

111TH CONGRESS
1ST SESSION

S. 847

To amend title 38, United States Code, to provide that utilization of survivors' and dependents' educational assistance shall not be subject to the 48-month limitation on the aggregate amount of assistance utilizable under multiple veterans and related educational assistance programs.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2009

Mr. WEBB 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 provide that utilization of survivors' and dependents' educational assistance shall not be subject to the 48-month limitation on the aggregate amount of assistance utilizable under multiple veterans and related educational assistance programs.

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 OF SURVIVORS' AND DEPENDENTS'**
 2 **EDUCATIONAL ASSISTANCE FROM 48-MONTH**
 3 **LIMITATION ON AGGREGATE NUMBER OF**
 4 **MONTHS OF ASSISTANCE UTILIZABLE UNDER**
 5 **MULTIPLE VETERANS AND RELATED EDU-**
 6 **CATIONAL ASSISTANCE PROGRAMS.**

7 (a) EXEMPTION.—Section 3695(a)(4) of title 38,
 8 United States Code, is amended by striking “35,”.

9 (b) APPLICABILITY.—The amendment made by sub-
 10 section (a) shall take effect on the date of the enactment
 11 of this Act, and shall not operate to revive any entitlement
 12 to assistance under chapter 35 of title 38, United States
 13 Code, or the provisions of law referred to in section
 14 3695(a) of such title, as in effect on the day before such
 15 date, that was terminated by reason of the operation of
 16 section 3695(a) of such title, as so in effect, before such
 17 date.

18 (c) REVIVAL OF ENTITLEMENT REDUCED BY PRIOR
 19 UTILIZATION OF CHAPTER 35 ASSISTANCE.—In the case
 20 of an individual whose period of entitlement to assistance
 21 under a provision of law referred to in section 3695(a)
 22 of title 38, United States Code (other than chapter 35 of
 23 such title), as in effect on the day before the date of the
 24 enactment of this Act, was reduced under such section
 25 3695(a), as so in effect, by reason of the utilization of
 26 entitlement to assistance under chapter 35 of such title

1 before the date of the enactment of this Act, the period
2 of entitlement to assistance of such individual under such
3 provision shall be determined without regard to any enti-
4 tlement so utilized by the individual under chapter 35 of
5 such title.

