

116TH CONGRESS
1ST SESSION

S. 2327

To amend title 38, United States Code, to modify the eligibility requirements for transfer of unused entitlement to Post-9/11 Educational Assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2019

Mr. BLUMENTHAL (for himself, Mr. BROWN, and Mr. TESTER) 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 modify the eligibility requirements for transfer of unused entitlement to Post-9/11 Educational Assistance, 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. MODIFICATION OF ELIGIBILITY REQUIRE-**
4 **MENTS FOR TRANSFER OF UNUSED ENTITLE-**
5 **MENT TO POST-9/11 EDUCATIONAL ASSIST-**
6 **ANCE.**

7 (a) MODIFICATION OF ELIGIBILITY REQUIRE-
8 MENTS.—

1 (1) IN GENERAL.—Subsection (b) of section
 2 3319 of title 38, United States Code, is amended to
 3 read as follows:

4 “(b) ELIGIBLE INDIVIDUALS.—An individual re-
 5 ferred to in subsection (a) is an individual who, at the
 6 time of the approval of the individual’s request to transfer
 7 entitlement to educational assistance under this section—

8 “(1) has completed at least 10 years of service
 9 in the uniformed services, not fewer than six of
 10 which were service in the Armed Forces;

11 “(2) is a member of the uniformed services
 12 who—

13 “(A) is not an individual described in para-
 14 graph (1);

15 “(B) has served at least six years in the
 16 Armed Forces; and

17 “(C) enters into an agreement to serve as
 18 a member of the uniformed services for a period
 19 that is no less than the difference between—

20 “(i) 10 years; and

21 “(ii) the period the individual has al-
 22 ready served in the uniformed services; or

23 “(3) is described in section 3311(b)(10).”.

24 (2) CONFORMING AMENDMENTS.—Such section
 25 is amended—

1 (A) in subsection (a)—

2 (i) by striking paragraph (2); and

3 (ii) in paragraph (1), by striking
4 “(1)”;

5 (B) in subsection (i)(2), by striking “under
6 subsection (b)(1)” and inserting “under sub-
7 section (b)(2)(C)”;

8 (C) in subsection (j)(2)—

9 (i) in subparagraph (A), by inserting
10 “and” after the semicolon;

11 (ii) by striking subparagraph (B); and

12 (iii) by redesignating subparagraph
13 (C) as subparagraph (B).

14 (b) MODIFICATION OF TIME TO TRANSFER.—

15 (1) IN GENERAL.—Paragraph (1) of subsection
16 (f) of such section is amended to read as follows:

17 “(1) TIME FOR TRANSFER.—Subject to the
18 time limitation for use of entitlement under section
19 3321 of this title, and except as provided in sub-
20 section (k), an individual approved to transfer enti-
21 tlement to educational assistance under this section
22 may transfer such entitlement at any time.”.

23 (2) CONFORMING AMENDMENTS.—Such section
24 is further amended—

1 (A) by amending subsection (g) to read as
2 follows:

3 “(g) COMMENCEMENT OF USE.—If a dependent to
4 whom entitlement to educational assistance is transferred
5 under this section is a child, the dependent may not com-
6 mence the use of the transferred entitlement until either—

7 “(1) the completion by the child of the require-
8 ments of a secondary school diploma (or equivalency
9 certificate); or

10 “(2) the attainment by the child of 18 years of
11 age.”;

12 (B) by striking subsection (k); and

13 (C) by redesignating subsection (l) as sub-
14 section (k).

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