

111TH CONGRESS
2^D SESSION

S. 3389

To amend title 38, United States Code, to exempt individuals who receive certain educational assistance for service in the Selected Reserve from limitations on the receipt of assistance under Post-9/11 Educational Assistance Program for additional service in the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2010

Mrs. HAGAN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to exempt individuals who receive certain educational assistance for service in the Selected Reserve from limitations on the receipt of assistance under Post-9/11 Educational Assistance Program for additional service in the Armed Forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION FROM LIMITATION ON PERIOD OF**
2 **ASSISTANCE UNDER TWO OR MORE PRO-**
3 **GRAMS OF EDUCATION ASSISTANCE FOR IN-**
4 **DIVIDUALS WHO RECEIVE EDUCATION AS-**
5 **SISTANCE FOR SERVICE IN SELECTED RE-**
6 **SERVE.**

7 (a) **REPEAL OF LIMITATION.**—Section 3695 of title
8 38, United States Code, is amended—

9 (1) in subsection (a), by striking “The aggregate”
10 and inserting “Except as otherwise provided
11 in this section, the aggregate”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(c) In the case of an individual who served on active
15 duty in the Armed Forces for not less than four years,
16 the limitation in subsection (a) shall not apply with respect
17 to the receipt by such individual of assistance under chap-
18 ter 30 or 33 of this title, on the one hand, and the receipt
19 by such individual of assistance under chapter 1606 or
20 1607 of title 10, on the other hand.”.

21 (b) **RETROACTIVE APPLICATION.**—Subsection (c) of
22 such section, as added by subsection (a) of this section,
23 shall apply with respect to any individual described in such
24 subsection (c) regardless of whether the individual’s re-
25 ceipt of assistance under chapter 1606 or 1607 of title

1 10, United States Code, occurs before or after the date
2 of the enactment of this Act.

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