by striking “is entitled to” and all
5 that follows and inserting the following: “is entitled to—

6 “(1) one month of educational assistance bene-
7 fits under this chapter—

8 “(A) in the case of an individual described
9 in section 3012(a)(1)(A) of this title, for each
10 month of continuous active duty served by such
11 individual after June 30, 1985, as part of the
12 obligated period of active duty on which such
13 entitlement is based;

14 “(B) in the case of an individual described
15 in section 3012(a)(1)(B) of this title, for each
16 month of continuous active duty served by such
17 individual after June 30, 1985; or

18 “(C) in the case of an individual described
19 in section 3012(a)(1)(D) of this title, for each
20 month of active duty served by such individual
21 after September 11, 2001, as part of the aggre-
22 gate period of active duty on which such entitle-
23 ment is based; and

24 “(2) one month of educational assistance bene-
25 fits under this chapter for each four months served

1 by such individual in the Selected Reserve after the
2 applicable date specified in paragraph (1) of this
3 subsection (other than any month in which the indi-
4 vidual served on active duty).”.

5 (c) AMOUNT OF ASSISTANCE.—Section 3015 of such
6 title is amended—

7 (1) in subsections (a)(1)(D) and (b)(1)(D), by
8 striking “subsection (h)” and inserting “subsection
9 (i)”;

10 (2) by redesignating subsection (h) as sub-
11 section (i); and

12 (3) by inserting after subsection (g) the fol-
13 lowing new subsection (h):

14 “(h) In the case of an individual entitled to an edu-
15 cational assistance allowance under section 3012(a)(1)(D)
16 of this title, the amount of the basic educational assistance
17 allowance payable under this chapter is the amount deter-
18 mined under subsection (b) of this section.”.

19 (d) OUTREACH.—(1) The Secretaries concerned shall
20 take actions to inform members of the Selected Reserve
21 who are or may become entitled to basic educational as-
22 sistance benefits under chapter 30 of title 38, United
23 States Code, as a result of section 3012(a)(1)(D) of such
24 title (as amended by subsection (a) of this section) of the
25 minimum service requirements for entitlement to such

1 benefits under that chapter and of the scope and nature
2 of such benefits.

3 (2) In this subsection:

4 (A) The term “Secretary concerned” has the
5 meaning given such term in section 101(25) of title
6 38, United States Code.

7 (B) The term “Selected Reserve” has the
8 meaning given such term in section 3002(4) of title
9 38, United States Code.

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