

108TH CONGRESS  
1ST SESSION

# S. 55

To amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

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

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## A BILL

To amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, 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 “Veterans’ Higher Edu-  
5 cation Opportunities Act of 2003”.

1 **SEC. 2. MODIFICATION OF ANNUAL DETERMINATION OF**  
2 **BASIC BENEFIT OF ACTIVE DUTY EDU-**  
3 **CATIONAL ASSISTANCE UNDER THE MONT-**  
4 **GOMERY GI BILL.**

5 (a) BASIC BENEFIT.—Section 3015 of title 38,  
6 United States Code, is amended—

7 (1) in subsection (a)(1), by striking “at the  
8 monthly rate of—” and all that follows and inserting  
9 “at the monthly rate equal to the average monthly  
10 costs of tuition and expenses for commuter students  
11 at public institutions of higher education that award  
12 baccalaureate degrees (as determined under sub-  
13 section (h)); or”; and

14 (2) in subsection (b)(1) by striking “at the  
15 monthly rate of—” and all that follows and inserting  
16 “at the monthly rate equal to 75 percent of the aver-  
17 age monthly costs of tuition and expenses for com-  
18 muter students at public institutions of higher edu-  
19 cation that award baccalaureate degrees (as deter-  
20 mined under subsection (h)); or”.

21 (b) DETERMINATION OF AVERAGE MONTHLY  
22 COSTS.—Subsection (h) of that section is amended to read  
23 as follows:

24 “(h)(1) Not later than September 30 each year, the  
25 Secretary shall determine the average monthly costs of tui-  
26 tion and expenses for commuter students at public institu-

1 tions of higher education that award baccalaureate de-  
2 grees for purposes of subsections (a)(1) and (b)(1) for the  
3 succeeding fiscal year. The Secretary shall determine such  
4 costs utilizing information obtained from the College  
5 Board or information provided annually by the College  
6 Board in its annual survey of institutions of higher edu-  
7 cation.

8       “(2) In determining the costs of tuition and expenses  
9 under paragraph (1), the Secretary shall take into account  
10 the following:

11           “(A) Tuition and fees.

12           “(B) The cost of books and supplies.

13           “(C) The cost of board.

14           “(D) Transportation costs.

15           “(E) Other nonfixed educational expenses.

16       “(3) A determination made under paragraph (1) in  
17 a year shall take effect on October 1 of that year and  
18 apply with respect to basic educational assistance allow-  
19 ances payable under this section for the fiscal year begin-  
20 ning in that year.

21       “(4) Not later than September 30 each year, the Sec-  
22 retary shall publish in the Federal Register the average  
23 monthly costs of tuition and expenses as determined under  
24 paragraph (1) in that year.

1       “(5) For purposes of this section, the term ‘institu-  
2       tion of higher education’ has the meaning given that term  
3       in section 101 of the Higher Education Act of 1965 (20  
4       U.S.C. 1001).”.

5       (c) *STYLISTIC AMENDMENT.*—Subsection (b) of that  
6       section is further amended in the matter preceding para-  
7       graph (1) by striking “as provided in the succeeding sub-  
8       sections of this section” and inserting “as otherwise pro-  
9       vided in this section”.

10       (d) *EFFECTIVE DATE.*—(1) Except as provided in  
11       paragraph (2), the amendments made by this section shall  
12       take effect on October 1, 2003.

13       (2) The Secretary of Veterans Affairs shall make the  
14       determination required by subsection (h) of section 3015  
15       of title 38, United States Code (as amended by subsection  
16       (b) of this section), and such determination shall go into  
17       effect, for fiscal year 2004.

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