

Subsec. (a). Pub. L. 102-83, § 5(c)(1), substituted "3011 or 3018" for "1411 or 1418" in introductory provisions and "3011(a)(1)" for "1411(a)(1)" in par. (1).

Subsec. (b). Pub. L. 102-83, § 5(c)(1), substituted "3012 or 3018" for "1412 or 1418" in introductory provisions and "3012(a)(1)" for "1412(a)(1)" in par. (1).

1989—Subsecs. (a), (b). Pub. L. 101-237 inserted "of Defense" after second reference to "Secretary".

1988—Subsecs. (a), (b). Pub. L. 100-689 inserted reference to section 1418 of this title.

1986—Subsec. (a)(1). Pub. L. 99-576, § 321(5), substituted "after" for "in addition to".

Subsec. (b)(1). Pub. L. 99-576, § 321(5), substituted "after" for "in addition to" in two places.

Subsec. (c)(1). Pub. L. 99-576, § 321(6), substituted "the member's" for "his".

#### EFFECTIVE DATE

Section 702(b) of Pub. L. 98-525 provided that: "Subchapter III of chapter 30 of title 38, United States Code, as added by subsection (a), shall take effect on July 1, 1986."

### § 3022. Amount of supplemental educational assistance

(a) The amount of payment of educational assistance under this chapter is subject to section 3032 of this title. Except as otherwise provided under subsection (b) of this section, supplemental educational assistance under section 3021 of this title shall be paid—

(1) at a monthly rate of \$300 for an approved program of education pursued on a full-time basis; or

(2) at an appropriately reduced rate, as determined under regulations which the Secretary shall prescribe, for an approved program of education pursued on less than a full-time basis.

(b) In the case of a member of the Armed Forces for whom the Secretary concerned has provided for the payment of supplemental educational assistance who has a skill or specialty designated by the Secretary concerned, pursuant to regulations to be prescribed by the Secretary of Defense, as a skill or specialty in which there is a critical shortage of personnel, the Secretary concerned, pursuant to such regulations, may increase the rate of the supplemental educational assistance allowance applicable to such individual to such rate in excess of the rate prescribed under subsection (a) of this section as the Secretary concerned considers appropriate, but the amount of any such increase may not exceed \$300 per month.

(Added Pub. L. 98-525, title VII, § 702(a)(1), Oct. 19, 1984, 98 Stat. 2559, § 1422; amended Pub. L. 100-689, title I, § 111(a)(5)(B), Nov. 18, 1988, 102 Stat. 4171; Pub. L. 101-237, title IV, § 423(b)(1)(A), (4)(C), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3022 and amended Pub. L. 102-83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406.)

#### PRIOR PROVISIONS

Prior section 3022 was renumbered section 5122 of this title.

#### AMENDMENTS

1991—Pub. L. 102-83, § 5(a), renumbered section 1422 of this title as this section.

Subsec. (a). Pub. L. 102-83, § 5(c)(1), substituted "3032" for "1432" and "3021" for "1421" in introductory provisions.

1989—Subsec. (a)(2). Pub. L. 101-237, § 423(b)(1)(A), substituted "Secretary" for "Administrator".

Subsec. (b). Pub. L. 101-237 inserted "of Defense" after third reference to "Secretary".

1988—Subsec. (a). Pub. L. 100-689 substituted "The amount of payment of educational assistance under this chapter is subject to section 1432 of this title. Except" for "Subject to section 1432 of this title and except".

### § 3023. Payment of supplemental educational assistance under this subchapter

The Secretary shall increase the monthly basic educational assistance allowance paid to an individual who is entitled to supplemental educational assistance under this subchapter by the monthly amount of the supplemental educational assistance to which the individual is entitled.

(Added Pub. L. 98-525, title VII, § 702(a)(1), Oct. 19, 1984, 98 Stat. 2560, § 1423; amended Pub. L. 101-237, title IV, § 423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered § 3023, Pub. L. 102-83, § 5(a), Aug. 6, 1991, 105 Stat. 406.)

#### PRIOR PROVISIONS

Prior section 3023 was renumbered section 5123 of this title.

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1423 of this title as this section.

1989—Pub. L. 101-237 substituted "Secretary" for "Administrator".

### SUBCHAPTER IV—TIME LIMITATION FOR USE OF ELIGIBILITY AND ENTITLEMENT; GENERAL AND ADMINISTRATIVE PROVISIONS

#### § 3031. Time limitation for use of eligibility and entitlement

(a) Except as provided in subsections (b) through (g), and subject to subsection (h), of this section, the period during which an individual entitled to educational assistance under this chapter may use such individual's entitlement expires at the end of the 10-year period beginning on the date of such individual's last discharge or release from active duty, except that such 10-year period shall begin—

(1) in the case of an individual who becomes entitled to such assistance under clause (A) or (B) of section 3012(a)(1) of this title, on the later of the date of such individual's last discharge or release from active duty or the date on which the four-year requirement described in clause (A)(ii) or (B)(ii), respectively, of such section 3012(a)(1) is met;

(2) in the case of an individual who becomes entitled to such assistance under section 3011(a)(1)(B), on the later of the date of such individual's last discharge or release from active duty or January 1, 1990; and

(3) in the case of an individual who becomes entitled to such assistance under section 3011(a)(1)(C) or 3012(a)(1)(C) of this title, on December 27, 2001.

(b) In the case of any eligible individual who has been prevented, as determined by the Secretary, from pursuing a program of education