

109TH CONGRESS  
2D SESSION

# H. R. 6096

To amend title 38, United States Code, to expand eligibility for the Survivors' and Dependents' Educational Assistance program of the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2006

Mr. BUYER (for himself, Mr. EVANS, Mr. BOOZMAN, and Ms. HERSETH) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to expand eligibility for the Survivors' and Dependents' Educational Assistance program of the Department of Veterans Affairs.

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 “Disabled Warriors’  
5       Family Education Act of 2006”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY FOR SURVIVORS' AND**  
2 **DEPENDENTS' EDUCATIONAL ASSISTANCE**  
3 **PROGRAM.**

4 (a) EXPANSION OF ELIGIBILITY.—Section  
5 3501(a)(1) of title 38, United States Code, is amended—

6 (1) by striking the period at the end of sub-  
7 paragraph (A) and inserting a semicolon;

8 (2) by striking the comma at the end of sub-  
9 paragraph (B) and inserting a semicolon;

10 (3) by striking “, or” at the end of subpara-  
11 graph (C) and inserting a semicolon;

12 (4) by striking the comma at the end of sub-  
13 paragraph (D) and inserting “; or”; and

14 (5) by adding at the end the following new sub-  
15 paragraph:

16 “(E) the spouse or child of a person who  
17 at the time of application by such spouse or  
18 child for educational assistance under this chap-  
19 ter is a member of the Armed Forces who, as  
20 determined by the Secretary, has a total dis-  
21 ability permanent in nature incurred or aggra-  
22 vated in the active military, naval, or air serv-  
23 ice;”.

24 (b) CONFORMING AMENDMENTS.—Such title is fur-  
25 ther amended—

26 (1) in section 3511—

1 (A) in subsection (a)(1)—

2 (i) by striking “Each eligible person”  
3 and inserting the following: “Each eligible  
4 person, whether made eligible by one or  
5 more of the provisions of section  
6 3501(a)(1) of this title,”;

7 (ii) by striking “a period” and insert-  
8 ing “an aggregate period”; and

9 (iii) by striking the second sentence;

10 (B) in subsection (b)(3), by striking “sec-  
11 tion 3501(a)(1)(D)” and inserting “subpara-  
12 graph (D) or (E) of section 3501(a)(1)”;

13 (C) in subsection (c), by striking “or  
14 3501(a)(1)(D)(i)” and inserting  
15 “3501(a)(1)(D)(i), or 3501(a)(1)(E)”;

16 (2) in section 3512—

17 (A) in subsection (a), by striking “an eligi-  
18 ble person (within the meaning of section  
19 3501(a)(1)(A) of this title)” and inserting “an  
20 eligible person whose eligibility is based on the  
21 death or disability of a parent”; and

22 (B) in subsection (b)—

23 (i) in paragraph (1)(A)—

24 (I) by inserting after “section  
25 3501(a)(1) of this title” the following:

1 “or a person made eligible by the dis-  
2 ability of a spouse under section  
3 3501(a)(1)(E)”; and

4 (II) by striking “or  
5 3501(a)(1)(D)(ii) of this title” and in-  
6 serting “3501(a)(1)(D)(ii), or  
7 3501(a)(1)(E) of this title”;

8 (ii) in paragraph (1)(B), by adding at  
9 the end the following new clause:

10 “(iii) The date on which the Secretary notifies  
11 the member of the Armed Forces from whom eligi-  
12 bility is derived that the member has a total dis-  
13 ability permanent in nature incurred or aggravated  
14 in the active military, naval, or air service.”; and

15 (iii) in paragraph (2), by striking “or  
16 (D) of this title” and inserting “(D), or  
17 (E) of this title”;

18 (3) in section 3540, by striking “and (D)” and  
19 inserting “(D), and (E)”;

20 (4) in section 3563, by striking “each eligible  
21 person defined in section 3501(a)(1)(A) of this title”  
22 and inserting the following: “each eligible person  
23 whose eligibility is based on the death or disability  
24 of a parent”;

1           (5) in section 3686(a)(1), by striking “or (D)”  
2           and inserting “(D), or (E)”; and

3           (6) in section 5113(b)(3)(B), by striking “or  
4           (D)” and inserting “(D), or (E)”.

5           (c) EFFECTIVE DATE.—The amendments made by  
6 this section shall take effect on the date of the enactment  
7 of this Act and shall apply with respect to a payment of  
8 educational assistance for a course of education pursued  
9 after such date.

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