

113TH CONGRESS
1ST SESSION

H. R. 3514

To amend title 38, United States Code, to expand the authority of veterans to transfer entitlement to Post-9/11 Educational Assistance to dependents.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2013

Mr. McDERMOTT introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand the authority of veterans to transfer entitlement to Post-9/11 Educational Assistance to dependents.

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 “Post-9/11 Educational
5 Assistance Enhancement Act”.

6 **SEC. 2. EXPANSION OF AUTHORITY OF VETERANS TO** 7 **TRANSFER ENTITLEMENT TO POST-9/11 EDU-** 8 **CATIONAL ASSISTANCE TO DEPENDENTS.**

9 (a) TRANSFER AUTHORIZED.—Subsection (b) of sec-
10 tion 3319 of title 38, United States Code, is amended—

1 (1) in the matter preceding paragraph (1), by
2 inserting “or a former member described in para-
3 graph (3), as the case may be,” after “services”;

4 (2) in paragraph (1)—

5 (A) by inserting “with respect to a member
6 of the uniformed services,” before “six years”;
7 and

8 (B) by striking “or”;

9 (3) in paragraph (2)—

10 (A) by inserting “with respect to a member
11 of the uniformed services,” before “the years”;
12 and

13 (B) by striking the period and inserting “;
14 or”; and

15 (4) by adding at the end the following new
16 paragraph:

17 “(3) with respect to a former member who is
18 entitled to retired pay by reason of service in the
19 uniformed services (or would be so entitled but for
20 the fact that the member has not attained a certain
21 age), the years of service as determined in regula-
22 tions pursuant to subsection (j).”.

23 (b) TIME FOR TRANSFER.—Subsection (f)(1) of such
24 section is amended to read as follows:

25 “(1) TIME FOR TRANSFER.—

1 “(A) MEMBERS.—Subject to the time limi-
2 tation for use of entitlement under section
3 3321, an individual described in paragraph (1)
4 or (2) of subsection (b) who is approved to
5 transfer entitlement to educational assistance
6 under this section may transfer such entitle-
7 ment only while serving as a member of the
8 Armed Forces when the transfer is executed.

9 “(B) FORMER MEMBERS.—Subject to the
10 time limitation for use of entitlement under sec-
11 tion 3321, an individual described in subsection
12 (b)(3) who is approved to transfer entitlement
13 to educational assistance under this section may
14 transfer such entitlement only during the five-
15 year period beginning on the date of the last
16 discharge or release of the individual from the
17 uniformed services.”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this Act shall take effect as if included in the enactment
20 of the Post-9/11 Veterans Educational Assistance Act of
21 2008 (title V of Public Law 110–252).

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