

118TH CONGRESS
2D SESSION

S. 3873

To amend title 38, United States Code, to expand eligibility for Post-9/11 Educational Assistance to members of the National Guard who perform certain full-time duty, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2024

Mr. MORAN (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand eligibility for Post-9/11 Educational Assistance to members of the National Guard who perform certain full-time duty, 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 “Guard and Reserve
5 GI Bill Parity Act of 2024”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY FOR POST-9/11 EDU-**
2 **CATIONAL ASSISTANCE TO MEMBERS OF THE**
3 **NATIONAL GUARD WHO PERFORM CERTAIN**
4 **FULL-TIME DUTY.**

5 (a) IN GENERAL.—Section 3301(1) of title 38,
6 United States Code, is amended—

7 (1) by amending subparagraph (B) to read as
8 follows:

9 “(B) In the case of members of the reserve
10 components of the Armed Forces—

11 “(i) service on active duty (as defined
12 in section 101(d) of title 10), inactive-duty
13 training (as defined in section 101(d) of
14 title 10), or annual training duty; or

15 “(ii) service on active duty under a
16 call or order to active duty under section
17 688, 12301(a), 12301(d), 12301(g),
18 12301(h), 12302, 12304, 12304a, or
19 12304b of title 10 or section 3713 of title
20 14, but not including inactive duty training
21 (as defined in section 101(d) of title 10) or
22 annual training duty.”; and

23 (2) in subparagraph (C)—

24 (A) in clause (i), by striking “; or” and in-
25 serting a semicolon; and

1 (B) by striking clause (ii) and inserting the
2 following new clauses:

3 “(ii) in the National Guard when per-
4 forming full-time National Guard duty (as
5 defined in section 101 of title 32); or

6 “(iii) in the National Guard when per-
7 forming active duty (as defined in section
8 101 of title 32).”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on the date that is one
11 year after the date of the enactment of this Act.

12 (c) RETROACTIVE APPLICABILITY.—The amend-
13 ments made by subsection (a) shall apply with respect to
14 service performed on or after September 11, 2001.

15 (d) APPLICATION OF TIME LIMITATION FOR USE OF
16 ENTITLEMENT.—Section 3321(a) of title 38, United
17 States Code, shall apply to entitlement to educational as-
18 sistance acquired as a result of the amendments made by
19 subsection (a) as if such amendments had been enacted
20 immediately after the enactment of the Post-9/11 Vet-
21 erans Educational Assistance Act of 2008 (Public Law
22 110–252).

○