

116TH CONGRESS
1ST SESSION

S. 791

To amend title 38, United States Code, to provide for clarification regarding the children to whom entitlement to educational assistance may be transferred under the Post-9/11 Educational Assistance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2019

Mr. DURBIN (for himself, Mr. TESTER, Mr. VAN HOLLEN, Mr. BENNET, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. PETERS, Mr. JONES, Mr. BROWN, Ms. STABENOW, Ms. HARRIS, Ms. KLOBUCHAR, Mr. UDALL, Ms. DUCKWORTH, and Mr. WYDEN) 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 for clarification regarding the children to whom entitlement to educational assistance may be transferred under the Post-9/11 Educational Assistance Program, 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. SHORT TITLE.**

4 This Act may be cited as the “GI Education Benefits
5 Fairness Act of 2019”.

1 **SEC. 2. CLARIFICATION REGARDING THE CHILDREN TO**
 2 **WHOM ENTITLEMENT TO EDUCATIONAL AS-**
 3 **SISTANCE MAY BE TRANSFERRED UNDER**
 4 **THE POST-9/11 EDUCATIONAL ASSISTANCE**
 5 **PROGRAM.**

6 (a) **IN GENERAL.**—Section 3319(c) of title 38,
 7 United States Code, is amended to read as follows:

8 “(c) **ELIGIBLE DEPENDENTS.**—

9 “(1) **TRANSFER.**—An individual approved to
 10 transfer an entitlement to educational assistance
 11 under this section may transfer the individual’s enti-
 12 tlement as follows:

13 “(A) To the individual’s spouse.

14 “(B) To one or more of the individual’s
 15 children.

16 “(C) To a combination of the individuals
 17 referred to in subparagraphs (A) and (B).

18 “(2) **DEFINITION OF CHILDREN.**—For purposes
 19 of this subsection, the term ‘children’ includes de-
 20 pendents described in section 1072(2)(I) of title
 21 10.”.

22 (b) **APPLICABILITY.**—The amendment made by sub-
 23 section (a) shall apply with respect to educational assist-
 24 ance payable under chapter 33 of such title before, on,
 25 or after the date of the enactment of this Act.