

113TH CONGRESS
2^D SESSION

H. R. 5273

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

JULY 30, 2014

Mr. BARBER 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 Veterans
5 Education Fairness Act”.

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

4 (a) **TRANSFER AUTHORIZED.**—Subsection (b) of sec-
5 tion 3319 of title 38, United States Code, is amended to
6 read as follows:

7 “(b) **ELIGIBLE INDIVIDUALS.**—An individual re-
8 ferred to in subsection (a) is an individual who, at the
9 time of the approval of the individual’s request to transfer
10 entitlement to educational assistance under this section,
11 meets any of the following:

12 “(1) With respect to a member of the uni-
13 formed services, has completed at least—

14 “(A) six years of service in the Armed
15 Forces and enters into an agreement to serve at
16 least four more years as a member of the uni-
17 formed services; or

18 “(B) the years of service as determined in
19 regulations pursuant to subsection (j).

20 “(2) With respect to a former member who is
21 entitled to retired pay by reason of service in the
22 uniformed services (or would be so entitled but for
23 the fact that the member has not attained a certain
24 age), is entitled to educational assistance under this
25 chapter by reason of paragraph (1) or (2) of section
26 3311(b) of this title.

1 “(3) With respect to a former member of a re-
2 serve component, is entitled to educational assist-
3 ance under this chapter by reason of paragraph (1)
4 or (2) of section 3311(b) of this title.”.

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

7 “(1) TIME FOR TRANSFER.—

8 “(A) MEMBERS.—Subject to the time limi-
9 tation for use of entitlement under section
10 3321, an individual described in subsection
11 (b)(1) who is approved to transfer entitlement
12 to educational assistance under this section may
13 transfer such entitlement only while serving as
14 a member of the Armed Forces when the trans-
15 fer is executed.

16 “(B) FORMER MEMBERS.—Subject to the
17 time limitation for use of entitlement under sec-
18 tion 3321, an individual described in paragraph
19 (2) or (3) of subsection (b) who is approved to
20 transfer entitlement to educational assistance
21 under this section may transfer such entitle-
22 ment only during the 15-year period beginning
23 on the date of the last discharge or release of
24 the individual from the uniformed services.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this Act shall take effect 180 days after the date of the
3 enactment of this Act.

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