

110TH CONGRESS
1ST SESSION

H. R. 1211

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 two years of active duty service in any five year period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2007

Mr. MATHESON (for himself, Mr. MCINTYRE, Mr. TAYLOR, Mrs. WILSON of New Mexico, Mr. EDWARDS, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. LINCOLN DAVIS of Tennessee, Mr. DEFazio, Mr. DELAHUNT, Mr. ETHERIDGE, Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. KUHL of New York, Mr. LATHAM, Mrs. MALONEY of New York, Ms. SCHWARTZ, Mr. UDALL of New Mexico, Mrs. CAPPS, Mr. HIGGINS, Mr. MELANCON, Mr. GRIJALVA, Mr. CUMMINGS, Mr. MCGOVERN, Mr. ALEXANDER, Mr. CLEAVER, Mr. EMANUEL, Mr. WAMP, Mr. SALAZAR, Mr. CUELLAR, Mr. FATTAH, Mr. GONZALEZ, Mr. TIM MURPHY of Pennsylvania, Ms. BORDALLO, Mr. PATRICK MURPHY of Pennsylvania, Mr. HOLDEN, Mr. DOYLE, Mr. SHULER, Mr. VAN HOLLEN, Ms. MATSUI, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Mr. LYNCH, Mr. ROSS, Mr. BOUCHER, Mr. WALZ of Minnesota, Ms. BERKLEY, Mr. HALL of New York, Ms. HOOLEY, Mrs. MCCARTHY of New York, Mr. BOSWELL, Mr. ELLISON, Ms. KILPATRICK, Mr. FARR, and Mr. LANTOS) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 aggre-

gate more than two 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Resuming Education
 5 After Defense Service Act of 2007”.

6 **SEC. 2. EDUCATIONAL ASSISTANCE UNDER MONTGOMERY**
 7 **GI BILL FOR MEMBERS OF THE SELECTED**
 8 **RESERVE WHO AGGREGATE MORE THAN 2**
 9 **YEARS OF ACTIVE DUTY SERVICE DURING**
 10 **ANY 5-YEAR PERIOD.**

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

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

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

17 (3) by inserting after subparagraph (C) the fol-
 18 lowing new subparagraph (D):

19 “(D) while in the Selected Reserve—

20 “(i) is first ordered to serve on active
 21 duty in the Armed Forces under section
 22 12301(a), 12301(d), 12301(g), 12302, or
 23 12304 of title 10, during the period begin-

1 ning on September 11, 2001, and ending
2 December 31, 2008; and

3 “(ii) serves on active duty in the
4 Armed Forces for one or more periods
5 (whether continuous or otherwise) aggregating not less than two years of service on
6 active duty during a five-year period beginning on the date the individual is first ordered to serve on active duty during the
7 period referred to in clause (i);”.

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

14 “(1) one month of educational assistance benefits under this chapter—

16 “(A) in the case of an individual described
17 in section 3012(a)(1)(A) of this title, for each
18 month of continuous active duty served by such
19 individual after June 30, 1985, as part of the
20 obligated period of active duty on which such
21 entitlement is based;

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

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

7 “(2) one month of educational assistance bene-
8 fits under this chapter for each four months served
9 by such individual in the Selected Reserve after the
10 applicable date specified in paragraph (1) (other
11 than any month in which the individual served on
12 active duty).”.

13 (c) AMOUNT OF ASSISTANCE.—Section 3015 of such
14 title is amended—

15 (1) in subsections (a)(1)(D) and (b)(1)(D), by
16 striking “subsection (h)” and inserting “subsection
17 (i)”;

18 (2) by redesignating subsection (h) as sub-
19 section (i); and

20 (3) by inserting after subsection (g) the fol-
21 lowing new subsection (h):

22 “(h) In the case of an individual entitled to an edu-
23 cational assistance allowance under section 3012(a)(1)(D)
24 of this title, the amount of the basic educational assistance

1 allowance payable under this chapter is the amount deter-
2 mined under subsection (b) of this section.”.

3 (d) CONTRIBUTION.—Subsection (c) of section 3012
4 of such title is amended—

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

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

9 (3) by inserting after paragraph (1) the fol-
10 lowing new paragraph:

11 “(2) The basic pay of any individual described in sub-
12 section (a)(1)(D) who does not make an election under
13 subsection (d)(1) shall be reduced by \$100 for each of the
14 first 12 months of active duty service (whether continuous
15 or otherwise) that such individual is entitled to such pay.”.

16 (e) ELECTION TO OPT OUT.—Subsection (d)(1) of
17 such section of such title is amended by striking “in sub-
18 section (a)(1)(A) of this section” and inserting “in sub-
19 section (a)(1)(A) or (a)(1)(D)”.

20 (f) OUTREACH.—(1) The Secretaries concerned shall
21 take actions to inform members of the Selected Reserve
22 who are or may become entitled to basic educational as-
23 sistance benefits under chapter 30 of title 38, United
24 States Code, as a result of section 3012(a)(1)(D) of such
25 title (as amended by subsection (a) of this section) of the

1 minimum service requirements for entitlement to such
2 benefits under that chapter and of the scope and nature
3 of such benefits.

4 (2) In this subsection:

5 (A) The term “Secretary concerned” has the
6 meaning given such term in section 101(25) of title
7 38, United States Code.

8 (B) The term “Selected Reserve” has the
9 meaning given such term in section 3002(4) of title
10 38, United States Code.

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