

111TH CONGRESS  
1ST SESSION

# H. R. 3554

To amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2009

Mr. LOEBSACK (for himself, Mr. BRADY of Pennsylvania, Mr. HALL of New York, Mr. PASTOR of Arizona, Mrs. CAPPS, Mr. COURTNEY, Mr. CARNEY, Mr. CUMMINGS, Ms. GIFFORDS, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, Mr. MASSA, Ms. BORDALLO, Mr. STUPAK, Mr. DRIEHAUS, Mr. ELLSWORTH, Mr. MURPHY of New York, Mr. BARTLETT, Ms. MARKEY of Colorado, Mrs. DAHLKEMPER, Mr. MINNICK, Mr. CONNOLLY of Virginia, and Ms. LORETTA SANCHEZ of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “National Guard Edu-  
3 cation Equality Act”.

4 **SEC. 2. INCLUSION OF CERTAIN ACTIVE DUTY SERVICE IN**  
5 **THE RESERVE COMPONENTS AS QUALIFYING**  
6 **SERVICE FOR PURPOSES OF POST-9/11 EDU-**  
7 **CATIONAL ASSISTANCE PROGRAM.**

8       Section 3301(1) of title 38, United States Code, is  
9 amended by adding at the end the following new subpara-  
10 graph:

11               “(C) In the case of members of the Army  
12 National Guard or Air National Guard of any  
13 State, full-time duty under title 32, including  
14 such duty—

15                       “(i) under orders from the Governor  
16 of a State or territory of the United States  
17 in response to a domestic emergency;

18                       “(ii) as part of the Active Guard Re-  
19 serve;

20                       “(iii) as part of Air Sovereignty Alert;

21                       “(iv) as part of Operation Jumpstart;

22                       “(v) in response to Hurricane  
23 Katrina;

24                       “(vi) as part of an airport security  
25 mission; or

1 “(vii) as part of a counterdrug activ-  
2 ity.”.

3 **SEC. 3. DISCHARGE FROM SERVICE IN THE RESERVE COM-**  
4 **ONENTS FOR SERVICE-CONNECTED DIS-**  
5 **ABILITY.**

6 Subparagraph (B) of section 3311(b)(2) of title 38,  
7 United States Code, is amended to read as follows:

8 “(B) after completion of service described  
9 in subparagraph (A), is discharged or released  
10 from—

11 “(i) active duty in the Armed Forces  
12 for a service-connected disability; or

13 “(ii) a reserve component for a serv-  
14 ice-connected disability.”.

15 **SEC. 4. EFFECTIVE DATE.**

16 The amendments made by this Act shall take effect  
17 on the date that is 90 days after the date of the enactment  
18 of this Act.

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