

116TH CONGRESS
1ST SESSION

H. R. 5522

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 HOUSE OF REPRESENTATIVES

DECEMBER 19, 2019

Mr. PANETTA (for himself, Mr. WALTZ, Mr. CISNEROS, Mr. KINZINGER, and Mr. CROW) introduced the following bill; which was 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. SHORT TITLE.**

4 This Act may be cited as the “Post-9/11 GI Bill
5 Transferability Entitlement Act”.

1 **SEC. 2. MODIFICATION OF ELIGIBILITY REQUIREMENTS**
2 **FOR TRANSFER OF UNUSED ENTITLEMENT**
3 **TO POST-9/11 EDUCATIONAL ASSISTANCE.**

4 (a) MODIFICATION OF ELIGIBILITY REQUIRE-
5 MENTS.—

6 (1) IN GENERAL.—Subsection (b) of section
7 3319 of title 38, United States Code, is amended to
8 read as follows:

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

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

16 “(2) is a member of the uniformed services
17 who—

18 “(A) is not an individual described in para-
19 graph (1);

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

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

25 “(i) 10 years; and

1 “(ii) the period the individual has al-
 2 ready served in the uniformed services; or
 3 “(3) is described in section 3311(b)(10).”.

4 (2) CONFORMING AMENDMENTS.—Such section
 5 is amended—

6 (A) in subsection (a)—

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

8 (ii) in paragraph (1), by striking
 9 “(1)”;

10 (B) in subsection (i)(2), by striking “under
 11 subsection (b)(1)” and inserting “under sub-
 12 section (b)(2)(C)”; and

13 (C) in subsection (j)(2)—

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

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

17 (iii) by redesignating subparagraph
 18 (C) as subparagraph (B).

19 (b) MODIFICATION OF TIME TO TRANSFER.—

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

22 “(1) TIME FOR TRANSFER.—Subject to the
 23 time limitation for use of entitlement under section
 24 3321 of this title, and except as provided in sub-
 25 section (k), an individual approved to transfer enti-

1 tlement to educational assistance under this section
2 may transfer such entitlement at any time.”.

3 (2) CONFORMING AMENDMENTS.—Such section
4 is further amended—

5 (A) by amending subsection (g) to read as
6 follows:

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

11 “(1) the completion by the child of the require-
12 ments of a secondary school diploma (or equivalency
13 certificate); or

14 “(2) the attainment by the child of 18 years of
15 age.”;

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

17 (C) by redesignating subsection (l) as sub-
18 section (k).

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