

110TH CONGRESS  
2D SESSION

# S. 2871

To amend title 38, United States Code, to recodify as part of that title chapter 1607 of title 10, United States Code, to enhance the program of educational assistance under that chapter, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 16, 2008

Mrs. LINCOLN (for herself, Mr. LEAHY, Mr. BAYH, Mr. KERRY, Mr. CRAPO, Ms. MIKULSKI, Mr. SALAZAR, Mr. CASEY, Mr. SMITH, Ms. KLOBUCHAR, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 38, United States Code, to recodify as part of that title chapter 1607 of title 10, United States Code, to enhance the program of educational assistance under that chapter, 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 “Reserve Education Assist-  
5       ance Program (REAP) Enhancement Act of 2008”.

1 **SEC. 2. RECODIFICATION AND ENHANCEMENT IN TITLE 38,**  
 2 **UNITED STATES CODE, OF CERTAIN EDU-**  
 3 **CATIONAL ASSISTANCE PROGRAMS FOR**  
 4 **MEMBERS OF THE RESERVE COMPONENTS.**

5 (a) IN GENERAL.—Part III of title 38, United States  
 6 Code, is amended by inserting after chapter 32 the fol-  
 7 lowing new chapter:

8 **“CHAPTER 33—EDUCATIONAL ASSIST-**  
 9 **ANCE FOR MEMBERS OF THE RE-**  
 10 **SERVE COMPONENTS SUPPORTING**  
 11 **CONTINGENCY OPERATIONS AND CER-**  
 12 **TAIN OTHER OPERATIONS**

“Sec.

“3301. Purpose.

“3302. Educational assistance program.

“3303. Eligibility for educational assistance.

“3304. Time limit for use of entitlement.

“3305. Termination of assistance.

“3306. Administration of program.

13 **“§ 3301. Purpose**

14 “The purpose of this chapter is to provide educational  
 15 assistance to members of the reserve components called  
 16 or ordered to active service in response to a war or na-  
 17 tional emergency declared by the President or Congress,  
 18 in recognition of the sacrifices that those members make  
 19 in answering the call to duty.

20 **“§ 3302. Educational assistance program**

21 “(a) IN GENERAL.—(1) The Secretary shall carry out  
 22 a program prescribed in this chapter to provide edu-

1 cational assistance to members of the Ready Reserve of  
2 the Armed Forces.

3 “(2) The Secretary of each military department,  
4 under regulations prescribed by the Secretary of Defense,  
5 and the Secretary of Homeland Security with respect to  
6 the Coast Guard when it is not operating as a service in  
7 the Navy, shall provide appropriate notice individuals who  
8 meet eligibility requirements under section 3303 of this  
9 title of their entitlement to receive educational assistance  
10 under this chapter.

11 “(b) AUTHORIZED EDUCATION PROGRAMS.—Edu-  
12 cational assistance may be provided under this chapter for  
13 pursuit of any program of education that is an approved  
14 program of education for purposes of chapter 30 of this  
15 title.

16 “(c) BENEFIT AMOUNT.—(1) The educational assist-  
17 ance program established under subsection (a) shall pro-  
18 vide for payment by the Secretary of an educational assist-  
19 ance allowance to each member entitled to educational as-  
20 sistance under this chapter who is pursuing a program of  
21 education authorized under subsection (b).

22 “(2) The educational assistance allowance provided  
23 under this chapter shall be based on the applicable percent  
24 under paragraph (4) to the applicable rate provided under  
25 section 3015 of this title for a member whose entitlement

1 is based on completion of an obligated period of active  
2 duty of three years.

3 “(3) The educational assistance allowance provided  
4 under this section for a person who is undertaking a pro-  
5 gram for which a reduced rate is specified in chapter 30  
6 of this title, that rate shall be further adjusted by the ap-  
7 plicable percent specified in paragraph (4).

8 “(4) The adjusted educational assistance allowance  
9 under paragraph (2) or (3), as applicable, shall be—

10 “(A) 40 percent in the case of a member of a  
11 reserve component who performed active service for  
12 a cumulative period of at least 90 days but less than  
13 180 days;

14 “(B) 45 percent in the case of a member of a  
15 reserve component who performed active service for  
16 a cumulative period of at least 180 days but less  
17 than 270 days;

18 “(C) 50 percent in the case of a member of a  
19 reserve component who performed active service for  
20 a cumulative period of at least 270 days but less  
21 than one year;

22 “(D) 60 percent in the case of a member of a  
23 reserve component who performed active service for  
24 a cumulative period of at least one year but less  
25 than 15 months;

1           “(E) 65 percent in the case of a member of a  
2           reserve component who performed active service for  
3           a cumulative period of at least 15 months but less  
4           than 18 months;

5           “(F) 70 percent in the case of a member of a  
6           reserve component who performed active service for  
7           a cumulative period of at least 18 months but less  
8           than 21 months;

9           “(G) 75 percent in the case of a member of a  
10          reserve component who performed active service for  
11          a cumulative period of at least 21 months but less  
12          than two years;

13          “(H) 80 percent in the case of a member of a  
14          reserve component who performed active service for  
15          a cumulative period of at least two years but less  
16          than 27 months;

17          “(I) 85 percent in the case of a member of a  
18          reserve component who performed active service for  
19          a cumulative period of at least 27 months but less  
20          than 30 months;

21          “(J) 90 percent in the case of a member of a  
22          reserve component who performed active service for  
23          a cumulative period of at least 30 months but less  
24          than 33 months;

1           “(K) 95 percent in the case of a member of a  
2           reserve component who performed active service for  
3           a cumulative period of at least 33 months but less  
4           than three years; or

5           “(L) 100 percent in the case of a member of a  
6           reserve component who performed active service for  
7           a cumulative period of three years or more.

8           “(d) MAXIMUM MONTHS OF ASSISTANCE.—(1) Sub-  
9           ject to section 3695 of this title, the maximum number  
10          of months of educational assistance that may be provided  
11          to any member under this chapter is 36 (or the equivalent  
12          thereof in part-time educational assistance).

13          “(2)(A) Notwithstanding any other provision of this  
14          chapter or chapter 36 of this title, any payment of an edu-  
15          cational assistance allowance described in subparagraph  
16          (B) shall not—

17                 “(i) be charged against the entitlement of any  
18          individual under this chapter; or

19                 “(ii) be counted toward the aggregate period for  
20          which section 3695 of this title limits an individual’s  
21          receipt of assistance.

22          “(B) The payment of the educational assistance al-  
23          lowance referred to in subparagraph (A) is the payment  
24          of such an allowance to the individual for pursuit of a

1 course or courses under this chapter if the Secretary of  
 2 Veterans Affairs finds that the individual—

3 “(i) had to discontinue such course pursuit as  
 4 a result of being ordered to serve on active duty  
 5 under section 12301(a), 12301(d), 12301(g), 12302,  
 6 or 12304 of title 10; and

7 “(ii) failed to receive credit or training time to-  
 8 ward completion of the individual’s approved edu-  
 9 cational, professional, or vocational objective as a re-  
 10 sult of having to discontinue, as described in clause  
 11 (i), the individual’s course pursuit.

12 “(C) The period for which, by reason of this sub-  
 13 section, an educational assistance allowance is not charged  
 14 against entitlement or counted toward the applicable ag-  
 15 gregate period under section 3695 of this title shall not  
 16 exceed the portion of the period of enrollment in the  
 17 course or courses for which the individual failed to receive  
 18 credit or with respect to which the individual lost training  
 19 time, as determined under subparagraph (B)(ii).

20 “(e) AVAILABILITY OF ASSISTANCE FOR LICENSING  
 21 AND CERTIFICATION TESTS.—(1) Subject to paragraph  
 22 (3), the amount of educational assistance payable under  
 23 this chapter for a licensing or certification test described  
 24 in section 3452(b) of this title is the lesser of \$2,000 or  
 25 the fee charged for the test.

1       “(2) The number of months of entitlement charged  
 2 in the case of any individual for such licensing or certifi-  
 3 cation test is equal to the number (including any fraction)  
 4 determined by dividing the total amount of educational as-  
 5 sistance paid such individual for such test by the full-time  
 6 monthly institutional rate of educational assistance which,  
 7 but for paragraph (1), such individual would otherwise be  
 8 paid under subsection (c).

9       “(3) In no event shall payment of educational assist-  
 10 ance under this subsection for such a test exceed the  
 11 amount of the individual’s available entitlement under this  
 12 chapter.

13       “(f) FLIGHT TRAINING.—The Secretary may approve  
 14 the pursuit of flight training (in addition to a course of  
 15 flight training that may be approved under section  
 16 3680A(b) of this title) by an individual entitled to edu-  
 17 cational assistance under this chapter if—

18               “(1) such training is generally accepted as nec-  
 19 essary for the attainment of a recognized vocational  
 20 objective in the field of aviation;

21               “(2) the individual possesses a valid private  
 22 pilot certificate and meets, on the day the member  
 23 begins a course of flight training, the medical re-  
 24 quirements necessary for a commercial pilot certifi-  
 25 cate; and



1           “(3) the flight school courses meet Federal  
2       Aviation Administration standards for such courses  
3       and are approved by the Federal Aviation Adminis-  
4       tration and the State approving agency.

5   **“§ 3303. Eligibility for educational assistance**

6       “(a) ELIGIBILITY.—On or after September 11, 2001,  
7       a member of a reserve component is entitled to educational  
8       assistance under this chapter if the member—

9           “(1) served on active duty in support of a con-  
10      tingency operation for 90 consecutive days or more;  
11      or

12           “(2) in the case of a member of the Army Na-  
13      tional Guard of the United States or Air National  
14      Guard of the United States, performed full time Na-  
15      tional Guard duty under section 502(f) of title 32  
16      for 90 consecutive days or more when authorized by  
17      the President or Secretary of Defense for the pur-  
18      pose of responding to a national emergency declared  
19      by the President and supported by Federal funds.

20       “(b) DISABLED MEMBERS.—Notwithstanding the eli-  
21      gibility requirements in subsection (a), a member who was  
22      ordered to active service as prescribed under paragraph  
23      (1) or (2) of subsection (a) but is released from duty be-  
24      fore completing 90 consecutive days because of an injury,  
25      illness, or disease incurred or aggravated in the line of

1 duty shall be entitled to educational assistance under this  
2 chapter at the rate prescribed in section 3302(c)(4)(A) of  
3 this title.

4 “(c) WRITTEN NOTIFICATION.—(1) Each member  
5 who becomes entitled to educational assistance under sub-  
6 section (a) shall be given a statement in writing prior to  
7 release from active service that summarizes the provisions  
8 of this chapter and stating clearly and prominently the  
9 substance of section 3305 of this title as such section may  
10 apply to the member.

11 “(2) At the request of the Secretary of Veterans Af-  
12 fairs, the Secretary of the military department concerned  
13 shall transmit a notice of entitlement for each such mem-  
14 ber to that Secretary.

15 “(d) BAR FROM DUAL ELIGIBILITY.—A member who  
16 qualifies for educational assistance under this chapter may  
17 not receive credit for such service under both the program  
18 established by chapter 30 of this title and the program  
19 established by this chapter but shall make an irrevocable  
20 election (in such form and manner as the Secretary may  
21 prescribe) as to the program to which such service is to  
22 be credited.

23 “(e) BAR FROM DUPLICATION OF EDUCATIONAL AS-  
24 SISTANCE ALLOWANCE.—(1) Except as provided in para-  
25 graph (2), an individual entitled to educational assistance

1 under this chapter who is also eligible for educational as-  
 2 sistance under chapter 1606 of title 10, chapter 30, 31,  
 3 32, or 35 of this title, or under the Hostage Relief Act  
 4 of 1980 (Public Law 96–449; 5 U.S.C. 5561 note) may  
 5 not receive assistance under more than one such programs  
 6 and shall elect (in such form and manner as the Secretary  
 7 may prescribe) under which program the member elects  
 8 to receive educational assistance.

9 “(2) The restriction on duplication of educational as-  
 10 sistance under paragraph (1) does not apply to the entitle-  
 11 ment of educational assistance under section 16131(i) of  
 12 title 10.

13 **“§ 3304. Time limit for use of entitlement**

14 “(a) DURATION OF ENTITLEMENT.—Except as pro-  
 15 vided in subsection (b), a member remains entitled to edu-  
 16 cational assistance under this chapter—

17 “(1) while the member is serving—

18 “(A) in the Selected Reserve of the Ready  
 19 Reserve, in the case of a member called or or-  
 20 dered to active service while serving in the Se-  
 21 lected Reserve; or

22 “(B) in the Ready Reserve, in the case of  
 23 a member ordered to active duty while serving  
 24 in the Ready Reserve (other than the Selected  
 25 Reserve); and

1           “(2) in the case of a person who separates from  
2           the Selected Reserve of the Ready Reserve after  
3           completion of a period of active service described in  
4           section 3303 of this title and completion of a service  
5           contract under other than dishonorable conditions,  
6           during the 10-year period beginning on the date on  
7           which the person separates from the Selected Re-  
8           serve.

9           “(b) DURATION OF ENTITLEMENT FOR DISABLED  
10 MEMBERS.—(1) In the case of a person who is separated  
11 from the Ready Reserve because of a disability which was  
12 not the result of the individual’s own willful misconduct  
13 incurred on or after the date on which such person became  
14 entitled to educational assistance under this chapter, such  
15 person’s entitlement to educational assistance expires at  
16 the end of the 10-year period beginning on the date on  
17 which such person became entitled to such assistance.

18           “(2) The provisions of subsections (d) and (f) of sec-  
19 tion 3031 of this title shall apply to the period of entitle-  
20 ment prescribed by paragraph (1).

21   **“§ 3305. Termination of assistance**

22           “(a) IN GENERAL.—Except as provided in subsection  
23 (b), educational assistance may not be provided under this  
24 chapter, or if being provided under this chapter, shall be  
25 terminated—

1           “(1) if the member is receiving financial assist-  
 2           ance under section 2107 of title 10 as a member of  
 3           the Senior Reserve Officers’ Training Corps pro-  
 4           gram; or

5           “(2) when the member separates from the  
 6           Ready Reserve as provided in section 3304(a)(1) of  
 7           this title, or upon completion of the period provided  
 8           for in section 3304(a)(2) of this title, as applicable.

9           “(b) EXCEPTION.—Under regulations prescribed by  
 10          the Secretary of Defense, educational assistance may be  
 11          provided under this chapter to a member of the Selected  
 12          Reserve of the Ready Reserve who incurs a break in serv-  
 13          ice in the Selected Reserve if the member continues to  
 14          serve in the Ready Reserve during and after such break  
 15          in service.

16       **“§ 3306. Administration of program**

17          “(a) PAYMENTS.—Payments for educational assist-  
 18          ance under this chapter shall be made from funds appro-  
 19          priated or otherwise made available to the Department of  
 20          Veterans Affairs for fiscal year 2010 or any subsequent  
 21          fiscal year for the payment of readjustment benefits.

22          “(b) PROGRAM MANAGEMENT.—Except as otherwise  
 23          provided in this chapter, the provisions of sections 3470,  
 24          3471, 3474, 3476, 3482(g), 3483, and 3485 of this title  
 25          and the provisions of subchapters I and II of chapter 36

1 of this title (with the exception of sections 3686(a) and  
2 3687) shall be applicable to the provision of educational  
3 assistance under this chapter. The term ‘eligible veteran’  
4 and the term ‘person’, as used in those provisions, shall  
5 be deemed for the purpose of the application of those pro-  
6 visions to this chapter to refer to a person eligible for edu-  
7 cational assistance under this chapter.”.

8 (b) TRANSFER OF AMOUNTS FOR BENEFITS AC-  
9 CRUED BEFORE OCTOBER 1, 2009.—

10 (1) FISCAL YEAR 2010.—By not later than Oc-  
11 tober 1, 2009, the Secretary of Defense shall trans-  
12 fer to the Secretary of Veterans Affairs from the  
13 funds in the Department of Defense Education Ben-  
14 efits Fund under section 2006 of title 10, United  
15 States Code, that are attributable to Armed Forces  
16 education liabilities under chapter 1607 of such title  
17 that accrue before such date, such funds as may be  
18 required by the Secretary of Veterans Affairs to  
19 make payments with respect to such liabilities dur-  
20 ing fiscal year 2010. Such amounts shall be depos-  
21 ited into the education account of the Readjustment  
22 Benefits Account of the Department of Veterans Af-  
23 fairs and shall be available to the Secretary of Vet-  
24 erans Affairs to make payments of educational as-

1       sistance under chapter 33 of title 38, United States  
2       Code, as added by subsection (a).

3           (2) AGREEMENT FOR SUBSEQUENT FISCAL  
4       YEARS.—By not later than October 1, 2009, the  
5       Secretary of Defense and the Secretary of Veterans  
6       Affairs shall enter into an agreement under which  
7       the Secretary of Defense shall transfer to the Sec-  
8       retary of Veterans Affairs all remaining funds in the  
9       Department of Defense Education Benefits Fund  
10      under section 2006 of title 10, United States Code,  
11      that are attributable to armed forces liabilities under  
12      chapter 1607 of such title that accrue before such  
13      date. Such amounts shall be deposited into the edu-  
14      cation account of the Readjustment Benefits Ac-  
15      count of the Department of Veterans Affairs and  
16      shall be available to the Secretary of Veterans Af-  
17      fairs to make payments of educational assistance  
18      under chapter 33 of title 38, United States Code, as  
19      added by subsection (a).

20           (3) REPORT.—Not later than October 1, 2009,  
21      the Secretary of Defense shall submit to the Com-  
22      mittees on Veterans' Affairs, Armed Services, and  
23      Appropriations of the Senate and the House of Rep-  
24      resentatives a detailed report on the agreement be-  
25      tween the Secretary of Defense and the Secretary of

1 Veterans Affairs and the status of the transfer of  
 2 funds described in paragraph (2). Such report shall  
 3 include the date on which the Secretary of Defense  
 4 has agreed to complete such transfer.

5 (c) CLERICAL AMENDMENTS.—The tables of chap-  
 6 ters at the beginning of title 38, United States Code, and  
 7 at the beginning of part III of such title, are each amend-  
 8 ed by inserting after the item relating to chapter 32 the  
 9 following new item:

**“33. Educational Assistance for Members of the Reserve  
 Components Supporting Contingency Op-  
 erations and Certain Other Operations ..... 3301”.**

10 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

11 (1) CONFORMING AMENDMENTS ON BAR ON  
 12 DUAL ELIGIBILITY FOR BENEFITS.—

13 (A) SECTION 3033 OF TITLE 38, UNITED  
 14 STATES CODE.—Section 3033 of title 38,  
 15 United States Code, is amended—

16 (i) in subsection (a)(1), by striking  
 17 “chapter 31, 32, or 35 of this title, under  
 18 chapter 106 or 107 of title 10” and insert-  
 19 ing “under chapter 31, 32, 33, or 35 of  
 20 this title, under chapter 107 or 1606 of  
 21 title 10”; and

22 (ii) in subsection (c), by striking  
 23 “chapter 106 of title 10” and inserting  
 24 “chapter 1606 of title 10”.



1 (B) SECTION 3221 OF TITLE 38, UNITED  
 2 STATES CODE.—Section 3221(f) of such title is  
 3 amended by striking “chapter 106 of title 10”  
 4 and inserting “chapter 1606 of title 10”.

5 (C) SECTION 3681 OF TITLE 38, UNITED  
 6 STATES CODE.—Section 3681 of such title is  
 7 amended—

8 (i) in subsection (a), by striking “34,  
 9 35, or 36 of this title or 106 or 107 of title  
 10 10,” and inserting “33, 34, 35, or 36 of  
 11 this title or chapter 107 or 1606 of title  
 12 10”; and

13 (ii) in subsection (b)—

14 (I) in paragraph (1), by inserting  
 15 after “32,” the following: “33,”; and

16 (II) in paragraph (2), by striking  
 17 “Chapters 106 and 107” and insert-  
 18 ing “Chapters 107 and 1606”.

19 (2) CONFORMING AMENDMENTS RELATING TO  
 20 DEPARTMENT OF DEFENSE EDUCATION BENEFITS  
 21 FUND.—

22 (A) DEFINITION OF ARMED FORCES EDU-  
 23 CATION LIABILITIES.—Paragraph (1) of section  
 24 2006(b) of title 10, United States Code, is  
 25 amended to read as follows:

1           “(1) The term ‘armed forces education liabil-  
 2           ities’ means liabilities of the armed forces for bene-  
 3           fits under chapter 30 of title 38 and for Department  
 4           of Defense benefits under paragraphs (3) and (4) of  
 5           section 510(e) and chapter 1606 of this title, includ-  
 6           ing funds provided by the Secretary of Homeland  
 7           Security for education liabilities for the Coast Guard  
 8           when it is not operating as a service in the Depart-  
 9           ment of the Navy.”.

10                   (B) DEFINITION OF NORMAL COST.—Sub-  
 11                   paragraph (C) of paragraph (2) of such section  
 12                   is amended to read as follows:

13                   “(C) The present value of the future De-  
 14                   partment of Defense benefits payable from the  
 15                   Fund (including funds from the Department in  
 16                   which the Coast Guard is operating) for edu-  
 17                   cational assistance under chapter 1606 of this  
 18                   title to persons who during such period become  
 19                   entitled to such assistance.”.

20                   (3) ADDITIONAL TECHNICAL AND CONFORMING  
 21                   AMENDMENTS.—

22                   (A) TITLE 38, UNITED STATES CODE.—

23                   (i) WORK-STUDY ALLOWANCE.—Sec-  
 24                   tion 3485 of title 38, United States Code,  
 25                   is amended—

1 (I) in subsection (a)(4)(E), by  
2 striking “or 1607”;

3 (II) in subsection (b), by striking  
4 “chapter 30, 31, 32, or 34 of this title  
5 or chapter 1606 or 1607 of title 10,”  
6 and inserting “chapter 30, 31, 32, 33,  
7 or 34 of this title or chapter 1606 of  
8 title 10,”; and

9 (III) in subsection (e)(1)—

10 (aa) by striking “, chapter  
11 30, 31, 32, 35, or 36 of this title,  
12 or chapter 1606 or 1607 of title  
13 10” and inserting “or chapter  
14 30, 31, 32, 33, 35, or 36 of this  
15 title or chapter 1606 of title 10”;  
16 and

17 (bb) by striking “section  
18 2135” and inserting “section  
19 16135”.

20 (ii) APPROVAL OF COURSES.—Section  
21 3672(c) of such title is amended—

22 (I) in paragraph (3)(A), by strik-  
23 ing “chapters 30 and 35 of this title”  
24 and inserting “chapters 30, 33, and  
25 35 of this title”; and

1 (II) in paragraph (4), by striking  
 2 “chapter 30 or 35 of this title” and  
 3 inserting “chapter 30, 33, or 35 of  
 4 this title”.

5 (iii) REIMBURSEMENT OF EX-  
 6 PENSES.—Section 3674 of such title is  
 7 amended—

8 (I) in subsection (a)(1), by strik-  
 9 ing “chapter 106” and inserting  
 10 “chapter 1606”; and

11 (II) in subsection (c), by insert-  
 12 ing “33,” after “32,”.

13 (iv) DISAPPROVAL OF ENROLLMENT  
 14 IN CERTAIN COURSES.—Section  
 15 3680A(d)(1) of such title is amended—

16 (I) by striking “chapter 106”  
 17 each place it appears and inserting  
 18 “chapter 1606”; and

19 (II) by inserting “, 33” after  
 20 “32”.

21 (v) PROCEDURES RELATING TO COM-  
 22 PUTER MATCHING PROGRAM.—Section  
 23 3684A(a)(1) of such title is amended by  
 24 striking “chapter 30 or 32 of this title or

in chapter 106” and inserting “chapter 30, 32, or 33 of this title or in chapter 1606”.

(vi) MEASUREMENT OF COURSES.—

Section 3688(b) of such title is amended by striking “chapter 30, 32, or 35 of this title, or chapter 106” and inserting “chapter 30, 32, 33, or 35 of this title, or chapter 1606”.

(vii) APPROVAL REQUIREMENT FOR

LICENSING AND CERTIFICATION TESTING.—Section 3689 of such title is amended by inserting “33,” after “32,” each place it appears.

(viii) VETERANS’ ADVISORY COMMITTEE ON EDUCATION.—

Section 3692 of such title is amended—

(I) in subsection (a), by striking

“or 35 of this title” and inserting

“33, or 35 of this title”; and

(II) in subsection (b), by striking

“chapters 30, 32, and 35 of this title”

and inserting “chapters 30, 32, 33,

and 35 of this title”.

(ix) LIMITATION ON PERIOD OF AS-

SISTANCE UNDER TWO OR MORE PRO-

1 GRAMS.—Section 3695(a) of such title is  
2 amended—

3 (I) by amending paragraph (4) to  
4 read as follows:

5 “(4) Chapters 30, 32, 33, 34, 35, and 36 of  
6 this title.”; and

7 (II) in paragraph (5), by striking  
8 “1607,”.

9 (x) FUNDING OF CONTRACT EDU-  
10 CATIONAL AND VOCATIONAL COUN-  
11 SELING.—Section 3697(a) of such title is  
12 amended by striking “chapter 30, 32, 34,  
13 or 35 of this title, or chapter 106” and in-  
14 serting “chapter 30, 32, 33, 34, or 35 of  
15 this title or chapter 1606”.

16 (xi) EDUCATIONAL AND VOCATIONAL  
17 COUNSELING.—Section 3697A(b)(1) of  
18 such title is amended by striking “or 32 of  
19 this title or chapter 106 or 107” and in-  
20 serting “32, or 33 of this title or chapter  
21 107 or 1606”.

22 (B) TITLE 10, UNITED STATES CODE.—  
23 Section 510(h)(1) of title 10, United States  
24 Code, is amended—

- 1 (i) in subparagraph (A), by inserting  
 2 “or chapter 33” after “chapter 30”; and  
 3 (ii) in subparagraph (B)—  
 4 (I) by inserting “or chapter 33”  
 5 after “chapter 30”; and  
 6 (II) by striking “either such  
 7 chapter” both places it appears and  
 8 inserting “any such chapter”.

9 (e) REPEAL OF OBSOLETE AND REDUNDANT AU-  
 10 THORITY.—

11 (1) IN GENERAL.—Chapter 1607 of title 10,  
 12 United States Code, is hereby repealed.

13 (2) CLERICAL AMENDMENTS.—The tables of  
 14 chapters at the beginning of subtitle E of title 10,  
 15 United States Code, and at the beginning of part IV  
 16 of such subtitle, are each amended by striking the  
 17 item relating to chapter 1607.

18 (f) EFFECTIVE DATE.—

19 (1) IN GENERAL.—Except as provided in para-  
 20 graph (2), this section and the amendments made by  
 21 this section shall take effect on October 1, 2009.

22 (2) TRANSFER OF AMOUNTS.—Subsection (b)  
 23 shall take effect on the date of the enactment of this  
 24 Act.

