

112TH CONGRESS
1ST SESSION

H. R. 1130

To amend title 38, United States Code, to provide authority for certain members of the Armed Forces who have served 20 years on active duty to transfer entitlement to Post-9/11 Educational Assistance to their dependents.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2011

Mr. ALEXANDER introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide authority for certain members of the Armed Forces who have served 20 years on active duty to transfer entitlement to Post-9/11 Educational Assistance to their 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 “Education Assistance
5 to Realign New Eligibilities for Dependents (EARNED)
6 Act of 2011”.

1 **SEC. 2. AUTHORITY OF CERTAIN MEMBERS OF THE ARMED**
2 **FORCES WHO HAVE SERVED 20 YEARS ON AC-**
3 **TIVE DUTY TO TRANSFER ENTITLEMENT TO**
4 **POST-9/11 EDUCATIONAL ASSISTANCE TO**
5 **THEIR DEPENDENTS.**

6 (a) **TRANSFER AUTHORIZED.**—Section 3319(b) of
7 title 38, United States Code, is amended—

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

9 (2) in paragraph (2), by striking the period and
10 inserting “; or”; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(3) 20 years of active duty service in the
14 Armed Forces, as of any date between September
15 11, 2001, and September 30, 2011, including at
16 least 90 days of such service after September 10,
17 2001.”.

18 (b) **OPPORTUNITY TO TRANSFER ENTITLEMENT.**—
19 Notwithstanding any other provision of law, during the pe-
20 riod beginning on the date of the enactment of this Act
21 and ending on December 31, 2012, an individual who is
22 entitled to educational assistance under chapter 33 of title
23 38, United States Code, and who completed at least 20
24 years of active duty service in the Armed Forces and was
25 discharged or released from such service under honorable
26 conditions before September 30, 2011, may transfer all

1 or part of the individual's entitlement to an eligible de-
2 pendent under section 3319 of title 38, United States
3 Code.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this Act shall take effect as if included in the enactment
6 of the Post-9/11 Veterans Educational Assistance Act of
7 2008 (title V of Public Law 110–252).

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