

115TH CONGRESS  
1ST SESSION

# H. R. 4670

To amend title 38, United States Code, to provide authority for certain members of the Armed Forces to transfer entitlement to Post-9/11 Educational Assistance to their dependents.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2017

Mr. CONNOLLY (for himself and Mr. KATKO) 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 authority for certain members of the Armed Forces 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 Act of 2017”  
6 or the “EARNED Act of 2017”.

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 of title  
7 38, United States Code, is amended—

8 (1) by striking subsection (b) and inserting the  
9 following new subsection (b):

10 “(b) ELIGIBLE INDIVIDUALS.—An individual re-  
11 ferred to in subsection (a)—

12 “(1) is any member of the uniformed services  
13 who, at the time of the approval of the individual’s  
14 request to transfer entitlement to educational assist-  
15 ance under this section, has completed at least—

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

20 “(B) the years of service as determined in  
21 regulations pursuant to subsection (j); or

22 “(2) any member of the uniformed services, or  
23 retired member of the uniformed services, who, at  
24 the time of the approval of the individual’s request  
25 to transfer entitlement to educational assistance  
26 under this section has completed at least 20 years

1 of active duty service in the Armed Forces, including  
2 at least 90 days of such service after September 10,  
3 2001.”; and

4 (2) in subsection (f)(1), by inserting “described  
5 in subsection (b)(1) who is” after “an individual”.

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

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