

112TH CONGRESS  
1ST SESSION

# H. R. 1383

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## AN ACT

To temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, 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 “Restoring GI Bill Fair-  
 5       ness Act of 2011”.

6       **SEC. 2. PRESERVATION OF HIGHER RATES FOR TUITION**  
 7                   **AND FEES FOR PROGRAMS OF EDUCATION AT**  
 8                   **NON-PUBLIC INSTITUTIONS OF HIGHER**  
 9                   **LEARNING PURSUED BY INDIVIDUALS EN-**  
 10                  **ROLLED IN SUCH PROGRAMS PRIOR TO**  
 11                  **CHANGE IN MAXIMUM AMOUNT.**

12       (a) IN GENERAL.—Notwithstanding paragraph  
 13       (1)(A)(ii) of section 3313(c) of title 38, United States  
 14       Code (as amended by the Post-9/11 Veterans Educational  
 15       Assistance Improvements Act of 2010 (Public Law 111–  
 16       377)), the amount payable under that paragraph (or as  
 17       appropriately adjusted under paragraphs (2) through (7)  
 18       of that section) for tuition and fees for pursuit by an indi-  
 19       vidual described in subsection (b) of an approved program  
 20       of education at a non-public institution of higher learning  
 21       during the period beginning on August 1, 2011, and end-  
 22       ing on July 31, 2014, shall be the greater of—

23               (1) \$17,500; or

24               (2) the established charges payable for the pro-  
 25       gram of education determined using the table of the

1 Department of Veterans Affairs entitled “Post-9/11  
2 GI Bill 2010–2011 Tuition and Fee In-State Maxi-  
3 mums”, published October 27, 2010 (75 Fed. Reg.  
4 66193), as if that table applied to the pursuit of the  
5 program of education by that individual during that  
6 period.

7 (b) COVERED INDIVIDUALS.—An individual described  
8 in this subsection is an individual entitled to educational  
9 assistance under chapter 33 of title 38, United States  
10 Code, who, on or before April 1, 2011, was enrolled in  
11 a non-public institution of higher learning in a State in  
12 which—

13 (1) the maximum amount of tuition per credit  
14 in the 2010–2011 academic year, as determined pur-  
15 suant to the table referred to in subsection (a)(2),  
16 exceeded \$700; and

17 (2) the combined amount of tuition and fees for  
18 full-time attendance in the program of education in  
19 such academic year exceeded \$17,500.

20 (c) DEFINITIONS.—In this section:

21 (1) The term “approved program of education”  
22 has the meaning given that term in section 3313(b)  
23 of title 38, United States Code.

24 (2) The term “established charges”, with re-  
25 spect to a program of education, means the actual

1 charges (as determined pursuant to regulations pre-  
2 scribed by the Secretary of Veterans Affairs on the  
3 basis of a full academic year) for tuition and fees  
4 which similarly circumstanced nonveterans enrolled  
5 in the program of education would be required to  
6 pay.

7 (3) The term “institution of higher learning”  
8 has the meaning given that term in section 3452(f)  
9 of title 38, United States Code.

10 **SEC. 3. EXTENSION OF LOAN GUARANTY FEE FOR CERTAIN**  
11 **SUBSEQUENT LOANS.**

12 (a) EXTENSION.—Section 3729(b)(2)(B)(ii) of title  
13 38, United States Code, is amended—

14 (1) by striking “January 1, 2004, and before  
15 October 1, 2011” and inserting “October 1, 2011,  
16 and before October 1, 2012”; and

17 (2) by striking “3.30” both places it appears  
18 and inserting “2.80”.

19 (b) CONFORMING AMENDMENT.—Section  
20 3729(b)(2)(B)(iii) of such title is amended by striking  
21 “October 1, 2011” and inserting “October 1, 2012”.

1       (c) EFFECTIVE DATE.—The amendments made by  
2 subsections (a) and (b) shall take effect on October 1,  
3 2011.

Passed the House of Representatives May 23, 2011.

Attest:

*Clerk.*

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1<sup>ST</sup> Session

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