

presentation of a United States flag incident to release from active service for retirement.

(c) No cost to recipient

The presentation of a flag under this section shall be at no cost to the recipient.

(Pub. L. 107-372, title II, §266, Dec. 19, 2002, 116 Stat. 3093.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 853v of this title prior to repeal by Pub. L. 107-372.

§ 3077. Education loan repayment program

(a) Authority to repay education loans

For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

- (1) was used by the person to finance education; and
- (2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

(b) Eligible persons

To be eligible to obtain a loan repayment under this section, a person must—

- (1) satisfy one of the requirements specified in subsection (c);
- (2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and
- (3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

(c) Academic and professional requirements

One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

- (1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps of the Administration.
- (2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps of the Administration.

(d) Loan repayments

(1) In general

Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

(2) Limitation on amount

For each year of obligated service that a person agrees to serve in an agreement de-

scribed in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10.

(e) Active duty service obligation

(1) In general

A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

(2) Length of obligation determined under regulations

(A) In general

Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

(B) Minimum obligation

The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than one year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

(3) Persons on active duty before entering into agreement

The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

(4) Concurrent completion of service obligations

A service obligation under this section may be completed concurrently with a service obligation under section 3006 of this title.

(f) Effect of failure to complete obligation

(1) Alternative obligations

An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

(2) Repayment

An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 3006 of this title.

(g) Rulemaking

The Secretary shall prescribe regulations to carry out this section, including—

- (1) standards for qualified loans and authorized payees; and
- (2) other terms and conditions for the making of loan repayments.

(Pub. L. 107-372, title II, §267, as added Pub. L. 116-259, title II, §201(a), Dec. 23, 2020, 134 Stat. 1160.)

§ 3078. Interest payment program

(a) Authority

The Secretary may pay the interest and any special allowances that accrue on one or more student loans of an eligible officer, in accordance with this section.

(b) Eligible officers

An officer is eligible for the benefit described in subsection (a) while the officer—

- (1) is serving on active duty;
- (2) has not completed more than three years of service on active duty;
- (3) is the debtor on one or more unpaid loans described in subsection (c); and
- (4) is not in default on any such loan.

(c) Student loans

The authority to make payments under subsection (a) may be exercised with respect to the following loans:

- (1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).
- (2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).
- (3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

(d) Maximum benefit

Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

(e) Coordination with Secretary of Education**(1) In general**

The Secretary shall consult with the Secretary of Education regarding the administration of this section.

(2) Reimbursement authorized

The Secretary is authorized to reimburse the Secretary of Education—

- (A) for the funds necessary to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j));¹ and
- (B) for any reasonable administrative costs incurred by the Secretary of Education in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

(f) Special allowance defined

In this section, the term ‘special allowance’ means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).

(Pub. L. 107–372, title II, §268, as added Pub. L. 116–259, title II, §202(a), Dec. 23, 2020, 134 Stat. 1162.)

Editorial Notes**REFERENCES IN TEXT**

The Higher Education Act of 1965, referred to in subsecs. (c) and (e)(2)(B), is Pub. L. 89–329, Nov. 8, 1965, 79 Stat. 1219. Parts B, D, and E of title IV of the Act are classified generally to parts B (§1071 et seq.), D (§1087a et seq.), and E (§1087aa et seq.), respectively, of sub-

¹ So in original. The semicolon probably should be preceded by a third closing parenthesis.

chapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see section 1 of Pub. L. 89–329, set out as a Short Title note under section 1001 of Title 20 and Tables.

§ 3079. Student pre-commissioning education assistance program**(a) Authority to provide financial assistance**

For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

- (1) a baccalaureate degree in not more than five academic years; or
- (2) a postbaccalaureate degree.

(b) Eligible persons**(1) In general**

A person is eligible to obtain financial assistance under subsection (a) if the person—

- (A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;
- (B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and
- (C) enters into a written agreement with the Secretary described in paragraph (2).

(2) Agreement

A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

- (A) agrees to accept an appointment as an officer, if tendered; and
- (B) upon completion of the person’s educational program, agrees to serve on active duty, immediately after appointment, for—
 - (i) up to three years if the person received less than three years of assistance; and
 - (ii) up to five years if the person received at least three years of assistance.

(c) Qualifying expenses

Expenses for which financial assistance may be provided under subsection (a) are the following:

- (1) Tuition and fees charged by the educational institution involved.
- (2) The cost of educational materials.
- (3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.
- (4) Such other expenses as the Secretary considers appropriate.

(d) Limitation on amount

The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).