

117TH CONGRESS  
1ST SESSION

# S. 1349

To amend title 10, United States Code, to authorize concurrent use of Department of Defense Tuition Assistance and Montgomery GI Bill-Selected Reserve benefits, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Mr. HOEVEN (for himself, Mr. LEAHY, Mr. BOOZMAN, Mr. SANDERS, Mr. ROUNDS, Ms. HASSAN, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to authorize concurrent use of Department of Defense Tuition Assistance and Montgomery GI Bill-Selected Reserve benefits, 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 “Montgomery GI Bill  
5 Parity Act of 2021”.

1 **SEC. 2. CONCURRENT USE OF DEPARTMENT OF DEFENSE**  
2 **TUITION ASSISTANCE AND MONTGOMERY GI**  
3 **BILL-SELECTED RESERVE BENEFITS.**

4 (a) IN GENERAL.—Section 16131 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(k)(1) In the case of an individual entitled to edu-  
8 cational assistance under this chapter who is pursuing  
9 education or training described in subsection (a) or (c) of  
10 section 2007 of this title on a half-time or more basis,  
11 the Secretary concerned shall, at the election of the indi-  
12 vidual, pay the individual educational assistance allowance  
13 under this chapter for pursuit of such education or train-  
14 ing as if the individual were not also eligible to receive  
15 or in receipt of educational assistance under section 2007  
16 for pursuit of such education or training.

17 “(2)(A) In the case of an individual entitled to edu-  
18 cational assistance under this chapter who is pursuing  
19 education or training described in subsection (a) or (c) of  
20 section 2007 of this title on a less than half-time basis,  
21 the Secretary concerned shall, at the election of the indi-  
22 vidual, pay the individual an educational assistance allow-  
23 ance to meet all or a portion of the charges of the edu-  
24 cational institution for tuition or expenses for the edu-  
25 cation or training that are not paid by the Secretary of  
26 the military department concerned under such subsection.

1       “(B)(i) The amount of the educational assistance al-  
2       lowance payable to an individual under this paragraph for  
3       a month shall be the amount of the educational assistance  
4       allowance to which the individual would be entitled for the  
5       month under subsection (b), (d), (e), or (f).

6       “(ii) The number of months of entitlement charged  
7       under this chapter in the case of an individual who has  
8       been paid an educational assistance allowance under this  
9       paragraph shall be equal to the number (including any  
10       fraction) determined by dividing the total amount of such  
11       educational assistance allowance paid the individual by the  
12       full-time monthly institutional rate of educational assist-  
13       ance which such individual would otherwise be paid under  
14       subparagraph (A), (B), (C), or (D) of subsection (b)(1),  
15       subsection (d), subsection (e), or subsection (f), as the  
16       case may be.”.

17       (b) CONFORMING AMENDMENTS.—Section 2007(d)  
18       of such title is amended—

19               (1) in paragraph (1), by inserting “or chapter  
20       1606 of this title” after “of title 38”; and

21               (2) in paragraph (2), by inserting “, in the case  
22       of educational assistance under chapter 30 of such  
23       title, and section 16131(k), in the case of edu-

- 1 cational assistance under chapter 1606 of this title”
- 2 before the period at the end.

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