

SA 4774. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4775. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4776. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4762. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NO UNION DUES FROM ILLEGAL IMMIGRANTS.

(a) **PROHIBITION FOR PRIVATE LABOR ORGANIZATIONS.**—It shall be unlawful for a labor organization to collect dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) **PROHIBITION FOR PUBLIC SAFETY LABOR ORGANIZATIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, a State law shall be deemed to have failed to substantially provide for the rights and responsibilities described in section 4(b) unless the Authority determines that such law, in addition to meeting such rights and responsibilities, prohibits labor organizations from collecting dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act.

(2) **ENFORCEMENT AUTHORITY.**—The Authority may issue and enforce regulations to carry out paragraph (1) in the manner provided under section 5.

(c) **DECERTIFICATION OF LABOR ORGANIZATIONS.**—

(1) **PUBLIC-SECTOR EMPLOYEES.**—In addition to any enforcement measures authorized under subsection (b)(2), if the Authority determines that a labor organization has violated any provision under subsection (a) or (b), the Authority shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Authority as the exclusive representative of employees for collective bargaining purposes.

(2) **PRIVATE-SECTOR EMPLOYEES.**—If the National Labor Relations Board determines that a labor organization has violated subsection (a), the Board shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Board as the exclusive representative of employees for collective bargaining purposes.

(d) **LABOR ORGANIZATION DEFINED.**—In this section, the term “labor organization” has the meaning given such term in section 2 of the Labor Management Relations Act (29 U.S.C. 152)).

(e) **REQUIRED PARTICIPATION BY LABOR ORGANIZATIONS.**—Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (title IV of division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) **LABOR ORGANIZATIONS.**—

“(A) **IN GENERAL.**—All labor organizations (as defined in section 2 of the Labor Management Relations Act (29 U.S.C. 152)) shall elect to participate in the basic pilot program and shall comply with the terms and conditions of such election.

“(B) **VERIFICATION OF ALL MEMBERS.**—Notwithstanding any other provision in this title, each participating labor organization shall use the confirmation system to seek confirmation of the identity and employment eligibility of each member of such labor organization.

“(C) **DEADLINE FOR COMPLIANCE.**—The verifications required under subparagraph (B) shall be completed—

“(i) not later than 1 year after the date of the enactment of the Public Safety Employer-Employee Cooperation Act of 2007 for all members of the labor organization as of such date; and

“(ii) for individuals who become members of such labor organization after such date of enactment, not later than 14 days after the commencement of such membership.”.

SA 4763. Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) proposed an amendment to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; as follows:

Strike the last period in the bill and insert the following:

TITLE I—EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS

SEC. 101. SHORT TITLE.

This title may be cited as the “Enhancement of Recruitment, Retention, and Readjustment Through Education Act of 2008”.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) The World War II-era GI Bill assisted almost 8,000,000 members of the Armed Forces in readjusting to civilian life after completing their service to the nation. With the support and assistance of America’s colleges and universities, the GI Bill provided incentives that transformed American society, making a college degree a realizable goal for millions of Americans.

(2) In the years following World War II, the GI Bill continued to provide educational benefits for members of the Armed Forces who had been drafted into or volunteered for service.

(3) The establishment of the All Volunteer Force in 1973, and its development since its inception, has produced highly professional Armed Forces that are recognized as the most effective fighting force the world has ever seen.

(4) The Sonny Montgomery GI Bill was enacted in 1984 to sustain the All Volunteer Force by providing educational benefits to aid in the recruitment and retention of highly qualified personnel for the Armed Forces and to assist veterans in readjusting to civilian life. Today, it remains a cornerstone of military recruiting and retention planning for the Armed Forces and continues to fulfill its original purposes.

(5) The All Volunteer Force depends for its effectiveness and vitality on successful re-

cruiting of highly capable men and women, and retention for careers of soldiers, sailors, airmen, and marines, in both the active and reserve components of the Armed Forces, who, with the support of their families and loved ones, develop into professional, dedicated, and experienced officers, noncommissioned officers, and petty officers.

(6) The achievement of educational goals, including obtaining the means to a college degree, has traditionally been a key reason for volunteering for service in the Armed Forces. For members who serve a career in the Armed Forces, this goal extends to their spouses and children and has resulted in requests for the option to transfer educational benefits under the GI Bill to spouses and children.

(7) As in the aftermath of World War II, colleges and universities throughout the United States should demonstrate their and the Nation’s appreciation to veterans by dedicated programs providing financial aid.

(8) It is in that national interest for the United States—

(A) to express the gratitude of the American people by assisting those who have honorably served in the Armed Forces and returned to civilian life to achieve their educational goals;

(B) to provide significant educational benefits to provide incentives for successful recruiting;

(C) to motivate continued service in the All Volunteer Force by those members with the potential for military careers and their spouses and children; and

(D) to assist those who serve and their families in achieving their personal goals, including higher education, while progressing in a military career.

SEC. 103. PLAN ON COORDINATION OF CURRENT EDUCATIONAL ASSISTANCE PROGRAMS AND DEVELOPMENT OF ADDITIONAL EDUCATIONAL ASSISTANCE PROGRAMS TO ENABLE CAREER-ORIENTED MEMBERS OF THE ARMED FORCES TO ATTAIN A BACHELOR’S DEGREE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the outstanding men and women who volunteer for service in the Armed Forces and demonstrate through their service the ability, motivation, and commitment to serve as career commissioned officers, noncommissioned officers, petty officers, and warrant officers should be given the opportunities and resources needed to obtain a bachelor’s degree before they complete active duty and retire from the Armed Forces; and

(2) every effort should be made by the leaders of the Army, Navy, Marine Corps, Air Force, and Coast Guard to demonstrate to members of the Armed Forces who are willing to serve and study that the dual goals of attaining a bachelor’s degree and a distinguished military career are achievable and not mutually exclusive.

(b) **PLAN TO COORDINATE AND DEVELOP EDUCATIONAL ASSISTANCE PROGRAMS.**—

(1) **PLAN REQUIRED.**—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a plan to make the attainment of a bachelor’s degree an achievable goal for members of the Armed Forces who are motivated towards careers in the Armed Forces and who are able and willing to accept the challenges of military duty and pursuit of college level studies.

(2) **ADVICE OF THE SERVICE CHIEFS.**—The Secretary of Defense shall develop the plan required by paragraph (1) with the advice of the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps.

(3) **ELEMENTS.**—The plan required by paragraph (1) shall include the following:

(A) Appropriate elements of current programs to assist members of the Armed Forces in obtaining college-level education, including tuition assistance programs, distance learning programs, and technical training and education provided by the military departments, including programs currently administered by the Secretary of Veterans Affairs.

(B) Appropriate elements of current programs to provide members of the Armed Forces with assistance in obtaining college-level credit for the technical training and experience they undergo during their military career.

(C) One or more additional education programs to assist members of the Armed Forces in obtaining a college-level education, including mechanisms for the provision by the military departments of guidance, mentoring, and resources to assist members in achieving their professional military and personal educational goals.

(D) Such additional programs or mechanisms, such as sabbaticals from the Armed Forces or college-level education provided or funded by the military departments, as the Secretary of Defense considers appropriate to assist members of the Armed Forces in making adequate progress towards a bachelor's degree from an accredited institution of higher education while continuing a successful military career.

(E) Such mechanisms for the application of the elements of the plan to members of the National Guard and Reserves as the Secretary of Defense considers appropriate to ensure that such members receive appropriate assistance in achieving their professional military and personal educational goals.

(F) Such elements of current programs of the military departments for in-service education of members of the Armed Forces as the Secretary of Defense considers appropriate to maintain and enhance the recruitment and retention by the Armed Forces of highly trained and experienced military leaders.

(4) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plan required by paragraph (1) not later than August 1, 2009.

SEC. 104. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) INCREASE IN GENERAL RATES AND ADJUSTED RATES FOR EXTENDED SERVICE.—

(1) RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended by striking “on a full-time basis, at the monthly rate of” and all that follows and inserting “on a full-time basis—

“(A) in the case of an individual who served on active duty in the Armed Forces for 12 or more years, at the monthly rate of—

“(i) for months occurring during fiscal year 2009, \$1,650;

“(ii) for months occurring during fiscal year 2010, \$1,800;

“(iii) for months occurring during fiscal year 2011, \$2,000; and

“(iv) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); and

“(B) in the case of an individual who served on active duty in the Armed Forces for less than 12 years, at the monthly rate of—

“(i) for months occurring during fiscal year 2009, \$1,500; and

“(ii) for months occurring during a subsequent fiscal year, the amount for months oc-

curing during the preceding fiscal year increased under subsection (h); or”.

(2) RATES BASED ON TWO YEARS OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(A) by striking subparagraphs (A) through (C) and inserting the following new subparagraph (A):

“(A) for months occurring during fiscal year 2009, \$950; and”;

(B) by redesignating subparagraph (D) as subparagraph (B).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to basic educational assistance payable for months beginning on or after that date.

(2) LIMITATION ON COST-OF-LIVING ADJUSTMENTS.—

(A) CERTAIN RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(A) of such section (as amended by subsection (a)(1) of this section) for any of fiscal years 2009 through 2011.

(B) OTHER RATES.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(B) of such section (as so amended), or subsection (b) of such section, for fiscal year 2009.

SEC. 105. ANNUAL STIPEND FOR RECIPIENTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) ENTITLEMENT TO STIPEND.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

“§3020A. Educational stipend

“(a) ENTITLEMENT.—Each individual receiving basic educational assistance under this subchapter who is pursuing a program of education at an institution of higher learning (as such term is defined in section 3452(f) of this title) is entitled to an educational stipend under this section.

“(b) AMOUNT OF STIPEND.—The educational stipend payable under this section to an individual entitled to such a stipend shall be paid—

“(1) in the case of an individual pursuing an approved program of education on at least a half-time basis, at the annual rate of \$1,000; and

“(2) in the case of an individual pursuing an approved program of education on less than a half-time basis, at the annual rate of \$500.

“(c) PAYMENT FREQUENCY AND METHOD.—The educational stipend payable under this subsection shall be paid with such frequency (including by lump sum), and by such mechanisms, as the Secretary shall prescribe for purposes of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by adding at the end of the items relating to subchapter II the following new item:

“3020A. Educational stipend.”.

(b) EFFECTIVE DATE.—Section 3020A of title 38, United States Code, as added by subsection (a), shall take effect on the date that is one year after the enactment of this Act.

SEC. 106. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE.

(a) INCREASE IN RATES.—Section 16131(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “\$251” and inserting “\$634”;

(2) in subparagraph (B), by striking “\$188” and inserting “\$474”;

(3) in subparagraph (C), by striking “\$125” and inserting “\$314”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

(2) NO COST-OF-LIVING ADJUSTMENT.—No adjustment under paragraph (2) of section 16131(b) of title 10, United States Code, shall be made in the rates of educational assistance payable under paragraph (1) of such section for fiscal year 2009.

SEC. 107. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) INCREASE IN RATES FOR EXTENDED SERVICE.—Paragraph (2) of section 16162(c) of title 10, United States Code, is amended to read as follows:

“(2) The educational assistance allowance provided under this chapter shall be the amount as follows (as adjusted under paragraphs (3) and (4)):

“(A) In the case of a member who serves an aggregate of 12 years or more in the Selected Reserve of the Ready Reserve, the amount provided under section 3015(a)(1)(A) of title 38 for the fiscal year concerned, except that if a member otherwise covered by this subparagraph ceases serving in the Selected Reserve the amount shall be the amount provided under subparagraph (B) of this paragraph.

“(B) In the case of any other member, the amount provided under section 3015(a)(1)(B) of title 38 for the fiscal year concerned.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 108. ENHANCEMENT OF TRANSFERABILITY OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF AUTHORITY TO TRANSFER ENTITLEMENT UNDER MONTGOMERY GI BILL.—

(1) IN GENERAL.—Subsection (a) of section 3020 of title 38, United States Code, is amended to read as follows:

“(a) IN GENERAL.—Subject to the provisions of this section, the Secretary of Defense shall authorize each Secretary concerned to permit an individual described in subsection (b) who is entitled to basic educational assistance under this subchapter to elect to transfer to one or more of the dependents specified in subsection (c) the unused portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).”.

(2) ELIGIBLE INDIVIDUALS.—Subsection (b) of such section is amended to read as follows:

“(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the Armed Forces serving on active duty or as a member of the Selected Reserve who, at the time of the approval by the Secretary concerned of the member's request to transfer entitlement to basic educational assistance under this section—

“(1) has completed six years of service in the Armed Forces; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.”.

(3) LIMITATIONS ON MONTHS OF TRANSFER.—Subsection (d) of such section is amended to read as follows:

“(d) NUMBER OF MONTHS TRANSFERABLE.—

(1) Except as provided in paragraphs (2) and (3), an individual may transfer under this section any number of months of unused entitlement of the individual to basic educational assistance under this chapter.

“(2) In the case of an individual who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the individual’s request to transfer entitlement under this section, the number of months that may be transferred by the individual under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.”.

(4) **TIMING, REVOCATION, AND MODIFICATION OF TRANSFER.**—Subsection (f) of such section is amended—

(A) in paragraph (1), by striking “without regard” and all that follows and inserting “while the individual is a member of the Armed Forces.”; and

(B) in paragraph (2)(A), by inserting “while the individual is serving as a member of the Armed Forces or in the Selected Reserve” after “at any time”.

(5) **EXCLUSION FROM MARITAL PROPERTY.**—Subsection (f) of such section is further amended by adding at the end the following new paragraph:

“(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.”.

(6) **OVERPAYMENT.**—Subsection (i) of such section is amended—

(A) by striking “(1)” before “In the event”; and

(B) by striking paragraphs (2) and (3).

(7) **REGULATIONS.**—Subsection (k) of such section is amended to read as follows:

“(k) **REGULATIONS.**—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”.

(8) **HEADING AMENDMENT.**—The heading of such section is amended to read as follows:

“§ 3020. Transfer of entitlement to basic educational assistance”.

(9) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 30 of such title is amended by striking the item relating to section 3020 and inserting the following:

“3020. Transfer of entitlement to basic educational assistance.”.

(b) **AUTHORITY FOR TRANSFER OF ENTITLEMENT UNDER RESERVE COMPONENTS EDUCATIONAL ASSISTANCE PROGRAMS.**—

(1) **SELECTED RESERVE PROGRAM.**—

(A) **IN GENERAL.**—Chapter 1606 of title 10, United States Code, is amended by inserting after section 16131a the following new section:

“§ 16131b. Transfer of entitlement to educational assistance

“(a) **IN GENERAL.**—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member’s entitlement to such assistance, subject to the limitations under subsection (d).

“(b) **ELIGIBLE MEMBERS.**—A member described in this subsection is a member of the Selected Reserve of the Ready Reserve who, at the time of the approval of the member’s request to transfer entitlement to educational assistance under this section—

“(1) has completed at least six years of service in the Selected Reserve; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

“(c) **ELIGIBLE DEPENDENTS.**—A member approved to transfer an entitlement to educational assistance under this section may transfer the member’s entitlement as follows:

“(1) To the member’s spouse.

“(2) To one or more of the member’s children.

“(3) To a combination of the individuals referred to in paragraphs (1) and (2).

“(d) **NUMBER OF MONTHS TRANSFERRABLE.**—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

“(2) In the case of a member who has completed at least six but less than 12 years of service in the Selected Reserve at the time of the approval by the Secretary concerned of the member’s request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.

“(e) **DESIGNATION OF TRANSFEREE.**—A member transferring an entitlement to educational assistance under this section shall—

“(1) designate the dependent or dependents to whom such entitlement is being transferred;

“(2) designate the number of months of such entitlement to be transferred to each such dependent; and

“(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

“(f) **TIME FOR TRANSFER; REVOCATION AND MODIFICATION.**—(1) Subject to the time limitation for use of entitlement under section 16133 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of the member’s request to transfer such entitlement.

“(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

“(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

“(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

“(g) **COMMENCEMENT OF USE.**—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

“(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of six years of service in the Selected Reserve; or

“(2) in the case of entitlement transferred to a child, both—

“(A) the completion by the member making the transfer of six years of service in the Selected Reserve; and

“(B) either—

“(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

“(ii) the attainment by the child of 18 years of age.

“(h) **ADDITIONAL ADMINISTRATIVE MATTERS.**—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

“(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

“(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16131 or 16132a of this title, as applicable.

“(4)(A) The death of a member transferring entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

“(B) The involuntary separation or retirement of a member transferring entitlement under this section because of a nondiscretionary provision of law for age or for years of service, as described in section 16133(b) of this title, or medical disqualification which is not the result of gross negligence or misconduct of the member shall not affect the use of entitlement by the dependent to whom the entitlement is transferred.

“(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

“(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

“(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

“(i) **OVERPAYMENT.**—(1) In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

“(2)(A) Except as provided in subparagraph (B), in the case of a member transferring entitlement under this section whose eligibility is terminated under section 16134(2) of this title, the amount of any transferred entitlement under this section that is used by a dependent of the member as of the date of the failure of the member to participate satisfactorily in training as specified in section 16134(2) of this title shall be treated as an overpayment of educational assistance under paragraph (1).

“(B) Subparagraph (A) shall not apply in the case of a member who fails to complete service agreed to by the member—

“(i) by reason of the death of the member; or

“(ii) for a reason referred to in section 16133(b) of this title.

“(j) **APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.**—The Secretary concerned may approve transfers of

entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as a result of such transfers of entitlement in that fiscal year.

“(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1606 of such title is amended by inserting after the item relating to section 16131a the following new item:

“16131b. Transfer of entitlement to educational assistance.”.

(2) PROGRAM FOR RESERVE COMPONENTS SUPPORTING CONTINGENCY AND OTHER OPERATIONS.—

(A) IN GENERAL.—Chapter 1607 of title 10, United States Code, is amended by inserting after section 16162a the following new section:

“§ 16162b. Transfer of entitlement to educational assistance

“(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

“(b) ELIGIBLE MEMBERS.—A member referred to in subsection (a) is a member of the Armed Forces who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

“(1) has completed at least six years of service in the Armed Forces; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

“(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

“(1) To the member's spouse.

“(2) To one or more of the member's children.

“(3) To a combination of the individuals referred to in paragraphs (1) and (2).

“(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

“(2) In the case of a member who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the member's request to transfer entitlement

under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.

“(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

“(1) designate the dependent or dependents to whom such entitlement is being transferred;

“(2) designate the number of months of such entitlement to be transferred to each such dependent; and

“(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

“(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16164 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

“(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

“(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

“(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance as transferred under this section may not commence the use of the transferred entitlement until—

“(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection (b); or

“(2) in the case of entitlement transferred to a child, both—

“(A) the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection; and

“(B) either—

“(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

“(ii) the attainment by the child of 18 years of age.

“(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

“(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

“(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16162 or 16162a of this title, as applicable.

“(4) The death of a member transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

“(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

“(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

“(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

“(i) OVERPAYMENT.—In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

“(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as result of such transfers of entitlement in that fiscal year.

“(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by inserting after the item relating to section 16162a the following new item:

“16162b. Transfer of entitlement to educational assistance.”.

(3) FUNDING UNDER DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.—Section 2006(b)(2)(D) of title 10, United States Code, is amended by inserting before the period at the end the following: “, including payments attributable to increased usage of benefits as a result of transfers of entitlement to educational assistance under sections 16131b and 16162b of this title”.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2009.

SEC. 109. USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.

(a) USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, as amended by section 104(a) of this Act, is further amended by inserting after section 3020A the following new section:

“§ 3020B. Use of basic educational assistance benefits for repayment of Federal student loans

“(a) IN GENERAL.—An individual entitled to basic educational assistance under this subchapter who is serving on active duty in the Armed Forces may elect to apply

amounts of basic educational assistance otherwise available to the individual under this subchapter to repay all or a portion of the outstanding principal and interest on any Federal student loan owed by the individual for the individual's pursuit of a course of education.

“(b) DESIGNATION OF LOANS AND AMOUNTS PAYABLE.—An individual electing under this section to apply amounts of basic educational assistance to the payment of the outstanding principal and interest on Federal student loans shall designate (in such form and manner as the Secretary shall prescribe for purposes of this section) the following:

“(1) Each Federal student loan of the individual for which payment shall be made under this section.

“(2) For each Federal student loan designated under paragraph (1), the monthly amount to be paid under this section.

“(c) LIMITATION ON AMOUNT OF PAYMENTS.—(1) The monthly amount payable with respect to an individual under this section may not exceed the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter at the time of payment of such monthly amount.

“(2) The aggregate amount of basic educational assistance payable with respect to an individual under this section for any 12-month period may not exceed \$6,000.

“(d) FREQUENCY OF PAYMENTS.—Payment of amounts of principal and interest on Federal student loans of an individual under this section shall be made on a monthly basis.

“(e) CESSATION OF PAYMENTS.—Payments made under this section with respect to an individual shall cease if the individual ceases serving on active duty in the Armed Forces, effective as of the first month that begins after the date on which the individual ceases serving on active duty in the Armed Forces.

“(f) CHARGE AGAINST ENTITLEMENT.—The period of entitlement to basic educational assistance under this subchapter of an individual for whom payments are made under this section shall be charged at the rate of one month for each payment or aggregate of payments under this section that are equivalent in amount to the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter.

“(g) REGULATIONS.—The Secretary shall prescribe such regulations as the Secretary considers appropriate for purposes of the administration of this section.

“(h) FEDERAL STUDENT LOAN DEFINED.—In this section, the term ‘Federal student loan’ means any loan made under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).”

(2) CLERICAL AMENDMENT.—The table of sections of subchapter II of chapter 30 of such title, as so amended, is further amended by inserting after the item relating to section 3020A the following new item:

“3020B. Use of basic educational assistance benefits for repayment of Federal student loans.”

(b) EFFECTIVE DATE.—Section 3020B of title 38, United States Code, as added by subsection (a), shall apply with respect to educational assistance payable for months that begin on or after the date that is one year after the date of the enactment of this Act.

SEC. 110. EDUCATIONAL ASSISTANCE FOR GRADUATES OF THE SERVICE ACADEMIES AND RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) ACTIVE DUTY PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3011 of title 38, United States Code, is amended—

(A) in subparagraph (B), by striking “or” at the end;

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

(C) by adding at the end the following new subparagraph:

“(D) after September 30, 2009—

“(i) receives or has received a commission as an officer in the Armed Forces—

“(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

“(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

“(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);”

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking “subsection (c)(1)” and inserting “subsection (c)”;

(B) in subsection (c)—

(i) by striking “(1)” after “(c)”; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (e)(1), by striking “subsection (c)(1)” and inserting “subsection (c)”.

(b) SELECTED RESERVE PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3012 of such title is amended—

(A) in subparagraph (B), by striking “or” at the end;

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

(C) by adding at the end the following new subparagraph:

“(D) after September 30, 2009—

“(i) receives or has received a commission as an officer in the Armed Forces—

“(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

“(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

“(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);”

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (c), by striking “subsection (d)(1)” and inserting “subsection (d)”;

(B) in subsection (d)—

(i) by striking “(1)” after “(d)”; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (f)(1), by striking “subsection (d)(1)” and inserting “subsection (d)”.

(c) AMOUNT OF BASIC EDUCATIONAL ASSISTANCE.—Section 3015(c) of such title is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

“(3) Paragraph (1) of this subsection also applies to the following:

“(A) An individual entitled to an educational assistance allowance under section

3011 of this title by reason of subsection (a)(1)(D) of such section.

“(B) An individual entitled to an educational assistance allowance under section 3012 of this title by reason of subsection (a)(1)(D) of such section.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 111. OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL.—

(1) IN GENERAL.—Chapter 30 of title 38, United States Code, is amended by inserting after section 3018C the following new section:

“§ 3018D. Opportunity for current and certain retired VEAP-era personnel to enroll

“(a) IN GENERAL.—An individual described in subsection (b) who makes an election described in paragraph (5) of such subsection is entitled to basic educational assistance under this chapter, subject to the provisions of subsection (d).

“(b) COVERED INDIVIDUALS.—An individual described in this subsection is an individual who meets each of the following requirements:

“(1) The individual first became a member of the Armed Forces or first entered on active duty as a member of the Armed Forces on or after January 1, 1977, but before July 1, 1985.

“(2) The individual, as of the date of the individual's election under paragraph (5)—

“(A) is serving on active duty without a break in service (other than as described in section 3202(1)(C) of this title) since the date the individual first became such a member or first entered on active duty as such a member; or

“(B) is retired from the Armed Forces after serving at least 20 years on active duty in the Armed Forces, which service included service on active duty in the Armed Forces on or after September 11, 2001, and elected not to participate in the program of educational assistance under chapter 32 of this title.

“(3) The individual, before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree, but has not completed the requirements for nor been awarded a bachelor's degree.

“(4) The individual—

“(A) in the case of an individual described by paragraph (2)(A), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; or

“(B) in the case of an individual described by paragraph (2)(B), was discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned.

“(5) During the one-year period beginning on October 1, 2009, the individual makes an irrevocable election to receive benefits under this section pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy.

“(c) REDUCTION OF PAY; COLLECTION AND PAYMENT OF AMOUNTS.—(1) In the case of an individual described by subsection (b) who

makes an election under this section to become entitled to basic educational assistance under this chapter—

“(A) the basic pay or retired or retainer pay, as applicable, of the individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such pay is reduced is \$2,700; or

“(B) to the extent that the basic pay of the individual is not so reduced before the individual’s discharge or release from active duty as described in subsection (d)(4)(A), the Secretary concerned shall collect from the individual an amount equal to the difference between \$2,700 and the total amount of reductions with respect to the individual under subparagraph (A).

“(2) An individual covered by paragraph (1) may at any time pay the Secretary concerned an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under that paragraph and the total amount of the reductions with respect to the individual under that paragraph at the time of the payment.

“(3) Any amounts collected under paragraph (1)(B) or paid under paragraph (2) shall be paid into the Treasury as miscellaneous receipts.

“(4) The total amount of reductions in pay, or of collections or payments, required with respect to an individual under paragraph (1) shall be achieved not later than 12 months after the date on which the individual makes an election under subsection (b)(5).

“(5) No amount of educational assistance allowance under this chapter shall be paid to an individual covered by paragraph (1) until the date on which the total amount of reductions in pay, or of collections or payments, required with respect to the individual under paragraph (1) is achieved.

“(d) LIMITATIONS ON BASIC EDUCATIONAL ASSISTANCE.—(1) The basic educational assistance allowance payable under this chapter to an individual entitled to such educational assistance allowance under this section shall be payable at the monthly rate of basic educational assistance payable under section 3015(a)(1)(B) of this title.

“(2) Basic educational assistance under this section shall be available only for pursuit of a non-degree vocational training program, an associate degree, or a bachelor’s degree, but shall not be available for pursuit of a masters degree or other advanced college degree.

“(3) An individual entitled under this section to basic educational assistance under this chapter is entitled to the educational stipend provided under section 3020A of this title.

“(4)(A) Entitlement under this section to basic educational assistance under this chapter is not transferrable under the provisions of section 3020 of this title.

“(B) An individual entitled under this section to basic educational assistance under this chapter is not eligible for the following:

“(i) The use of basic educational assistance benefits under this chapter for the repayment of Federal student loans under section 3020B of this title.

“(ii) Supplemental educational assistance authorized by subchapter III of this chapter.

“(5)(A) Except as provided in subparagraph (B), the provisions of section 3031 of this title shall apply to the use of entitlement under this section to basic educational assistance under this chapter.

“(B) In the case of an individual entitled under this section to basic educational assistance under this chapter who is described by subsection (b)(2)(B), the period during which the individual may use such entitlement expires on October 1, 2019.

“(e) OUTREACH.—The Secretary shall, in coordination with the Secretary of Defense,

provide for notice of the opportunity under this section to elect to become entitled to basic educational assistance under this chapter.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by inserting after the item relating to section 3018C the following new item:

“3018D. Opportunity for current and certain retired VEAP-era personnel to enroll.”.

(b) CONFORMING AMENDMENTS.—Section 3017(b)(1) of such title is amended—

(1) in subparagraphs (A) and (C), by striking “or 3018C(e)” and inserting “3018C(e), or 3018D(c)”; and

(2) in subparagraph (B), by striking “or 3018C(e) of this title” after “section 3018C(e), or 3018D(c) of this title or paid by the individual under section 3018D(c) of this title”.

SEC. 112. COLLEGE PATRIOTS GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

“§ 3699A. College Patriots Grant Program

“(a) PURPOSE.—It is the purpose of this section to provide, through a partnership with the Department and institutions of higher education, supplemental educational grants to assist in making available the benefits of postsecondary education to qualified veterans by meeting such veterans’ unmet financial need.

“(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall carry out a supplemental educational grant program under which—

“(1) an institution of higher education participating in the program voluntarily provides a covered individual enrolled in the institution with the non-Federal share of a percentage of the covered individual’s unmet financial need determined in accordance with subsection (e); and

“(2) the Secretary provides the Federal share of a percentage of the covered individual’s unmet financial need determined in accordance with subsection (e).

“(c) DESIGNATION OF PROGRAM.—The program under this section shall be known as the ‘College Patriots Grant Program’.

“(d) INSTITUTIONAL ELIGIBILITY CRITERIA.—Assistance may be made available under this section only to an institution of higher education that satisfies any criteria specified by the Secretary. Such criteria shall include an agreement or other appropriate assurance from the institution of higher education that—

“(1) the non-Federal share of a covered individual’s unmet financial need awarded under this section shall be provided from non-Federal resources, including—

“(A) institutional grants and scholarships;

“(B) tuition or fee waivers;

“(C) State scholarships; and

“(D) foundation or other charitable organization funds; and

“(2) funds made available under this section shall be provided to a covered individual for whom the institution of higher education has made a determination that the covered individual has an unmet financial need, which determination shall be made before including Federal student loans under title IV of the Higher Education Act of 1965 in the covered individual’s financial aid package.

“(e) FEDERAL SHARE; NON-FEDERAL SHARE.—

“(1) IN GENERAL.—The Secretary shall not approve an institution of higher education for participation in the College Patriots Grant Program unless the institution of

higher education has provided, in the manner required by the Secretary, the following:

“(A) An agreement or other assurance that the institution of higher education will provide the non-Federal share in accordance with this subsection.

“(B) Information on the specific methods by which the non-Federal share shall be paid.

“(C) An acknowledgment that the non-Federal share provided under this subsection shall supplement and not supplant other Federal and non-Federal funds.

“(2) FEDERAL AND NON-FEDERAL SHARES.—Each institution of higher education participating in the program under this section shall select one of the three contribution percentage tiers described in paragraph (3) for purposes of meeting a percentage of the unmet financial needs of covered individuals enrolled in the institution.

“(3) PERCENTAGE CONTRIBUTION TIERS.—

“(A) 25 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$8,000, the non-Federal share shall be 12.5 percent of the unmet financial need and the Federal share shall be 12.5 percent of the unmet financial need, except that the Federal share shall not exceed \$1,000; and

“(ii) equal to or greater than \$8,000, the Federal share shall be \$1,000 and the non-Federal share shall be 25 percent of the covered individual’s unmet financial need minus \$1,000.

“(B) 50 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$8,000, the non-Federal share shall be 25 percent of the unmet financial need and the Federal share shall be 25 percent of the unmet financial need, except that the Federal share shall not exceed \$2,000; and

“(ii) equal to or greater than \$8,000, the Federal share shall be \$2,000 and the non-Federal share shall be 50 percent of the covered individual’s unmet financial need minus \$2,000.

“(C) 100 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$6,000, the non-Federal share shall be 50 percent of the unmet financial need and the Federal share shall be 50 percent of the unmet financial need, except that the Federal share shall not exceed \$3,000; and

“(ii) equal to or greater than \$6,000, the Federal share shall be \$3,000 and the non-Federal share shall be 100 percent of the covered individual’s unmet financial need minus \$3,000.

“(f) REGULATIONS.—The Secretary shall prescribe regulations necessary to implement and administer the College Patriots Grant Program, including regulations establishing the procedures for determining eligibility for the program, applying for supplemental educational grants under the program, and distributing the Federal share provided by the Secretary under the program.

“(g) OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense and the Secretary of Education, shall—

“(1) make available to the public on the Internet website of the Department—

“(A) a current list of institutions of higher education participating in the College Patriots Grant Program; and

“(B) information on the extent of participation of each institution of higher education participating in the College Patriots Grant Program;

“(2) make available to the public on the Internet website of the Department information about all Federal and State education benefits that members of the regular components of the Armed Forces, members of the

reserve components of the Armed Forces, veterans, and their dependents may be eligible to receive; and

“(3) make available to institutions of higher education information about the College Patriots Grant Program and take appropriate actions to encourage broad participation of institutions of higher education in the program.

“(h) AWARDS FOR INSTITUTIONAL RECOGNITION.—The Secretary may establish and administer an awards program to recognize the extent of an institution of higher education's participation in the College Patriots Grant Program.

“(i) DEFINITIONS.—In this section:

“(1) COST OF ATTENDANCE.—The term ‘cost of attendance’ has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711).

“(2) COVERED INDIVIDUAL.—The term ‘covered individual’ means an individual who—

“(A) is enrolled in an institution of higher education that is participating in the College Patriots Grant Program;

“(B) has such amount of remaining entitlement to educational assistance under chapter 30 or 32 of this title, or under chapter 1606 or 1607 of title 10, as the Secretary may require for purposes of this section; and

“(C) after receipt of any of the educational assistance described in subparagraph (B), has an unmet financial need to attend the institution of higher education for which a supplemental educational grant is sought.

“(3) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

“(4) UNMET FINANCIAL NEED.—The term ‘unmet financial need’ means, with respect to a covered individual, the cost of attendance for the covered individual to attend an institution of higher education participating in the College Patriots Grant Program, minus the sum of—

“(A) grant and work assistance received by the covered individual under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

“(B) any educational assistance payments received by the covered individual through any programs administered by the Department of Veterans Affairs or the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by adding at the end the following new items:

“SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS
“3699A. College Patriots Grant Program.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act, and shall apply to terms, quarters, or semesters beginning on or after that date.

SEC. 113. TERMINATION OF CONTRIBUTIONS BY MEMBERS OF THE ARMED FORCES FOR PARTICIPATION IN THE MONTGOMERY GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Notwithstanding subsection (b) of section 3011 of title 38, United States Code, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first enters on active duty on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

(b) SELECTED RESERVE PROGRAM.—Notwithstanding subsection (c) of section 3012 of such title, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first becomes eligible for basic educational assistance under such section on or

after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

SEC. 114. MODIFICATION OF SERVICE REQUIREMENT FOR EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) IN GENERAL.—Section 16162(c)(4) of title 10, United States Code, is amended by striking subparagraphs (A) through (C) and inserting the following new subparagraphs:

“(A) 40 percent in the case of a member of a reserve component who performed active service for—

“(i) 90 consecutive days but less than one continuous year; or

“(ii) an aggregate of one year but less than two years, none of which was continuous service of one year or more;

“(B) 60 percent in the case of a member of a reserve component who performed active service for—

“(i) one continuous year but less than two continuous years; or

“(ii) an aggregate of two years but less than three years, none of which was continuous service of two years or more; or

“(C) 80 percent in the case of a member of a reserve component who performed active service for—

“(i) two continuous years or more; or

“(ii) an aggregate of three years or more.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 115. MODIFICATION OF FORMULA FOR DETERMINATION OF ANNUAL COST ADJUSTMENT IN RATES OF EDUCATIONAL ASSISTANCE.

(a) ACTIVE DUTY PROGRAM.—Section 3015(h) of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “With respect to any fiscal year” and inserting “Subject to paragraphs (2) and (3), with respect to any fiscal year”; and

(B) by striking “the percentage by which—” and all that follows through the end of the paragraph and inserting “the percentage increase in the average cost of tuition, fees, room, and board at public four-year institutions of higher education (as determined by the Secretary in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) With respect to any fiscal year, in no event shall the increase in rates under paragraph (1) be less than a percentage increase equal to the percentage by which—

“(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(B) such Consumer Price Index for the 12-month period preceding that 12-month period.”.

(b) SELECTED RESERVE PROGRAM.—Section 16131(b)(2) of title 10, United States Code, is amended—

(1) by striking “With respect to any fiscal year” and inserting “(A) Subject to subparagraph (B), with respect to any fiscal year”; and

(2) by striking “the percentage by which—” and all that follows and inserting “the percentage increase in the average cost of tuition, fees, room, and board at public four-

year institutions of higher education (as determined by the Secretary of Veterans Affairs in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.”; and

(3) by adding at the end the following new subparagraph:

“(B) With respect to any fiscal year, in no event shall the increase in rates under subparagraph (A) be less than a percentage increase equal to the percentage by which—

“(i) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(ii) such Consumer Price Index for the 12-month period preceding that 12-month period.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, and shall apply with respect to fiscal years that begin on or after that date.

SA 4764. Mr. MCCONNELL proposed an amendment to amendment SA 4763 proposed by Mr. GRAHAM (for himself, Mr. BURR, and Mr. MCCAIN) to the bill H.R. 980, to provide collective bargaining rights for public safety officers by States or their political subdivisions; as follows:

Strike in the amendment the word **TITLE** and add the following:

I—EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS

SEC. 101. SHORT TITLE.

This title may be cited as the “Enhancement of Recruitment, Retention, and Readjustment Through Education Act of 2008”.

SEC. 102. FINDINGS.

Congress makes the following findings:

(1) The World War II-era GI Bill assisted almost 8,000,000 members of the Armed Forces in readjusting to civilian life after completing their service to the nation. With the support and assistance of America's colleges and universities, the GI Bill provided incentives that transformed American society, making a college degree a realizable goal for millions of Americans.

(2) In the years following World War II, the GI Bill continued to provide educational benefits for members of the Armed Forces who had been drafted into or volunteered for service.

(3) The establishment of the All Volunteer Force in 1973, and its development since its inception, has produced highly professional Armed Forces that are recognized as the most effective fighting force the world has ever seen.

(4) The Sonny Montgomery GI Bill was enacted in 1984 to sustain the All Volunteer Force by providing educational benefits to aid in the recruitment and retention of highly qualified personnel for the Armed Forces and to assist veterans in readjusting to civilian life. Today, it remains a cornerstone of military recruiting and retention planning for the Armed Forces and continues to fulfill its original purposes.

(5) The All Volunteer Force depends for its effectiveness and vitality on successful recruiting of highly capable men and women, and retention for careers of soldiers, sailors, airmen, and marines, in both the active and reserve components of the Armed Forces, who, with the support of their families and loved ones, develop into professional, dedicated, and experienced officers, noncommissioned officers, and petty officers.

(6) The achievement of educational goals, including obtaining the means to a college

degree, has traditionally been a key reason for volunteering for service in the Armed Forces. For members who serve a career in the Armed Forces, this goal extends to their spouses and children and has resulted in requests for the option to transfer educational benefits under the GI Bill to spouses and children.

(7) As in the aftermath of World War II, colleges and universities throughout the United States should demonstrate their and the Nation's appreciation to veterans by dedicated programs providing financial aid.

(8) It is in that national interest for the United States—

(A) to express the gratitude of the American people by assisting those who have honorably served in the Armed Forces and returned to civilian life to achieve their educational goals;

(B) to provide significant educational benefits to provide incentives for successful recruiting;

(C) to motivate continued service in the All Volunteer Force by those members with the potential for military careers and their spouses and children; and

(D) to assist those who serve and their families in achieving their personal goals, including higher education, while progressing in a military career.

SEC. 103. PLAN ON COORDINATION OF CURRENT EDUCATIONAL ASSISTANCE PROGRAMS AND DEVELOPMENT OF ADDITIONAL EDUCATIONAL ASSISTANCE PROGRAMS TO ENABLE CAREER-ORIENTED MEMBERS OF THE ARMED FORCES TO ATTAIN A BACHELOR'S DEGREE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the outstanding men and women who volunteer for service in the Armed Forces and demonstrate through their service the ability, motivation, and commitment to serve as career commissioned officers, non-commissioned officers, petty officers, and warrant officers should be given the opportunities and resources needed to obtain a bachelor's degree before they complete active duty and retire from the Armed Forces; and

(2) every effort should be made by the leaders of the Army, Navy, Marine Corps, Air Force, and Coast Guard to demonstrate to members of the Armed Forces who are willing to serve and study that the dual goals of attaining a bachelor's degree and a distinguished military career are achievable and not mutually exclusive.

(b) PLAN TO COORDINATE AND DEVELOP EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) PLAN REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, develop a plan to make the attainment of a bachelor's degree an achievable goal for members of the Armed Forces who are motivated towards careers in the Armed Forces and who are able and willing to accept the challenges of military duty and pursuit of college level studies.

(2) ADVICE OF THE SERVICE CHIEFS.—The Secretary of Defense shall develop the plan required by paragraph (1) with the advice of the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps.

(3) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Appropriate elements of current programs to assist members of the Armed Forces in obtaining college-level education, including tuition assistance programs, distance learning programs, and technical training and education provided by the military departments, including programs currently administered by the Secretary of Veterans Affairs.

(B) Appropriate elements of current programs to provide members of the Armed Forces with assistance in obtaining college-level credit for the technical training and experience they undergo during their military career.

(C) One or more additional education programs to assist members of the Armed Forces in obtaining a college-level education, including mechanisms for the provision by the military departments of guidance, mentoring, and resources to assist members in achieving their professional military and personal educational goals.

(D) Such additional programs or mechanisms, such as sabbaticals from the Armed Forces or college-level education provided or funded by the military departments, as the Secretary of Defense considers appropriate to assist members of the Armed Forces in making adequate progress towards a bachelor's degree from an accredited institution of higher education while continuing a successful military career.

(E) Such mechanisms for the application of the elements of the plan to members of the National Guard and Reserves as the Secretary of Defense considers appropriate to ensure that such members receive appropriate assistance in achieving their professional military and personal educational goals.

(F) Such elements of current programs of the military departments for in-service education of members of the Armed Forces as the Secretary of Defense considers appropriate to maintain and enhance the recruitment and retention by the Armed Forces of highly trained and experienced military leaders.

(4) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plan required by paragraph (1) not later than August 1, 2009.

SEC. 104. INCREASE IN RATES OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) INCREASE IN GENERAL RATES AND AUGMENTED RATES FOR EXTENDED SERVICE.—

(1) RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended by striking “on a full-time basis, at the monthly rate of” and all that follows and inserting “on a full-time basis—

“(A) in the case of an individual who served on active duty in the Armed Forces for 12 or more years, at the monthly rate of—

“(i) for months occurring during fiscal year 2009, \$1,650;

“(ii) for months occurring during fiscal year 2010, \$1,800;

“(iii) for months occurring during fiscal year 2011, \$2,000; and

“(iv) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); and

“(B) in the case of an individual who served on active duty in the Armed Forces for less than 12 years, at the monthly rate of—

“(i) for months occurring during fiscal year 2009, \$1,500; and

“(ii) for months occurring during a subsequent fiscal year, the amount for months occurring during the preceding fiscal year increased under subsection (h); or”.

(2) RATES BASED ON TWO YEARS OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(A) by striking subparagraphs (A) through (C) and inserting the following new subparagraph (A):

“(A) for months occurring during fiscal year 2009, \$950; and”;

(B) by redesignating subparagraph (D) as subparagraph (B).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to basic educational assistance payable for months beginning on or after that date.

(2) LIMITATION ON COST-OF-LIVING ADJUSTMENTS.—

(A) CERTAIN RATES BASED ON THREE YEARS OF OBLIGATED SERVICE.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(A) of such section (as amended by subsection (a)(1) of this section) for any of fiscal years 2009 through 2011.

(B) OTHER RATES.—No adjustment under subsection (h) of section 3015 of title 38, United States Code, shall be made in the rates of educational assistance payable under subsection (a)(1)(B) of such section (as so amended), or subsection (b) of such section, for fiscal year 2009.

SEC. 105. ANNUAL STIPEND FOR RECIPIENTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) ENTITLEMENT TO STIPEND.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 3020A. Educational stipend

“(a) ENTITLEMENT.—Each individual receiving basic educational assistance under this subchapter who is pursuing a program of education at an institution of higher learning (as such term is defined in section 3452(f) of this title) is entitled to an educational stipend under this section.

“(b) AMOUNT OF STIPEND.—The educational stipend payable under this section to an individual entitled to such a stipend shall be paid—

“(1) in the case of an individual pursuing an approved program of education on at least a half-time basis, at the annual rate of \$1,000; and

“(2) in the case of an individual pursuing an approved program of education on less than a half-time basis, at the annual rate of \$500.

“(c) PAYMENT FREQUENCY AND METHOD.—The educational stipend payable under this subsection shall be paid with such frequency (including by lump sum), and by such mechanisms, as the Secretary shall prescribe for purposes of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by adding at the end of the items relating to subchapter II the following new item:

“3020A. Educational stipend.”.

(b) EFFECTIVE DATE.—Section 3020A of title 38, United States Code, as added by subsection (a), shall take effect on the date that is one year after the enactment of this Act.

SEC. 106. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE.

(a) INCREASE IN RATES.—Section 16131(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “\$251” and inserting “\$634”;

(2) in subparagraph (B), by striking “\$188” and inserting “\$474”; and

(3) in subparagraph (C), by striking “\$125” and inserting “\$314”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

(2) NO COST-OF-LIVING ADJUSTMENT.—No adjustment under paragraph (2) of section 16131(b) of title 10, United States Code, shall be made in the rates of educational assistance payable under paragraph (1) of such section for fiscal year 2009.

SEC. 107. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) INCREASE IN RATES FOR EXTENDED SERVICE.—Paragraph (2) of section 16162(c) of title 10, United States Code, is amended to read as follows:

“(2) The educational assistance allowance provided under this chapter shall be the amount as follows (as adjusted under paragraphs (3) and (4)):

“(A) In the case of a member who serves an aggregate of 12 years or more in the Selected Reserve of the Ready Reserve, the amount provided under section 3015(a)(1)(A) of title 38 for the fiscal year concerned, except that if a member otherwise covered by this subparagraph ceases serving in the Selected Reserve the amount shall be the amount provided under subparagraph (B) of this paragraph.

“(B) In the case of any other member, the amount provided under section 3015(a)(1)(B) of title 38 for the fiscal year concerned.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 108. ENHANCEMENT OF TRANSFERABILITY OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF AUTHORITY TO TRANSFER ENTITLEMENT UNDER MONTGOMERY GI BILL.—

(1) IN GENERAL.—Subsection (a) of section 3020 of title 38, United States Code, is amended to read as follows:

“(a) IN GENERAL.—Subject to the provisions of this section, the Secretary of Defense shall authorize each Secretary concerned to permit an individual described in subsection (b) who is entitled to basic educational assistance under this subchapter to elect to transfer to one or more of the dependents specified in subsection (c) the unused portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).”.

(2) ELIGIBLE INDIVIDUALS.—Subsection (b) of such section is amended to read as follows:

“(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the Armed Forces serving on active duty or as a member of the Selected Reserve who, at the time of the approval by the Secretary concerned of the member's request to transfer entitlement to basic educational assistance under this section—

“(1) has completed six years of service in the Armed Forces; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.”.

(3) LIMITATIONS ON MONTHS OF TRANSFER.—Subsection (d) of such section is amended to read as follows:

“(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraphs (2) and (3), an individual may transfer under this section any number of months of unused entitlement of the individual to basic educational assistance under this chapter.

“(2) In the case of an individual who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement under this section, the number of

months that may be transferred by the individual under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.”.

(4) TIMING, REVOCATION, AND MODIFICATION OF TRANSFER.—Subsection (f) of such section is amended—

(A) in paragraph (1), by striking “without regard” and all that follows and inserting “while the individual is a member of the Armed Forces.”; and

(B) in paragraph (2)(A), by inserting “while the individual is serving as a member of the Armed Forces or in the Selected Reserve” after “at any time”.

(5) EXCLUSION FROM MARITAL PROPERTY.—Subsection (f) of such section is further amended by adding at the end the following new paragraph:

“(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.”.

(6) OVERPAYMENT.—Subsection (i) of such section is amended—

(A) by striking “(1)” before “In the event”; and

(B) by striking paragraphs (2) and (3).

(7) REGULATIONS.—Subsection (k) of such section is amended to read as follows:

“(k) REGULATIONS.—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”.

(8) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§ 3020. Transfer of entitlement to basic educational assistance”.

(9) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 30 of such title is amended by striking the item relating to section 3020 and inserting the following:

“3020. Transfer of entitlement to basic educational assistance.”.

(b) AUTHORITY FOR TRANSFER OF ENTITLEMENT UNDER RESERVE COMPONENTS EDUCATIONAL ASSISTANCE PROGRAMS.—

(1) SELECTED RESERVE PROGRAM.—

(A) IN GENERAL.—Chapter 1606 of title 10, United States Code, is amended by inserting after section 16131a the following new section:

“§ 16131b. Transfer of entitlement to educational assistance

“(a) IN GENERAL.—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

“(b) ELIGIBLE MEMBERS.—A member described in this subsection is a member of the Selected Reserve of the Ready Reserve who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

“(1) has completed at least six years of service in the Selected Reserve; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

“(c) ELIGIBLE DEPENDENTS.—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

“(1) To the member's spouse.

“(2) To one or more of the member's children.

“(3) To a combination of the individuals referred to in paragraphs (1) and (2).

“(d) NUMBER OF MONTHS TRANSFERRABLE.—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

“(2) In the case of a member who has completed at least six but less than 12 years of service in the Selected Reserve at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.

“(e) DESIGNATION OF TRANSFEREE.—A member transferring an entitlement to educational assistance under this section shall—

“(1) designate the dependent or dependents to whom such entitlement is being transferred;

“(2) designate the number of months of such entitlement to be transferred to each such dependent; and

“(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

“(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 16133 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of the member's request to transfer such entitlement.

“(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

“(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

“(3) Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

“(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

“(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of six years of service in the Selected Reserve; or

“(2) in the case of entitlement transferred to a child, both—

“(A) the completion by the member making the transfer of six years of service in the Selected Reserve; and

“(B) either—

“(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

“(ii) the attainment by the child of 18 years of age.

“(h) **ADDITIONAL ADMINISTRATIVE MATTERS.**—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

“(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

“(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16131 or 16132a of this title, as applicable.

“(4)(A) The death of a member transferring entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

“(B) The involuntary separation or retirement of a member transferring entitlement under this section because of a nondiscretionary provision of law for age or for years of service, as described in section 16133(b) of this title, or medical disqualification which is not the result of gross negligence or misconduct of the member shall not affect the use of entitlement by the dependent to whom the entitlement is transferred.

“(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

“(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

“(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

“(i) **OVERPAYMENT.**—(1) In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

“(2)(A) Except as provided in subparagraph (B), in the case of a member transferring entitlement under this section whose eligibility is terminated under section 16134(2) of this title, the amount of any transferred entitlement under this section that is used by a dependent of the member as of the date of the failure of the member to participate satisfactorily in training as specified in section 16134(2) of this title shall be treated as an overpayment of educational assistance under paragraph (1).

“(B) Subparagraph (A) shall not apply in the case of a member who fails to complete service agreed to by the member—

“(i) by reason of the death of the member; or

“(ii) for a reason referred to in section 16133(b) of this title.

“(j) **APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.**—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for

purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as a result of such transfers of entitlement in that fiscal year.

“(k) **REGULATIONS.**—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”

(B) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 1606 of such title is amended by inserting after the item relating to section 16131a the following new item:

“16131b. Transfer of entitlement to educational assistance.”

(2) **PROGRAM FOR RESERVE COMPONENTS SUPPORTING CONTINGENCY AND OTHER OPERATIONS.**—

(A) **IN GENERAL.**—Chapter 1607 of title 10, United States Code, is amended by inserting after section 16162a the following new section:

“**§16162b. Transfer of entitlement to educational assistance**

“(a) **IN GENERAL.**—Subject to the provisions of this section, the Secretary concerned may permit a member of the Armed Forces described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such member's entitlement to such assistance, subject to the limitations under subsection (d).

“(b) **ELIGIBLE MEMBERS.**—A member referred to in subsection (a) is a member of the Armed Forces who, at the time of the approval of the member's request to transfer entitlement to educational assistance under this section—

“(1) has completed at least six years of service in the Armed Forces; and

“(2) meets such other requirements as the Secretary of Defense may prescribe for purposes of this section.

“(c) **ELIGIBLE DEPENDENTS.**—A member approved to transfer an entitlement to educational assistance under this section may transfer the member's entitlement as follows:

“(1) To the member's spouse.

“(2) To one or more of the member's children.

“(3) To a combination of the individuals referred to in paragraphs (1) and (2).

“(d) **NUMBER OF MONTHS TRANSFERRABLE.**—(1) Except as provided in paragraph (2), a member may transfer under this section any number of months of unused entitlement of the member to educational assistance under this chapter.

“(2) In the case of a member who has completed at least six but less than 12 years of service in the Armed Forces at the time of the approval by the Secretary concerned of the member's request to transfer entitlement under this section, the number of months that may be transferred by the member under this section may not exceed the lesser of—

“(A) the number of months transferrable by the individual under paragraph (1); or

“(B) 18 months.

“(e) **DESIGNATION OF TRANSFEREE.**—A member transferring an entitlement to educational assistance under this section shall—

“(1) designate the dependent or dependents to whom such entitlement is being transferred;

“(2) designate the number of months of such entitlement to be transferred to each such dependent; and

“(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

“(f) **TIME FOR TRANSFER; REVOCATION AND MODIFICATION.**—(1) Subject to the time limitation for use of entitlement under section 16164 of this title, a member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

“(2)(A) A member transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

“(B) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

“(g) **COMMENCEMENT OF USE.**—A dependent to whom entitlement to educational assistance as transferred under this section may not commence the use of the transferred entitlement until—

“(1) in the case of entitlement transferred to a spouse, the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection (b); or

“(2) in the case of entitlement transferred to a child, both—

“(A) the completion by the member making the transfer of the years of service in the Armed Forces applicable to the member under subsection; and

“(B) either—

“(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

“(ii) the attainment by the child of 18 years of age.

“(h) **ADDITIONAL ADMINISTRATIVE MATTERS.**—(1) The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the member making the transfer at the rate of one month for each month of transferred entitlement that is used.

“(2) Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), a dependent to whom entitlement is transferred under this section is entitled to educational assistance under this chapter in the same manner as the member from whom the entitlement was transferred.

“(3) The monthly rate of educational assistance payable to a dependent to whom entitlement is transferred under this section shall be the monthly amount payable to the member making the transfer under section 16162 or 16162a of this title, as applicable.

“(4) The death of a member transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

“(5) A child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

“(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall

include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

“(7) The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible member for purposes of such provisions.

“(i) OVERPAYMENT.—In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the member making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of title 38.

“(j) APPROVALS OF TRANSFER SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The Secretary concerned may approve transfers of entitlement to educational assistance under this section in a fiscal year only to the extent that appropriations for military personnel are available in that fiscal year for purposes of making deposits in the Department of Defense Education Benefits Fund under section 2006 of this title in that fiscal year to cover the present value of future benefits payable from the Fund for the Department of Defense portion of payments of educational assistance attributable to increased usage of benefits as result of such transfers of entitlement in that fiscal year.

“(k) REGULATIONS.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, prescribe regulations for purposes of this section. Such regulations shall specify the following:

“(1) The circumstances under which the Secretaries concerned may permit and approve transfers of entitlement under this section.

“(2) Such requirements for eligibility for transfer of entitlement under this section as the Secretary of Defense considers appropriate for purposes of subsection (b)(2).

“(3) The manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(2).”

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1607 of such title is amended by inserting after the item relating to section 16162a the following new item:

“16162b. Transfer of entitlement to educational assistance.”

(3) FUNDING UNDER DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.—Section 2006(b)(2)(D) of title 10, United States Code, is amended by inserting before the period at the end the following: “, including payments attributable to increased usage of benefits as a result of transfers of entitlement to educational assistance under sections 16131b and 16162b of this title”.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2009.

SEC. 109. USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.

(a) USE OF EDUCATIONAL ASSISTANCE TO REPAY FEDERAL STUDENT LOANS.—

(1) IN GENERAL.—Subchapter II of chapter 30 of title 38, United States Code, as amended by section 104(a) of this Act, is further amended by inserting after section 3020A the following new section:

“§3020B. Use of basic educational assistance benefits for repayment of Federal student loans

“(a) IN GENERAL.—An individual entitled to basic educational assistance under this subchapter who is serving on active duty in the Armed Forces may elect to apply amounts of basic educational assistance otherwise available to the individual under this subchapter to repay all or a portion of the

outstanding principal and interest on any Federal student loan owed by the individual for the individual's pursuit of a course of education.

“(b) DESIGNATION OF LOANS AND AMOUNTS PAYABLE.—An individual electing under this section to apply amounts of basic educational assistance to the payment of the outstanding principal and interest on Federal student loans shall designate (in such form and manner as the Secretary shall prescribe for purposes of this section) the following:

“(1) Each Federal student loan of the individual for which payment shall be made under this section.

“(2) For each Federal student loan designated under paragraph (1), the monthly amount to be paid under this section.

“(c) LIMITATION ON AMOUNT OF PAYMENTS.—(1) The monthly amount payable with respect to an individual under this section may not exceed the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter at the time of payment of such monthly amount.

“(2) The aggregate amount of basic educational assistance payable with respect to an individual under this section for any 12-month period may not exceed \$6,000.

“(d) FREQUENCY OF PAYMENTS.—Payment of amounts of principal and interest on Federal student loans of an individual under this section shall be made on a monthly basis.

“(e) CESSATION OF PAYMENTS.—Payments made under this section with respect to an individual shall cease if the individual ceases serving on active duty in the Armed Forces, effective as of the first month that begins after the date on which the individual ceases serving on active duty in the Armed Forces.

“(f) CHARGE AGAINST ENTITLEMENT.—The period of entitlement to basic educational assistance under this subchapter of an individual for whom payments are made under this section shall be charged at the rate of one month for each payment or aggregate of payments under this section that are equivalent in amount to the monthly rate of basic educational assistance to which the individual is otherwise entitled under this subchapter.

“(g) REGULATIONS.—The Secretary shall prescribe such regulations as the Secretary considers appropriate for purposes of the administration of this section.

“(h) FEDERAL STUDENT LOAN DEFINED.—In this section, the term ‘Federal student loan’ means any loan made under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).”

(2) CLERICAL AMENDMENT.—The table of sections of subchapter II of chapter 30 of such title, as so amended, is further amended by inserting after the item relating to section 3020A the following new item:

“3020B. Use of basic educational assistance benefits for repayment of Federal student loans.”

(b) EFFECTIVE DATE.—Section 3020B of title 38, United States Code, as added by subsection (a), shall apply with respect to educational assistance payable for months that begin on or after the date that is one year after the date of the enactment of this Act.

SEC. 110. EDUCATIONAL ASSISTANCE FOR GRADUATES OF THE SERVICE ACADEMIES AND RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) ACTIVE DUTY PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3011 of title 38, United States Code, is amended—

(A) in subparagraph (B), by striking “or” at the end;

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

(C) by adding at the end the following new subparagraph:

“(D) after September 30, 2009—

“(i) receives or has received a commission as an officer in the Armed Forces—

“(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

“(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

“(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);”.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by striking “subsection (c)(1)” and inserting “subsection (c)”; and

(B) in subsection (c)—

(i) by striking “(1)” after “(c)”; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (e)(1), by striking “subsection (c)(1)” and inserting “subsection (c)”.’

(b) SELECTED RESERVE PROGRAM.—

(1) IN GENERAL.—Subsection (a)(1) of section 3012 of such title is amended—

(A) in subparagraph (B), by striking “or” at the end;

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

(C) by adding at the end the following new subparagraph:

“(D) after September 30, 2009—

“(i) receives or has received a commission as an officer in the Armed Forces—

“(I) upon graduation from the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy; or

“(II) upon completion of a Senior Reserve Officers' Training Corps program under chapter 103 of title 10; and

“(ii) completes at least five years of continuous active duty in the Armed Forces (excluding any period of obligated service in connection with receipt of a commission as an officer in the Armed Forces under clause (i) and excluding any other period of obligated service in connection with education, training, or instruction provided or funded, whether in whole or in part, by the United States);”.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (c), by striking “subsection (d)(1)” and inserting “subsection (d)”; and

(B) in subsection (d)—

(i) by striking “(1)” after “(d)”; and

(ii) by striking paragraphs (2) and (3); and

(C) in subsection (f)(1), by striking “subsection (d)(1)” and inserting “subsection (d)”.’

(c) AMOUNT OF BASIC EDUCATIONAL ASSISTANCE.—Section 3015(c) of such title is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

“(3) Paragraph (1) of this subsection also applies to the following:

“(A) An individual entitled to an educational assistance allowance under section 3011 of this title by reason of subsection (a)(1)(D) of such section.

“(B) An individual entitled to an educational assistance allowance under section 3012 of this title by reason of subsection (a)(1)(D) of such section.”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2009.

SEC. 111. OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.

(a) **OPPORTUNITY FOR CURRENT AND CERTAIN RETIRED VEAP-ERA PERSONNEL TO ENROLL.**—

(1) **IN GENERAL.**—Chapter 30 of title 38, United States Code, is amended by inserting after section 3018C the following new section:

“§ 3018D. Opportunity for current and certain retired VEAP-era personnel to enroll

“(a) **IN GENERAL.**—An individual described in subsection (b) who makes an election described in paragraph (5) of such subsection is entitled to basic educational assistance under this chapter, subject to the provisions of subsection (d).

“(b) **COVERED INDIVIDUALS.**—An individual described in this subsection is an individual who meets each of the following requirements:

“(1) The individual first became a member of the Armed Forces or first entered on active duty as a member of the Armed Forces on or after January 1, 1977, but before July 1, 1985.

“(2) The individual, as of the date of the individual's election under paragraph (5)—

“(A) is serving on active duty without a break in service (other than as described in section 3202(1)(C) of this title) since the date the individual first became such a member or first entered on active duty as such a member; or

“(B) is retired from the Armed Forces after serving at least 20 years on active duty in the Armed Forces, which service included service on active duty in the Armed Forces on or after September 11, 2001, and elected not to participate in the program of educational assistance under chapter 32 of this title.

“(3) The individual, before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree, but has not completed the requirements for nor been awarded a bachelor's degree.

“(4) The individual—

“(A) in the case of an individual described by paragraph (2)(A), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; or

“(B) in the case of an individual described by paragraph (2)(B), was discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned.

“(5) During the one-year period beginning on October 1, 2009, the individual makes an irrevocable election to receive benefits under this section pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy.

“(c) **REDUCTION OF PAY; COLLECTION AND PAYMENT OF AMOUNTS.**—(1) In the case of an individual described by subsection (b) who makes an election under this section to become entitled to basic educational assistance under this chapter—

“(A) the basic pay or retired or retainer pay, as applicable, of the individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such pay is reduced is \$2,700; or

“(B) to the extent that the basic pay of the individual is not so reduced before the individual's discharge or release from active duty as described in subsection (d)(4)(A), the Secretary concerned shall collect from the individual an amount equal to the difference between \$2,700 and the total amount of reductions with respect to the individual under subparagraph (A).

“(2) An individual covered by paragraph (1) may at any time pay the Secretary concerned an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under that paragraph and the total amount of the reductions with respect to the individual under that paragraph at the time of the payment.

“(3) Any amounts collected under paragraph (1)(B) or paid under paragraph (2) shall be paid into the Treasury as miscellaneous receipts.

“(4) The total amount of reductions in pay, or of collections or payments, required with respect to an individual under paragraph (1) shall be achieved not later than 12 months after the date on which the individual makes an election under subsection (b)(5).

“(5) No amount of educational assistance allowance under this chapter shall be paid to an individual covered by paragraph (1) until the date on which the total amount of reductions in pay, or of collections or payments, required with respect to the individual under paragraph (1) is achieved.

“(d) **LIMITATIONS ON BASIC EDUCATIONAL ASSISTANCE.**—(1) The basic educational assistance allowance payable under this chapter to an individual entitled to such educational assistance allowance under this section shall be payable at the monthly rate of basic educational assistance payable under section 3015(a)(1)(B) of this title.

“(2) Basic educational assistance under this section shall be available only for pursuit of a non-degree vocational training program, an associate degree, or a bachelor's degree, but shall not be available for pursuit of a masters degree or other advanced college degree.

“(3) An individual entitled under this section to basic educational assistance under this chapter is entitled to the educational stipend provided under section 3020A of this title.

“(4)(A) Entitlement under this section to basic educational assistance under this chapter is not transferrable under the provisions of section 3020 of this title.

“(B) An individual entitled under this section to basic educational assistance under this chapter is not eligible for the following:

“(i) The use of basic educational assistance benefits under this chapter for the repayment of Federal student loans under section 3020B of this title.

“(ii) Supplemental educational assistance authorized by subchapter III of this chapter.

“(5)(A) Except as provided in subparagraph (B), the provisions of section 3031 of this title shall apply to the use of entitlement under this section to basic educational assistance under this chapter.

“(B) In the case of an individual entitled under this section to basic educational assistance under this chapter who is described by subsection (b)(2)(B), the period during which the individual may use such entitlement expires on October 1, 2019.

“(e) **OUTREACH.**—The Secretary shall, in coordination with the Secretary of Defense, provide for notice of the opportunity under this section to elect to become entitled to

basic educational assistance under this chapter.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 30 of such title is amended by inserting after the item relating to section 3018C the following new item:

“3018D. Opportunity for current and certain retired VEAP-era personnel to enroll.”.

(b) **CONFORMING AMENDMENTS.**—Section 3017(b)(1) of such title is amended—

(1) in subparagraphs (A) and (C), by striking “or 3018C(e)” and inserting “3018C(e), or 3018D(c)”;

(2) in subparagraph (B), by striking “or 3018C(e) of this title” after “section 3018C(e), or 3018D(c) of this title or paid by the individual under section 3018D(c) of this title”.

SEC. 112. COLLEGE PATRIOTS GRANT PROGRAM.

(a) **PROGRAM AUTHORIZED.**—

(1) **IN GENERAL.**—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS

“§ 3699A. College Patriots Grant Program

“(a) **PURPOSE.**—It is the purpose of this section to provide, through a partnership with the Department and institutions of higher education, supplemental educational grants to assist in making available the benefits of postsecondary education to qualified veterans by meeting such veterans' unmet financial need.

“(b) **ESTABLISHMENT OF PROGRAM.**—The Secretary shall carry out a supplemental educational grant program under which—

“(1) an institution of higher education participating in the program voluntarily provides a covered individual enrolled in the institution with the non-Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e); and

“(2) the Secretary provides the Federal share of a percentage of the covered individual's unmet financial need determined in accordance with subsection (e).

“(c) **DESIGNATION OF PROGRAM.**—The program under this section shall be known as the ‘College Patriots Grant Program’.

“(d) **INSTITUTIONAL ELIGIBILITY CRITERIA.**—Assistance may be made available under this section only to an institution of higher education that satisfies any criteria specified by the Secretary. Such criteria shall include an agreement or other appropriate assurance from the institution of higher education that—

“(1) the non-Federal share of a covered individual's unmet financial need awarded under this section shall be provided from non-Federal resources, including—

“(A) institutional grants and scholarships;

“(B) tuition or fee waivers;

“(C) State scholarships; and

“(D) foundation or other charitable organization funds; and

“(2) funds made available under this section shall be provided to a covered individual for whom the institution of higher education has made a determination that the covered individual has an unmet financial need, which determination shall be made before including Federal student loans under title IV of the Higher Education Act of 1965 in the covered individual's financial aid package.

“(e) **FEDERAL SHARE; NON-FEDERAL SHARE.**—

“(1) **IN GENERAL.**—The Secretary shall not approve an institution of higher education for participation in the College Patriots Grant Program unless the institution of higher education has provided, in the manner required by the Secretary, the following:

“(A) An agreement or other assurance that the institution of higher education will provide the non-Federal share in accordance with this subsection.

“(B) Information on the specific methods by which the non-Federal share shall be paid.

“(C) An acknowledgment that the non-Federal share provided under this subsection shall supplement and not supplant other Federal and non-Federal funds.

“(2) FEDERAL AND NON-FEDERAL SHARES.—Each institution of higher education participating in the program under this section shall select one of the three contribution percentage tiers described in paragraph (3) for purposes of meeting a percentage of the unmet financial needs of covered individuals enrolled in the institution.

“(3) PERCENTAGE CONTRIBUTION TIERS.—

“(A) 25 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$8,000, the non-Federal share shall be 12.5 percent of the unmet financial need and the Federal share shall be 12.5 percent of the unmet financial need, except that the Federal share shall not exceed \$1,000; and

“(ii) equal to or greater than \$8,000, the Federal share shall be \$1,000 and the non-Federal share shall be 25 percent of the covered individual's unmet financial need minus \$1,000.

“(B) 50 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$8,000, the non-Federal share shall be 25 percent of the unmet financial need and the Federal share shall be 25 percent of the unmet financial need, except that the Federal share shall not exceed \$2,000; and

“(ii) equal to or greater than \$8,000, the Federal share shall be \$2,000 and the non-Federal share shall be 50 percent of the covered individual's unmet financial need minus \$2,000.

“(C) 100 PERCENT TIER.—In the case of a covered individual enrolled in the institution who has an unmet financial need that is—

“(i) less than \$6,000, the non-Federal share shall be 50 percent of the unmet financial need and the Federal share shall be 50 percent of the unmet financial need, except that the Federal share shall not exceed \$3,000; and

“(ii) equal to or greater than \$6,000, the Federal share shall be \$3,000 and the non-Federal share shall be 100 percent of the covered individual's unmet financial need minus \$3,000.

“(f) REGULATIONS.—The Secretary shall prescribe regulations necessary to implement and administer the College Patriots Grant Program, including regulations establishing the procedures for determining eligibility for the program, applying for supplemental educational grants under the program, and distributing the Federal share provided by the Secretary under the program.

“(g) OUTREACH.—The Secretary of Veterans Affairs, in coordination with the Secretary of Defense and the Secretary of Education, shall—

“(1) make available to the public on the Internet website of the Department—

“(A) a current list of institutions of higher education participating in the College Patriots Grant Program; and

“(B) information on the extent of participation of each institution of higher education participating in the College Patriots Grant Program;

“(2) make available to the public on the Internet website of the Department information about all Federal and State education benefits that members of the regular components of the Armed Forces, members of the reserve components of the Armed Forces,

veterans, and their dependents may be eligible to receive; and

“(3) make available to institutions of higher education information about the College Patriots Grant Program and take appropriate actions to encourage broad participation of institutions of higher education in the program.

“(h) AWARDS FOR INSTITUTIONAL RECOGNITION.—The Secretary may establish and administer an awards program to recognize the extent of an institution of higher education's participation in the College Patriots Grant Program.

“(i) DEFINITIONS.—In this section:

“(1) COST OF ATTENDANCE.—The term ‘cost of attendance’ has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711).

“(2) COVERED INDIVIDUAL.—The term ‘covered individual’ means an individual who—

“(A) is enrolled in an institution of higher education that is participating in the College Patriots Grant Program;

“(B) has such amount of remaining entitlement to educational assistance under chapter 30 or 32 of this title, or under chapter 1606 or 1607 of title 10, as the Secretary may require for purposes of this section; and

“(C) after receipt of any of the educational assistance described in subparagraph (B), has an unmet financial need to attend the institution of higher education for which a supplemental educational grant is sought.

“(3) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

“(4) UNMET FINANCIAL NEED.—The term ‘unmet financial need’ means, with respect to a covered individual, the cost of attendance for the covered individual to attend an institution of higher education participating in the College Patriots Grant Program, minus the sum of—

“(A) grant and work assistance received by the covered individual under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

“(B) any educational assistance payments received by the covered individual through any programs administered by the Department of Veterans Affairs or the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by adding at the end the following new items:

“SUBCHAPTER IV—COLLEGE PATRIOTS GRANTS
“3699A. College Patriots Grant Program.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act, and shall apply to terms, quarters, or semesters beginning on or after that date.

SEC. 113. TERMINATION OF CONTRIBUTIONS BY MEMBERS OF THE ARMED FORCES FOR PARTICIPATION IN THE MONTGOMERY GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Notwithstanding subsection (b) of section 3011 of title 38, United States Code, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first enters on active duty on or after the date of the enactment of this Act and elects to receive basic educational assistance under such section.

(b) SELECTED RESERVE PROGRAM.—Notwithstanding subsection (c) of section 3012 of such title, no reduction in basic pay otherwise required by such section shall be made in the case of a member of the Armed Forces who first becomes eligible for basic educational assistance under such section on or after the date of the enactment of this Act

and elects to receive basic educational assistance under such section.

SEC. 114. MODIFICATION OF SERVICE REQUIREMENT FOR EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS WITH EXTENDED SERVICE IN THE SELECTED RESERVE.

(a) IN GENERAL.—Section 16162(c)(4) of title 10, United States Code, is amended by striking subparagraphs (A) through (C) and inserting the following new subparagraphs:

“(A) 40 percent in the case of a member of a reserve component who performed active service for—

“(i) 90 consecutive days but less than one continuous year; or

“(ii) an aggregate of one year but less than two years, none of which was continuous service of one year or more;

“(B) 60 percent in the case of a member of a reserve component who performed active service for—

“(i) one continuous year but less than two continuous years; or

“(ii) an aggregate of two years but less than three years, none of which was continuous service of two years or more; or

“(C) 80 percent in the case of a member of a reserve component who performed active service for—

“(i) two continuous years or more; or

“(ii) an aggregate of three years or more.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to educational assistance payable for months beginning on or after that date.

SEC. 115. MODIFICATION OF FORMULA FOR DETERMINATION OF ANNUAL COST ADJUSTMENT IN RATES OF EDUCATIONAL ASSISTANCE.

(a) ACTIVE DUTY PROGRAM.—Section 3015(h) of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “With respect to any fiscal year” and inserting “Subject to paragraphs (2) and (3), with respect to any fiscal year”; and

(B) by striking “the percentage by which—” and all that follows through the end of the paragraph and inserting “the percentage increase in the average cost of tuition, fees, room, and board at public four-year institutions of higher education (as determined by the Secretary in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) With respect to any fiscal year, in no event shall the increase in rates under paragraph (1) be less than a percentage increase equal to the percentage by which—

“(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(B) such Consumer Price Index for the 12-month period preceding that 12-month period.”.

(b) SELECTED RESERVE PROGRAM.—Section 16131(b)(2) of title 10, United States Code, is amended—

(1) by striking “With respect to any fiscal year” and inserting “(A) Subject to subparagraph (B), with respect to any fiscal year”;

(2) by striking “the percentage by which—” and all that follows and inserting “the percentage increase in the average cost of tuition, fees, room, and board at public four-

year institutions of higher education (as determined by the Secretary of Veterans Affairs in consultation with the Secretary of Education and Secretary of Defense) over the one-year period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made.”; and

(3) by adding at the end the following new subparagraph:

“(B) With respect to any fiscal year, in no event shall the increase in rates under subparagraph (A) be less than a percentage increase equal to the percentage by which—

“(i) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(ii) such Consumer Price Index for the 12-month period preceding that 12-month period.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 2, 2009, and shall apply with respect to fiscal years that begin on or after that date.

SA 4765. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTING GOOD SAMARITANS.

Any person, who in good faith gratuitously provides emergency care at the scene of an accident or emergency to the victim thereof, shall not be liable for any civil damages for any personal injury as a result of any act or omission by such person in rendering the emergency care or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person, except acts or omissions amounting to gross negligence or willful or wanton misconduct.

SA 4766. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 4(b), insert the following:

(6) Providing employers with the right to require random drug testing of its employees.

SA 4767. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

In section 8(b) before paragraph (1) the following and redesignate accordingly:

(1) **HARMONIZING WITH FEDERAL LAW.**—

(A) **EXEMPTION.**—Notwithstanding any other provision of this Act, a governor or the legislative body of a State, or a mayor or other chief executive officer or authority or the legislative body of a political subdivision, may exempt from the requirements established under this Act or otherwise any group of public safety officers whose job function is similar to the job function performed by any group of Federal employees that is excluded from collective bargaining under Federal law or an Executive order.

(B) **TREATMENT OF CERTAIN EMPLOYEES.**—Notwithstanding any provision of State law, supervisory, managerial, and confidential employees employed by public safety employers shall be treated in the same manner for purposes of collective-bargaining as individuals employed in the same capacity by any employer covered under the provisions of the National Labor Relations Act (29 U.S.C. 151 et seq.).

(C) **RULE OF CONSTRUCTION.**—Notwithstanding any provision of this Act, nothing in this Act shall be construed to require mandatory bargaining except to the extent, and with regard to the subjects, that mandatory bargaining is required between the Federal Government and any of its public safety employees.

SA 4768. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 2, add the following:

(5) Because of the critical role of public safety officers in law enforcement, and the high public regard for such employees, such employees should only be represented by organizations that demonstrate a similar regard for the law and inspire the same level of public trust and confidence.

SEC. 2A. PUBLIC SAFETY PROTECTIONS.

(a) **IN GENERAL.**—A State law described in section 4(a) shall—

(1) provide that no labor organization may serve, or continue to serve, as the representative of any unit of public safety officers if—

(A) any of the labor organization's officers or agents are convicted of—

(i) a felony; or

(ii) a misdemeanor related to the organization's representational responsibilities; or

(B) the organization, or the organization's officers, agents, or employees, encourage, participate, or fail to take all steps necessary to prevent any unlawful work stoppage or disruption by any public safety officers represented by such labor organization; and

(2)(A) provide any political subdivision or individual with the right to bring a civil action in Federal court against any public safety officer that engages in a strike, slowdown, or other employment action that is unlawful under Federal or State law or contrary to the provisions of a collective bargaining agreement or a contract or memorandum of understanding described in section 4(b)(2); and

(B) provide that, in any civil action described in subparagraph (A), a public safety employer may receive damages relating to the strike, slowdown, or other employment action described in subparagraph (A), and that joint and several liability shall apply.

(b) **INTERACTION WITH OTHER LAWS.**—Notwithstanding the Act entitled “An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes”, approved March 23, 1932 (commonly known as the “Norris-LaGuardia Act”), or any other provision of law, no Federal law that restricts the issuance of injunctions or restraining orders in labor disputes shall apply to labor disputes involving public safety officers covered under this Act.

(c) **APPLICATION.**—Notwithstanding any other provision of law, the provisions of this section shall apply to all States.

SA 4769. Mr. ENZI submitted an amendment intended to be proposed by

him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

Strike section 6 and insert the following:

SEC. 6. STRIKES AND LOCKOUTS PROHIBITED.

Notwithstanding any rights or responsibilities provided under State law or pursuant to any regulations issued under section 5, a labor organization may not call, encourage, condone, or fail to take all actions necessary to prevent or end, and a public safety employee may not engage in or otherwise support, any strike (including sympathy strikes), work slowdown, sick out, or any other job action or concerted, full or partial refusal to work against any public sector employer. A public safety employer may not engage in a lockout of public safety officers.

SA 4770. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of section 2, add the following:

() Police, firefighters, and other first responders are responsible for the protection of life and property and the maintenance of civil order, all of which may be threatened in a labor dispute. Public safety officers covered by this Act should not be subject to any conflict of interest, and the public should be confident that such officers' duties will not be subject to any such conflict.

At the appropriate place, insert the following:

SEC. ____ . PUBLIC SAFETY PROTECTIONS.

(a) **IN GENERAL.**—A State law described in section 4(a) shall provide that no labor organization may serve as bargaining representative for any public safety officers if the labor organization admits to membership, or is affiliated directly or indirectly with an organization that admits to membership, any employee other than a public safety officer.

(b) **INTERACTION WITH OTHER LAWS.**—Notwithstanding the Act entitled “An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes”, approved March 23, 1932 (commonly known as the “Norris-LaGuardia Act”), or any other provision of law, no Federal law that restricts the issuance of injunctions or restraining orders in labor disputes shall apply to labor disputes involving public safety officers covered under this Act.

(c) **APPLICATION.**—Notwithstanding any other provision of law, the provisions of this section shall apply to all States.

SA 4771. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place in the amendment, insert the following:

SEC. ____ . PRESERVATION OF STATE LAWS.

Notwithstanding any other provision of this Act, nothing in this Act shall be construed to preempt a State law that provides collective bargaining rights of the type provided for under this Act to public safety officers in political subdivisions of the State, or

that provides such political subdivisions with the right to adopt such collective bargaining rights, through a vote of the residents of such political subdivisions in a special referendum election relating to such rights.

SA 4772. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NO PREEMPTION OF STATE LAW.

Notwithstanding section 8(a), and any other provision of this Act, nothing in this Act shall be construed to preempt any provision of State law (whether enacted prior to or after the date of enactment of this Act) with respect to the collective bargaining rights of public safety employees.

SA 4773. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 13 of the amendment, between lines 14 and 15, insert the following:

(c) **REMEDIES.**—If a public safety officer or labor organization violates the prohibition of subsection (a), the Authority, employer, or any other person may file a petition in any United States District Court in the district in which the violation occurred or in the United States District Court for the District of Columbia seeking—

(1) injunctive relief; and

(2) a fine on the labor organization for each day of the violation in an amount equal to 1/26 of the total of the labor organization's annual membership dues, but not less than \$2,500 nor more than \$20,000 per day.

(d) **JURISDICTION.**—The Courts of the United States shall have jurisdiction to hear any cause of action under this section.

SA 4774. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 10 of the amendment, between lines 12 and 13, insert the following:

(d) **RIGHTS AND RESPONSIBILITIES OF LABOR ORGANIZATIONS.**—

(1) **LABOR ORGANIZATIONS.**—The requirements of titles I, II, III, IV, V, and VI of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) shall apply to a labor organization in which public safety officers are members to the same extent as such Act applies to a labor organization (as such term is defined in such Act) under such titles.

(2) **PUBLIC SAFETY OFFICERS.**—The requirements of titles I, II, III, IV, V, and VI of the

Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 411 et seq.) shall apply to a public safety officer to same extent as such Act applies to an employee (as such term is defined in such Act) under such titles.

SA 4775. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page 9 of the amendment, line 15, add after the period the following: "State law may make the recognition of the employees' labor organization by any political subdivision of the State contingent upon the results of an election by that political subdivision."

SA 4776. Mr. BOXER submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MONITORING AND TREATMENT OF FIRST RESPONDERS IN DISASTER AREAS.

(a) **IN GENERAL.**—Any first responder who suffers health-related conditions or injuries as a result of responding to emergencies in any area which is declared a disaster area by the Federal Government and who does not have health insurance coverage shall be entitled to follow-up long-term health monitoring and treatment provided through the United States Fire Administration and the Department of Health and Human Services.

(b) **HEALTH MONITORING.**—The long-term health monitoring referred to in subsection (a) shall include—

(1) pulmonary illness, neurological damage, and cardiovascular damage; and

(2) exposure documentation.

(c) **REGULATIONS.**—The Secretary of Health and Human Services shall promulgate regulations to implement this section.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the United States Fire Administration to carry out this section, such sums as may be necessary for each of fiscal years 2009 through 2011.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 9:30 a.m. to hold a hearing on responding to the global food crisis.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 2:30 p.m. to hold a working coffee with Dr. Surin Pitsuwan, Secretary-General of the Association of Southeast Asian Nations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Addressing the Challenge of Children with Food Allergies" on Wednesday, May 14, 2008. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 10 a.m. to consider the nomination of the Honorable Paul A. Schneider to be Deputy Secretary, U.S. Department of Homeland Security.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, at 3 p.m. to conduct a hearing entitled, "Archives Oversight: Protecting Our Nation's History for Future Generations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, May 14, 2008, from 10:30 a.m.-12:30 p.m. in SD-106 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.