

stituted “Except as provided in paragraph (2), payments” for “Payments”, and added par. (2).

Subsec. (c). Pub. L. 114-92, §3507(2), substituted “Strategic Sealift Officer Program” for “Merchant Marine Reserve”.

Subsec. (d)(2). Pub. L. 114-92, §3507(3)(A), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “take the examination for a license as an officer in the merchant marine of the United States before graduation from the academy and fulfill the requirements for such a license within 3 months after graduation from the academy;”.

Subsec. (d)(3). Pub. L. 114-92, §3507(3)(B), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “maintain a valid license as an officer in the merchant marine of the United States for at least 6 years after graduation from the academy, accompanied by the appropriate national and international endorsements and certification required by the Coast Guard for service aboard vessels on domestic and international voyages;”.

Subsec. (d)(4). Pub. L. 114-92, §3507(3)(C), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “accept, if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Merchant Marine Reserve, Navy Reserve), the Coast Guard Reserve, or any other reserve unit of an armed force of the United States, and, if tendered the appointment, to serve for at least 6 years after graduation from the academy;”.

Subsec. (e)(1). Pub. L. 114-92, §3507(4), amended par. (1) generally. Prior to amendment, text read as follows: “If the Secretary of Transportation determines that an individual who has accepted the payments described in subsection (b) for a minimum of 2 academic years has failed to fulfill the part of the agreement described in subsection (d)(1), the individual may be ordered by the Secretary of Defense to serve on active duty in the armed forces of the United States for a period of not more than 2 years. In cases of hardship as determined by the Secretary of Transportation, the Secretary of Transportation may waive this paragraph in whole or in part.”

Subsec. (h). Pub. L. 114-92, §3507(5), added subsec. (h).

2009—Pub. L. 111-84, §3507(a), substituted “and be paid in such installments as the Secretary shall determine” for “and be paid before the start of each academic year, as prescribed by the Secretary,” and “academy, as prescribed by the Secretary.” for “academy.”

Pub. L. 111-8, §177, which directed amendment identical to that made by Pub. L. 110-417, §3503(1), (2), was repealed by Pub. L. 111-84, §3507(b), with Pub. L. 111-8, §177, to have no force or effect. See 2008 Amendment note below.

2008—Pub. L. 110-181, §3526(g), repealed Pub. L. 109-364, §3508. See 2006 Amendment note below.

Pub. L. 110-181, §3523(b), repealed Pub. L. 109-163, §515(g)(2)(A). See 2006 Amendment note below.

Subsec. (b). Pub. L. 110-417, §3503(3), inserted “before the start of each academic year” after “and be paid”.

Pub. L. 110-417, §3503(1), (2), substituted “\$8,000” for “\$4,000” and inserted “tuition,” after “uniforms,”.

Subsec. (c). Pub. L. 110-181, §3526(d), incorporated the substance of the amendments by Pub. L. 109-364, §3508, into this section by striking out “Midshipman and” before “Enlisted” in heading and “midshipman and” before “enlisted” in text and inserting “or the Coast Guard Reserve” after “Reserve”. See 2006 Amendment note below and section 18(a) of Pub. L. 109-304, set out as a Legislative Purpose and Construction note preceding section 101 of this title.

Pub. L. 110-181, §3523(a)(1), incorporated the substance of the amendments by Pub. L. 109-163, §515(g)(2)(A), into this section by substituting “Navy Reserve” for “Naval Reserve” in two places. See 2006 Amendment note below and section 18(a) of Pub. L. 109-304, set out as a Legislative Purpose and Construction note preceding section 101 of this title.

Subsec. (d)(4). Pub. L. 110-181, §3523(a)(1), incorporated the substance of the amendments by Pub. L.

109-163, §515(g)(2)(A), into this section by substituting “Navy Reserve” for “Naval Reserve” in two places. See 2006 Amendment note below and section 18(a) of Pub. L. 109-304, set out as a Legislative Purpose and Construction note preceding section 101 of this title.

2006—Pub. L. 109-364, §3508, which directed the amendment of section 1295c(g)(2) of the former Appendix to this title from which subsec. (c) of this section was derived, was repealed by Pub. L. 110-181, §3526(g). See 2008 Amendment note for subsec. (c) and Historical and Revision notes above.

Pub. L. 109-163, §515(g)(2)(A), which directed the amendment of section 1295c of the former Appendix to this title from which this section was derived, was repealed by Pub. L. 110-181, §3523(b). See 2008 Amendment notes for subsecs. (c) and (d)(4) and Historical and Revision notes above.

**§51510. Deferment of service obligation under student incentive payment agreements**

The Secretary of Transportation may defer the service commitment of an individual under section 51509(d)(5) of this title (as specified in the agreement under section 51509) for not more than 2 years if the individual is engaged in a graduate course of study approved by the Secretary. However, deferment of service as a commissioned officer on active duty must be approved by the Secretary of the affected military department (or the Secretary of Commerce, for service with the National Oceanic and Atmospheric Administration).

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1581.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>  |
|------------------------|---------------------------|--|
| 51510 .....            | 46 App.:1295c(g)(7).      | June 29, 1936, ch. 858, title XIII, §1304(g)(7), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006; Pub. L. 97-31, §12(145)(B), Aug. 6, 1981, 95 Stat. 166; Pub. L. 108-136, title XXXV, §3515(d)(7), Nov. 24, 2003, 117 Stat. 1795. |

The words “affected military department” are substituted for “military department . . . which has jurisdiction over such service” for clarity and to eliminate unnecessary words.

**§51511. Midshipman status in the Navy Reserve**

A citizen of the United States attending a State maritime academy may be appointed by the Secretary of the Navy as a midshipman in the Navy Reserve (including the Merchant Marine Reserve, Navy Reserve).

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1582; Pub. L. 109-163, div. A, title V, §515(g)(2), Jan. 6, 2006, 119 Stat. 3236; Pub. L. 110-181, div. C, title XXXV, §3523(a)(1), (b), Jan. 28, 2008, 122 Stat. 598, 600.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>  |
|------------------------|---------------------------|--|
| 51511 .....            | 46 App.:1295c(h).         | June 29, 1936, ch. 858, title XIII, §1304(h), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006. |