

110TH CONGRESS
2D SESSION

H. R. 7107

To require, as a condition of participation in the programs under title IV of the Higher Education Act of 1965, public institutions of higher education to charge dependent children of members of the Armed Forces a rate of tuition equal to the rate of tuition charged to in-State residents.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2008

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To require, as a condition of participation in the programs under title IV of the Higher Education Act of 1965, public institutions of higher education to charge dependent children of members of the Armed Forces a rate of tuition equal to the rate of tuition charged to in-State residents.

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. IN-STATE TUITION RATE FOR DEPENDENT**
2 **CHILDREN OF MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) AMENDMENT.—Section 487(a) of the Higher
5 Education Act of 1965 (20 U.S.C. 1094(a)) is amended
6 by adding at the end the following new paragraph:

7 “(30)(A) In the case of a public institution of
8 higher education, the institution will charge a de-
9 pendent military child tuition at the same rate as
10 the rate of tuition that the institution charges to
11 residents of the State in which the institution is lo-
12 cated.

13 “(B) For the purposes of this paragraph—

14 “(i) the term ‘dependent military child’
15 means an individual who—

16 “(I) is an unmarried child of a mem-
17 ber of the Armed Forces (including an un-
18 married dependent stepchild or adopted
19 child); and

20 “(II) is under 26 years of age at the
21 beginning of the first academic year for
22 which the individual is charged tuition in
23 accordance with this paragraph; and

24 “(ii) the term ‘member of the Armed
25 Forces’—

1 “(I) includes a member of a reserve
2 component of the Armed Forces named in
3 section 10101 of title 10, United States
4 Code; and

5 “(II) does not include a former mem-
6 ber of the Armed Forces.

7 “(C) Notwithstanding subparagraph (B)(ii)(II),
8 any individual who—

9 “(i) is charged tuition as a dependent mili-
10 tary child in accordance with this paragraph for
11 an academic year; and

12 “(ii) in the subsequent year fails to meet
13 the requirements of subparagraph (B)(i) be-
14 cause the individual’s parent who was a mem-
15 ber of the Armed Forces has become a former
16 member of the Armed Forces,

17 shall continue to be charged tuition as a dependent
18 military child in accordance with this paragraph for
19 the period required to complete the program of
20 study in which the individual is enrolled (as deter-
21 mined by the institution at which the individual is
22 enrolled).”.

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) shall be effective for academic years begin-
3 ning after the date of the enactment of this Act.

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