

108TH CONGRESS
2D SESSION

H. R. 4788

To provide grants to States for tuition assistance for undergraduate studies for members of the Selected Reserve at public institutions of higher learning.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2004

Mr. WU introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide grants to States for tuition assistance for undergraduate studies for members of the Selected Reserve at public institutions of higher learning.

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 “National Guard and
5 Reservists Education Benefits Act”.

6 **SEC. 2. BLOCK GRANTS TO STATES FOR TUITION ASSIST-**
7 **ANCE FOR MEMBERS OF THE SELECTED RE-**
8 **SERVE.**

9 (a) ESTABLISHMENT OF PROGRAM.—

1 (1) IN GENERAL.—The Secretary of Education
2 shall carry out a program of block grants to States
3 under this section to provide for the payment of tui-
4 tion and fees for undergraduate studies at public in-
5 stitutions of higher learning otherwise payable by a
6 member of the Selected Reserve attending those in-
7 stitutions for those studies.

8 (2) LIMITATION.—Tuition assistance under this
9 section shall not be made available to a member of
10 the Selected Reserve who participates in the pro-
11 gram of educational assistance under chapter 1606
12 of title 10, United States Code, or under chapter 30
13 of title 38, United States Code.

14 (b) STATE CERTIFICATIONS.—Not later than October
15 1 of each of fiscal year for which a State desires to receive
16 an allotment under this section, the chief executive officer
17 of the State shall submit to the Secretary a certification
18 that the State will—

19 (1) use such funds to defray the costs of tuition
20 and fees for undergraduate studies of members of
21 the Selected Reserve attending public institutions of
22 higher learning in the States;

23 (2) return any unused funds to the Secretary in
24 accordance with the reconciliation process under
25 subsection (d); and

1 (3) comply with the reporting requirements
2 under subsection (e).

3 (c) PAYMENTS TO STATES.—For each of fiscal years
4 2005 through 2010, the Secretary shall pay to each State
5 that submits a certification under subsection (b), from any
6 funds appropriated under subsection (g), for the fiscal
7 year an amount equal to the amount of the allotment de-
8 termined for the fiscal year under subsection (f).

9 (d) RECONCILIATION PROCESS.—

10 (1) 3-YEAR AVAILABILITY OF AMOUNTS ALLOT-
11 TED.—Each State that receives an allotment under
12 this section shall return to the Secretary any unused
13 portion of the amount allotted to a State under this
14 section for a fiscal year not later than the last day
15 of the second succeeding fiscal year together with
16 any earnings on such unused portion.

17 (2) PROCEDURE FOR REDISTRIBUTION OF UN-
18 USED ALLOTMENTS.—The Secretary shall establish
19 an appropriate procedure for redistributing to States
20 that have expended the entire amount allotted under
21 this section any amount that is—

22 (A) returned to the Secretary by States
23 under paragraph (1); or

24 (B) not allotted to a State under this sec-
25 tion because the State did not submit a certifi-

1 cation under subsection (b) by October 1 of a
2 fiscal year.

3 (e) REPORTING REQUIREMENTS.—

4 (1) MONITORING AND EVALUATION.—Each
5 State receiving an allotment under this section for a
6 fiscal year shall monitor and evaluate the tuition as-
7 sistance program carried out under this section
8 using funds made available under this section in
9 such manner as the Secretary, in consultation with
10 the States, determines appropriate.

11 (2) ANNUAL REPORTS.—Not less frequently
12 than annually, each State receiving an allotment
13 under this section for a fiscal year shall submit to
14 the Secretary reports on the tuition assistance pro-
15 grams carried out under this section at such time,
16 in such manner, and containing such information as
17 the Secretary may require.

18 (f) AMOUNT OF ALLOTMENTS.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), of the amount appropriated for the pur-
21 pose of making allotments under this section for a
22 fiscal year, the Secretary shall allot to each State
23 that submits a certification under subsection (b) for
24 the fiscal year an amount equal to the amount that
25 bears the same ratio to the number of members of

1 the Selected Reserve residing in the State (as deter-
2 mined by the Secretary based on the most recent
3 March supplement to the Current Population Survey
4 of the Bureau of the Census before the beginning of
5 the calendar year in which such fiscal year begins)
6 as bears to the number of members of the Selected
7 Reserve residing in all States.

8 (2) MINIMUM ALLOTMENTS.—No allotment for
9 a fiscal year under this section shall be less than—

10 (A) in the case of a State other than the
11 Commonwealth of Puerto Rico, the United
12 States Virgin Islands, Guam, American Samoa,
13 and the Commonwealth of the Northern Mar-
14 iana Islands, 1 percent of the amount appro-
15 priated for the fiscal year under subsection (g);
16 and

17 (B) in the case of the Commonwealth of
18 Puerto Rico, the United States Virgin Islands,
19 Guam, American Samoa, and the Common-
20 wealth of the Northern Mariana Islands, 0.5
21 percent of such amount.

22 (3) PRO RATA REDUCTIONS.—The Secretary
23 shall make such pro rata reductions to the allot-
24 ments determined under paragraph (1) as are nec-

1 essary to comply with the requirements of paragraph
2 (2).

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated \$100,000,000 for each of
5 fiscal years 2005 through 2010 for purposes of making
6 allotments to States under this section.

7 (h) DEFINITIONS.—In this section:

8 (1) SELECTED RESERVE.—The term “Selected
9 Reserve” means the Selected Reserve of the Ready
10 Reserve of any of the reserve components (including
11 the Army National Guard of the United States and
12 the Air National Guard of the United States) of the
13 Armed Forces, as required to be maintained under
14 section 10143(a) of title 10, United States Code.

15 (2) SECRETARY.—The term “Secretary” means
16 the Secretary of Education.

17 (3) INSTITUTION OF HIGHER LEARNING.—The
18 term “institution of higher education” has the
19 meaning given that term under section 101(a) of the
20 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

21 (4) STATE.—The term “State” means each of
22 the 50 States, the District of Columbia, the Com-
23 monwealth of Puerto Rico, the United States Virgin
24 Islands, Guam, American Samoa, and the Common-
25 wealth of the Northern Mariana Islands.

1 (5) TUITION AND FEES FOR UNDERGRADUATE
2 STUDIES.—The term “tuition and fees for under-
3 graduate studies” means the actual cost of tuition
4 and fees for undergraduate studies charged by a
5 public institution of higher learning to similarly
6 circumstanced individuals who are not members of
7 the Selected Reserve for enrollment in courses of
8 education at the institution, and includes the aver-
9 age cost of books and supplies payable by such indi-
10 viduals for those studies.

○