

117TH CONGRESS  
1ST SESSION

# **S. 1095**

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## **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.

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 “Colonel John M.  
5 McHugh Tuition Fairness for Survivors Act of 2021”.

6 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS DIS-**  
7                    **APPROVAL OF COURSES OFFERED BY PUBLIC**  
8                    **INSTITUTIONS OF HIGHER LEARNING THAT**  
9                    **DO NOT CHARGE VETERANS THE IN-STATE**  
10                   **TUITION RATE FOR PURPOSES OF SUR-**  
11                   **VIVORS’ AND DEPENDENTS’ EDUCATIONAL**  
12                   **ASSISTANCE PROGRAM.**

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

15                (1) in paragraph (1), by striking “or 33” and  
16                inserting “33, or 35”;

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

19                    “(D) An individual who is entitled to assistance  
20                    under section 3510 of this title.”; and

21                (3) in paragraph (6), by striking “and 33” and  
22                inserting “33, and 35”.

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

25                (1) in paragraph (1)—

1 (A) in subparagraph (A), by striking “or  
2 33” and inserting “, 33, or 35”; and

3 (B) in subparagraph (B), by striking “or  
4 33” and inserting “33, or 35”; and

5 (2) in paragraph (2), by striking “or 33” and  
6 inserting “33, or 35”.

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

Passed the Senate June 24, 2021.

Attest:

*Secretary.*

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