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The Post-9/11 GI Bill: A Primer

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Summary

The Department of Veterans Affairs (VA) administers several educational assistance programs, most notably the GI Bills, that provide funds to or on behalf of veterans and servicemembers and their family members to facilitate their enrollment in and pursuit of approved programs of education. The Post-9/11 GI Bill has represented more than 70% of total GI Bill participation and more than 80% of spending in each year since FY2013. In FY2021, the program is estimated to benefit over 700,000 individuals and expend almost $12 billion. For a description of the other veterans educational assistance programs, see CRS Report R42785, *Veterans' Educational Assistance Programs and Benefits: A Primer*.

The Post-9/11 Veterans' Educational Assistance Act of 2008 (Post-9/11 GI Bill)—enacted as Title V of the Supplemental Appropriations Act, 2008 (P.L. 110-252) on June 30, 2008—is the newest GI Bill and went into effect on August 1, 2009. There were four main drivers for the Post-9/11 GI Bill: (1) providing parity of benefits for reservists and members of the regular Armed Forces, (2) ensuring comprehensive educational benefits, (3) meeting military recruiting goals, and (4) improving military retention through transferability of benefits.

The Post-9/11 GI Bill provides benefits to veterans and servicemembers and their family members. Veterans and servicemembers who serve an aggregate minimum of 90 days on active duty after September 10, 2001, and continue serving or are discharged honorably may be eligible. In addition, individuals who were awarded the Purple Heart for service after September 10, 2001, and individuals who have been discharged or released for a service-connected disability after serving a minimum of 30 continuous days on active duty after September 10, 2001, may be eligible. There are two mechanisms by which dependents of individuals with military service may be eligible for Post-9/11 GI Bill benefits. Transferred Post-9/11 GI Bill benefits may be available to the dependents of servicemembers who serve for at least 10 years. Also, the Post-9/11 GI Bill Marine Gunnery Sergeant John David Fry Scholarship Program may be available to the spouse and children of servicemembers who die while serving on active duty in the line of duty after September 10, 2001.

Participants may be eligible for payments to cover tuition and fees, housing, books and supplies, tutorial and relocation assistance, and licensing and certification test fees. Individuals who serve on active duty for 36 months after September 10, 2001, may receive a tuition and fees benefit of up to the amount of in-state tuition and fees charged when enrolled in public institutions of higher learning (IHLs), or up to $25,162.14 when enrolled in private IHLs in academic year 2020-2021. In general, the monthly housing allowance is based on the Department of Defense (DOD)-determined monthly basic allowance for housing (BAH) for a member of the Armed Forces with dependents in pay grade E-5 and varies depending on the education and training location. Benefit payments vary depending on the participant's active duty status, length of qualifying active duty, rate of pursuit, and program of education. For example, participants on active duty are not eligible for a Post-9/11 GI Bill housing allowance.

Many Post-9/11 GI Bill-eligible individuals are eligible for another GI Bill or other veterans program that could support educational achievement such as Unemployment Compensation for Ex-Servicemembers (UCX). Individuals with a single qualifying active duty service period must make an *irrevocable* election to give up benefits under one other GI Bill program to receive benefits under the Post-9/11 GI Bill. Similarly, individuals may not establish Post-9/11 GI Bill and UCX eligibility based on the same period of service.

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Background

The U.S. Department of Veterans Affairs (VA), previously named the Veterans Administration, has been providing veterans educational assistance benefits, including GI Bill benefits,[1] since 1944. The benefits have been intended, at various times, to compensate for compulsory service, encourage voluntary service, prevent unemployment, provide equitable benefits to all who served, and promote military retention. In general, the benefits provide grant aid to eligible individuals enrolled in approved educational and training programs. The newest GI Bill was enacted on June 30, 2008, as the Post-9/11 Veterans' Educational Assistance Act of 2008 (Post-9/11 GI Bill), Title V of the Supplemental Appropriations Act, 2008 (P.L. 110-252). Although VA still provides benefits under several older GI Bills, the Post-9/11 GI Bill has represented more than 70% of total GI Bill participation and more than 80% of spending in each year since FY2013.[2] In FY2021, the program is estimated to benefit over 700,000 individuals and expend almost $12 billion.[3]

The Post-9/11 GI Bill was enacted in response to findings that "service on active duty in the Armed Forces [had] been especially arduous for the members of the Armed Forces since September 11, 2001," and that there was a need for an educational assistance program that provided "enhanced educational assistance benefits … worthy of such service."[4] The benefits were designed to meet four main objectives:

1. provide reservists with benefits equivalent to those provided to members of the regular Armed Forces for equivalent, though often not continuous, active duty service;
2. ensure comprehensive educational benefits;
3. meet military recruiting goals; and
4. improve military retention through transferability of benefits.

It was recognized that veterans and servicemembers would be eligible for U.S. Department of Education (ED) student financial aid benefits such as Pell Grants and Direct Loans;[5] U.S. Department of Defense (DOD) educational assistance; and various state, local, and other federal benefits in addition to the basic Post-9/11 GI Bill benefits. Many Members of Congress hoped that a benefit that exceeded amounts available under the other active GI Bills would ameliorate the military recruiting challenges and higher unemployment rate among veterans compared with non-veterans of the same age group that existed in 2008.[6]

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[1] GI Bill is a registered trademark of the U.S. Department of Veterans Affairs (VA).

[2] For a description of the other GI Bills, see CRS Report R42785, *Veterans' Educational Assistance Programs and Benefits: A Primer*.

[3] Department of Veterans Affairs, *Congressional Budget Submission, FY2021* (hereinafter referred to as President's budget submission, FY2021).

[4] P.L. 110-252.

[5] Title IV of the Higher Education Act of 1965, as amended, authorizes several student aid programs: Pell Grant program, William D. Ford Federal Direct Loan (Direct Loan) Program, Federal Supplemental Educational Opportunity Grant (FSEOG) program, Leveraging Educational Assistance Partnership (LEAP) program, and Federal Work-Study (FWS) program. See CRS Report R45418, *Federal Pell Grant Program of the Higher Education Act: Primer*; CRS Report RL31618, *Campus-Based Student Financial Aid Programs Under the Higher Education Act*; and CRS Report R45931, *Federal Student Loans Made Through the William D. Ford Federal Direct Loan Program: Terms and Conditions for Borrowers*.

[6] U.S. Congress, House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, *Pending Montgomery GI Bill Legislation*, 110th Cong., 2nd sess., January 17, 2008, HRG-2008-VAH-0003 (Washington: GPO, 2008), pp. 3, 6, 9, 10, 14; and U.S. Congress, Senate Committee on Veterans' Affairs, *Hearing on Pending Benefits*

There was some discussion about whether increasing the monthly benefit might result in lower retention in the Armed Forces. Some DOD research suggested that education is not a very important factor in the decision to stay in or leave the military, while other evidence suggested that very high veterans education benefits would discourage reenlistment. DOD considered the ability to transfer benefits to dependents critical to retention. The Administration was interested in transferability as well, and President George W. Bush advocated for transferability in a State of the Union address.[7]

The Post-9/11 GI Bill is codified under Title 38 U.S.C., Chapter 33. The stated purpose is to reward members of the Armed Forces for service on active duty since September 11, 2001; maintain a history of offering educational assistance to veterans; respond to the needs of the Armed Forces when not at peace; demonstrate the high esteem with which military service is held; recognize the difficult challenges involved in readjusting to civilian life after serving; and enhance the educational assistance benefits provided to those who serve on active duty after September 10, 2001. The Post-9/11 GI Bill provides aid payments to or on behalf of participants pursuing approved programs of education for tuition and fees, housing, books and supplies, and other education-related expenditures. The program became effective August 1, 2009. The program is permanently authorized and supported through mandatory funds.

Following enactment, concerns were raised about several aspects of the Post-9/11 GI Bill, and calls were made for the program to be amended. Several laws have been enacted to amend programmatic aspects of the Post-9/11 GI Bill. The following acts made key amendments:

- The Supplemental Appropriations Act, 2009 (P.L. 111-32), enacted on June 24, 2009, created the Marine Gunnery Sergeant John David Fry Scholarship.
- The Post-9/11 Veterans' Educational Assistance Improvements Act of 2010 (Improvements Act; P.L. 111-377), enacted on January 4, 2011, made several amendments to the Post-9/11 GI Bill and other veterans' educational assistance programs.
- The Restoring GI Bill Fairness Act of 2011 (P.L. 112-26), enacted on August 3, 2011, temporarily reverses one amendment of the Improvements Act for some individuals attending private institutions of higher learning (IHLs) in seven states.[8]
- The Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112-154), enacted on August 6, 2012, requires annual reports to Congress on the Post-9/11 GI Bill and the Survivors' and Dependents' Educational Assistance program (DEA; 38 U.S.C., Chapter 35).[9]
- The National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239), enacted on January 2, 2013, expands eligibility to certain members of the Coast Guard Reserve.

Legislation, 110th Cong., 2nd sess., May 7, 2008, S. Hrg. 110-675 (Washington: GPO, 2008), pp. 15, 21, 34, 49.

[7] U.S. Congress, House Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, *Pending Montgomery GI Bill Legislation*, 110th Cong., 2nd sess., January 17, 2008, HRG-2008-VAH-0003 (Washington: GPO, 2008), pp. 3, 6, 9, 10, 14; and U.S. Congress, Senate Committee on Veterans' Affairs, *Hearing on Pending Benefits Legislation*, 110th Cong., 2nd sess., May 7, 2008, S. Hrg. 110-675 (Washington: GPO, 2008), pp. 15, 21, 34, 49.

[8] Until enactment of P.L. 112-26, some individuals in the seven states would have had larger out-of-pocket costs in academic year 2011-2012 than in the prior academic year, 2010-2011.

[9] For more information, see archived CRS Report R42810, *Veterans' Benefits: Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112-154)* (available to congressional clients upon request).

- The Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 (Veterans' Access to Care Act; P.L. 113-146), enacted on August 7, 2014, expands eligibility and reduced tuition and fee charges for some participants.[10]
- The National Defense Authorization Act for Fiscal Year 2016 (P.L. 114-92), enacted on November 25, 2015, prohibits concurrent receipt of unemployment insurance and Post-9/11 GI Bill Benefits.[11]
- The Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 (P.L. 114-315), enacted on December 16, 2016, extends benefit availability for some individuals and streamlined claim processing.[12]
- The Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115-48), also known as the Forever GI Bill, enacted on August 16, 2017, eliminates the time limitation on use of benefits, expanded eligibility, and modified benefit amounts.

The amendments will be noted in this report, as applicable.

In response to abrupt disruptions to programs of education, educational institutions, and employment during the COVID-19 emergency, special authorities were enacted to reduce the effect of such disruptions on Post-9/11 GI Bill benefits. For a description of these authorities, see CRS In Focus IF11685, *Special Authorities for Veterans' Educational Assistance Programs During the COVID-19 Emergency*.[13]

This report provides a detailed description of the Post-9/11 GI Bill. The first section describes participant eligibility criteria. The second section indicates a participant's entitlement to benefits and the period during which the benefits must be used. The third section describes the eligible programs of education. The subsequent section explains the eligible benefit payments. The final sections illustrate key links to other programs administered by the U.S. Department of Veterans Affairs and current data on obligations and participation.

Eligible Individuals

The following subsections describe the general eligibility criteria for servicemembers and veterans, the eligibility mechanisms for their dependents, and two unique aspects of eligibility. The first unique aspect is the need for individuals to make an irrevocable election to receive Post-9/11 GI Bill benefits. The second is the limited authority for individuals formerly eligible for Reserves Educational Assistance Program (REAP; 10 U.S.C., Chapter 1607) to achieve eligibility under the Post-9/11 GI Bill.

[10] For more information, see CRS Report R43704, *Veterans Access, Choice, and Accountability Act of 2014 (H.R. 3230; P.L. 113-146)*.

[11] For more information, see CRS Report R44586, *GI Bill Legislation Enacted in the 114th Congress*.

[12] Ibid.

[13] On March 13, 2020, the President declared the COVID-19 outbreak a national emergency, beginning March 1, 2020. "Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak," March 13, 2020, https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/.

General Eligibility for Servicemembers and Veterans

Under the Post-9/11 GI Bill, veterans and servicemembers of the Army, Navy, Marine Corps, Air Force,[14] and Coast Guard, including the reserve components, and commissioned officers of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA), may be eligible. Individuals must

- serve an aggregate minimum of 90 days on qualifying active duty after September 10, 2001,
- be discharged or released for a service-connected disability after serving a minimum of 30 continuous days on qualifying active duty after September 10, 2001, or
- be awarded the Purple Heart for service occurring after September 10, 2001.[15]

For reservists, qualifying active duty means a call or order to active duty under Title 10 U.S.C. Sections 688, 12301(a), 12301(d), 12301(g), 12301(h), 12302, 12304, 12304a, and 12304b; and Title 14 U.S.C. Section 712.[16] For National Guard members, qualifying active duty is the same as for reservists but also includes full-time service in the National Guard for the purpose of organizing, administering, recruiting, instructing, or training the National Guard; and full-time service in the National Guard under Title 32 U.S.C. Section 502(f) when authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by the President and supported by federal funds.[17]

The Post-9/11 GI Bill qualifying active duty service period excludes time assigned to a civilian institution for an education or training program similar to those offered to civilians, excludes time spent as a cadet or midshipman at one of the service academies, excludes other active duty service periods required to meet a service academy or Reserve Officer Training Corps (ROTC) obligation, excludes service that is terminated because of a defective enlistment and induction, and excludes active duty service periods required to meet a student loan repayment obligation (10 U.S.C., Chapter 109).

Once the qualifying active duty service period is met, individuals must either continue on active duty or be discharged or released from active duty in one of the following manners:

- with an honorable discharge;

[14] The United States Space Force (USSF), established on December 20, 2019, is within the Department of the Air Force. For more information, see CRS In Focus IF11495, *Defense Primer: The United States Space Force*.

[15] P.L. 115-48 expanded eligibility to include Purple Heart recipients who were not otherwise eligible, effective August 1, 2018. For background information on the Purple Heart program, see CRS Report R42704, *The Purple Heart: Background and Issues for Congress*.

[16] P.L. 112-239 expanded the qualifying active duty service periods to include service performed under Title 14 U.S.C. §712, the authority for activation of Coast Guard Reserves for short-term disaster response on or after December 31, 2011. In February 2017, VA announced that the Army had recently announced that qualifying service for the Post-9/11 GI Bill includes Active Duty Training (ADT), Active Duty Special Work (ADSW), and Active Duty Operational Support-Reserve Component (ADOS-RC) performed under Title 10 U.S.C. §12301(d) after September 10, 2001. P.L. 115-48 further expanded the qualifying active duty service to include Title 10 U.S.C. §12301(h), medical orders for reservists and National Guard members wounded in combat, on or after September 11, 2001; Title 10 U.S.C. §12304a, response to major disasters or emergencies for periods of up to 120 days, on or after June 30, 2008; and Title 10 U.S.C. §12304b, support of Combatant Commands for preplanned missions, on or after June 30, 2008. Changes based on the P.L. 115-48 amendments are payable effective August 1, 2018.

[17] P.L. 111-377 expanded the qualifying active duty service periods to include full-time duty under a Title 32 call to order for National Guard members effective on August 1, 2009, and payable after September 30, 2011.

- with active duty characterized as honorable service and placement on the retired list, transfer to the Fleet Reserve or Fleet Marine Corps Reserve, or placement on the temporary disability retired list;
- with active duty characterized as honorable service and further service in a reserve component; or
- with active duty characterized as honorable service as a result of a medical condition which preceded active duty and is not service-connected, a hardship, or a physical or mental condition that was not characterized as a disability and did not result from the individual's own willful misconduct but did interfere with the individual's performance of duty.[18]

Marine Gunnery Sergeant John David Fry Scholars

The Marine Gunnery Sergeant John David Fry Scholarship Program (Fry Scholarship) authorizes the spouse and each child of individuals who, on or after September 11, 2001, die in the line of duty while serving on active duty as a member of the Armed Forces to be eligible for the Post-9/11 GI Bill.[19] The Armed Forces include the Reserves and National Guard, but exclude the Public Health Service and National Oceanic and Atmospheric Administration.

Children may be unmarried or married. Children include children born outside of marriage and acknowledged, legally adopted children, and stepchildren who are members of the households of eligible individuals.

Transferees

Subject to certain service requirements, servicemembers eligible for the Post-9/11 GI Bill (qualifying individuals) may transfer their benefits to certain family members. Statutory provisions establish framework requirements for transferability and require DOD to regulate the eligibility criteria for qualifying individuals and the transfer processes. Under Post-9/11 GI Bill statutory provisions, qualifying individuals must have completed at least six years of service (defined as active duty or Selected Reserve by DOD) when requesting a transfer of benefits and agree to serve four additional years.[20]

Generally, in order to designate to whom qualifying individuals want to transfer benefits, qualifying individuals must be current members of the Armed Forces (active duty or Selected Reserve) or active duty members of the Commissioned Corps of the PHS or NOAA.[21] In other words, qualifying individuals who have retired or been separated are generally ineligible to designate a transferee. In addition, individuals who retired or were separated before August 1,

[18] P.L. 111-377 required that, effective January 4, 2011, discharge or release as a result of a medical condition, hardship, or physical or mental condition qualify for Post-9/11 GI Bill benefits only if the active duty was characterized as honorable service.

[19] P.L. 111-32 amended the Post-9/11 GI Bill to create the Marine Gunnery Sergeant John David Fry Scholarship for dependent children, effective August 1, 2010, including retroactive payments to August 1, 2009. P.L. 113-146 extended the scholarship to spouses, effective for terms beginning after December 31, 2014.

[20] During 2017 to 2019, DOD planned to require that qualifying individuals, at the time of the request to transfer benefits, have not completed more than 16 years of service (See Department of Defense, *Instruction: Post-9/11 GI Bill*, Number 1341.13, July 12, 2018). P.L. 116-92 amended the Post-9/11 GI Bill preventing DOD from prescribing any limitation on the eligibility to transfer benefits based on a maximum number of years of service in the Armed Forces.

[21] P.L. 111-377 extended transferability to the Commissioned Corps of the PHS and NOAA, as of August 1, 2011, and September 1, 2011, respectively.

2009, the effective date of the Post-9/11 GI Bill, did not have the option to transfer benefits. P.L. 115-48 provides two exceptions allowing transfers for qualifying individuals who are no longer members of the Armed Forces

- a qualifying individual may transfer the remaining entitlement from a deceased transferee to another dependent; and
- a transferee may transfer the remaining entitlement to another dependent following the death of the qualifying individual.[22]

Qualifying individuals can transfer benefits to their child, their spouse, or some combination of children and spouse. The family members must be enrolled in the DOD Defense Eligibility Enrollment Reporting System (DEERS) and be eligible for DOD benefits at the time the transfer is designated. The qualifying individual may revoke the transfer designation at any time.

Irrevocable Election

Many Post-9/11 GI Bill-eligible individuals are also eligible for one or more other veterans' educational assistance program. The other applicable veterans' educational assistance programs are REAP, DEA, the Montgomery GI Bill-Active Duty (MGIB-AD; 38 U.S.C., Chapter 30), the Montgomery GI Bill-Selected Reserve (MGIB-SR; 10 U.S.C., Chapter 1606), or Chapter 107 of Title 10 U.S.C. (professional military education). Post-9/11 GI Bill-eligible individuals with a single qualifying active duty service period must make an *irrevocable* election to give up benefits under one of the applicable programs to receive benefits under the Post-9/11 GI Bill. Individuals who are eligible for both the Fry Scholarship and DEA based on the death of a spouse or a particular parent must elect the program from which to receive benefits.[23] These decisions are generally irrevocable.

Beginning January 1, 2017, VA may make an irrevocable election decision on behalf of an individual who fails to do so and may change an election it deems to be contrary to the individual's interests. After notification of VA's election, individuals will have 30 days to change such an alternative election.[24]

Individuals Formerly Eligible for REAP

In addition to the individuals described above, some individuals who lost REAP eligibility as a result of its November 25, 2015, or November 25, 2019, sunset dates may be eligible for the Post-9/11 GI Bill. Under P.L. 115-48, REAP-qualifying active duty service may be credited toward Post-9/11 GI Bill eligibility. VA automatically converted to the Post-9/11 GI Bill those individuals who were REAP beneficiaries on November 25, 2019, but were not eligible for the Post-9/11 GI Bill based on having a different period of service than the period used to qualify for REAP.[25] All other individuals who lost REAP eligibility due to its sunset had the option to convert to the Post-9/11 GI Bill.[26] It may be more beneficial for some individuals to qualify for the Post-9/11 GI Bill

[22] The provisions of P.L. 115-48 go into effect for deaths occurring on or after August 1, 2009, and for training on or after August 1, 2018.

[23] P.L. 111-377 established this requirement for children effective August 1, 2011. The Veterans' Access to Care Act established the requirement for spouses effective for terms beginning after December 31, 2014.

[24] P.L. 114-315 authorized VA involvement in irrevocable election decisions.

[25] Letter from VBA Education Service to VSO Partners, "REAP Sunset - Effective November 26, 2019, November 5, 2019."

[26] Individuals must have established REAP eligibility prior to November 25, 2015. U.S. Department of Veterans

based on a period of service not used to establish REAP eligibility than to convert their REAP eligibility to Post-9/11 GI Bill eligibility.

Entitlement

The Post-9/11 GI Bill provides eligible persons an *entitlement* to educational assistance. This entitlement is measured in time—months and days. For most individuals, the entitlement period is 36 months (or its equivalent in part-time educational assistance). Generally, receipt of educational assistance payments for one day of full-time pursuit reduces the entitlement period by one day or a proportional percentage of a day for less-than-full-time pursuit. However, certain educational assistance payments reduce the entitlement period depending on the amount of the payment, as highlighted in the section on benefit payments. (See "Benefit Payments".)

The entitlement may be less than or equal to 36 months. For example, an individual who converted from REAP or another GI Bill receives Post-9/11 GI Bill entitlement equal to his or her unused entitlement under the other GI Bill. Also, for example, with respect to a transferee, the qualifying individual's 36 months of entitlement may be variously distributed to himself, a child, a spouse, or some combination of himself, a child, and a spouse. Further, the qualifying individual can modify the number of months of transferred entitlement or revoke the designation at any time. As dependents use the transferred benefit, the remaining entitlement periods of both the dependents and qualifying individual are reduced.

In some instances, the entitlement period may be extended or modified.

- Any entitlement that was charged for an incomplete course or program for which the individual is unable to receive credit or lost training time as a result of an educational institution closing is restored. The same applies to an entitlement initially charged for a course or program if a necessary course is disapproved by a subsequently established or modified policy, regulation, or law. In addition, an entitlement is not charged for the interim (through the end of the academic term but no more than 120 days) housing allowance paid following either a closure or disapproval.[27]
- The entitlement period is not reduced for individuals who must discontinue a course(s) and fail to receive credit or training time as a result of certain service obligations. For reservists, a call to active duty under Section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of Title 10 U.S.C. qualifies. For active duty servicemembers, assignment to a new duty location or an increased amount of work qualifies.
- In general, once the entitlement period is exhausted, veterans and servicemembers may continue receiving educational assistance through the end

Affairs, *Reserve Educational Assistance Program (REAP)*, last updated June 11, 2020, https://www.benefits.va.gov/gibill/reap.asp; and Letter from VBA Education Service to VSO Partners, "REAP Sunset - Effective November 26, 2019, November 5, 2019."

[27] This provision enacted by P.L. 115-48 applies to all of the GI Bills. The provision applies to closures and disapprovals occurring after January 1, 2015, except that the amount of entitlement restored for closures and disapprovals occurring from January 1, 2015, through August 16, 2017, is the entire period of the individual's enrollment in the program. The restoration of entitlement goes into effect November 14, 2017. Eligibility for interim housing allowance payments begins August 16, 2017, and they are payable effective August 1, 2018.

of the academic term, or for a 12-week period if not on an academic term schedule and the individual has completed a major portion of the course.[28]

Delimiting Date and Benefit Availability

Some individuals are subject to a delimiting date after which no Post-9/11 GI Bill benefits may be earned or paid. For qualifying individuals whose last discharge or release from active duty was before January 1, 2013, no benefits may be paid 15 years or more after discharge or release from active duty.[29] Spouses using benefits transferred from qualifying individuals who were last discharged or released from active duty service before January 1, 2013, must use the benefits within 15 years of the qualifying individuals' last discharge or release. Children using transferred benefits must use the benefit before reaching 26 years of age.[30] For Fry Scholarship recipients, the benefit is available

- for children who first became eligible before January 1, 2013, until age 33, and
- for spouses who first became eligible before January 1, 2013, during the 15-year period following the spouse first becoming eligible.[31]

All other individuals are not subject to a delimiting date.[32] For qualifying individuals whose last discharge or release from active duty was on or after January 1, 2013, there is no delimiting date. Spouses using benefits transferred from qualifying individuals who were last discharged or released from active duty service on or after January 1, 2013, may use the benefits until the entitlement is exhausted. For Fry Scholarship recipients who first became eligible on or after January 1, 2013, the benefit is available until the entitlement is exhausted.

There are limitations on when family members may begin using their benefits. A spouse can begin using transferred benefits after the servicemember completes at least six years of service. Spouses who subsequently divorce qualifying individuals are still eligible to use the transferred benefits unless the qualifying individuals revoke the transfer.[33] Before using a transferred benefit, children have to achieve a high school diploma, achieve the equivalent of a high school diploma, or reach 18 years of age. In addition, the qualifying individual has to complete at least 10 years of

[28] Dependents with transferred benefits are not similarly eligible for continued benefits, according to David Newman, Dwayne M. Wright, and Jon Sperl, et al., *H.R. 475, GI Bill Processing Improvement and Quality Enhancement Act of 2015*, Congressional Budget Office, As ordered reported by the House Committee on Veterans' Affairs on May 21, 2015, August 26, 2015, p. 7.

[29] The 15-year limitation does not include periods when individuals were ineligible for the program but their discharge status was later amended to make them eligible for the program, and periods when individuals were detained by a foreign government or power and any related recovery period in a hospital. Individuals incapable of beginning education as a result of a physical or mental disability can be granted an extension for the period of incapacity.

[30] Effective August 1, 2011, P.L. 111-377 granted an extension of the entitlement period to children to whom Post-9/11 GI Bill benefits are transferred and who are incapable of pursuing their chosen program of education before age 26 as a result of being the primary caregiver, according to the family caregiver assistance program (38 U.S.C. §1720G(a)).

[31] 38 U.S.C. §3311(f)(2), as amended by P.L. 113-146, established that the benefit is available to a spouse until the earlier of 15 years following the servicemember's death or remarriage. 38 U.S.C. §3311 note, as amended by P.L. 114-315, provides an exception such that the benefit is available to spouses of individuals who died during the period beginning on September 11, 2001, and ending on December 31, 2005, until the earlier of 15 years following January 1, 2006, or remarriage.

[32] P.L. 115-48 eliminated the delimiting date for some individuals.

[33] The transferred benefits cannot be considered marital property in divorce proceedings.

service before a designated child can use the transferred benefit. Fry Scholarship recipients may begin using the benefits once eligible, except that children must be at least 18 years of age.

Eligible Programs of Education

Post-9/11 GI Bill benefits can be used to support students pursuing GI Bill-approved programs of education at a variety of *training establishments* and *educational institutions*, including *institutions of higher learning* (IHLs) (see text box).[34]

Definitions

Training establishments are providers of apprentice or other on-the-job training; providers of self-employment on-the-job training consisting of full-time training for a period of less than six months that is needed or accepted for purposes of obtaining licensure to engage in a self-employment occupation or required for ownership and operation of a franchise that is the objective of the training; state boards of vocational education; federal or state apprenticeship registration agencies; sponsors of apprenticeship programs; or agencies of the federal government authorized to supervise such training.

Educational institutions include public or private elementary or secondary schools; vocational, correspondence, business or professional schools; colleges or universities; scientific or technical institutions; other institutions offering education for adults; state-approved alternative teacher certification providers; private entities that offer courses toward the attainment of a license or certificate generally recognized as necessary for a profession or vocation in a high-technology occupation; and qualified providers of entrepreneurship courses.

Institutions of higher learning are institutions offering postsecondary level academic instruction that leads to an associate's or higher degree if empowered by the appropriate state education authority under state law to grant an associate's or higher degree, or in the absence of a state education authority, if accredited for degree programs by a recognized accrediting agency. IHLs are also hospitals offering educational programs at the postsecondary level and foreign educational institutions that offer courses leading to a standard college degree, or the equivalent, and that are recognized as such by the secretary of education (or a comparable official) of the country or other jurisdiction in which the institution is located. A *standard college degree* is an associate's or higher degree awarded by (1) an IHL that is accredited as a collegiate institution by a recognized regional or national accrediting agency, (2) an IHL that is a *candidate* for accreditation as that term is used by the regional or national accrediting agencies, or (3) an IHL upon completion of a course that is accredited by an agency recognized to accredit specialized degree-level programs.

The eligible programs may include the following:

- courses at an educational institution that lead to a predetermined educational, vocational, or professional objective or objectives if related to the same career (this includes traditional undergraduate and graduate programs);
- courses required by the Administrator of the Small Business Administration (SBA) as a condition for obtaining financial assistance under the provisions of Section 7(i)(1) of the Small Business Act (15 U.S.C. §636(i)(1));
- courses offered by a qualified provider of entrepreneurship courses;
- licensing or certification tests for a predetermined vocation or profession;
- preparatory courses for a licensing or certification test for a predetermined vocation or profession;[35]
- national tests for admission to IHLs or graduate schools (such as the Scholastic Aptitude Test (SAT));

[34] P.L. 111-377 expanded the eligible programs of education beyond courses offered by an IHL, effective October 1, 2011.

[35] P.L. 116-154, effective August 1, 2021.

- national tests providing an opportunity for course credit at IHLs (such as the Advanced Placement (AP) exam);
- national tests that provide an opportunity for course credit at an IHL by evaluating prior learning and knowledge;[36]
- preparatory courses for a test that is required or used for admission to an institution of higher education or a graduate school;[37]
- full-time programs of apprentice or other on-the-job training at a training establishment, for individuals not on active duty;
- cooperative programs[38] for individuals not on active duty;
- refresher, remedial, or deficiency courses;[39]
- preparatory or special education or training courses necessary to enable the individual to pursue another approved program of education; and
- a course for which the individual is receiving Tuition Assistance from DOD (see the section entitled "Tuition Assistance "Top-Up" Program").

The eligible programs of education must be approved by a state approving agency (SAA) or VA. SAAs are federally authorized state entities that approve programs of education for the GI Bills.

Benefit Payments

Under the Post-9/11 GI Bill, several types of benefit payments are available, including payments for tuition and fees, the Yellow Ribbon program,[40] housing, books and supplies, tutorial assistance, test fees, and relocation and travel assistance. The following describes the various payments and the criteria for determining the amount of each payment for which participants may be eligible. For individuals using transferred benefits, children receive payments as if not on active duty, whereas spouses receive payments according to the current status of the qualifying individuals.

[36] P.L. 115-48, effective August 1, 2018.

[37] The term *institution of higher education (IHE)* means either (1) an educational institution located in a state that admits as regular students only persons who have a high school diploma, or its recognized equivalent, or persons who are beyond the age of compulsory school attendance; offers postsecondary level academic instruction that leads to an associate or baccalaureate degree; and is empowered by the appropriate state to grant such degrees, or in the absence of state law is accredited for such degree programs by a recognized accrediting agency; or (2) a comparable educational institution not located in a state. 38 C.F.R. §21.7020(b)(45).

[38] A *cooperative program* is a full-time program of education, which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in a business or industrial establishment being strictly supplemental.

[39] A *refresher course* is a course at the elementary or secondary level that reviews or updates material previously covered in a course that has been satisfactorily completed, or a course which permits an individual to update knowledge and skills or be instructed in the technological advances which have occurred in the individual's field of employment during and since the period of the individual's active military service. A remedial course is a course designed to overcome a deficiency at the elementary or secondary level in a particular area of study, or a handicap, such as in speech. A *deficiency course* is any secondary level course or subject not previously completed satisfactorily, which is specifically required for pursuit of a postsecondary program of education.

[40] Yellow Ribbon payments (see section entitled Yellow Ribbon G.I. Education Enhancement Program Payments) cover a portion of the tuition and fees that exceed the Post-9/11 GI Bill payments for tuition and fees.

In-State Tuition and Fee Charges

Certain participants, referred to as covered Post-9/11 GI Bill participants, must be charged no more than in-state tuition and fees. Covered participants are members of the Armed Forces on active duty for a period of more than 30 days in the state in which the public institution of higher education attended is located, and such members' spouse and dependent children.[41] In addition, covered participants attending public IHLs are

- qualifying individuals who were discharged or released from an active duty service period of not fewer than 90 days within three years of the date of enrollment;
- individuals using Post-9/11 GI Bill benefits transferred from an individual described above;
- Marine Gunnery Sergeant John David Fry Scholarship recipients; and
- individuals using Post-9/11 GI Bill benefits transferred from a member of the uniformed services who is serving on active duty.[42]

The public IHL may require the covered participant to demonstrate intent to establish residency, by a means other than physical presence, in order to qualify for in-state tuition. As long as a covered participant remains continuously enrolled at the institution, the participant remains eligible for in-state tuition and fee charges.

Tuition and Fees, Housing, and Books and Supplies

The maximum payment levels for tuition and fees, housing, and books and supplies are summarized in **Table 1** by program of education. The housing allowance is based on the DOD-determined monthly basic allowance for housing (BAH) for a member of the Armed Forces with dependents in pay grade E-5 (hereinafter referred to as the *E-5 with dependents BAH*).[43] Students who first used their Post-9/11 GI Bill benefits before January 1, 2018, receive a housing allowance up to 5% higher than the E-5 with dependents BAH.[44] Many individuals will receive payments that are lower than these maximum payments as a result of the length of their

[41] Section 135 of the Higher Education Act (HEA).

[42] Under §702 of the Veterans' Access to Care Act, as amended by P.L. 113-175, covered Post-9/11 GI Bill participants were those who were discharged or released from a period of not fewer than 90 days of service in the active military, naval, or air service less than three years before the date of enrollment in said course, and their Post-9/11 GI Bill-eligible dependents and survivors. P.L. 114-315 expanded the definition of covered individual for academic terms beginning after July 1, 2017.

[43] *BAH* is a DOD benefit to uniformed servicemembers to provide housing compensation when government quarters are not provided. The amount is based on a survey of actual median current market rent, average utilities (including electricity, heat, and water/sewer), and average renter's insurance in local civilian housing markets and is payable based on geographic duty location, pay grade, and dependency status. The FY2015 and FY2016 National Defense Authorization Acts allowed the Secretary of Defense to reduce BAH payments by 1% of the national average monthly housing cost in FY2015, with an additional 1% reduction per year through 2019 (for a maximum reduction of 5% under the national monthly average housing cost). P.L. 115-48 applies the reduction effective January 1, 2018, to Post-9/11 GI Bill participants who first use their entitlement on or after such date.

[44] The Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113-291) and the National Defense Authorization Act for Fiscal Year 2016 (P.L. 114-92) allowed the Secretary of Defense to reduce BAH payments by 1% of the national average monthly housing cost in FY2015 with an additional 1% reduction per year through 2019 (for a maximum reduction of 5% under the national monthly average housing cost). A P.L. 115-48 amendment applies the DOD reduction effective January 1, 2018, to Post-9/11 GI Bill participants who first use their entitlement on or after such date.

qualifying active duty service or other eligibility characteristics (see **Table 2**), their rate of pursuit,[45] actual charges, active duty status, being enrolled exclusively through distance learning, and receipt of DOD Tuition Assistance (TA). Through TA, military service branches pay a certain amount of tuition and expenses for education and training to servicemembers.[46]

Table 1. Maximum Payments for Tuition and Fees, Housing, and Books and Supplies: August 1, 2020 - July 31, 2021

Type of Education/Training	Tuition and Fees	Monthly Housing Allowance	Books and Supplies Stipend
More than half-time rate of pursuit			
Non-active duty individuals in programs of education offered by IHLs[a]	At a public IHL,[a] "actual net cost for in-state tuition and fees" less certain student aid[b] At a private or foreign IHL[a], $25,162.14[c]	E-5 with dependents BAH[d] in the military housing area in which the IHL is located	$1,000 per year
Active duty individuals in programs of education offered by IHLs[a]	At a public IHL,[a] "actual net cost for in-state tuition and fees" less certain student aid[b] At a private or foreign IHL,[a] $25,162.14[c]	None	$1,000 per year
Apprenticeship or on-the-job training	None	E-5 with dependents BAH[d] where the employer is located	$83 per month
Vocational flight training	$14,378.35[c]	None	None
Correspondence training	$12,221.58[c]	None	None
Individuals in programs of education offered by non-college degree schools[e]	The "actual net cost for in-state tuition and fees" less certain student aid,[b] but no more than $25,162.14[c]	E-5 with dependents BAH[d] where the educational institution is located	$83 per month
Half-time or less rate of pursuit			
Individuals enrolled half-time or less	At a public IHL,[a] "actual net cost for in-state tuition and fees" less certain student aid[b] At a private or foreign IHL,[a] $25,162.14[c]	None	$1,000 per year

Source: Table prepared by CRS based on 38 U.S.C., Chapter 33; and Department of Veterans Affairs website, https://www.benefits.va.gov/GIBILL/resources/benefits_resources/rates/ch33/ch33rates080120.asp, downloaded on November 19, 2020.

Notes: Payments for many individuals will be lower than the maximum payments shown above based on the individual's length of qualifying active duty service, rate of pursuit, active duty status, actual charges, being enrolled exclusively through distance learning, and receipt of U.S. Department of Defense (DOD) Tuition

[45] The rate of pursuit measures the student's enrollment rate by dividing the number of credits (or credit hour equivalents) being pursued by the number of credits considered to be full-time by the school. For example, the rate of pursuit for 7 credits is 58% (7 / 12 = 58%) when full-time pursuit is 12 credits.

[46] 10 U.S.C. §§2005 and 2007.

Assistance (TA). Under TA, military service branches may pay a certain amount of tuition and expenses for the education and training of servicemembers.

a. IHL is an institution of higher learning.

b. The forms of student aid that may be used to offset the "actual net cost for in-state tuition and fees" are certain waivers, reductions, scholarships, and assistance. The applicable scholarships and sources of assistance used to offset the actual tuition and fees are those provided directly to the IHL for the sole purpose of defraying tuition and fees. Loans and Pell Grants are specifically excluded from being used to offset the tuition and fees. Pell Grants are authorized by Section 401(b) of the Higher Education Act of 1965, as amended. For more information on Pell Grants, see CRS Report R42446, *Federal Pell Grant Program of the Higher Education Act: How the Program Works and Recent Legislative Changes*.

c. Amounts shown are those in effect August 1, 2020, through July 31, 2021, based on amounts originally established for the year that began August 1, 2011, increased annually thereafter according to the average increase in undergraduate tuition in the United States as determined by the U.S. Department of Education (ED).

d. The E-5 with dependents BAH is the monthly basic allowance for housing for a member of the Armed Forces with dependents in pay grade E-5. Students who first used their Post-9/11 GI Bill benefits before January 1, 2018, receive a housing allowance up to 5% higher than the E-5 with dependents BAH.

e. A *non-college degree school* is an educational institution that does not offer a standard college degree (see footnote 34).

Table 2. Percentage of Maximum Post-9/11 GI Bill Benefits by Aggregate Length of Active Duty Service or Other Characteristics

Aggregate Active Duty Service or Other Characteristic Since 9/11/2001	Percentage of Maximum Benefit Payable
Purple Heart recipients	100
Marine Gunnery Sergeant John David Fry Scholarship recipients[a]	100
At least 36 months active duty service[b]	100
At least 30 continuous days active duty service and discharged due to service-connected disability	100
At least 30 months, but less than 36 months, active duty service[b]	90
At least 24 months, but less than 30 months, active duty service[b]	80
At least 18 months, but less than 24 months, active duty service	70
At least 6 months, but less than 18 months, active duty service[c]	60
Individuals previously eligible for REAP[d]	60
At least 90 days, but less than 6 months, active duty service[c]	50

Source: Prepared by CRS based on Title 38 U.S.C. §§3311 and 3313 and data available from the U.S. Department of Veterans Affairs.

a. For a description of Marine Gunnery Sergeant John David Fry Scholarship recipients, see "Marine Gunnery Sergeant John David Fry Scholars."

b. The qualifying active duty service period includes service on active duty in entry-level and skill training if the total qualifying active duty service period is at least 24 months; however, if the period of qualifying active duty service excluding entry-level and skill training is less than 18 months, the applicable qualifying active duty period is 18 months. Entry-level and skill training is defined as basic combat training (BCT), advanced individual training (AIT), and one station unit training (OSUT) in the Army; recruit training (or boot camp) and skill training (or so-called 'A' school) in the Navy; basic military training and technical training in the Air Force, recruit training and Marine Corps training (or school of infantry training) in the Marine Corps; and basic training and skill training (or so-called 'A' school) in the Coast Guard.

c. Prior to August 1, 2020, and implementation of P.L. 115-48, an individual with at least 12 months, but less than 18 months, of active duty service was at the 60% benefit level; an individual with at least 6 months, but

less than 12 months, of active duty service was at the 50% benefit level; and an individual with at least 90 days, but less than 6 months, of active duty service was at the 40% benefit level.

d. P.L. 115-48 authorizes individuals who lost REAP eligibility as a result of its November 25, 2015, or November 25, 2019, sunset dates to become eligible for the Post-9/11 GI Bill. In accordance with VA procedures, REAP-qualifying active duty service may be credited toward Post-9/11 GI Bill eligibility.

Non-active Duty Individuals Enrolled More than Half-Time in Programs of Education Offered by IHLs

Eligible individuals who are not on active duty, are pursuing a program of education in residence or online at an IHL, and are enrolled more than half-time may receive the following payments for tuition and fees, housing, and books and supplies:

- **Tuition and fees.** Individuals attending public IHLs are eligible to receive payments equal to the *actual net cost for in-state tuition and fees* for the program of education, reduced according to the length of time served on active duty (**Table 2**) and less certain waivers, reductions, scholarships, and assistance.[47] Individuals attending private or foreign IHLs in programs of education leading to a degree are eligible to receive the lesser of the private school maximum (**Table 1**),[48] reduced according to the length of time served on active duty (**Table 2**), or the *actual net cost for tuition and fees* for the program of education less certain waivers, reductions, scholarships, and assistance and reduced according to the length of time served on active duty (**Table 2**). The applicable scholarships and sources of assistance used to offset the *actual net cost for tuition and fees* are those provided directly to the IHL for the sole purpose of defraying tuition and fees. The applicable scholarships and assistance specifically exclude loans and Pell Grants.[49] The tuition and fees benefit is paid directly to the IHL for each academic term.
- **Housing Allowance.** The housing allowance is paid directly to eligible individuals monthly.
  - For individuals not enrolled exclusively through distance learning,[50] the monthly housing allowance equals the E-5 with dependents BAH in the military housing area of the IHL (or the location where the individual physically participates in a majority of classes for initial enrollments on or after August 1, 2018).[51] The housing allowance is reduced according to the length of time served on active duty (**Table 2**) and the individual's rate of pursuit (rounded to the nearest multiple of 10). For example, an individual enrolled in 10 credit hours, assuming 12 credit hours as full-time, receives

[47] The "actual net cost for tuition and fees" is not defined.

[48] The maximum of $17,500 for the academic year beginning August 1, 2011, increases annually thereafter according to the average increase in undergraduate tuition in the United States as determined by the U.S. Department of Education (ED).

[49] Pell Grants are authorized by Section 401(b) of the Higher Education Act of 1965, as amended. For more information on Pell Grants, see CRS Report R45418, *Federal Pell Grant Program of the Higher Education Act: Primer*.

[50] *Distance learning* is training that uses one or more technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, synchronously or asynchronously. U.S. Department of Veterans Affairs, *School Certifying Official Handbook (On-line)*, Revision 6.2, November 1, 2020.

[51] This provision was enacted by P.L. 115-48.

80% of the E-5 with dependents BAH where the IHL is located, reduced according to the length of time served on active duty (**Table 2**).

- For attendance at foreign institutions, the monthly housing allowance equals the national average of the E-5 with dependents BAH, reduced according to the length of time served on active duty (**Table 2**) and the individual's rate of pursuit.
- For individuals enrolled exclusively through distance learning, the monthly housing allowance is 50% of the national average of the E-5 with dependents BAH, reduced according to the length of time served on active duty (**Table 2**) and the individual's rate of pursuit.[52]

- **Books and Supplies Stipend.** Individuals also receive a maximum stipend of $1,000 per year for books and required educational expenses. The stipend is paid monthly directly to eligible individuals based on the number of credit hours, or their equivalent, in which individuals are enrolled each term. Each credit hour, or its equivalent, is worth $41.67, reduced according to the length of time served on active duty (**Table 2**).[53] This stipend does not reduce the entitlement period and does not reduce other benefit payments.

Active Duty Individuals Enrolled More than Half-Time in Programs of Education Offered by IHLs

Individuals serving on active duty, including Fry Scholarship recipients who are serving on active duty,[54] while enrolled more than half-time may receive the following payments for tuition and fees, housing, and books and supplies:

- **Tuition and fees.** The tuition and fees benefit is paid directly to the IHL on behalf of eligible individuals for each academic term. The benefit amount is
  - at a public IHL, the *actual net cost for in-state tuition and fees* for the program of education, reduced according to the length of time served on active duty (**Table 2**) and less certain waivers, reductions, scholarships, and assistance;
  - at a private or foreign IHL, the lesser of the private school maximum (**Table 1**), reduced according to the length of time served on active duty (**Table 2**), or the *actual net cost for tuition and fees* for the program of education, reduced according to the length of time served on active duty (**Table 2**) and less certain waivers, reductions, scholarships, and assistance; or
  - the amount allowable under the Tuition Assistance "Top-Up" Program (see "Tuition Assistance "Top-Up" Program").[55]

[52] Individuals in a program offered exclusively through distance learning were not eligible for a Post-9/11 GI Bill housing allowance until September 30, 2011, as a result of P.L. 111-377.

[53] VA has determined in 38 C.F.R. §21.9640 that a lump sum books and supplies stipend for each academic term equals $41.67 multiplied by the number of credit hours enrolled and multiplied by the ratio of the number of credit hours enrolled to the number of credit hours required for full-time pursuit.

[54] U.S. Department of Veterans Affairs, "Post-9/11 GI Bill: Marine Gunnery Sergeant John David Fry Scholarship," downloaded from http://www.gibill.va.gov/ on January 8, 2010.

[55] Prior to a P.L. 111-377 amendment, which went into effect March 5, 2011, individuals on active duty received (payable to the IHL) the amount of tuition and fees charged by the IHL, as long as the amount did not duplicate any

- **Housing Allowance.** Individuals are ineligible to receive a Post-9/11 GI Bill housing allowance for the period during which they are serving on active duty.[56]
- **Books and Supplies Stipend.** Individuals enrolled more than half-time while on active duty receive for each academic term a lump sum stipend for books and supplies in the amount of $1,000, reduced according to the length of time served on active duty (**Table 2**) and according to the proportion of a complete academic year that such academic term constitutes.[57]

Individuals Pursuing Apprenticeship or On-the-Job Training More than Half-Time

Individuals pursuing apprenticeship or on-the-job training more than half-time may receive the following payments for tuition and fees, housing, and books and supplies:[58]

- **Tuition and fees.** Individuals pursuing apprenticeship or on-the-job training more than half-time are ineligible to receive a tuition and fees benefit.
- **Housing Allowance.** Individuals pursuing apprenticeship or on-the-job training more than half-time receive a monthly housing allowance equal to 100%, 80%, 60%, 40%, and 20% of the E-5 with dependents BAH where the employer is located for the first six months, second six months, third six months, fourth six months, and thereafter, respectively. The housing allowance is further reduced depending on the length of time served on qualifying active duty (**Table 2**) and by the proportion of working/training hours completed each month that is below 120.
- **Books and Supplies Stipend.** Individuals pursuing apprenticeship or on-the-job training more than half-time receive a books-and-supplies stipend in the amount of $83 per month, reduced according to the length of time served on active duty (**Table 2**).

Vocational Flight Trainees Enrolled More than Half-Time

Individuals enrolled more than half-time in programs of education consisting of flight training that is not at an IHL and that does not lead to a degree may receive the following payments for tuition and fees, housing, and books and supplies:[59]

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amounts received through a DOD Tuition Assistance Program. This amount could exceed amounts charged by the most expensive public institution in the state. The entitlement period was reduced one month for each month enrolled.

[56] 38 C.F.R. §21.9625(k) provides that an individual who is released from active duty status begins receiving the monthly housing allowance for the month following the date the individual is discharged. A P.L. 115-48 amendment prorates the housing allowance based on the time not spent on active duty during a month, effective for academic terms beginning on or after August 1, 2018.

[57] Prior to a P.L. 111-377 amendment, which went into effect October 1, 2011, individuals on active duty did not receive a books-and-supplies stipend.

[58] P.L. 111-377 expanded the eligible programs of education to include apprenticeship and on-the-job training effective October 1, 2011.

[59] P.L. 111-377 expanded the eligible programs of education to include flight training from non-IHLs effective October 1, 2011. Statute establishes the payment amounts for "flight training (regardless of the institution providing such program of education)," but VA has indicated that it is not implementing the described payment amounts for degree programs that consist of flight training at IHLs.

- **Tuition and fees.** Individuals enrolled more than half-time in flight training receive a tuition and fees benefit equal to the lesser of the vocational flight training maximum (**Table 1**),[60] reduced according to the length of time served on qualifying active duty (see **Table 2**), or the *actual net cost for in-state tuition and fees* for the program of education, less certain waivers, reductions, scholarships, and assistance. The tuition and fees benefit is paid to the educational institution after individuals complete the training.
- **Housing Allowance.** Individuals pursuing flight training are ineligible to receive a housing allowance.
- **Books and Supplies Stipend.** Individuals pursuing flight training are ineligible to receive a books and supplies stipend.

Correspondence Trainees Enrolled More than Half-Time

Correspondence training differs from distance learning in that individuals in correspondence training receive lessons by mail or electronically and have a certain amount of time to complete and return them for a grade. Individuals enrolled more than half-time exclusively in correspondence training programs, regardless of the type of institution, may receive the following payments for tuition and fees, housing, and books and supplies:[61]

- **Tuition and fees.** Individuals enrolled exclusively in correspondence training more than half-time receive a tuition and fees benefit equal to the lesser of the correspondence training maximum (**Table 1**),[62] reduced according to the length of time served on qualifying active duty (see **Table 2**), or the *actual net cost for tuition and fees* for the program of education less certain waivers, reductions, scholarships, and assistance. The tuition and fees benefit is paid to the educational institution after the individuals complete the training.
- **Housing Allowance.** Individuals pursuing correspondence training exclusively are ineligible to receive a housing allowance.
- **Books and Supplies Stipend.** Individuals pursuing correspondence training exclusively are ineligible to receive a books and supplies stipend.

Individuals Enrolled More than Half-Time in Programs of Education Offered by Non-college Degree Schools[63]

Non-active duty individuals who are enrolled more than half-time at a non-college degree school, referred to by statute as a certificate or non-college degree program at an institution or establishment other than an IHL that is not on-the-job, apprenticeship, flight, or correspondence

[60] The maximum of $10,000 for the academic year beginning August 1, 2011, increases annually thereafter according to the average increase in undergraduate tuition in the United States as determined by ED.

[61] P.L. 111-377 expanded the eligible programs of education to include correspondence training effective October 1, 2011.

[62] The maximum of $8,500 for the academic year beginning August 1, 2011, increases annually thereafter according to the average increase in undergraduate tuition in the United States as determined by ED.

[63] A non-college degree school is an educational institution that does not offer a standard college degree (see footnote 34).

training, may receive the following payments for tuition and fees, housing, and books and supplies:[64]

- **Tuition and fees.** Individuals enrolled more than half-time in non-college degree schools receive a tuition and fees benefit equal to the lesser of the private school maximum (**Table 1**), reduced according to the length of time served on qualifying active duty (see **Table 2**), or the *actual net cost for in-state tuition and fees* less certain waivers, reductions, scholarships, and assistance. The tuition and fees benefit is paid to the educational institution each academic term.
- **Housing Allowance.** For individuals pursuing a program of education in-residence, the monthly housing allowance is equal to the E-5 with dependents BAH where the educational institution is located (or the location where the individual physically participates in a majority of classes for initial enrollments on or after August 1, 2018).[65] The allowance is reduced according to the length of time served on qualifying active duty (see **Table 2**) and in proportion to the rate of pursuit. Individuals pursuing a program of education through distance learning receive 50% of the amount received by individuals pursuing a program of education in-residence.
- **Books and Supplies Stipend.** Individuals enrolled more than half-time in non-college degree schools receive a books-and-supplies stipend in the amount of $83 per month paid to the individuals for each academic term, reduced according to the length of time served on qualifying active duty (see **Table 2**).

Individuals Enrolled Half-Time or Less

Individuals enrolled half-time or less in any program of education and regardless of the active duty status may receive the following payments for tuition and fees, housing, and books and supplies:

- **Tuition and fees.** Individuals enrolled half-time or less are eligible for a tuition and fees benefit of the *actual net cost for in-state tuition and fees* assessed by the institution less certain waivers, reductions, scholarships, and assistance, but not more than the amount for which the individuals would have been eligible if enrolled more than half-time in a program of education at an IHL.[66]
- **Housing Allowance.** Individuals enrolled half-time or less are ineligible to receive a housing allowance.
- **Books and Supplies Stipend.** Individuals enrolled half-time or less may receive a books-and-supplies stipend that is a percentage of the maximum stipend of $1,000 per year, reduced in proportion to their rate of pursuit. The percentage of the stipend is determined by the length of time served on active duty (**Table 2**).

[64] P.L. 111-377 expanded the eligible programs of education to include certificate and non-college degree programs at non-IHLs, effective October 1, 2011.

[65] This provision was enacted by P.L. 115-48.

[66] Prior to a P.L. 111-377 amendment, which went into effect August 1, 2011, individuals enrolled half-time or less received (payable to the IHL) the amount charged by the IHL, but not more than the amount the individual would have been eligible to receive if enrolled full-time.

Yellow Ribbon GI Education Enhancement Program Payments

In cases in which an IHL's tuition and fees are not fully covered by the tuition and fees payment benefits, the IHL may voluntarily enter into a Yellow Ribbon Program agreement with VA to match an equal percentage of some portion of the remaining tuition and fees. Yellow Ribbon Program agreements benefit participants enrolled in private IHLs and those enrolled in public IHEs and charged as out-of-state students.

The Yellow Ribbon Program covers a portion of the tuition and fees that exceed the base Post-9/11 GI Bill tuition and fees benefit. The Yellow Ribbon Program payment is paid equally by the IHL and VA. The program allows IHLs to enter into agreements with VA to match a certain amount of the tuition and fees not already covered by the basic Post-9/11 GI Bill. Each IHL must establish the number of eligible individuals it is willing to support and how much it is willing to contribute for each individual. VA regulations allow IHLs to specify their support by each sub-element: college or professional school; and by student status: undergraduate, graduate, or doctoral. Several IHLs have variously agreed to support between one and an unlimited number of eligible students for an amount from $50 per semester to the maximum amount needed by the student (see box below for an example of how the Yellow Ribbon program works). VA regulations also limit the program to domestic IHLs and foreign branches of domestic IHLs.

The program is available only to participants who are at the 100% benefit level, including Marine Gunnery Sergeant John David Fry Scholarship recipients, transferees at the 100% benefit level, and Purple Heart recipients.[67] Active duty servicemembers and their spouses are not eligible. As long as the IHL remains in the Yellow Ribbon Program, individuals admitted under the program who maintain satisfactory progress will continue to be supported under the program.

Example of Yellow Ribbon Program Payments

Participant: A Post-9/11 GI Bill eligible veteran with 36 months of qualifying active duty service may choose to enroll as a full-time law student at the private ABC University in Washington.

University charges: ABC University defines full-time attendance as 30 credit hours and charges $35,987.00 ($1,177.00 per credit hour for tuition * 30 credits for full-time attendance + $677.00 per year in fees) in AY2017-2018.

Base Post-9/11 GI Bill tuition and fees benefit: For individuals at the 100% benefit level attending private IHLs in programs of education leading to a degree, the tuition and fees benefit is the lesser of $22,805.34 or the "actual net cost for tuition and fees" for the program of education less certain waivers, reductions, scholarships, and assistance. Assuming the Post-9/11 GI Bill eligible veteran does not receive waivers, reductions, scholarships, or assistance, the base Post-9/11 GI Bill tuition and fees benefit is $22,805.34 (the lesser of $22,805.34 and $35,987.00).

Unpaid balance: $13,181.66 ($35,987.00 - $22,805.34)

Yellow Ribbon Program Agreement: Maximum of $6,000.00 per law student per year for seven law students.

Yellow Ribbon Program Payments: If the veteran in this example is one of the seven students eligible for the Yellow Ribbon program at ABC's law school, VA is to match the university's payment up to $6,000 per year for a total maximum benefit of $12,000.00 ($6,000.00 * 2). Since the maximum benefit is less than the unpaid balance, VA is to make a Yellow Ribbon payment of $6,000.00 and ABC is to make a Yellow Ribbon payment of $6,000.00.

Out-of-pocket cost: $1,181.66 ($13,181.66 - $12,000.00)

Total Post-9/11 GI Bill benefits: VA will have paid $28,805.34 ($22,805.34 in basic tuition and fees benefit + $6,000.00 in Yellow Ribbon payments) on behalf of the veteran. Post-9/11 GI Bill benefits will provide the veteran a total of $34,805.34 ($28,805.34 from VA + $6,000.00 from the university) for tuition and fees.

[67] P.L. 115-48 expanded availability to include active duty servicemembers at the 100% benefit level and the spouses of active duty servicemembers at the 100% benefit level, effective August 1, 2022, and Marine Gunnery Sergeant John David Fry Scholarship recipients and Purple Heart recipients, effective August 1, 2018.

Tutorial Assistance

Individuals are entitled to payment, not to exceed $100 monthly and up to a maximum of $1,200 over the course of the entitlement period, for tutorial assistance provided the IHL certifies that the individuals need tutoring to pass a course(s) required for the approved program of education. The maximum tutorial assistance is not reduced depending on the length of qualifying active duty service. Tutorial assistance does not reduce the entitlement period and does not reduce other benefit payments.

Licensing and Certification Test Fees

A fee of up to $2,000 may be reimbursed for each approved licensing or certification test as long as the payment does not exceed the individual's remaining Post-9/11 GI Bill entitlement or the test fee.[68] The benefit is available regardless of whether individuals pass the test. For tests taken in AY2018-2019 and beyond, the entitlement charge is prorated based on the amount of the test fee in relation to the monthly rate ($2,099.24 in AY2020-2021).[69] Neither the benefit nor the entitlement charge depends on the length of qualifying active duty service.

National Tests

Individuals may receive reimbursement for a national test for admission to an IHL, a national test providing an opportunity for course credit at an IHL, and a national test that evaluates prior learning and knowledge and that provides an opportunity for course credit at an IHL.[70] The maximum benefit for a test is the individual's remaining Post-9/11 GI Bill entitlement. The entitlement charge is prorated based on the amount of the test fee in relation to the monthly rate ($2,099.24 in AY2020-2021).[71]

Relocation and Travel Assistance

Individuals who reside in rural counties and who either relocate a distance of at least 500 miles to pursue a program of education or must travel by air to attend an IHL are entitled to a single payment of up to $500. The relocation assistance does not reduce the entitlement period, does not reduce other benefit payments, and is not reduced depending on the length of qualifying active duty service.

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[68] Prior to a P.L. 111-377 amendment, which went into effect August 1, 2011, individuals were eligible for a fee of up to $2,000 for *one* approved licensing or certification test. The maximum fee was not reduced depending on the length of active duty service. The fee did not reduce the entitlement period and did not reduce other benefit payments under the Post-9/11 GI Bill.

[69] Prior to P.L. 115-48, for AY2017-2018 and earlier, each test regardless of the reimbursement amount reduced an individual's entitlement by a minimum of one month. The entitlement charge amount is the equivalent entitlement charge of $1,460 for the academic year beginning August 1, 2011, which increases annually thereafter according to the average increase in undergraduate tuition in the United States as determined by ED.

[70] P.L. 111-377 allowed reimbursement for national tests effective August 1, 2011. P.L. 115-48 permits reimbursement for national tests that provide course credit for prior learning at an IHL effective August 1, 2018.

[71] Prior to a P.L. 115-48 amendment that went into effect for tests taken in AY2018-2019 and beyond, the entitlement charge was one month (rounded to the nearest whole non-zero month) for each payment that equaled the monthly rate for that academic year. Therefore, for AY2017-2018 and earlier, each test reduced an individual's entitlement by a minimum of one month. The monthly rate is the equivalent entitlement charge of $1,460 for the academic year beginning August 1, 2011, which increases annually thereafter according to the average increase in undergraduate tuition in the United States as determined by ED.

Advance Payments

VA guidance and policy documents indicate that advance payments are not available under the Post-9/11 GI Bill.[72] An advance payment is the first partial and first full month of the housing allowance and is available to individuals who are planning to enroll more than half-time and who have not received educational assistance benefits in 30 days or more. Advance payments are sent to the educational institution for disbursal to the student within 30 days of the start of the academic term.

Supplemental Assistance

Military service branches may provide various incentives to recruit and retain high quality individuals in the Armed Forces. Eligible recruits and servicemembers may be given a choice of one of several incentives such as cash bonuses. Enlistment kickers, affiliation kickers, and reenlistment kickers are based on the criticality of skill and/or unit or the length of service commitment and are realized when the individuals use their GI Bill benefit.[73] The expected benefit amount is deposited into the DOD Educational Benefits Trust Fund until the individuals take advantage of the benefit, at which time the benefit amount is transferred to VA for payment.[74] The additional assistance, $150–$950, is added to the individuals' monthly housing allowance. As a result, individuals who enroll half-time or less or who are serving on active duty are not eligible because they are not eligible to receive a housing allowance.[75] The amount may be reduced depending on the individuals' time served on active duty and, for individuals who make an irrevocable election to receive Post-9/11 GI Bill benefits in lieu of benefits under the MGIB-AD or MGIB-SR, in proportion to the rate of pursuit.[76]

Tuition Assistance "Top-Up" Program

The Tuition Assistance (TA) "Top-Up" program was established under the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (P.L. 106-398) to promote retention. Under Tuition Assistance Top-Up, Post-9/11 GI Bill-eligible servicemembers receiving TA benefits on active duty may elect to receive Post-9/11 GI Bill benefits to pay tuition and fees charges above the amount paid by TA. Individuals may not receive more Post-9/11 GI Bill benefits than the individuals would have otherwise been eligible. The amount of Top-Up is not reduced by the length of time served on qualifying active duty. Entitlement is charged one month for each month enrolled full-time and proportionally reduced based on the rate of pursuit.

Unused MGIB-AD Contributions

Individuals are generally required to make a $1,200 contribution to be eligible for the Montgomery GI Bill-Active Duty (MGIB-AD) benefits. For individuals who make an irrevocable election to receive Post-9/11 GI Bill benefits in lieu of MGIB-AD benefits, their unused MGIB-

[72] Regulations provide eligibility requirements for advance payments of the monthly housing allowance. 38 C.F.R. §21.9680(b)(2); U.S. Department of Veterans Affairs, *School Certifying Official Handbook*, Revision 6.1: August 7, 2020.

[73] 32 C.F.R. §65.6(b).

[74] Funding may also be paid from Department of Homeland Security (DHS) appropriations.

[75] Office of the Under Secretary of Defense, *Directive-Type Memorandum (DTM) 09-003: Post-9/11 GI Bill*, June 22, 2009, Incorporating Change 2, September 14, 2011.

[76] P.L. 111-377 reduced the supplemental assistance in proportion to the rate of pursuit, effective August 1, 2011.

AD contributions are refunded as an addition to the last Post-9/11 GI Bill monthly housing allowance once the entitlement period is exhausted. If individuals are not eligible for the monthly housing allowance or fail to exhaust the entitlement period, the unused MGIB-AD contributions are not refunded.

MGIB-AD Buy Up Program

Under the MGIB-AD $600 Buy-Up program, servicemembers may contribute up to $600 to the military service branch in multiples of $20 and receive for every $20 contributed up to an additional $5 every month (up to $5,400 total) during which the individuals receive MGIB-AD benefits. Individuals in the Post-9/11 GI Bill forfeit any contributions to the $600 MGIB-AD Buy Up program.

Edith Nourse Rogers STEM Scholarship

Under the Edith Nourse Rogers STEM Scholarship, VA is authorized to grant up to an additional nine months of limited entitlement to selected Post-9/11 GI Bill participants.[77] The scholarship is intended to provide selected individuals extra time to achieve their educational objective in qualifying science, technology, engineering, and math (STEM) fields.

To be eligible for selection, the Post-9/11 GI Bill participant must have exhausted or almost (within 180 days) exhausted his or her Post-9/11 GI Bill entitlement. Individuals using transferred Post-9/11 GI Bill benefits (see the section entitled "Transferees") are not eligible.[78] In addition, to be eligible the individual must be enrolled in a qualifying STEM program that leads to either

- a bachelor's degree requiring at least 120 semester (or 180 quarter) credit hours once the individual has completed at least 60 semester (or 90 quarter) credit hours toward the degree, or
- a teaching certification following completion of a qualifying STEM bachelor's degree requiring at least 120 semester (or 180 quarter) credit hours.[79]

The qualifying STEM fields are listed in statutory provisions and may be augmented by the Secretary. The Secretary's selection of eligible individuals must give priority to individuals who require the most credit hours and individuals at the 100% benefit level.

Edith Nourse Rogers STEM Scholars receive payments of up to $30,000 for tuition and fees, the housing allowance, and the books and supplies stipend during the additional entitlement period. An individual may be eligible for the Yellow Ribbon program but may not receive the VA match. They are not eligible for tutorial assistance, test fees, and relocation and travel assistance. Finally, the aggregate Edith Nourse Rogers STEM Scholarship payments to all selected individuals are limited to $0 in FY2018; $25 million in FY2019, starting on August 1, 2019; $75 million in each of FY2020 through FY2022; and $100 million in each fiscal year thereafter.

[77] P.L. 115-48 enacted the Edith Nourse Rogers STEM Scholarship.

[78] Individuals who lost REAP eligibility as a result of its sunset and who had service credited toward Post-9/11 GI Bill eligibility are also likely ineligible.

[79] As originally enacted, each bachelor's degree program had to require more than 128 semester (or 192 quarter) credit hours. Prior to implementation of the Edith Nourse Rogers STEM Scholarship, P.L. 116-36 amended the requirement to at least 120 semester (or 180 quarter) credit hours.

Relationship to Other Programs for Veterans

Combining GI Bill Benefits: 48-Month Rule

Many individuals are eligible for more than one veterans' educational assistance program. Individuals who served on active duty after June 30, 1985, may be eligible for the Montgomery GI Bill-Active Duty (MGIB-AD; 38 U.S.C., Chapter 30). Individuals who are serving in the Selected Reserve may be eligible for the Montgomery GI Bill-Selected Reserve (MGIB-SR; 10 U.S.C., Chapter 1606). Individuals who have served in the Armed Forces and who are or were the dependents of servicemembers who were disabled, delayed,[80] or died as a result of military service may be eligible for the Survivors' and Dependents' Educational Assistance program (DEA; 38 U.S.C., Chapter 35). Statutory provisions govern how and to what extent benefits from different programs may be combined and used.

With a few exceptions, veterans and servicemembers with more than one qualifying active duty service period or event can generally combine benefit programs administered by VA to receive no more than 48 months of educational benefits.[81] The 48-month limit may be exceeded to support veterans and servicemembers through the end of an academic term on a semester or quarter calendar, or for up to 12 weeks through course completion if on a non-standard term calendar after half of the course is completed.[82] Individuals eligible for the Post-9/11 GI Bill based on their service and eligible for transferred Post-9/11 GI Bill benefits are not subject to the 48-month limit.[83] Effective October 1, 2013, DEA-eligible individuals who are also eligible for another GI Bill program may combine benefit programs to receive up to 81 months of entitlement.[84]

If individuals with a single period of qualifying service make an irrevocable election for the Post-9/11 GI Bill after using some entitlement under the MGIB-AD, MGIB-SR, or REAP, the Post-9/11 GI Bill entitlement is equal to the remaining months of entitlement under the other program. However for service before August 1, 2011, an individual who exhausts benefits under one program may make an irrevocable election to use the same period of qualifying active duty service to receive an additional 12 months of benefits (up to 48 aggregate months) under the Post-9/11 GI Bill. However, benefits cannot be received concurrently under more than one program.

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[80] A servicemember is *delayed* if the person is listed as missing in action, captured in the line of duty, or forcibly detained as a result of active duty service.

[81] In 2019, the United States Court of Appeals for Veterans Claims determined that individuals with more than one period of separately qualifying service could not be required to irrevocably relinquish benefits attributable to one period of service to receive benefits attributable to a different period of service and could not be limited to 36 months of aggregate entitlement if the individuals do not exhaust entitlement under one program attributable to one period of service before receiving benefits under a different program attributable to a different period of service (meaning such individuals with more than one period of separately qualifying service could "receive entitlement under both programs subject to a 36-month cap on utilization of each of the two separate programs and a 48-month cap overall"). *BO v. Wilkie*, 31 Vet. App. 321, 346 (2019). Aggregate educational assistance may not exceed 48 months under the following programs: Chapters 30, 32, 33, 34, 35, and 36 of Title 38 U.S.C.; Chapters 106a, 1606, and 1607 of Title 10 U.S.C.; Section 903 of the Department of Defense Authorization Act, 1981 (10 U.S.C. 2141 note); the Hostage Relief Act of 1980 (5 U.S.C. 5561 note); and the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4801).

[82] *Carr v. Wilkie*, 961 F.3d 1168 (Fed. Cir. 2020) is effective beginning June 11, 2020, and also applies to cases currently on appeal with the Board of Veterans Appeals or still appealable to VA (those decided within one year of date of decision: June 11, 2020). Email from U.S. Department of Veterans Affairs, Veterans Benefits Administration, Education Service to Stakeholders, Important GI Bill Update: 48-Month Rule, October 28, 2020.

[83] 38 C.F.R. §21.9750(m).

[84] As enacted by the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112-154), the allowance of 81 months of entitlement applies only to entitlement that was not exhausted prior to October 1, 2013.

Relationship to the Veteran Readiness and Employment Program (VR&E)

Post-9/11 GI Bill-eligible individuals who receive benefits from the Veteran Readiness and Employment Program (VR&E), formerly known as the Vocational Rehabilitation and Employment Program, are eligible for an alternative subsistence allowance.[85] VR&E is an entitlement program that provides job training and related services to veterans with service-connected disabilities. VR&E participants receive a subsistence allowance based on the number of dependents, type of education or training pursued, and rate of attendance. Effective October 1, 2020, the regular subsistence allowance for full-time training at an IHL is $955.92 monthly for individuals with two dependents.[86] Individuals eligible for both VR&E and the Post-9/11 GI Bill may choose to receive the regular subsistence allowance or the E-5 with dependents BAH for the zip code in which the rehabilitation program is located.[87]

Relationship to Unemployment Compensation for Ex-Servicemembers (UCX)

Post-9/11 GI Bill-eligible individuals may also be eligible to receive Unemployment Compensation for Ex-Servicemembers (UCX), which provides income support to former active duty military personnel or reservists who were recently released from active duty while they search for work. Individuals may not establish Post-9/11 GI Bill and UCX eligibility based on the same period of service. Individuals receiving a Post-9/11 GI Bill allowance are prohibited from receiving UCX, unless the individuals are otherwise entitled to UCX; are receiving Post-9/11 GI Bill benefits based on their own service or through the Fry Scholarship; are not receiving Title 10 retired pay; and were discharged from the Armed Forces or Commissioned Corps of NOAA under honorable conditions, but did not voluntarily separate.[88]

Participation and Cost

The Post-9/11 GI Bill is an *appropriated entitlement* program, meaning the entitlement spending is funded in annual appropriations acts. While the funding is provided in the annual appropriations acts, the level of spending for appropriated entitlements is not controlled through the annual appropriations process. Instead, the level of spending for appropriated entitlements is based on the benefit and eligibility criteria established in law, and the amount provided in appropriations acts is based on meeting this projected level.

Obligations for the Post-9/11 GI Bill have increased from $5.5 billion in FY2010, the first full year of implementation, to an estimated $11.8 billion in FY2021 (**Table 3**). Participation has increased from over 350,000 in FY2010 to an estimate of almost 725,000 in FY2021. On average, in FY2010 participants received almost $14,500 each in benefits, and participants in FY2021 are

[85] For more detailed information on the VR&E program, see CRS Report RL34627, *Veterans' Benefits: The Vocational Rehabilitation and Employment Program*.

[86] U.S. Department of Veterans Affairs, "Veteran Readiness and Employment (VR&E): Subsistence Allowance Rates," press release, Last updated: October 8, 2020, https://www.benefits.va.gov/VOCREHAB/subsistence_allowance_rates.asp.

[87] This provision went into effect August 1, 2011, as a consequence of P.L. 111-377.

[88] Section 560 of P.L. 114-92.

estimated to receive over $16,000 each. Participation data by program of education are not currently available.

Table 3. Post-9/11 GI Bill Obligations, Participation, and Benefit Amount per Participant: FY2009-FY2021

Fiscal Year	Obligations ($ in thousands)	Participation[a]	Average Benefit per Participant ($)
2009[b]	162,053	34,393	4,712
2010	5,542,843	365,640	14,466
2011	7,656,490	555,329	13,871
2012	8,476,227	646,302	13,080
2013	10,184,499	754,529	13,465
2014	10,754,649	790,408	13,606
2015	11,234,014	790,507	14,167
2016	11,583,408	790,090	14,661
2017	11,056,959	755,476	14,636
2018	10,673,744	708,069	15,074
2019	10,748,939	714,346	15,047
2020 (estimate)	11,574,656	727,519	15,910
2021 (estimate)	11,760,672	724,610	16,230

Source: President's Budget Submission, Volume III Benefits and Burial Programs and Departmental Administration, FY2011-FY2021.

a. Participants include veterans, servicemembers, and dependents. Participants may receive benefits in more than one year and from more than one program in the same year.

b. Since the program went into effect on August 1, 2009, two months before the end of FY2009, the data do not reflect the full year.

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