

112TH CONGRESS
1ST SESSION

H. R. 1383

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2011

Mr. MILLER of Florida (for himself and Mr. STUTZMAN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Restoring GI Bill Fair-
3 ness Act of 2011”.

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

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

21 (1) \$17,500; or

22 (2) the established charges payable for the pro-
23 gram of education determined using the table of the
24 Department of Veterans Affairs entitled “Post-9/11
25 GI Bill 2010–2011 Tuition and Fee In-State Maxi-
26 mums”, published October 27, 2010 (75 Fed. Reg.

1 66193), as if that table applied to the pursuit of the
2 program of education by that individual during that
3 period.

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

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

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

17 (c) DEFINITIONS.—In this section:

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

21 (2) The term “established charges”, with re-
22 spect to a program of education, means the actual
23 charges (as determined pursuant to regulations pre-
24 scribed by the Secretary of Veterans Affairs on the
25 basis of a full academic year) for tuition and fees

1 which similarly circumstanced nonveterans enrolled
2 in the program of education would be required to
3 pay.

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

7 **SEC. 3. LIMITATION ON COST OF LIVING INCREASES FOR**
8 **CERTAIN EDUCATIONAL ASSISTANCE PRO-**
9 **GRAMS OF THE DEPARTMENT OF VETERANS**
10 **AFFAIRS.**

11 During the 24-month period beginning on August 1,
12 2011, the maximum amount of the monthly stipend pay-
13 able under subparagraph (B) of paragraph (1) of sub-
14 section (c) of section 3313 of title 38, United States Code,
15 is the amount payable under clause (i) of such subpara-
16 graph on August 1, 2011. Upon the expiration on the 24-
17 month period, the amount of such monthly stipend shall
18 be the amount otherwise authorized under section
19 3313(c)(1)(B) of title 38, United States Code.

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