

Veterans' Educational Assistance Legislation Enacted in the 118th Congress

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Cassandra Dortch
Specialist in Education
Policy

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The veterans' educational assistance programs, including the GI Bills, are intended to support recruitment to and retention in the Armed Forces, help servicemembers and veterans adjust to the civilian workforce, and provide educational assistance to family members of servicemembers and veterans who may not be able to do so as a result of their service. Congress regularly enacts legislation to improve and update the programs based on reported issues and newly identified needs.

Legislation enacted in the 118th Congress extended popular programs and benefits for additional time periods or to additional individuals, increased the availability of information for participants, and amended the GI Bill approval requirements for programs of education. Most policies discussed in this report were enacted by the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (P.L. 118-210).

Family members may be eligible for the Post-9/11 GI Bill through the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship). P.L. 118-210 established a similar, temporary program for the family members of an individual who dies from a service-connected disability during the 120-day period immediately following the individual's discharge or release from duty in the Armed Forces. In addition, P.L. 118-210 eliminated the Fry Scholarship delimiting date for all spouses.

P.L. 118-210 enacted a program similar to the recently expired High Technology Pilot Program (VET TEC). The new program will operate between January 2, 2025, and September 30, 2027. More individuals will be able to participate in the new program each year. VET TEC allowed GI Bill-eligible veterans to receive educational assistance for the pursuit of high-technology programs (e.g., computer technology) that were not necessarily approvable for GI Bill purposes but were expected to lead to employment in high-demand, high-growth occupations. By most accounts, the VET TEC pilot, which ended in 2024, was both popular and successful.

GI Bill stakeholders have generally advocated for eligible individuals having greater access to information that will help these individuals and education and training institutions (ETIs) make decisions on their education and benefit use. P.L. 118-210 requires

- the U.S. Department of Veterans Affairs (VA) to expand information available on the GI Bill Comparison Tool, which compares ETIs and presents GI Bill benefit availability; the tool will provide additional information on aid (i.e., federal aid in addition to veterans benefits), costs (e.g., for each degree), and educational outcomes (e.g., median incomes of program completers);
- the VA to provide to individuals an electronic GI Bill certificate of eligibility and electronic award letter unless an individual opts to continue receiving the documents by mail; electronic receipt speeds delivery of such documents, which help participants and ETIs plan their finances with more precise eligibility and GI Bill payment information;
- the VA to notify and justify to students and ETIs any changes to policy or guidance related to the VA educational assistance programs 90 days prior to implementing them; and
- GI Bill-approved programs of education to provide GI Bill participants and veterans with a copy of their official transcript in a digital format if the program of education is offered by an accredited institution of higher learning (IHL) or the degree program is offered by nonaccredited IHL.

In recent years, Congress has increased the number and types of requirements that GI Bill approved programs of education must meet. GI Bill stakeholders have indicated that some of the requirements may be discouraging or preventing some quality programs from being approved. P.L. 118-210 authorizes the VA to waive the requirement that accredited ETIs participate in a student aid program authorized by Title IV of the Higher Education Act if the ETI chooses not to participate.

In addition to the aforementioned policies that broadly affected GI Bill programs and beneficiaries, the 118th Congress also made targeted changes to the approval of commercial driver's license (CDL) programs for GI Bill purposes. The Veteran Improvement Commercial Driver License Act of 2023 (P.L. 118-95) and P.L. 118-210 exempt some CDL programs from the requirement that a noncollege degree program offered by a private educational institution be in operation for at least two years in the same location and under the same ownership or with substantially the same faculty, student body, and courses before it can be approved for GI Bill purposes.

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Introduction

Veterans' educational assistance programs, including the GI Bills, are intended to support recruitment to and retention in the Armed Forces, help servicemembers and veterans adjust to the civilian workforce, and provide educational assistance to family members of servicemembers and veterans who may not be able to do so as a result of their service.¹ The programs are estimated to assist almost 1 million participants with \$13.4 billion in benefits in FY2025.² Congress regularly considers legislation to improve and update the programs based on reported issues and newly identified needs.

This report provides an overview of legislation enacted in the 118th Congress that affects the veterans' educational assistance programs. Where available, the basis for the legislative provisions is discussed. The Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (P.L. 118-210) enacted on December 22, 2023, made several updates to veterans' health care, educational assistance, home loan, homeless, and disability programs. Most policies discussed in this report were enacted by P.L. 118-210. Additional amendments were enacted by the following legislation:

- A bill to amend title 38, United States Code, to extend and modify certain authorities and requirements relating to the Department of Veterans Affairs, and for other purposes (P.L. 118-19) enacted on October 6, 2023;
- the National Defense Authorization Act for Fiscal Year 2024 (P.L. 118-31), enacted on December 22, 2023; and
- the Veteran Improvement Commercial Driver License Act of 2023 (P.L. 118-95), enacted on October 1, 2024.

Post-9/11 GI Bill

The Post-9/11 GI Bill (Chapter 33) has the highest number of participants and highest average per participant cost among the veterans' educational assistance programs. It provides benefits to eligible servicemembers and veterans who served on or after September 11, 2001, and, in certain circumstances, their family members.³ An individual's period of qualifying active duty service or other eligibility characteristics determine the individual's benefit level, from a low of 50% to a high of 100%. P.L. 118-210 extends benefits for family members eligible as a result of the death of a servicemember or veteran and relieves them of certain debts caused by a servicemember's actions.

Marine Gunnery Sergeant John David Fry Scholarship

Family members may be eligible for the Post-9/11 GI Bill through the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship). The Fry Scholarship provides eligibility to the children and spouse of a servicemember who dies (1) in the line of duty or (2) while a member of

¹ For an overview of veterans educational assistance programs, see CRS Report R42785, *Veterans' Educational Assistance Programs and Benefits: A Primer*.

² U.S. Department of Veterans Affairs, *2025 Congressional Submission*, p. VBA-209.

³ For more information about the Post-9/11 GI Bill, see CRS Report R42755, *The Post-9/11 GI Bill: A Primer*.

the Selected Reserve from a service-connected disability on or after September 11, 2001. Each eligible child and spouse receive 36 months of entitlement at the 100% benefit level.

P.L. 118-210 established a temporary program similar to the Fry Scholarship and eliminated the Fry Scholarship's delimiting date for spouses.

Temporary Parallel Program Similar to the Fry Scholarship

Some stakeholders have advocated for parity of GI Bill benefit amounts between veterans and dependents, including by consolidating benefits for dependents under the Fry Scholarship.⁴ Educational assistance is available to dependents under the Post-9/11 GI Bill and Survivors' and Dependents' Educational Assistance Program (DEA; Chapter 35). DEA benefits are available to the children and spouse of a servicemember or veteran who dies of a service-connected disability; a servicemember or veteran who has a total permanent disability resulting from a service-connected disability; or an active duty servicemember who is missing in action, captured in the line of duty by a hostile force, or forcibly detained or interned in the line of duty by a foreign government or power. Average DEA benefit amounts are about half of those under the Post-9/11 GI Bill.⁵ The Fry Scholarship was established in 2009 for children,⁶ expanded to spouses in 2015,⁷ and expanded to additional circumstances of death in 2021 and 2025.⁸

P.L. 118-210 established a similar, temporary program for the children and spouse of an individual who dies from a service-connected disability during the 120-day period immediately following the individual's discharge or release from duty (i.e., active duty or duty other than active duty).⁹ The act applies to deaths both preceding and subsequent to September 11, 2001. Benefit payments are available for academic terms beginning on or after August 1, 2025, and before October 1, 2027. The act did not define the benefit level for individuals in the temporary program or explicitly provide eligibility for the Yellow Ribbon program.¹⁰

⁴ U.S. Congress, Senate Veterans' Affairs Committee, *Hearing on Pending Legislation*, 115th Cong., 1st sess., June 15, 2017, S.Hrg. 115-215 (Washington, DC: GPO, 2018), pp. 35, 50, 118-119; U.S. Congress, House Veterans' Affairs Committee, *Hearing: The One Percent: Supporting America's Surviving Military Family Community*, Testimony of Ashlynn Haycock-Lohmann, Deputy Director, Tragedy Assistance Program for Survivors (TAPS), on behalf of Government and Legislative Affairs, 118th Cong., 2nd sess., January 30, 2024.

⁵ DEA entitlement was limited to 45 months for individuals who first enrolled using DEA before August 1, 2018. Average benefit amounts were reported in the FY2025 President's Budget Justification for 2023 and 2024.

⁶ See P.L. 111-32.

⁷ See P.L. 113-146.

⁸ See P.L. 116-315 and P.L. 118-210.

⁹ An earlier version of the P.L. 118-210 provision (S. 350 in the 118th Congress) would have permanently expanded the Fry Scholarship to the children and spouse of an individual who dies from a service-connected disability within 120 days of discharge or release. The 120-day period following discharge or release from duty was intended to be loosely comparable to the eligibility criteria for the death gratuity (U.S. Congress, Senate Veterans' Affairs Committee, *Hearing to Consider Pending Legislation*, 118th Cong., 1st sess., April 26, 2023, S.Hrg. 118-160 [Washington, DC: GPO, 2024], p. 18). The death gratuity provides a tax-free payment of \$100,000 to eligible survivors of individuals who die (1) while on active duty, (2) while serving in certain reserve statuses, (3) within 120 days of release or discharge from active duty, (4) or within 120 days of release or discharge from active duty for training when the U.S. Department of Veterans Affairs determines that the death resulted from injury or disease incurred or aggravated during such duty. For more information on the death gratuity, see U.S. Department of Defense, "Military Compensation: Death Gratuity," <https://militarypay.defense.gov/benefits/death-gratuity/> (downloaded on December 31, 2024).

¹⁰ The Yellow Ribbon Program covers a portion of an individual's tuition and fee charges that exceed the base Post-9/11 GI Bill tuition and fees benefit.

Current law establishes interactions between the Fry Scholarship and DEA. For example, a child must choose either the Fry Scholarship or DEA if eligibility is established by the death of one parent. P.L. 118-210 did not establish how the temporary program will interact with DEA.

Delimiting Date for Spouses

Some GI Bill recipients may not receive benefits for training or education pursued on or after a delimiting date, which is based on a number of years following discharge from active duty or the dependent child's age. In recent years, Congress has been eliminating the delimiting dates generally. P.L. 118-210 eliminated the Fry Scholarship delimiting date for all spouses.¹¹ In addition, spouses no longer lose eligibility upon remarriage. This provision went into effect on January 2, 2025. Surviving spouses who remarry before a specified age are generally ineligible for veterans benefits for surviving spouses. It has been reported that some surviving spouses choose not to remarry to maintain the financial benefits to which they are eligible as a surviving spouse.¹²

The changes in P.L. 118-210 built on prior actions related to delimiting dates. For example, P.L. 115-48, also known as the Forever GI Bill, eliminated the Post-9/11 GI Bill delimiting date for veterans whose last discharge or release from active duty was on or after January 1, 2013, and Fry Scholarship recipients who first became eligible on or after January 1, 2013. As another example, P.L. 117-328 eliminated the DEA delimiting date for individuals who first became eligible for DEA on or after August 1, 2023.

Sole Liability for Transferred Educational Assistance

Individuals who are eligible for the Post-9/11 GI Bill based on their own service in the uniformed services may qualify to transfer their entitlement to their dependents for use.¹³ With limited exceptions, all qualifying servicemembers must have served at least six years before requesting approval of their transfer and then must fulfill an additional four-year service obligation. If the servicemember does not fulfill the obligation, any benefits paid on behalf of a transferee(s) becomes a debt of the transferor.

Members of Congress have expressed concern about a dependent being held accountable for debts caused by another individual not fulfilling a service obligation.¹⁴ P.L. 118-210 requires the U.S. Department of Veterans Affairs (VA) to hold the transferor solely liable for overpayments when the transferor fails to complete his or her service obligation. However, the VA has asserted that educational institutions would likely still attempt to recoup from the student an overpayment of tuition and fees returned to the VA by the institution.¹⁵

¹¹ 38 U.S.C. §3321(b)(5)(A) still maintains the delimiting dates as established by P.L. 115-48.

¹² U.S. Congress, House Veterans' Affairs Committee, Disability Assistance and Memorial Affairs Subcommittee, *Legislative Hearing*, Statement of the Tragedy Assistance Program for Survivors (TAPS), 118th Cong., 2nd sess., April 10, 2024.

¹³ For more information on transferability, see CRS Report R48178, *Post-9/11 GI Bill Transferability: Frequently Asked Questions*.

¹⁴ Rep. Takano, "Sole Liability for Transferred Educational Assistance by an Individual Who Fails to Complete a Service Agreement," House debate, *Congressional Record*, vol. 167 (June 15, 2021), pp. H2781-H2782.

¹⁵ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 291; H.R. 645; H.R. 728; H.R. 746; H.R. 1169; H.R. 1635; H.R. 1669; H.R. 1767; H.R. 1786; H.R. 1798; and H.R. 1799*, 118th Cong., 1st sess., March 30, 2023, H.Hrg. 118-8 (Washington, DC: GPO, 2023), p. 27.

High Technology Pilot Program (VET TEC)

VET TEC was originally enacted in 2017 by P.L. 115-48 to provide educational assistance to veterans pursuing “high-technology programs” (e.g., computer technology).¹⁶ High-technology programs were not necessarily approvable for GI Bill purposes but were expected to lead to employment in high-demand occupations for which demand was projected to grow.¹⁷ The pilot ended in 2024. By most accounts, the VET TEC pilot was both popular and successful; although the VA and U.S. Government Accountability Office (GAO) made several recommendations to improve administration, employment outcomes, and reporting of outcomes.¹⁸

P.L. 118-210 amended and revised the termination of the original pilot program (VET TEC 1) and authorized a new temporary program (VET TEC 2). **Table 1** compares select aspects of the two programs. VET TEC 1 is only available to individuals who started their program of education on or before September 30, 2024.

VET TEC 2 is authorized for training that begins between January 2, 2025, and September 30, 2027. Participation is limited to 4,000 individuals annually. See **Table 1** for additional program details. For example, participation in VET TEC 1 was limited to GI Bill-eligible veterans and individuals who would soon be GI Bill-eligible, whereas participation in VET TEC 2 does not require eligibility for a GI Bill but does require 36 months of active duty service and other requirements. VET TEC 2 establishes more rigorous requirements of eligible training programs and providers.

Table 1. Comparison of Select Characteristics of VET TEC 1 and VET TEC 2

Characteristic	VET TEC 1	VET TEC 2
Period of operation/payments	FY2019-FY2024 (no training that begins after September 30, 2024)	Training that begins between January 2, 2025, and September 30, 2027
Eligible participants	GI Bill-eligible veterans, and servicemembers who will be eligible veterans within 180 days	Veterans who are under age 62 and who served at least 36 months on active duty and, if discharged, were discharged under conditions other than dishonorable; and servicemembers who will be eligible veterans within 180 days
Maximum number of participants	Limited by annual funding authority	Up to 4,000 participants per fiscal year

¹⁶ The VET TEC acronym was derived from S. 1277 (115th Congress) and H.R. 1989 (115th Congress), which cited the proposed program as the “Veteran Employment Through Technology Education Courses Act of 2017” or the “VET TEC Act of 2017.”

¹⁷ U.S. Congress, House Veterans’ Affairs Committee, *Harry W. Colmery Veterans Educational Assistance Act of 2017*, report to accompany H.R. 3218, 115th Cong., 1st sess., July 24, 2017, H.Rept. 115-247.

¹⁸ U.S. Congress, House Veterans’ Affairs Committee, *VET-TEC Authorization Act of 2023*, To accompany H.R. 1669, 118th Cong., 1st sess., May 17, 2023, H.Rept. 118-68; H.R. 1669; U.S. Department of Veterans Affairs, “VET TEC update: The pilot program concludes this April,” press release, April 1, 2024, <https://news.va.gov/129949/vet-tec-update-the-pilot-program-concludes-this-april/>; U.S. Government Accountability Office (GAO), *Veterans Employment: Promising VA Technology Education Pilot Would Benefit from Better Outcome Measures and Plans for Improvement*, GAO-23-105343, October 2022; and U.S. Department of Veterans Affairs, *Harry W. Colmery Veterans Educational Assistance Act of 2017, Section 116 Update*, August 2023.

Characteristic	VET TEC 1	VET TEC 2
Eligible training program	Nondegree computer and information sciences program offered by a training provider that is not an institution of higher learning	Nondegree computer and information sciences program of 6-28 weeks that meets the 85/15 rule ^a unless waived or online; otherwise-eligible online program that has been provided under VET TEC for five years and has at least a 65% employment rate for graduates
Preferred training providers	Providers offering tuition reimbursement to graduates who achieve related, full-time employment within 180 days of graduation	Providers offering tuition reimbursement to graduates who achieve related, full-time employment within 180 days of graduation; and providers with a 70% related, full-time employment rate within 180 days of graduation
Tuition and fees reimbursement	25% to training provider upon enrollment, 25% upon graduation, 50% upon completion and achieving related employment	25% to training provider upon enrollment, 25% upon graduation, and 50% upon (1) 180 days of related employment within 180 days of graduation, (2) one year of employment by the training provider, or (3) enrollment in a related and successive educational program
Housing stipend	Excluding servicemembers, the Post-9/11 GI Bill housing stipend reduced for individuals enrolled through distance learning and according to the individual's enrollment rate	Same as the Post-9/11 GI Bill housing stipend for degree programs at institutions of higher learning pursued by nonactive duty servicemembers and participants enrolled more than half-time
Books and supplies stipend	Not available	Same as the Post-9/11 GI Bill books and supplies stipend for degree programs at institutions of higher learning
Funding	\$15 million in FY2019, \$15 million in FY2020, \$45 million in FY2021, \$125 million in FY2022, and \$45 million in FY2023	Limited by maximum number of participants
Interaction with GI Bills	No concurrent receipt of Post-9/11 GI Bill housing stipend; VET TEC assistance does not count toward cumulative GI Bill entitlement limit	No concurrent receipt of Post-9/11 GI Bill housing stipend; VET TEC assistance does not count toward cumulative GI Bill entitlement limit; GI Bill entitlement, if available, is charged for VET TEC assistance

Source: CRS review of P.L. 118-210 and *U.S. Code*.

- a. Under the 85/15 rule (38 U.S.C. §3680A(d)), no more than 85% of students enrolled in program of education may receive financial assistance from the educational institution or VA. Some programs are excepted or exempt from the rule.

Program Administration

The VA, sometimes as directed by statutory provisions, has established regulations, policies, and processes to administer the veterans' educational assistance programs. Some of the legislation enacted in the 118th Congress applied to multiple GI Bill programs and was intended to help servicemembers and veterans more easily access and use their benefits by providing important information and to ensure the quality of the programs of education pursued with the benefits.

GI Bill Entitlement Extensions

All of the GI Bills provide eligible persons an entitlement to educational assistance. Initially, this entitlement is usually 36 months (or its equivalent in part-time educational assistance). Most educational assistance payments are charged to the entitlement period, reducing the remaining entitlement. Used entitlement may be restored in the event of emergency situations, school closures, disapproved programs of education, and calls to active duty.¹⁹ In general, once the entitlement is exhausted, eligible persons are no longer eligible for assistance under that GI Bill unless they are excepted.

Rounding Out

Statutory provisions limit GI Bill participants to benefits for courses that satisfy the requirements for their chosen program of education.²⁰ For example, excessive free electives, successfully completed courses that are repeated, courses that are not part of the recipient's approved program of education, and audited courses cannot be used to determine GI Bill benefit amounts. Since at least 2009, the VA has had a policy allowing GI Bill participants to round out an enrollment schedule with nonrequired courses to achieve a full-time course load in their last term of a program of education.²¹ Rounding out is intended to help GI Bill participants afford to complete their educational program in the final term through receipt of full-time benefit payment amounts even though some of the courses are not necessary for their chosen objective.

Early in 2021, the VA announced a plan to eliminate rounding out by August 2021 to avoid potential abuse and help participants retain entitlement for future use.²² Some Members of Congress expressed concern that eliminating rounding out would reduce benefit payments in a GI Bill participant's final term and potentially make program completion more difficult.²³ In June 2021, the VA announced plans to retain rounding out but limit it to courses that are part of the approved program of education (excluding repeated courses).²⁴

The Responsible Education Mitigating Options and Technical Extensions Act (REMOTE Act; P.L. 117-76) codified rounding out for academic terms beginning on or after January 1, 2022. The

¹⁹ See 38 U.S.C. §§3013(f), 3231(a)(5), 3312(c), 3511(a)(2), 3601-3605, and 3699(c); and 10 U.S.C. §16133(b).

²⁰ 38 U.S.C. §3680(a).

²¹ U.S. Department of Veterans Affairs, Atlanta Regional Processing Office, *2009-2010 Handbook for School Certifying Officials*, June 2009, p. 86.

²² Steve Beynon, "This GI Bill Rule Change Could Cost Veterans Thousands of Dollars a Semester," *Military.com*, March 2021; and Letter from Education Service, U.S. Department of Veterans Affairs to GI Bill Student, Subject: Rounding Out Changes Starting August 1, 2021.

²³ Steve Beynon, "This GI Bill Rule Change Could Cost Veterans Thousands of Dollars a Semester," *Military.com*, March 2021; and Leo Shane III, "VA dumps plans to stop students from adding nondegree classes to keep GI Bill benefits," *Military Times*, April 15, 2021.

²⁴ Letter from Education Service, U.S. Department of Veterans Affairs to GI Bill Student, Subject: Rounding Out Changes Starting August 1, 2021.

REMOTE Act limited eligibility to GI Bill participants who are in the last term of the program of education and would be limited to half-time or less-than-half-time enrollment based on the coursework required to complete the program. The VA could allow, pursuant to regulations, a GI Bill participant to round out with courses that were part of the approved program of education (excluding repeated courses). If the participant had completed all of the courses that were part of the approved program of education, they could round out with nonrequired courses. Rounding out was not available at noncollege degree schools that measure progress in clock-hours under the REMOTE Act.

Rounding out under the REMOTE Act might have resulted in some GI Bill participants trying to fulfill a higher than necessary course load, and higher Post-9/11 GI Bill program costs for unnecessary tuition and fee charges.²⁵ Under P.L. 118-210, a Post-9/11 GI Bill recipient who is rounding out a degree program at an institution of higher learning (IHL) receives the full-time housing stipend if enrolled more than half-time without requiring full-time enrollment. The provision went into effect for academic terms beginning on or after January 1, 2025.

Relief for Closed Schools or Disapproved Programs of Education

Since 2015, GI Bill recipients have been eligible to have some used entitlement restored in the event of qualifying school closures or course disapprovals. Generally speaking, the amount of entitlement restored is commensurate with the portion of the period of enrollment not completed due to closure or disapproval. Some Members of Congress have supported restoring entitlement for the individual's entire period of enrollment to ensure GI Bill participants are not "penalized" when schools close as a result of "fraud or mismanagement."²⁶

In response, special limited time provisions have been established to restore entitlement commensurate with an individual's entire period of enrollment:

- Between January 1, 2015, and August 16, 2017, individuals who did not receive credit or lost training time as a result of an educational institution closing or a required course being disapproved because of a subsequently changed law, regulation, or guidance had their entitlement restored for their entire period of enrollment.

Under P.L. 116-315, the amount of entitlement restored for closures and disapprovals occurring after July 31, 2021, and before September 30, 2023, was based on the entire period of the individual's enrollment in the closed school or disapproved course if the individual transferred fewer than 12 credits and if the individual was so enrolled within 120 days of the closure.²⁷

P.L. 118-19 extended the P.L. 116-315 provision to apply to closures and disapprovals occurring after July 31, 2021, and before September 30, 2025. This provision went into effect on October 6, 2023.

Electronic Certificates of Eligibility and Award Letters

Since the Post-9/11 GI Bill went into effect, recipients and other stakeholders have advocated for on-demand, electronic access to individualized benefit information (e.g., remaining entitlement,

²⁵ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 491; H.R. 3874; H.R. 3848; H.R. 3933; H.R. 3898; H.R. 3981; H.R. 3943; and H.R. 3900*, 118th Cong., 1st sess., June 14, 2023, H.Hrg. 118-20 (Washington, DC: GPO, 2024).

²⁶ Reps. Bost and Takano, "Extending and Modifying Certain Authorities and Requirements Relating to the Department of Veterans Affairs," House Debate, *Congressional Record*, September 26, 2023, pp. H4475-H4476.

²⁷ P.L. 118-210 codified the start date of August 1, 2021.

expected payments), general educational information (e.g., GI Bill approved programs of education, types of accreditation), and administrative processing (e.g., enrollment certifications). Initially, many documents and processes were handled on paper by mail or fax.

P.L. 118-210 requires the VA to provide to individuals an electronic GI Bill certificate of eligibility and electronic award letter unless the individual opts to continue receiving the documents by mail. An individual's certificate of eligibility indicates the GI Bill(s) for which they are eligible, remaining entitlement, delimiting date (if applicable), benefit level, and other information. An individual's award letter indicates their benefit level, payments (e.g., tuition and fees, housing stipend) to be received for the educational program pursued, and other information.

GI Bill Comparison Tool

Since 2014, the VA has provided information on education and training institutions (ETIs) that offer GI Bill-approved programs of education and Post-9/11 GI Bill payments available for educational pursuit at the ETI through its online GI Bill Comparison Tool to help individuals make informed decisions about their education and training.²⁸ Since its debut, Congress and each Administration have made enhancements to the tool to make the information more user-friendly and relevant.²⁹ The tool provides current data on available Post-9/11 GI Bill payments, current ETI characteristics, GI Bill recipient enrollment from the most recent fiscal year, and two years of GI Bill recipient complaint information.

Some Members of Congress and other stakeholders continue to advocate for more relevant information. Providing additional information on student outcomes and financial information is intended to further improve participant decisionmaking.³⁰ Historical data are intended to support research and GI Bill participant claims for entitlement restoration following school closures and program disapprovals.³¹

P.L. 118-210 required the VA to expand the information reported in the tool and make six years of historical data available on the website by April 2, 2025. The additional required information includes, but is not limited to, more detailed information on other available federal student aid programs, the cost for each certificate and degree awarded by the institution instead of a single tuition and fees amount, average time to complete each program of education, and the employment rate and median income for each program of education. By January 2027, the VA must seek to enter into an agreement, which may include data sharing and computer matching agreements, with the U.S. Department of Education and other federal agencies to obtain and report outcome data on students entitled to veterans' educational assistance.

In addition, the VA must provide IHLs 30 days to review and contest complaint information before it is posted on the tool. Prior to P.L. 118-210, the VA reviewed submitted complaints to determine which were invalid, which required action by a federal agency, and to determine which

²⁸ For the GI Bill Comparison Tool, see <https://www.va.gov/education/gi-bill-comparison-tool/>.

²⁹ See, for example, P.L. 115-48 and P.L. 117-16.

³⁰ Sen. Brian Schatz, "Schatz, Rounds Reintroduce Bipartisan Bill To Protect Education Benefits For Veterans," press release, May 11, 2023, <https://www.schatz.senate.gov/news/press-releases/schatz-rounds-reintroduce-bipartisan-bill-to-protect-education-benefits-for-veterans>.

³¹ Veterans Education Success, "Statement for the Record: Legislative Priorities Submitted to the Senate and House Committees on Veterans Affairs 2024," 118th Congress, 2nd Sess., March 13, 2024, <https://vetsedsuccess.org/statement-for-the-record-legislative-priorities-submitted-to-the-senate-and-house-committees-on-veterans-affairs-2024/>.

to refer to ETIs for a response and proposed resolution within 90 days.³² The VA only posted closed, Principles of Excellence-related complaints.³³

By January 2026, the VA must ensure personnel providing educational counseling to prospective and actual beneficiaries of veterans educational assistance, including as part of the Transition Assistance Program, are trained on how to use the tool properly.³⁴

Notice of Veterans Educational Assistance Policy Changes

Some educational institutions have expressed concern that the VA has modified GI Bill approval requirements for programs of education with insufficient notice and opportunity for input.³⁵ The VA has indicated that it engages stakeholders when developing new policies, but some policies may benefit from immediate implementation.³⁶ Some institutions have expressed concern that they may have to turn away GI Bill recipients if they are unable to understand or implement new policies correctly.³⁷

P.L. 118-210 requires the VA to notify and justify to students, educational institutions, and the House and Senate Committees on Veterans' Affairs any changes to policy or guidance related to the VA educational assistance programs 90 days prior to implementing them. As with most of the provisions in P.L. 118-210, this requirement went into effect immediately upon implementation (on January 2, 2025). The VA has indicated that, in addition to complying with the provision, it will publish notifications on its website and send emails to subscribers.³⁸

GI Bill Approval Requirements for Programs of Education

Statutory and regulatory provisions and VA policies establish the processes and requirements for the approval of programs of education for GI Bill purposes. The VA regularly reviews approved programs of education to ensure they continue to meet the requirements.

³² U.S. Department of Veterans Affairs, Veterans Benefits Administration, "Agency Information Collection Activity: GI Bill School Feedback Tool," 89 *Federal Register* 51392, June 17, 2024; and U.S. Department of Veterans Affairs, Veterans Benefit Administration, "VBA Education Service Quarterly Webinar," February 22, 2017.

³³ U.S. Department of Veterans Affairs, GI Bill Comparison Tool, <https://www.va.gov/education/gi-bill-comparison-tool/institution/31000630>, February 4, 2025. The Principles of Excellence were established by Executive Order 13607, "Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members," 77 *Federal Register* 25861, May 2, 2012.

³⁴ The Transition Assistance Program is an interagency effort, led by the U.S. Department of Defense, that consists of pre-separation counseling, self-assessment, and workshops for servicemembers separating or retiring from active duty and for demobilizing members of the Reserves and National Guard. For more information, see CRS In Focus IF10347, *Military Transition Assistance Program (TAP): An Overview*.

³⁵ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 491; H.R. 3874; H.R. 3848; H.R. 3933; H.R. 3898; H.R. 3981; H.R. 3943; and H.R. 3900*, 118th Cong., 1st sess., June 14, 2023, H.Hrg. 118-20, pp. 10, 37.

³⁶ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 491; H.R. 3874; H.R. 3848; H.R. 3933; H.R. 3898; H.R. 3981; H.R. 3943; and H.R. 3900*, 118th Cong., 1st sess., June 14, 2023, H.Hrg. 118-20, pp. 27, 87-88.

³⁷ U.S. Congress, Senate Veterans' Affairs Committee, *Hearing to Consider Pending Legislation*, 117th Cong., 2nd sess., July 13, 2022, S.Hrg. 117-635.

³⁸ Email from U.S. Department of Veterans Affairs, Veterans Benefits Administration to School Certifying Officials, April 29, 2025.

Requirements of Accredited Educational Institutions

Programs of education, and their educational institutions, are not required to be accredited for GI Bill approval.³⁹ However, the initial approval criteria are reduced for educational programs that are deemed approved. Deemed-approved programs are degree programs at accredited public and private nonprofit institutions that participate in a student aid program authorized by Title IV of the Higher Education Act unless the VA waives the Title IV participation requirement.⁴⁰ Each institution that wants to participate in a Title IV student aid program must enter into a program participation agreement (PPA) with the U.S. Department of Education (ED) assuring it will comply with the laws, regulations, and policies applicable to the Title IV programs. Some accredited schools have chosen not to participate because they believe some regulations or policies conflict with their religious mission.⁴¹ Effective August 1, 2021, P.L. 116-315 established that accredited educational institutions must participate in a Title IV aid program for their programs of education to be approvable for GI Bill purposes, unless the VA waives this requirement.

Initially, the VA issued temporary waivers to give applicable institutions, including some institutions with a religious mission, just over one year to come into compliance with the requirement.⁴² Subsequently, the VA exempted (i.e., permanently waived) accredited educational institutions that are not eligible to participate in Title IV (e.g., some high schools and institutions that do not offer Title IV eligible programs of education).⁴³ When the temporary waivers expired on December 31, 2022, some institutions were disapproved.

P.L. 118-210 permits the VA to provide waivers to accredited educational institutions that choose not to participate, cannot participate, or are making a good-faith effort to apply to participate in a Title IV aid program. Waivers for those making an effort to apply must be for a period of 36 months or less. The waivers as specified in P.L. 118-210 do not apply to programs that are deemed approved. A report of such waivers must be provided to the House and Senate Committees on Veterans' Affairs. This provision went into effect on January 2, 2025.

Notice of Risk-Based Surveys to Educational and Training Institutions

The VA and state approving agencies (SAAs) conduct compliance surveys and risk-based surveys to try to prevent deficiencies and violations of GI Bill statutory provisions, as well as to identify them and make corrections when they are found. The VA contracts with SAAs to approve

³⁹ For a description of the intent and requirements of accreditation, see CRS Report R43826, *An Overview of Accreditation of Higher Education in the United States*.

⁴⁰ The accrediting agency or association must be recognized for Title IV purposes by the Secretary of Education. The Title IV aid programs include Pell Grants and Direct Loans. For more information on Title IV aid programs, see CRS In Focus IF12780, *Federal Student Aid Authorized by Title IV of the Higher Education Act*.

⁴¹ ED regulations finalized in 2020 made it easier for institutions with a religious mission to participate in the Title IV programs by allowing members of religious orders to receive Title IV aid. U.S. Department of Education, Office of Postsecondary Education, "Federal Perkins Loan Program, Federal Work-Study Programs, Federal Supplemental Educational Opportunity Grant Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, National Direct Student Loan Program, Teacher Education Assistance for College and Higher Education Grant Program, Federal Pell Grant Program, Leveraging Educational Assistance Partnership Program, and Gaining Early Awareness and Readiness for Undergraduate Programs," 85 *Federal Register* 49798-49828, August 14, 2020.

⁴² U.S. Department of Veterans Affairs, *Report on Waivers Issued for Educational Institutions Not Participating in Title IV of the Higher Education Act of 1965*, August 2022.

⁴³ U.S. Department of Veterans Affairs, *Report on Waivers Issued for Educational Institutions Not Participating in Title IV of the Higher Education Act of 1965*, August 2023.

programs of education, conduct surveys, and provide training and outreach to stakeholders. Compliance surveys verify the propriety of veterans' educational assistance payments. Risk-based surveys assess various legislative and VA-determined risk factors (e.g., indicators of financial instability, a rapid increase in tuition and fee charges). A targeted risk-based survey is conducted if a deficiency, high risk, or violation is known or asserted. Risk-based surveys are conducted after the VA or an SAA receives notice of an action or event that may put GI Bill benefits at risk (e.g., punitive action taken by the Federal Trade Commission for misconduct or misleading marketing practices that would violate GI Bill standards).

Notice to SAAs or the VA of Potentially Risky Actions or Events

P.L. 118-210 requires that ETIs notify their SAA or the VA within 30 days of the following actions or events that may put GI Bill benefits at risk:

- notice from ED indicating that the institution's Title IV participation may be at risk by placing the institution under the Heightened Cash Monitoring 2 payment method or on provisional certification status;⁴⁴
- punitive action taken by the Attorney General or any federal agency for misconduct or misleading marketing practices that would violate GI Bill standards;
- punitive action taken by a state; or
- the loss, or risk of loss, of accreditation.

ETIs that fail to so notify their SAA or the VA may be subject to disapproval, suspension, or the placement of a warning on the GI Bill Comparison Tool. This provision went into effect January 2, 2025.

Notice to ETIs of Upcoming Surveys

In response to investigations of education fraud committed by ETIs, the VA's Office of Inspector General recommended that conducting surveys with minimal notice to ETIs would help to prevent fraud.⁴⁵ P.L. 117-333 limited, to the maximum amount feasible, SAAs and the VA to providing not more than one business day of notice before conducting a targeted risk-based survey and not more than 10 business days before conducting a compliance survey. After implementation of P.L. 117-333, some educational institutions and SAAs reported that some ETIs stopped participating in the GI Bills as a result of the tight scheduling of surveys, the lack of coordination in scheduling surveys, the concomitant workload for ETIs in preparing for surveys, and other GI Bill-related administrative requirements.⁴⁶

P.L. 118-210 extended notice to not more than two business days for risk-based surveys. The requirement for 10 business days' notice for compliance surveys remains unchanged.

⁴⁴ ED may place institutions on a Heightened Cash Monitoring payment method to provide additional oversight of the institution's cash management as a result of a number of financial or federal compliance issues. ED may place an institution on provisional certification if the institution has experienced a change in ownership that results in a change in control, ED determines that the administrative or financial condition of the institution of higher education may jeopardize its ability to meet its financial responsibilities, or its accrediting agency loses its ED recognition.

⁴⁵ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing*, 117th Cong., 2nd sess., March 16, 2022.

⁴⁶ U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Less is More: The Impact of Bureaucratic Red Tape on Veterans Education Benefits*, 118th Cong., 1st sess., September 20, 2023, H.Hrg. 118-31, pp. 11, 21-23.

Digital Transcripts

Some students, including those who have served in the Armed Forces, may attend multiple institutions in pursuit of their final educational, professional, or vocational objective. Submitting official transcripts of prior coursework can facilitate the transfer of credits or the recognition of training time completed and credentials achieved. Submission may be hindered by payments due to prior institutions or institutions that abruptly close, merge, or change ownership.⁴⁷

P.L. 118-210 expanded the GI Bill approval requirements for covered programs of education. These programs must provide GI Bill participants and veterans a copy of their official transcript in a digital format. Covered programs of education are degree and nondegree programs offered by accredited ETIs and degree programs offered by nonaccredited ETIs. The provision is effective for academic terms beginning on or after August 1, 2025.

Exemption from the Two-Year Rule of Commercial Driver License Programs of Education

One of the GI Bill approval requirements for educational programs is known as the *two-year rule*. Under the two-year rule, a noncollege degree (NCD) educational program offered by a private educational institution must have been in operation for at least two years in the same location and under the same ownership or with substantially the same faculty, student body, and courses before it can be approved for GI Bill purposes. The two-year rule was originally intended as one way to ensure program quality as evidenced by individuals paying for the program without federal assistance.

Given a shortage of truck operators holding a commercial driver's license (CDL), some Members of Congress questioned the two-year rule as administratively burdensome and dispiriting to some veterans who may have had to wait or find a less convenient location for training. As a consequence, some Members intended to relax the two-year rule to increase the opportunity for veterans to achieve their CDL while still ensuring high-quality training.⁴⁸

P.L. 118-210 and P.L. 118-95 exempt from the two-year rule a commercial driver education program offered at a branch location that has been operating for less than two years if

- the private educational institution offers the program at another location in the same state, or
- the branch location has been operating for at least one year and offers the program with the same curriculum as another location of the private educational institution.

The private educational institution must submit annual proof to the VA that the curriculum is the same as another location of the educational institution during the exemption period. The

⁴⁷ Rep. Eli Crane, "Crane Introduces Legislation to Eliminate Obstacles for Veterans Seeking Access to Academic Records," press release, June 10, 2023, <https://crane.house.gov/2023/06/10/media-press-releases-crane-introduces-legislation-eliminate-obstacles-veterans-seeking-access/>; and U.S. Congress, House Veterans' Affairs Committee, Economic Opportunity Subcommittee, *Legislative Hearing on H.R. 491; H.R. 3874; H.R. 3848; H.R. 3933; H.R. 3898; H.R. 3981; H.R. 3943; and H.R. 3900*, 118th Cong., 1st sess., June 14, 2023, H.Hrg. 118-20 (Washington, DC: GPO, 2024).

⁴⁸ U.S. Congress, Senate Veterans' Affairs Committee, *Hearing to Consider Pending Legislation*, 118th Cong., 1st sess., April 26, 2023, S.Hrg. 118-160 (Washington, DC: GPO, 2024), pp. 4, 25-27; and U.S. House of Representatives, "Veteran Improvement Commercial Driver License Act of 2023," *Congressional Record*, vol. 170 (September 25, 2024), pp. H5780-H5781.

amendments go into effect by March 2026.⁴⁹ The VA must notify the House and Senate Committees on Veterans' Affairs within 30 days of granting an exemption. GAO must report on the effects of the provision and the potential for such an exemption for other NCD programs. The exemption goes into effect within a year of the VA establishing the requirements for institutions to demonstrate the curriculum is the same; such requirements must be established by March 30, 2025.

Electronic Fund Transfers to Foreign Educational Institutions

The VA notified ETIs in foreign countries that it planned to comply with U.S. Department of the Treasury regulations that require federal nontax payments be made by electronic funds transfer (EFT), commonly referred to as direct deposit.⁵⁰ To maintain or gain GI Bill approval of educational programs, the VA required that all ETIs receive veterans educational assistance payments by EFT by the end of 2021 and then extended the deadline to October 1, 2023.⁵¹ The VA asserted that the ETI or a third party had to have a U.S. Employer Identification Number (EIN) and U.S. bank account in order to receive EFTs.⁵²

By 2023, some GI Bill-eligible individuals complained of their inability to receive benefits for the pursuit of educational programs in foreign countries. The educational programs could not be GI Bill approved because the institutions did not have a U.S. bank account.⁵³

P.L. 118-210 requires the VA to update its payment systems to allow EFTs to foreign institutions of higher education that do not have an EIN or U.S. bank account. The law specified that the provision go into effect on April 2, 2025.

Author Information

Cassandra Dortch
Specialist in Education Policy

⁴⁹ The VA must establish the requirements within 180 days of enactment of P.L. 118-95 (by March 30, 2025), and the change goes into effect 360 days after the requirements are established (by March 25, 2026).

⁵⁰ 31 C.F.R. Part 208; <https://www.fiscal.treasury.gov/eft/vendor-guidance.html>.

⁵¹ Letter from U.S. Department of Veterans Affairs, Veterans Benefits Administration, Foreign Program Approvals Team to School Certifying Official, Subject: United States Department of Veterans Affairs (VA) – Requirements for Electronic Fund Transfer (EFT), July 1, 2021; and U.S. Department of Veterans Affairs, National Training Team-Schools, “January Office Hours,” January 2024.

⁵² Letter from U.S. Department of Veterans Affairs, Veterans Benefits Administration, Foreign Program Approvals Team to School Certifying Official, Subject: United States Department of Veterans Affairs (VA) – Requirements for Electronic Fund Transfer (EFT), July 1, 2021; and U.S. Department of Veterans Affairs, National Training Team-Schools, “January Office Hours,” January 2024.

⁵³ U.S. Congress, Senate Veterans' Affairs Committee, *Hearing To Consider Pending Legislation*, 118th Cong., 1st sess., April 26, 2023, S.Hrg. 118-160.

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