

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 1383**  
**OFFERED BY MR. STUTZMAN**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Restoring GI Bill Fair-  
3 ness Act of 2011”.

4 **SEC. 2. PRESERVATION OF HIGHER RATES FOR TUITION**  
5                   **AND FEES FOR PROGRAMS OF EDUCATION AT**  
6                   **NON-PUBLIC INSTITUTIONS OF HIGHER**  
7                   **LEARNING PURSUED BY INDIVIDUALS EN-**  
8                   **ROLLED IN SUCH PROGRAMS PRIOR TO**  
9                   **CHANGE IN MAXIMUM AMOUNT.**

10       (a) **IN GENERAL.**—Notwithstanding paragraph  
11 (1)(A)(ii) of section 3313(c) of title 38, United States  
12 Code (as amended by the Post-9/11 Veterans Educational  
13 Assistance Improvements Act of 2010 (Public Law 111–  
14 377)), the amount payable under that paragraph (or as  
15 appropriately adjusted under paragraphs (2) through (7)  
16 of that section) for tuition and fees for pursuit by an indi-  
17 vidual described in subsection (b) of an approved program  
18 of education at a non-public institution of higher learning

1 during the period beginning on August 1, 2011, and end-  
2 ing on July 31, 2014, shall be the greater of—

3 (1) \$17,500; or

4 (2) the established charges payable for the pro-  
5 gram of education determined using the table of the  
6 Department of Veterans Affairs entitled “Post-9/11  
7 GI Bill 2010–2011 Tuition and Fee In-State Maxi-  
8 mums”, published October 27, 2010 (75 Fed. Reg.  
9 66193), as if that table applied to the pursuit of the  
10 program of education by that individual during that  
11 period.

12 (b) COVERED INDIVIDUALS.—An individual described  
13 in this subsection is an individual entitled to educational  
14 assistance under chapter 33 of title 38, United States  
15 Code, who, on or before April 1, 2011, was enrolled in  
16 a non-public institution of higher learning in a State in  
17 which—

18 (1) the maximum amount of tuition per credit  
19 in the 2010–2011 academic year, as determined pur-  
20 suant to the table referred to in subsection (a)(2),  
21 exceeded \$700; and

22 (2) the combined amount of tuition and fees for  
23 full-time attendance in the program of education in  
24 such academic year exceeded \$17,500.

25 (c) DEFINITIONS.—In this section:

1           (1) The term “approved program of education”  
2           has the meaning given that term in section 3313(b)  
3           of title 38, United States Code.

4           (2) The term “established charges”, with re-  
5           spect to a program of education, means the actual  
6           charges (as determined pursuant to regulations pre-  
7           scribed by the Secretary of Veterans Affairs on the  
8           basis of a full academic year) for tuition and fees  
9           which similarly circumstanced nonveterans enrolled  
10          in the program of education would be required to  
11          pay.

12          (3) The term “institution of higher learning”  
13          has the meaning given that term in section 3452(f)  
14          of title 38, United States Code.

15 **SEC. 3. LIMITATION ON COST OF LIVING INCREASES FOR**  
16                               **CERTAIN EDUCATIONAL ASSISTANCE PRO-**  
17                               **GRAMS OF THE DEPARTMENT OF VETERANS**  
18                               **AFFAIRS.**

19          During the 24-month period beginning on October 1,  
20          2011, the maximum amount of the monthly stipend pay-  
21          able under subparagraph (B) of paragraph (1) of sub-  
22          section (c) of section 3313 of title 38, United States Code,  
23          is the amount payable under clause (i) of such subpara-  
24          graph on August 1, 2011. Upon the expiration on the 24-  
25          month period, the amount of such monthly stipend shall

1 be the amount otherwise authorized under section  
2 3313(c)(1)(B) of title 38, United States Code.

