

One Hundred Seventeenth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Sunday,
the third day of January, two thousand and twenty one*

An Act

To amend title 38, United States Code, to provide for the disapproval by the Secretary of Veterans Affairs of courses of education offered by public institutions of higher learning that do not charge veterans the in-State tuition rate for purposes of Survivors' and Dependents' Educational Assistance Program, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021".

SEC. 2. DEPARTMENT OF VETERANS AFFAIRS DISAPPROVAL OF COURSES OFFERED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING THAT DO NOT CHARGE VETERANS THE IN-STATE TUITION RATE FOR PURPOSES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 3679(c) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking "or 33" and inserting "33, or 35";

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

"(D) An individual who is entitled to assistance under section 3510 of this title."; and

(3) in paragraph (6), by striking "and 33" and inserting "33, and 35".

(b) CONFORMING AMENDMENTS.—Section 3679(e) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "or 33" and inserting "33, or 35"; and

(B) in subparagraph (B), by striking "or 33" and inserting "33, or 35"; and

(2) in paragraph (2), by striking "or 33" and inserting "33, or 35".

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(c) EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date of the enactment of this Act and shall apply with respect to an academic period that begins on or after August 1, 2022.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*