

Post-9/11 GI Bill Transferability: Frequently Asked Questions

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Cassandra Dortch
Specialist in Education
Policy

Post-9/11 GI Bill Transferability: Frequently Asked Questions

Congress determined that because military service in Iraq and Afghanistan following September 11, 2001, was particularly challenging, servicemembers from that era deserved a veterans educational assistance program more robust than those otherwise available at the time. The Post-9/11 GI Bill was designed to provide more generous benefits than the Montgomery GI Bill-Active Duty, and to meet additional policy objectives. Partially in response to the planned enhanced benefits, the U.S. Department of Defense (DOD) advocated for including transferability such that servicemembers would remain in service longer rather than leaving for their own education after a single obligated period of active duty. As enacted in 2009, the Post-9/11 GI Bill provided educational assistance to servicemembers and veterans, as well as the family members to whom they transfer benefits. Members of Congress, DOD, servicemembers, and veterans continue to examine and reconsider the contours of transferability, particularly eligibility and the transfer process.

Post-9/11 GI Bill recipients generally start with 36 months of *entitlement* at a certain *benefit level*. Receipt of most educational assistance payments is charged against the individual's entitlement, reducing the number of months of his or her remaining entitlement. Once the entitlement is exhausted, the individual is no longer eligible for the Post-9/11 GI Bill. The benefit level (50%-100%) is the percentage of the maximum benefit to which an individual is eligible based on his or her length of qualifying active duty service and other eligibility characteristics. For example, an individual with 36 months of qualifying active duty service may be at the 100% benefit level during the 36-month entitlement period, while an individual with 90 days of qualifying active duty service may be at the 50% benefit level during the 36-month entitlement period. In practice, the benefit level reflects a percentage of the maximum monetary benefit. For example, an individual at the 50% benefit level is eligible for no more than 50% of the maximum tuition and fees benefit of \$28,937.09 at a private institution of higher learning (IHL) from August 1, 2024, to July 31, 2025.

Post-9/11 GI Bill-eligible servicemembers who have completed at least six years of *qualified service* (defined as active duty or Selected Reserve by DOD) and agree to serve four additional years (for a total of 10 years of qualified service) may request to transfer some or all of their unused Post-9/11 GI Bill entitlement to one or more eligible dependents. The qualifying servicemember's child(ren), spouse, and unmarried legal ward(s) are eligible dependents. The transfer request includes the designation of the number of months of entitlement to be transferred to each selected eligible dependent. The aggregate number of months of entitlement transferred to dependent(s) plus the entitlement retained by the servicemember may not exceed the qualifying servicemember's remaining entitlement. DOD may approve or deny a transfer request. After a transfer request is approved, the transferor may revoke or modify the months of transferred entitlement at any time until all of the transferred entitlement has been exhausted.

The ways in which transferees use their entitlement and the benefits they receive are similar to the ways in which eligible servicemembers and veterans use their entitlement and the benefits they receive. A spouse-transferee can begin using transferred entitlement once the transfer is approved, but for a child-transferee to begin using transferred entitlement, (1) he or she must achieve a high school diploma (or equivalent) or reach age 18 and (2) the transferor must complete at least 10 years of qualified service or the DOD-required years of service. Transferees are at the same benefit level as the transferor. A spouse-transferee may use the entitlement at any time unless he or she is subject to a 15-year delimiting date because the qualifying veteran was last discharged or released from active duty service before January 1, 2013. Child-transferees must use the entitlement before reaching age 26.

From FY2011 to FY2023, approximately 5% of Post-9/11 GI Bill recipients were spouse-transferees and about 14% were child-transferees. Child-transferees have received a higher aggregate amount of benefit payments than the average Post-9/11 GI Bill recipient and spouse-transferees.

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What is the Post-9/11 GI Bill?

The Post-9/11 GI Bill is a veterans educational assistance program intended to promote recruitment and retention in the uniformed services, facilitate the readjustment of veterans to the civilian workforce, and reward or repay individuals for their service to the country. In exchange for service in the Armed Forces on or after September 11, 2001, it provides eligible individuals benefits and an entitlement to educational assistance. The benefit payments may satisfy tuition and fee charges and provide an additional stipend to defray housing costs. This entitlement, usually 36 months (or its equivalent in part-time educational assistance) initially,¹ is used or reduced by an individual's receipt of educational assistance payments for pursuit of approved programs of education. The 36 months of entitlement may be used for full-time pursuit over four 9-month academic periods or for part-time pursuit over a longer period. The U.S. Department of Veterans Affairs (VA) administers the Post-9/11 GI Bill program and pays benefits. For a full description of the Post-9/11 GI Bill, see CRS Report R42755, *The Post-9/11 GI Bill: A Primer*.

Report Terminology

Servicemember—An individual serving in the Armed Forces

Veteran—A former servicemember

Individual—A servicemember and/or veteran

Qualifying servicemember

—A servicemember who is or has qualified to transfer Post-9/11 GI Bill entitlement

Qualifying veteran—A veteran who transferred Post-9/11 GI Bill entitlement

Transferee—a dependent to whom Post-9/11 GI Bill entitlement has been transferred

Transferor—A servicemember or veteran who has transferred Post-9/11 GI Bill entitlement to a transferee

What is transferability under the Post-9/11 GI Bill?

The Post-9/11 GI Bill authorizes the U.S. Department of Defense (DOD) to permit qualifying servicemembers to transfer (or share) all or a portion of their Post-9/11 GI Bill entitlement to eligible dependents. Statutory provisions authorize DOD to prescribe regulations for the eligibility and management of Post-9/11 GI Bill entitlement transfers.² The Post-9/11 GI Bill and the ability to transfer entitlement went into effect on August 1, 2009.

Why is transferability available under the Post-9/11 GI Bill?

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” compared to the Montgomery GI Bill-Active Duty (MGIB-AD).³ Transferability was included in the Post-9/11 GI Bill primarily at the behest

¹ The initial entitlement may be lower than 36 months if the individual has used entitlement under another GI Bill.

² DOD, Defense Manpower Data Center (DMDC), *Transfer of Education Benefits (TEB) Beneficiary Guide*, DMDC-GD-0006, September 2023; and DOD, Office of the Under Secretary of Defense for Personnel and Readiness, *Post-9/11 GI Bill*, DOD Instruction 1341.13, November 8, 2023.

³ See P.L. 110-252.

of DOD and in response to servicemember requests to promote retention in the Armed Forces.⁴ DOD considered transferability as an incentive to offset any potential decline in retention resulting from the more generous Post-9/11 GI Bill benefits for veterans.⁵ The Post-9/11 GI Bill is the first GI Bill to permanently allow qualifying servicemembers to transfer their Post-9/11 GI Bill entitlement.

Does transferability promote service retention?

DOD has several methods for promoting retention in the Armed Forces, including, but not limited to, quality-of-life initiatives, counseling, monetary bonuses, and deferred benefits. Transferability was conceived to encourage retention by generally requiring servicemembers to have served at least six years on active duty or in the Selected Reserves before requesting a transfer of entitlement and then requiring such servicemembers to serve an additional four years. Most initial enlistments in the active component of the Armed Forces require a four-year active duty commitment followed by four years in the Individual Ready Reserve (IRR). The IRR is a manpower pool of individuals who have already received military training and can be ordered to active duty under certain circumstances but who are not normally required to perform training.

There is limited research or publicly available data on the effects of the transfer option on retention. Two studies in 2016 and 2017 indicated that while the Post-9/11 GI Bill has a small negative effect on retention compared to the MGIB-AD, this effect may be somewhat mitigated by transferability.⁶ One study determined that transferability was associated with higher retention among servicemembers with dependents than among servicemembers without dependents.⁷ The other study credited transferability with the finding that sailors with 6 to 14 years of service were more likely to reenlist than those with 17 months to 6 years of service.⁸ The MGIB-AD was the most popular GI Bill prior to the Post-9/11 GI Bill, but it offered smaller average payments per participant.⁹ The Congressional Budget Office has indicated that cash compensation is more effective in increasing retention than deferred benefits such as transferred entitlement because servicemembers generally require a larger increase in deferred compensation to achieve the same retention levels as a smaller increase in current cash compensation.¹⁰

In 2018, in an effort to reduce duplication among retention incentives, DOD initiated a since-invalidated policy change to limit transferability to servicemembers with less than 16 years of

⁴ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 4883, H.R. 4884, H.R. 4889, H.R. 4539, H.R. 3646, H.R. 5664, H.R. 3798, H.R. 3393, H.R. 3298, H.R. 3467, H.R. 3889, H.R. 3681 and H.R. 5684*, 110th Cong., 2nd sess., April 16, 2008, H.Hrg. 110-83 (Washington, DC: GPO, 2008), pp. 41-45, 84.

⁵ Ibid.

⁶ Jennie W. Wenger et al., *Are Current Military Education Benefits Efficient and Effective for the Services?*, RAND Corporation, 2017; and U.S. Department of Defense, *Report of The Thirteenth Quadrennial Review of Military Compensation, Volume III. Structural Changes to the Military Pay System*, December 2020, p. 273, https://militarypay.defense.gov/Portals/3/QRMC-Vol_3_final_web.pdf.

⁷ Jennie W. Wenger et al., *Are Current Military Education Benefits Efficient and Effective for the Services?*, RAND Corporation, 2017.

⁸ U.S. Department of Defense, *Report of The Thirteenth Quadrennial Review of Military Compensation, Volume III. Structural Changes to the Military Pay System*, December 2020, p. 273, https://militarypay.defense.gov/Portals/3/QRMC-Vol_3_final_web.pdf.

⁹ In FY2010, the average of payments per participant was \$14,466 for the Post-9/11 GI Bill and \$6,717 for the MGIB-AD. *President's Budget Submission FY2012*, p. 2B-3.

¹⁰ Congressional Budget Office (CBO), *Approaches to Changing Military Compensation*, 55648, January 2020.

qualified service.¹¹ A 2015 study indicated that 90% of enlisted servicemembers who have served at least 14 years will continue serving until retirement because the retirement benefits are a strong retention incentive.¹² P.L. 116-92 prevented DOD from implementing the policy.

Who are qualifying servicemembers?

To qualify to transfer benefits,¹³ servicemembers must meet all the requirements below by the date on which they submit a request to their DOD service branch to transfer entitlement:

- be eligible for the Post-9/11 GI Bill;
- be on active duty and/or in the Selected Reserve;
- designate which eligible dependent(s) will receive transferred entitlement and assign a number of months of entitlement to each; and
- meet one of the following criteria:
 - completed at least six years of qualified service (i.e., active duty or Selected Reserve) and have an agreement to serve at least four additional years of qualified service,
 - completed service determined in service branch regulations, or
 - be a Purple Heart recipient.¹⁴

Service branches may establish additional requirements. The service branch may approve or reject the transfer request.¹⁵

May former servicemembers, veterans, or retirees transfer entitlement?

No. Otherwise qualifying veterans who have retired or been separated are generally ineligible to designate a transferee.

May servicemembers discharged before August 1, 2009, transfer entitlement?

No. Servicemembers discharged from active duty before August 1, 2009, did not have an opportunity to transfer entitlement. Because they were discharged before the Post-9/11 GI Bill and transferability went into effect on August 1, 2009, and only servicemembers may transfer

¹¹ “DoD Announces Policy Change on Transfer of Post-9/11 GI Bill Benefits,” *DoD News, Defense Media Activity*, July 12, 2018.

¹² Military Compensation and Retirement Modernization Commission, *Report of the Military Compensation and Retirement Modernization Commission: Final Report*, January 2015, pp. 21-22.

¹³ This report focuses on servicemembers of the Armed Forces, although officers of the Commissioned Corps of the Public Health Service and National Oceanic and Atmospheric Administration are similarly eligible.

¹⁴ The qualified service requirements do not apply to servicemembers who receive the Purple Heart on or after August 31, 2018. The Purple Heart is one of the oldest and most recognized American military medals, awarded to servicemembers who were killed or wounded by enemy action. For more information, see CRS Report R42704, *The Purple Heart: Background and Issues for Congress*.

¹⁵ A request may be denied if the servicemember does not meet the transfer qualifications or the request has an error.

entitlement, such veterans could not transfer entitlement unless they reenlisted on or after August 1, 2009.

Must qualifying servicemembers fulfill an additional four-year service obligation?

With limited exceptions, all qualifying servicemembers must fulfill an additional four-year service obligation after requesting approval of their transfer. For example, if a servicemember with 10 years of qualified service requests approval to transfer entitlement, he or she must agree to and serve four additional years. Qualifying servicemembers who received a Purple Heart on or after August 31, 2018, are not required to fulfill a service obligation. Qualifying servicemembers approved under service branch regulations are required to fulfill the obligation designated in the regulations. A qualifying servicemember whose transfer approval included an agreement to serve an additional four years in qualified service must generally fulfill the obligation. The four-year obligation may be reduced if DOD-selected circumstances prevent the qualifying servicemember from fulfilling the obligation involuntarily (e.g., death or an honorable discharge due to a reduction in force).

DOD calculates the end date of the additional four-year service obligation based on the date of the transfer request. It is incumbent on the qualifying servicemember to fulfill the obligation. If the servicemember does not fulfill the obligation, any benefits paid on behalf of a transferee(s) becomes a debt of the transferor.

Are there proposals to reduce or eliminate the additional service obligation?

Yes. Some legislative proposals would reduce or eliminate the additional service obligation for servicemembers that have served numerous years (e.g., 10-20 years).¹⁶ A 2015 report commissioned by DOD recommended transfer eligibility for servicemembers who have served 10 years and agree to an additional two-year service obligation because the retention rate for servicemembers with 10 years was lower than that for servicemembers with six years.¹⁷ Allowing servicemembers who exceed a threshold number of years of service to transfer entitlement with a reduced or no additional service obligation might allow DOD to achieve its retention goals if the service threshold is high enough.¹⁸ Reducing or eliminating the additional service obligation, however, might eliminate one DOD tool for encouraging additional years of service.

One concern is that servicemembers may also need additional flexibility in requesting entitlement transfers because

¹⁶ For example, the Veterans Earned Education Act (H.R. 6294, 118th Congress) would expand eligibility to transfer Post-9/11 GI Bill entitlement to individuals who have completed at least 17 years of service in the Armed Forces and individuals who are retired from the Armed Forces under Chapter 61 of Title 10. Under a Chapter 61 retirement, servicemembers determined to be unfit for continued service who have a permanent and stable disqualifying physical condition may qualify for disability retirement.

¹⁷ Military Compensation and Retirement Modernization Commission, *Report of the Military Compensation and Retirement Modernization Commission: Final Report*, January 2015, p. 170.

¹⁸ In 2018-2019, the Navy temporarily allowed the transfer of entitlement by servicemembers who had served at least 10 years in the Armed Forces, were unable to serve four additional years due to statute or policy, and agreed to serve the maximum time authorized. NAVADMIN, Message 020/19, Post 9-11 GI Bill Exception To Policy, January 24, 2019.

- they may have been unaware of the option to transfer early enough in their career to be eligible to be retained for an additional four years,
- they may not have had dependents early enough in their career to be eligible to be retained for an additional four years or while serving,
- various DOD policies or circumstances (e.g., injury) may have made them ineligible to be retained for an additional four years, and
- they may be unwilling to serve an additional four years, particularly if they have already served 10-20 years.¹⁹

Are there proposals to expand transferability to veterans?

Yes. Some legislative proposals would permit select veterans who have fulfilled or exceeded their duty of service to transfer entitlement. For example, some proposals would permit Post-9/11 GI Bill-eligible veterans to transfer entitlement if

- they were awarded the Purple Heart after discharge,²⁰ or
- they received a disability retirement.²¹

Expanding transferability to veterans would generally be inconsistent with the policy intent of increasing retention. Congress might consider the potential impacts of alternative criteria for selecting veterans who merit the ability to transfer entitlement.

Who are eligible dependents?

Eligible dependents are spouses, children, and foster children, as well as unmarried legal wards who have been living with the qualifying servicemember pursuant to a court order for at least 12 consecutive months.²² Eligible dependents must be enrolled in the DOD Defense Enrollment Eligibility Reporting System (DEERS). DEERS is a database of information on uniformed servicemembers and other DOD-related individuals and their family members that is used, in part, to establish eligibility for various DOD and VA benefits. On the date on which the servicemember submits a transfer request, an eligible child, foster child, or ward must be under age 21, or if ages 21 or 22 must be either enrolled full-time in a degree-granting postsecondary institution or incapable of self-support because of a mental or physical incapacity.

¹⁹ Stephanie Zimmermann, “GI Bill snafus still keeping veterans from tapping benefits to pay for their kids’ college,” *Chicago Sun-Times*, December 1, 2020; Representative Jason Crow, “Reps. Crow, Wilson Introduce Bipartisan Bill to Expand Education Benefits for US Service Families,” press release, November 8, 2023, <https://crow.house.gov/media/press-releases/rep-crow-wilson-introduce-bipartisan-bill-to-expand-education-benefits-for-us-service-families>; and Steve Beynon, “Dozens of military families have had to repay VA for GI Bill benefits,” *Stars and Stripes*, September 30, 2020.

²⁰ H.R. 8896 and S. 4396 in the 118th Congress.

²¹ The Veterans Earned Education Act (H.R. 6294, 118th Congress), would expand eligibility to transfer Post-9/11 GI Bill entitlement to individuals who have completed at least 17 years of service in the Armed Forces and individuals who are retired from the Armed Forces under Chapter 61 of Title 10. Under a Chapter 61 retirement, servicemembers determined to be unfit for continued service who have a permanent and stable disqualifying physical condition may qualify for disability retirement.

²² 38 U.S.C. §1072(2)(A), (D), and (I). Children include legitimate children, adopted children, and stepchildren.

How much entitlement may be transferred with the transfer request?

A qualifying servicemember may have used some entitlement in exchange for educational assistance while serving and therefore may have less than 36 months of remaining entitlement at the time the transfer is requested. The aggregate number of months of entitlement transferred to dependent(s) plus the entitlement retained by the servicemember may not exceed the qualifying servicemember's remaining entitlement.

DOD recommends that qualifying servicemembers, when requesting approval to transfer entitlement, designate each eligible dependent and transfer at least one month to each of them. As described below, this recommendation provides greater flexibility thereafter to the qualifying servicemember or veteran.

How can an approved transfer request be modified?

After the transfer request has been approved, the rules for modifying the transfer differ for transferors serving on active duty or in the Selected Reserves and other transferors. While serving on active duty or in the Selected Reserves, transferors may revoke or modify the number of months of entitlement transferred to each eligible dependent at any time, and they may add new dependents without incurring an additional service obligation.²³ After separation from active duty or the Selected Reserves, transferors may revoke or modify the months of previously transferred entitlement at any time until all of the transferred entitlement has been exhausted. However, after separation from active duty or the Selected Reserves, transferors cannot transfer entitlement retained by themselves to a transferee and cannot designate a new dependent unless a transferee dies.

The marriage or divorce of a transferee does not change the transferee's eligibility to use Post-9/11 GI Bill benefits.

Transferability options are expanded upon the death of a transferor or transferee. If a transferee dies, the transferor may transfer unused entitlement from the deceased to another eligible dependent regardless of whether such dependent had already received transferred entitlement. If a transferor dies, a transferee with unused entitlement may transfer such entitlement to another eligible dependent regardless of whether such dependent had already received transferred entitlement. When a transferor dies, the VA distributes the individual's unused entitlement that was not transferred among all the designated transferees.

When may transferees start using their transferred entitlement?

There are limitations on when transferees may begin using their benefits. A spouse can begin using transferred entitlement once the transfer request is approved. A child may use transferred entitlement after (1) the child achieves a high school diploma (or equivalent) or reaches age 18 and (2) the transferor completes at least 10 years of qualified service or the years of service

²³ U.S. Navy, *Transfer of Education Benefits*, MILPERSMAN 1780-011, May 17, 2022, p. 6, https://www.mynavyhr.navy.mil/Portals/55/Reference/MILPERSMAN/1000/1700Morale/1780-011.pdf?ver=isP-qjPsk_JgwDnDQhnuOA%3D%3D.

required by DOD policy. Current DOD policy permits children to begin using transferred entitlement once the transferor completes, is on track to complete, or is excused from the 10-year service requirement.

What benefit payments do Post-9/11 GI Bill transferees receive?

Transferees are eligible for benefit payments in the same way as the qualifying servicemember or veteran with a few exceptions. The Post-9/11 GI Bill provides various benefit payments to participants pursuing approved programs of education. Separate payments are available for tuition and fees, the Yellow Ribbon program,²⁴ housing, books and supplies, tutorial assistance, test fees, relocation and travel assistance, and supplemental assistance.²⁵ Statutory provisions establish maximum levels for each payment. Actual payments may be lower than the maximum for participants depending on the percentage of the maximum benefit to which the individual is eligible, the type of education pursued, the rate at which the individual pursues the education, and the individual's status on active duty. The percentage of the maximum benefit to which an individual is eligible is based on their length of qualifying active duty service and other eligibility characteristics. A transferee is eligible for the same percentage of the maximum benefit as the qualifying servicemember or veteran.

Exceptions to benefit payments for transferees compared to transferors are as follows:

- Although a qualifying servicemember and the spouse-transferee are not eligible for a Post-9/11 GI Bill housing stipend while the qualifying servicemember is on active duty, a child-transferee may be eligible for a housing stipend while the qualifying servicemember is on active duty.
- Although a qualifying servicemember may be eligible for an additional nine months of entitlement through the Edith Nourse Rogers STEM Scholarship, transferees are not.²⁶
- Although a qualifying servicemember may be eligible to combine their Post-9/11 GI Bill benefits with benefits from the DOD Tuition Assistance program, transferees are not.²⁷
- Although a qualifying servicemember may be eligible for DOD supplemental assistance for additional years of service and DOD supplemental assistance for critical skills (kickers) used to recruit and retain highly capable individuals in the Armed Forces, transferees are not.²⁸

²⁴ Yellow Ribbon payments cover a portion of the tuition and fees that exceed the Post-9/11 GI Bill payment for tuition and fees. Each Yellow Ribbon payment from the VA is matched by a payment from the institution of higher learning.

²⁵ Supplemental assistance payments are a recruitment and/or retention incentive available to servicemembers from their military service branches. The incentive, an additional \$150-\$950 per month added to the Post-9/11 GI Bill housing stipend, is realized when the individuals use their GI Bill benefit.

²⁶ Under the Edith Nourse Rogers STEM Scholarship, the VA is authorized to grant up to an additional nine months of limited Post-9/11 GI Bill entitlement to selected Post-9/11 GI Bill participants.

²⁷ DOD funds off-duty voluntary education for Active and Reserve Component servicemembers. For more information, see CRS Report R47875, *Military Tuition Assistance Program: Background and Issues*.

²⁸ Military service branches may use the promise of supplemental assistance to recruit and retain highly capable individuals in the Armed Forces. The supplemental assistance, up to \$950 per month, is added to the individuals' monthly housing stipend.

What other benefits do Post-9/11 GI Bill transferees receive?

Transferees are eligible for benefits other than benefit payments in the same way as the transferor, with one exception. Post-9/11 GI Bill beneficiaries are eligible for educational and vocational counseling, and some beneficiaries are eligible for in-state tuition. One benefit of the Post-9/11 GI Bill is that public institutions of higher learning (IHLs) must charge some recipients no more than in-state tuition and fees in order for the programs of education to remain approved for GI Bill purposes. Public IHLs must charge no more than in-state tuition and fees to a veteran who is using Post-9/11 GI Bill benefits and was discharged or released from a period of not fewer than 90 days of active service. Transferees are similarly eligible for in-state tuition and fees when the qualifying veteran meets the aforementioned criteria and also when the qualifying servicemember is on active duty.²⁹

What is the delimiting date for using transferred entitlement?

Some Post-9/11 GI Bill-eligible individuals are subject to a delimiting date after which they are not eligible to receive benefit payments.³⁰ If the qualifying veteran was last discharged or released from active duty service on or after January 1, 2013, the spouse-transferee has no delimiting date. If the qualifying veteran was last discharged or released from active duty service before January 1, 2013, the spouse-transferee must use the entitlement within 15 years of the qualifying veteran's last discharge or release from active duty. Child-transferees must use the entitlement before reaching age 26.

The above delimiting dates for spouse-transferees mirror those for veterans. Veterans whose last discharge or release from active duty was on or after January 1, 2013, are not subject to a delimiting date. Veterans whose last discharge or release from active duty was before January 1, 2013, cannot receive benefits 15 years or more after discharge or release from active duty.

What is the prevalence of transferability?

DOD reported that as of September 30, 2018, over half a million servicemembers had received transfer approval and designated 1.3 million family members as transferees.³¹

²⁹ Under the Higher Education Act, public institutions of higher education may not charge a servicemember who is on active duty for a period of more than 30 days more than in-state tuition. The servicemember's spouse and dependent children are also entitled to the in-state tuition rate.

³⁰ The delimiting date may, in limited circumstances, be extended if the individual is prevented from pursuing a program of education for involuntary reasons.

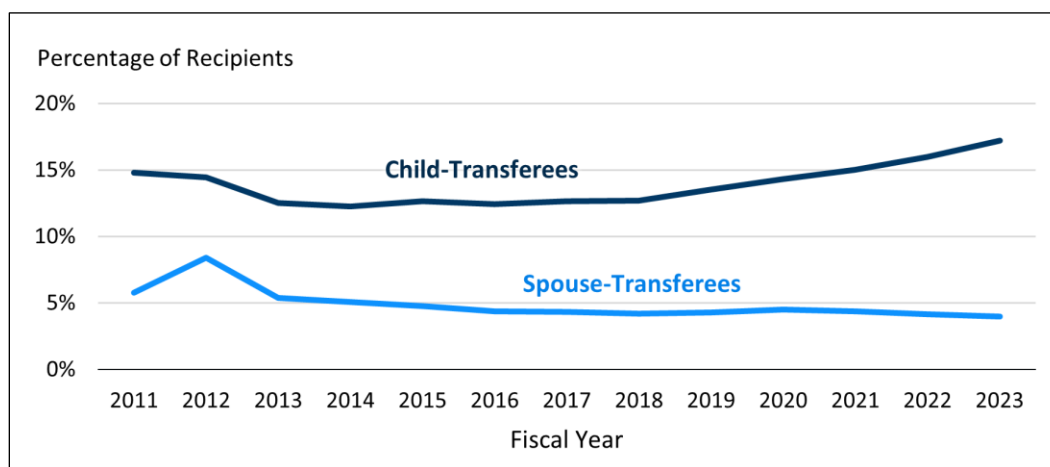
³¹ Congressional Budget Office (CBO), *The Post-9/11 GI Bill: Beneficiaries, Choices, and Cost*, Publication 55179, May 2019, p. 5.

What share of Post-9/11 GI Bill beneficiaries are transferees?

Figure 1 shows the percentage of Post-9/11 GI Bill recipients in each year since FY2011 that were either spouse-transferees or child-transferees. The percentage of recipients who are spouse-transferees averaged 5% from FY2011 to FY2023, while child-transferees averaged 14%. The remaining Post-9/11 GI Bill recipients are either servicemembers or veterans.

The average total of Post-9/11 GI Bill payments per participant in each year from FY2018 to FY2022 was approximately \$15,000. On average, spouse-transferees received 26% less and child-transferees received 16% more.³²

Figure 1. Percentage of Post-9/11 GI Bill Recipients Who Are Spouse-Transferees and Child-Transferees: FY2011-FY2023



Source: U.S. Department of Veterans Affairs, Veterans Benefit Administration, *Annual Benefits Reports*, FY2009-FY2023.

Notes: The remaining Post-9/11 GI Bill recipients are either servicemembers or veterans.

How has transferability been amended recently?

Since implementation of the Post-9/11 GI Bill in 2009, Congress has generally broadened access to transferability. Most recent amendments to transferability have minimized barriers to the use of transferred entitlement and by extension have increased the probability that Post-9/11 GI Bill entitlement may be used. Expanding transferability generally increases the cost of the program to the federal government.

The following are examples of recent amendments:

- Transferees' delimiting dates may be extended if they are prevented from pursuing their program of education because the educational or training institution closed under a policy established by an executive order or due to an

³² U.S. Department of Veterans Affairs, *President's Budget Request*, FY2020-FY2024; and email to CRS from Office of Congressional and Legislative Affairs, Department of Veterans Affairs, on July 6, 2023.

- emergency situation, as enacted by Section 3(b)(2)(B) of the Veterans Auto and Education Improvement Act of 2022 (P.L. 117-333).
- The VA is required, upon the death of a transferor, to distribute the individual's unused entitlement that was not transferred among all the designated transferees, as enacted by Section 214(a), Title II, Division U of the Consolidated Appropriations Act, 2023 (P.L. 117-328).
- The definition of dependents eligible to receive transferred entitlement was expanded, as enacted by Section 1011 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (P.L. 116-315).
- DOD is prevented from implementing a policy to disapprove requests to transfer entitlement because the otherwise qualifying servicemember exceeds a specified number of years of service, as enacted by Section 578 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92).
- The designation of new transferees and reallocation of entitlement is allowed following the death of a transferor or transferee, as enacted by the Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115-48).

Author Information

Cassandra Dortch
Specialist in Education Policy

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