

108TH CONGRESS  
2D SESSION

# S. 2099

To amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2004

Mr. MILLER (for himself and Mr. DEWINE) introduced the following bill;  
which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, 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. EDUCATIONAL ASSISTANCE UNDER MONT-**  
 2 **GOMERY GI BILL FOR MEMBERS OF THE SE-**  
 3 **LECTED RESERVE WHO AGGREGATE MORE**  
 4 **THAN 2 YEARS OF ACTIVE DUTY SERVICE**  
 5 **DURING ANY 5-YEAR PERIOD.**

6 (a) ENTITLEMENT.—Section 3012(a)(1) of title 38,  
 7 United States Code, is amended—

8 (1) in subparagraph (B), by striking “or” at  
 9 the end;

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

12 (3) by inserting after subparagraph (C) the fol-  
 13 lowing new subparagraph (D):

14 “(D) during any five-year period beginning  
 15 on or after September 11, 2001, while in the  
 16 Selected Reserve, serves on active duty in the  
 17 Armed Forces for one or more periods (whether  
 18 continuous or otherwise) aggregating not less  
 19 than two years of service on active duty during  
 20 such period;”.

21 (b) DURATION OF ASSISTANCE.—Section 3013(b) of  
 22 such title is amended by striking “is entitled to” and all  
 23 that follows and inserting the following: “is entitled to—

24 “(1) one month of educational assistance bene-  
 25 fits under this chapter—

1           “(A) in the case of an individual described  
 2           in section 3012(a)(1)(A) of this title, for each  
 3           month of continuous active duty served by such  
 4           individual after June 30, 1985, as part of the  
 5           obligated period of active duty on which such  
 6           entitlement is based;

7           “(B) in the case of an individual described  
 8           in section 3012(a)(1)(B) of this title, for each  
 9           month of continuous active duty served by such  
 10          individual after June 30, 1985; or

11          “(C) in the case of an individual described  
 12          in section 3012(a)(1)(D) of this title, for each  
 13          month of active duty served by such individual  
 14          after September 11, 2001, as part of the aggre-  
 15          gate period of active duty on which such entitle-  
 16          ment is based; and

17          “(2) one month of educational assistance bene-  
 18          fits under this chapter for each four months served  
 19          by such individual in the Selected Reserve after the  
 20          applicable date specified in paragraph (1) of this  
 21          subsection (other than any month in which the indi-  
 22          vidual served on active duty).”.

23          (c) AMOUNT OF ASSISTANCE.—Section 3015 of such  
 24          title is amended—

1           (1) in subsections (a)(1)(D) and (b)(1)(D), by  
 2           striking “subsection (h)” and inserting “subsection  
 3           (i)”;

4           (2) by redesignating subsection (h) as sub-  
 5           section (i); and

6           (3) by inserting after subsection (g) the fol-  
 7           lowing new subsection (h):

8           “(h) In the case of an individual entitled to an edu-  
 9           cational assistance allowance under section 3012(a)(1)(D)  
 10          of this title, the amount of the basic educational assistance  
 11          allowance payable under this chapter is the amount deter-  
 12          mined under subsection (b) of this section.”.

13          (d) OUTREACH.—(1) The Secretaries concerned shall  
 14          take actions to inform members of the Selected Reserve  
 15          who are or may become entitled to basic educational as-  
 16          sistance benefits under chapter 30 of title 38, United  
 17          States Code, as a result of section 3012(a)(1)(D) of such  
 18          title (as amended by subsection (a) of this section) of the  
 19          minimum service requirements for entitlement to such  
 20          benefits under that chapter and of the scope and nature  
 21          of such benefits.

22          (2) In this subsection:

23                (A) The term “Secretary concerned” has the  
 24                meaning given such term in section 101(25) of title  
 25                38, United States Code.

1           (B) The term “Selected Reserve” has the  
2           meaning given such term in section 3002(4) of title  
3           38, United States Code.

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