

**Suspend the Rules and Pass the Bill, HR. 7323**

**(The amendments strike all after the enacting clause and insert a new text and a new title)**

118TH CONGRESS  
2D SESSION

# H. R. 7323

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to disapprove courses of education offered by a public institution of higher learning that does not charge the in-State tuition rate to a veteran using certain educational assistance under title 10 of such Code.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2024

Mr. VAN ORDEN (for himself and Mr. MCGARVEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to disapprove courses of education offered by a public institution of higher learning that does not charge the in-State tuition rate to a veteran using certain educational assistance under title 10 of such Code.

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 “Montgomery GI Bill  
3 Selected Reserves Tuition Fairness Act of 2024”.

4 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS DIS-**  
5 **APPROVAL OF COURSES OFFERED BY PUBLIC**  
6 **INSTITUTIONS OF HIGHER LEARNING THAT**  
7 **DO NOT CHARGE VETERANS IN-STATE TUI-**  
8 **TION RATE FOR PURPOSES OF SELECTED RE-**  
9 **SERVE EDUCATIONAL ASSISTANCE PRO-**  
10 **GRAM.**

11 (a) IN GENERAL.—Subsection (c) of section 3679 of  
12 title 38, United States Code, is amended—

13 (1) in paragraph (1), by inserting “, or chapter  
14 1606 of title 10,” after “chapter 30, 31, 33, or 35  
15 of this title”;

16 (2) in paragraph (2), by adding at the end the  
17 following new subparagraph:

18 “(E) An individual who is entitled to assistance  
19 under section 16131 of title 10.”; and

20 (3) in paragraph (6), by inserting “, or chapter  
21 1606 of title 10” before the period at the end.

22 (b) CONFORMING AMENDMENTS.—Subsection (e) of  
23 such section is amended—

24 (1) in paragraph (1)—

1 (A) in subparagraph (A), by inserting “, or  
2 chapter 1606 of title 10,” after “chapter 31,  
3 33, or 35 of this title”; and

4 (B) in subparagraph (B), by striking  
5 “chapter 31 33, or 35 of this title” and insert-  
6 ing “chapter 31, 33, or 35 of this title, or chap-  
7 ter 1606 of title 10”; and

8 (2) in paragraph (2), by striking “chapter 31  
9 33, or 35 of this title” and inserting “chapter 31,  
10 33, or 35 of this title, or chapter 1606 of title 10”.

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall take effect on the date of the enactment  
13 of this Act and shall apply with respect to an academic  
14 period that begins on or after August 1, 2025.

15 **SEC. 3. LIMITATION ON AMOUNT OF ENTITLEMENT TO**  
16 **EDUCATIONAL ASSISTANCE PAYABLE FOR**  
17 **FLIGHT TRAINING UNDER POST-9/11 EDU-**  
18 **CATIONAL ASSISTANCE PROGRAM OF DE-**  
19 **PARTMENT OF VETERANS AFFAIRS.**

20 (a) IN GENERAL.—Section 3313 of title 38, United  
21 States Code, is amended—

22 (1) in subsection (g)(3)(C), by striking “In the  
23 case” and inserting “Subject to the limitation under  
24 subsection (m), in the case”; and

1           (2) by adding at the end the following new sub-  
2           section:

3           “(m) LIMITATION ON USE OF ENTITLEMENT FOR  
4 FLIGHT TRAINING.—

5           “(1) IN GENERAL.—Notwithstanding any other  
6           provision of this chapter and subject to paragraphs  
7           (2) and (3), the maximum amount payable under  
8           this chapter to an individual, over the lifetime of the  
9           individual, for tuition and fees for the pursuit of a  
10          program of flight training offered by a public insti-  
11          tution of higher learning that leads to a degree, cer-  
12          tificate, or other non-college degree, regardless of  
13          how many such programs the individual pursues,  
14          is—

15                 “(A) in the case of an individual who first  
16                 pursues such a program during the academic  
17                 year beginning on August 1, 2025, \$115,749;  
18                 or

19                 “(B) in the case of an individual who first  
20                 pursues such a program during an academic  
21                 year beginning on August 1 of any subsequent  
22                 year, the amount in effect under this subsection  
23                 for the previous academic year beginning on  
24                 August 1, as increased by the percentage in-  
25                 crease equal to the most recent percentage in-

1           crease determined under section 3015(h) of this  
2           title.

3           “(2) PURSUIT ON LESS THAN A FULL-TIME  
4           BASIS.—In the case of an individual who is entitled  
5           to educational assistance under this chapter by rea-  
6           son of any of paragraph (3) through (7) of section  
7           3311(b) of this title, the maximum amount payable  
8           under paragraph (1) is—

9                   “(A) the amount in effect under paragraph  
10                   (1), multiplied by

11                   “(B) the same percentage applicable to the  
12                   monthly amounts payable to the individual  
13                   under paragraphs (2) through (6) of subsection  
14                   (c).

15           “(3) PRIOR USE OF ENTITLEMENT.—In the  
16           case of an individual who is entitled to educational  
17           assistance under this chapter and who uses any of  
18           such entitlement prior to the pursuit of a program  
19           of flight training offered by a public institution of  
20           higher learning that leads to a degree, certificate, or  
21           other non-college degree, the maximum amount of  
22           payable to the individual under this subsection is—

23                   “(A) the maximum total amount in effect  
24                   under paragraph (1), minus

1                   “(B) the amount of entitlement to edu-  
2                   cational assistance the individual used before  
3                   enrolling in such program.”.

4           (b) APPLICABILITY.—The amendments made by sub-  
5 section (a) shall take effect on August 1, 2025, and shall  
6 apply with respect to an individual who first pursues a  
7 program of flight training on or after August 1, 2025.

Amend the title so as to read: “A bill amend title 38, United States Code, to direct the Secretary of Veterans Affairs to disapprove courses of education offered by a public institution of higher learning that does not charge the in-State tuition rate to a veteran using certain educational assistance under title 10 of such Code, and for other purposes.”.