

## EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-377 effective Aug. 1, 2011, see section 109(c) of Pub. L. 111-377, set out as a note under section 2006 of Title 10, Armed Forces.

## EFFECTIVE DATE

Section effective Aug. 1, 2009, see section 5003(d) of Pub. L. 110-252, set out as an Effective Date of 2008 Amendment note under section 16163 of Title 10, Armed Forces.

### § 3317. Public-private contributions for additional educational assistance

(a) ESTABLISHMENT OF PROGRAM.—In instances where the educational assistance provided pursuant to section 3313(c)(1)(A) does not cover the full cost of tuition and fees for a program of education, the Secretary shall carry out a program under which colleges and universities can, voluntarily, enter into an agreement with the Secretary to cover a portion of such tuition and fees not otherwise covered under subsection (c)(1)(A) or (e)(2)(A) of section 3313 of this title, which contributions shall be matched by equivalent contributions toward such costs by the Secretary. The program shall only apply to covered individuals described in paragraphs (1), (2), (8), (9), (10), and (11) of section 3311(b).

(b) DESIGNATION OF PROGRAM.—The program under this section shall be known as the “Yellow Ribbon G.I. Education Enhancement Program”.

(c) AGREEMENTS.—The Secretary shall enter into an agreement with each college or university seeking to participate in the program under this section. Each agreement shall specify the following:

(1) The manner (whether by direct grant, scholarship, or otherwise) of the contributions to be made by the college or university concerned.

(2) The maximum amount of the contribution to be made by the college or university concerned with respect to any particular individual in any given academic year.

(3) The maximum number of individuals for whom the college or university concerned will make contributions in any given academic year.

(4) Such other matters as the Secretary and the college or university concerned jointly consider appropriate.

(d) MATCHING CONTRIBUTIONS.—

(1) IN GENERAL.—In instances where the educational assistance provided an individual under section 3313(c)(1)(A) does not cover the full cost of tuition and mandatory fees at a college or university, the Secretary shall provide up to 50 percent of the remaining costs for tuition and mandatory fees if the college or university voluntarily enters into an agreement with the Secretary to match an equal percentage of any of the remaining costs for such tuition and fees.

(2) USE OF APPROPRIATED FUNDS.—Amounts available to the Secretary under section 3324(b) for payment of the costs of this chapter shall be available to the Secretary for purposes of paragraph (1).

(e) OUTREACH.—The Secretary shall make available on the Internet website of the Depart-

ment available to the public a current list of the colleges and universities participating in the program under this section. The list shall specify, for each college or university so listed, appropriate information on the agreement between the Secretary and such college or university under subsection (c).

(Added Pub. L. 110-252, title V, §5003(a)(1), June 30, 2008, 122 Stat. 2368; amended Pub. L. 115-48, title I, §§103(a), 104(a), 105(c)(4), Aug. 16, 2017, 131 Stat. 975, 976; Pub. L. 116-315, title I, §§1002(b)(3), 1008, Jan. 5, 2021, 134 Stat. 4938, 4940.)

## Editorial Notes

## AMENDMENTS

2021—Subsec. (a). Pub. L. 116-315, §1008, substituted “the full cost of tuition and fees for a program of education” for “the full cost of established charges (as specified in section 3313)” and “such tuition and fees” for “those established charges”.

Pub. L. 116-315, §1002(b)(3), substituted “paragraphs (1), (2), (8), (9), (10), and (11)” for “paragraphs (1), (2), (8), and (9)”.

2017—Subsec. (a). Pub. L. 115-48, §105(c)(4), substituted “paragraphs (1), (2), (8), and (9)” for “paragraphs (1), (2), (9), and (10)”.

Pub. L. 115-48, §104(a), which directed substitution of “subsection (c)(1)(A) or (e)(2)(A) of section 3313 of this title” for “section 3313(c)(1)(A)” in the first sentence, was executed in both places where “section 3313(c)(1)(A)” appeared, to reflect the probable intent of Congress.

Pub. L. 115-48, §103(a), substituted “paragraphs (1), (2), (9), and (10)” for “paragraphs (1) and (2)”.

## Statutory Notes and Related Subsidiaries

## EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1002(b)(3) of Pub. L. 116-315 effective immediately after the amendments made by section 105 of Pub. L. 115-48 [amendments effective Aug. 1, 2020] and applicable with respect to a quarter, semester, or term, commencing on or after Aug. 1, 2021, see section 1002(c) of Pub. L. 116-315, set out as a note under section 3311 of this title.

## EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-48, title I, §103(b), Aug. 16, 2017, 131 Stat. 975, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on August 1, 2018.”

Pub. L. 115-48, title I, §104(b), Aug. 16, 2017, 131 Stat. 975, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on August 1, 2022.”

Amendment by section 105(c)(4) of Pub. L. 115-48 effective Aug. 1, 2020, see section 105(d) of Pub. L. 115-48, set out as a note under section 3311 of this title.

## EFFECTIVE DATE

Section effective Aug. 1, 2009, see section 5003(d) of Pub. L. 110-252, set out as an Effective Date of 2008 Amendment note under section 16163 of Title 10, Armed Forces.

## PAT TILLMAN VETERANS' SCHOLARSHIP INITIATIVE

Pub. L. 111-275, title I, §107, Oct. 13, 2010, 124 Stat. 2872, provided that:

“(a) AVAILABILITY OF SCHOLARSHIP INFORMATION.—By not later than June 1, 2011, the Secretary of Veterans Affairs shall include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors and, for each such organization, a link to the Internet website of the organization.

“(b) MAINTENANCE OF SCHOLARSHIP INFORMATION.—The Secretary of Veterans Affairs shall make reasonable efforts to notify schools and other appropriate entities of the opportunity to be included on the Internet website of the Department of Veterans Affairs pursuant to subsection (a).”

**§ 3318. Additional assistance: relocation or travel assistance for individual relocating or traveling significant distance for pursuit of a program of education**

(a) ADDITIONAL ASSISTANCE.—Each individual described in subsection (b) shall be paid additional assistance under this section in the amount of \$500.

(b) COVERED INDIVIDUALS.—An individual described in this subsection is any individual entitled to educational assistance under this chapter—

(1) who resides in a county (or similar entity utilized by the Bureau of the Census) with less than seven persons per square mile, according to the most recent decennial Census; and

(2) who—

(A) physically relocates a distance of at least 500 miles in order to pursue a program of education for which the individual utilizes educational assistance under this chapter; or

(B) travels by air to physically attend an institution of higher learning for pursuit of such a program of education because the individual cannot travel to such institution by automobile or other established form of transportation due to an absence of road or other infrastructure.

(c) PROOF OF RESIDENCE.—For purposes of subsection (b)(1), an individual may demonstrate the individual's place of residence utilizing any of the following:

(1) DD Form 214, Certification of Release or Discharge from Active Duty.

(2) The most recent Federal income tax return.

(3) Such other evidence as the Secretary shall prescribe for purposes of this section.

(d) SINGLE PAYMENT OF ASSISTANCE.—An individual is entitled to only one payment of additional assistance under this section.

(e) NO CHARGE AGAINST ENTITLEMENT.—Any amount paid an individual under this section is in addition to any other educational assistance benefits provided the individual under this chapter.

(Added Pub. L. 110-252, title V, § 5003(a)(1), June 30, 2008, 122 Stat. 2369; amended Pub. L. 111-275, title X, § 1001(g)(6), Oct. 13, 2010, 124 Stat. 2896.)

**Editorial Notes**

**AMENDMENTS**

2010—Subsec. (b)(2)(B). Pub. L. 111-275 substituted “higher learning” for “higher education”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective Aug. 1, 2009, see section 5003(d) of Pub. L. 110-252, set out as an Effective Date of 2008 Amendment note under section 16163 of Title 10, Armed Forces.

**§ 3319. Authority to transfer unused education benefits to family members**

(a) IN GENERAL.—

(1) Subject to the provisions of this section, the Secretary concerned may permit an individual described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such individual's entitlement to such assistance, subject to the limitation under subsection (d).

(2) The purpose of the authority in paragraph (1) is to promote recruitment and retention in the uniformed services. The Secretary concerned may exercise the authority for that purpose when authorized by the Secretary of Defense in the national security interests of the United States.

(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the uniformed services who, at the time of the approval of the individual's request to transfer entitlement to educational assistance under this section, has completed at least—

(1) six years of service in the Armed Forces and enters into an agreement to serve at least four more years as a member of the uniformed services; or

(2) the years of service as determined in regulations pursuant to subsection (j).

(c) ELIGIBLE DEPENDENTS.—

(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement to an eligible dependent or a combination of eligible dependents.

(2) DEFINITION OF ELIGIBLE DEPENDENT.—For purposes of this subsection, the term “eligible dependent” has the meaning given the term “dependent” under subparagraphs (A), (I), and (D) of section 1072(2) of title 10.

(d) LIMITATION ON MONTHS OF TRANSFER.—The total number of months of entitlement transferred by a individual under this section may not exceed 36 months. The Secretary of Defense may prescribe regulations that would limit the months of entitlement that may be transferred under this section to no less than 18 months.

(e) DESIGNATION OF TRANSFEREE.—An individual transferring an entitlement to educational assistance under this section shall—

(1) designate the dependent or dependents to whom such entitlement is being transferred; and

(2) designate the number of months of such entitlement to be transferred to each such dependent.

(f) TIME FOR TRANSFER; REVOCATION AND MODIFICATION.—

(1) TIME FOR TRANSFER.—Subject to the time limitation for use of entitlement under section 3321, and except as provided in subsection (k) or (l), an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

(2) MODIFICATION OR REVOCATION.—