

111TH CONGRESS
2D SESSION

H. R. 5826

To amend title 38, United States Code, to expand the definition of active duty for purposes of the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to include certain service in the National Guard.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2010

Mr. ALTMIRE (for himself and Mr. PLATTS) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand the definition of active duty for purposes of the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to include certain service in the National Guard.

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. EXPANSION OF DEFINITION OF ACTIVE DUTY**
2 **FOR PURPOSES OF POST-9/11 EDUCATIONAL**
3 **ASSISTANCE PROGRAM OF THE DEPART-**
4 **MENT OF VETERANS AFFAIRS TO INCLUDE**
5 **SERVICE IN NATIONAL GUARD FOR CERTAIN**
6 **PURPOSES.**

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

10 “(C) In the case of a member of the Army
11 National Guard of the United States or Air Na-
12 tional Guard of the United States, in addition
13 to service described in subparagraph (B), full-
14 time service—

15 “(i) in the National Guard of a State
16 for the purpose of organizing, admin-
17 istering, recruiting, instructing, or training
18 the National Guard; or

19 “(ii) in the National Guard under sec-
20 tion 502(f) of title 32 when authorized by
21 the President or Secretary of Defense for
22 the purpose of responding to a national
23 emergency declared by the President and
24 supported by Federal funds.”.

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