AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MR. PANETTA OF CALIFORNIA

At the end of subtitle F of title V, add the following:

SEC. 5. MODIFICATION OF ELIGIBILITY REQUIREMENTS
FOR TRANSFER OF UNUSED ENTITLEMENT
TO POST-9/11 EDUCATIONAL ASSISTANCE.

(a) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—

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

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

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

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

“(A) is not an individual described in para-
graph (1);
“(B) has served at least six years in the Armed Forces; and

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

“(i) 10 years; and

“(ii) the period the individual has already served in the uniformed services; or

“(3) is described in section 3311(b)(10).”.

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

(A) in subsection (a)—

(i) by striking paragraph (2); and

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

(B) in subsection (i)(2), by striking “under subsection (b)(1)” and inserting “under subsection (b)(2)(C)”; and

(C) in subsection (j)(2)—

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

(ii) by striking subparagraph (B); and

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

(b) MODIFICATION OF TIME TO TRANSFER.—
(1) IN GENERAL.—Paragraph (1) of subsection (f) of such section is amended to read as follows:

“(1) TIME FOR TRANSFER.—Subject to the time limitation for use of entitlement under section 3321 of this title, and except as provided in subsection (k), an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time.”.

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

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

“(g) COMMENCEMENT OF USE.—If a dependent to whom entitlement to educational assistance is transferred under this section is a child, the dependent may not commence the use of the transferred entitlement until either—

“(1) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

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

(B) by striking subsection (k); and

(C) by redesignating subsection (l) as subsection (k).