

116TH CONGRESS  
1ST SESSION

# H. R. 5009

To amend title 38, United States Code, to provide additional entitlement to Post-9/11 Educational Assistance to certain veterans and members of the Armed Forces who require extra time to complete remedial and deficiency courses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2019

Mr. HORSFORD 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 provide additional entitlement to Post-9/11 Educational Assistance to certain veterans and members of the Armed Forces who require extra time to complete remedial and deficiency courses, 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 “Veterans Education  
5       and Transfer Extension Act of 2019” or the “VET Exten-  
6       sion Act of 2019”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Individuals who are entitled to Post-9/11  
4 Educational Assistance who require remedial and de-  
5 ficiency courses exhaust their entitlement before  
6 completing a program of education with such assist-  
7 ance.

8 (2) Members of the Armed Forces who are enti-  
9 tled to Post-9/11 Educational Assistance and who do  
10 not have dependents while serving as members of the  
11 Armed Forces are not able to transfer their entitle-  
12 ment to such assistance when they come to have de-  
13 pendents.

14 **SEC. 3. ADDITIONAL ENTITLEMENT TO POST-9/11 EDU-**  
15 **CATIONAL ASSISTANCE FOR CERTAIN VET-**  
16 **ERANS AND MEMBERS OF THE ARMED**  
17 **FORCES WHO REQUIRE EXTRA TIME TO COM-**  
18 **plete Remedial Courses.**

19 (a) IN GENERAL.—Subchapter II of chapter 33 of  
20 title 38, United States Code, is amended by adding at the  
21 end the following new section:

22 **“§ 3320A. Additional assistance**

23 “(a) IN GENERAL.—The number of months of edu-  
24 cational assistance under section 3313 of this title an eligi-  
25 ble individual is entitled to under section 3312 of this title  
26 is hereby increased by the lesser of—

1           “(1) 15 months; or

2           “(2) in the case of an eligible individual who at-  
3           tempted or completed remedial and deficiency  
4           courses as described in subsection (b)(4), the full-  
5           time equivalent number of months of educational as-  
6           sistance used under this chapter to complete such  
7           remedial and deficiency courses.

8           “(b) ELIGIBILITY.—For purposes of this section, an  
9           eligible individual is an individual—

10           “(1) who is or was entitled to educational as-  
11           sistance under section 3311 of this title;

12           “(2) has received educational assistance under  
13           this chapter at any time during the most recent six  
14           month period;

15           “(3) who has used all of the educational assist-  
16           ance to which the individual is entitled under this  
17           chapter; and

18           “(4) who has attempted or completed remedial  
19           and deficiency courses in pursuit of completing a  
20           program of education at an institution of higher  
21           learning and in doing so requires more than the  
22           standard 120 semester (or 180 quarter) credit hours  
23           for completion of a program of education at an insti-  
24           tution of higher learning.

25           “(c) DEFINITIONS.—In this section:

1           “(1) The term ‘institution of higher learning’  
2           has the meaning given such term in section 3452 of  
3           this title.

4           “(2) The term ‘remedial and deficiency course’  
5           means a course offered by an institution of higher  
6           learning that is designed to overcome a deficiency.”.

7           (b) CLERICAL AMENDMENT.—The table of sections  
8           at the beginning of such chapter is amended by inserting  
9           after the item relating to section 3320 the following new  
10          item:

          “3320A. Additional assistance.”.

11          (c) CONFORMING AMENDMENT.—Section 3695 of  
12          title 38, United States Code, is amended by adding at the  
13          end the following new subsection:

14          “(d) In the case of an individual who receives addi-  
15          tional educational assistance under section 3320A of this  
16          title, the number of months specified in subsection (a)  
17          shall instead be construed to specify the number of months  
18          that is equal to the sum of—

19                 “(1) such number of months, and

20                 “(2) the amount of the increase in number of  
21          months of educational assistance to which the indi-  
22          vidual is entitled pursuant to section 3320A(a) of  
23          such title.”.

1 **SEC. 4. INCREASED FLEXIBILITY IN TRANSFERRING ENTI-**  
2 **TLEMENT TO POST-9/11 EDUCATIONAL AS-**  
3 **SISTANCE.**

4 Section 3319 of title 38, United States Code, is  
5 amended—

6 (1) in subsection (e)—

7 (A) by redesignating paragraphs (1)  
8 through (3) as subparagraphs (A) through (C),  
9 respectively, and indenting such subparagraphs  
10 appropriately;

11 (B) in the matter before subparagraph  
12 (A), as redesignated by subparagraph (A), by  
13 striking “An” and inserting the following:

14 “(1) IN GENERAL.—An”; and

15 (C) by adding at the end the following new  
16 paragraph (2):

17 “(2) TIMING OF DESIGNATION.—In the case of  
18 an individual who elects to transfer entitlement  
19 under subsection (a) but who at the time of the elec-  
20 tion does not have any eligible dependents, the indi-  
21 vidual may carry out the designations required by  
22 paragraph (1) when the individual comes to have an  
23 eligible dependent to whom the individual would like  
24 to transfer entitlement under this section.”; and

25 (2) in subsection (f)—

26 (A) by striking paragraph (1);

1           (B) by redesignating paragraphs (2) and  
2           (3) as paragraphs (1) and (2), respectively; and  
3           (C) in paragraph (1)(A), as redesignated  
4           by subparagraph (B), by inserting “, including  
5           by designating a new dependent or dependents  
6           to receive the unused entitlement” before the  
7           semicolon.

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