



CRS Report for Congress

A Brief Overview of the Post-9/11 Veterans Educational Assistance Act of 2008

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Summary

The Post-9/11 Veterans Educational Assistance Act of 2008, enacted as Title V of P.L. 110-252 on June 30, 2008, provides enhanced educational benefits for veterans and servicemembers. It establishes the Post-9/11 Veterans Educational Assistance program, under which veterans and servicemembers who have served on active duty in the armed forces on or after September 11, 2001, may receive assistance towards the cost of tuition and fees, a monthly housing allowance, and a stipend for books and supplies. The Act grants authority for servicemembers who meet certain criteria to be permitted to transfer unused veterans education benefits to family members. It also increases maximum monthly benefits amounts under the Montgomery GI Bill-Active Duty program and the Reserve Educational Assistance Program.

Post-9/11 Veterans Educational Assistance Program

On June 30, 2008, the President signed into law P.L. 110-252, the Supplemental Appropriations Act, 2008. Title V of P.L. 110-252, the Post-9/11 Veterans Educational Assistance Act of 2008, establishes the Post-9/11 Veterans Educational Assistance program under Chapter 33 of Title 38 of the United States Code, and makes amendments to existing veterans education programs. The Post-9/11 Veterans Educational Assistance program extends educational benefits to veterans and servicemembers who have served on active duty in the armed forces (including members of a reserve component under a call or order to active duty) for at least 90 days after September 10, 2001. The effective date for the new program is August 1, 2009, and individuals have 15 years from their discharge or release from active duty to use the benefits.

Whereas servicemembers must elect to participate in the Montgomery GI Bill-Active Duty (MGIB-AD) program at the time of their enlistment and agree to have their military

pay reduced by \$100 per month for 12 months, no such requirements apply to the Post-9/11 program, which requires no contribution by servicemembers.¹

Under the Post-9/11 Veterans Educational Assistance program, individuals who have served at least 90 days on active duty after September 10, 2001, (or who have served at least 30 continuous days on active duty and were discharged with a service-connected disability) may receive educational assistance benefits for 36 months. Individuals who have served for at least 36 months on active duty, or who were discharged with a service connected disability after 30 consecutive days of service, may receive the maximum benefit amount. Individuals who serve fewer than 36 months on active duty will be eligible for benefits calculated as a percentage of the total maximum benefits. (See **Table 1.**)

Table 1. Benefits Based on Active Duty Time Served Since 9/11/2001

Aggregate Time Served on Active Duty Since 9/11/2001	Percentage of Maximum Benefit Payable
At least 36 months	100
At least 30 continuous days on active duty and discharged due to service-connected disability	100
At least 30 months, but less than 36 months	90
At least 24 months, but less than 30 months	80
At least 18 months, but less than 24 months	70
At least 12 months, but less than 18 months	60
At least 6 months, but less than 12 months	50
At least 90 days, but less than 6 months	40

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

Under the program, individuals are eligible to receive educational assistance in the form of payments for tuition and fees, a housing allowance, a books and supplies stipend, tutoring, testing and certification fees, and, in some cases, certain relocation and travel expenses. In addition, the program may provide additional funds for attending private institutions, under certain conditions, through the Yellow Ribbon GI Education Enhancement Program. The program also allows for transferability of benefits from a servicemember meeting specified criteria to a spouse and/or child(ren). (See **Table 2** for more information on these benefits.)

¹ For more information about the Montgomery GI Bill, see CRS Report RL34549, *A Brief History of Veterans' Education Benefits and Their Value*, by David P. Smole and Shannon S. Loane.

Approved educational programs include undergraduate degrees, graduate degrees, and vocational or technical training. All training programs must be offered by an institution of higher education (IHE) and approved by the Veterans Administration.²

Table 2. Post-9/11 Veterans Educational Program Benefit Amounts

Benefit	Amount
Tuition and fees ^a	An individual is entitled to 36 months of tuition and fees (limited to the amount of undergraduate tuition charged at the most expensive public institution in the state in which the servicemember or veteran is enrolled).
Housing Allowance ^b	An individual is entitled to a monthly housing stipend amount equal to the monthly basic allowance for housing (BAH) for a member with dependents in pay grade E-5 in the military housing area in which the institution of higher education (IHE) is located.
Books and Supplies ^c	An individual is entitled to a \$1,000 annual stipend for books and required educational expenses.
Tutoring	An individual is entitled to payment, not to exceed \$100 per month and up to a maximum of \$1,200, for tutorial assistance, provided it is certified the individual needs tutoring to pass a course required for the approved program of education.
Testing and Certification	An individual is entitled to payment, not to exceed the lesser of the test fee or \$2,000, for one licensing or certification test.
Relocation or Travel Assistance	An individual who resides in a rural county and who has to relocate a distance of at least 500 miles, or must travel by air to attend an IHE, is entitled to a single payment of up to \$500.
Yellow Ribbon	In cases where an IHE's tuition and fees are not covered by the tuition and fees payment benefit, the government may provide up to 50% of the remaining tuition and fees costs if the IHE voluntarily enters into an agreement to match an equal percentage.
Transferability	The program allows the Secretary of Defense to authorize the branches to permit servicemembers who have served at least six years and who agree to serve at least four more years to transfer between 18 and 36 months of educational benefits to a spouse and/or child(ren).

Source: Table prepared by CRS based on 38 U.S.C. Chapter 33 and data available from the U.S. Department of Veterans Affairs.

- a. There may be great variation from state to state in tuition and fees amounts. For example, in 2006, undergraduate in-state tuition and fees at the most expensive public IHE ranged from \$2,160 at the University of the District of Columbia in Washington, D.C. to \$12,750 at the Benjamin Franklin Institute of Technology in Massachusetts. Figures obtained from the Integrated Postsecondary Education Data System (IPEDS) at the National Center for Education Statistics (NCES) at [<http://nces.ed.gov/ipeds/>].
- b. There may be great variation from state to state and within states for BAH stipends. For example, in 2008, the BAH for pay grade E-5 with dependents ranged from \$667 per month to \$2,512 per month [<http://141.116.74.201/bah/acrobat/2008/!FINAL%202008%20'With'%20BAH%20Rates.pdf>]. Individuals on active duty or pursuing an education on a less-than-half-time basis are not eligible for the housing allowance.
- c. Individuals on active duty are not eligible for the books and supplies stipend.

² For more information see [http://www.gibill.va.gov/GI_Bill_Info/search_programs.htm].

Amendments to Other Veterans' Education Programs

In addition to the newly-enacted Post-9/11 Veterans Educational Assistance program, the following educational assistance programs are currently available to veterans and servicemembers:

- MGIB-Active Duty (MGIB-AD), for individuals who are on active duty or following separation from active duty;
- MGIB-Selected Reserves (MGIB-SR), for members of the selected reserves; and
- Reserve Educational Assistance Program (REAP), for members of reserve components who are called or ordered to active duty in response to a war or national emergency as declared by the President or Congress.

Maximum monthly benefit amounts for full-time enrollment in eligible programs, as of October 1, 2007, are \$1,101.00 for active duty members (MGIB-AD) who enlist for three years or more; \$880.80 for individuals in the selected reserves (REAP) who are called to active duty and who serve more than two consecutive years on active duty; and \$317.00 for members of the selected reserves (MGIB-SR) who are not serving on active duty. P.L. 110-252 increases the maximum rate for MGIB-AD to \$1,321 for the period August 1, 2008, through September 30, 2009. The maximum reimbursement rate for REAP increases to \$1,056.80 as of August 1, 2008.³

Previously, under the MGIB-AD program, the different service branches were authorized to operate limited transferability programs, but only the Army offered such a program. P.L. 110-252 provides for transferability of educational benefits for MGIB-AD, MGIB-SR, and REAP, effective the date of enactment.

Individuals eligible for the MGIB-AD, MGIB-SR, or REAP programs on August 1, 2009, may elect to receive benefits under the Post-9/11 Veterans Educational Assistance Act. Individuals may be able to receive benefits under multiple veterans educational assistance programs (to a maximum of 48 months), but may not receive benefits under more than one program at a time.

Additional Resources

- The *GI Bill Website* of the Department of Veterans Affairs contains information on the Post-9/11 Veterans Educational Assistance program, as well as MGIB-AD, MGIB-SR, and REAP [<http://www.gibill.va.gov/>].
- For more information about the different federal education benefits available to veterans and military personnel, see CRS Report RL34549, *A Brief History of Veterans' Education Benefits and Their Value*, by David P. Smole and Shannon S. Loane.

³ The benefit amounts shown for each program are for full-time institutional training. The amounts are less for individuals who attend school less than full-time and who served less than the aforementioned number of years. Links to the latest education benefits payment rate schedules for each of the three programs are available at [http://www.gibill.va.gov/GI_Bill_Info/rates.htm].