

Managing COVID-19 Update: Legislative Fix Protects GI Bill Benefits

March 25, 2020

As we previously [reported](#), the US Department of Veterans Affairs (the VA) warned that, without legislative action, students and veterans could see reductions or disruptions to their educational assistance benefits under the Post-9/11 GI Bill. Congress worked swiftly to take that legislative action, and on March 21, President Donald Trump signed into law [S.3503](#), aimed at protecting those benefits as more and more student veterans transition to online programs.

Although brief, S. 3503 addresses several limitations on benefits the VA previously highlighted.

Prior VA limitations

- **Schools approved for online programs:** The VA previously advised that student veterans attending schools approved by their state approving agency (SAA) for online programs would continue to receive the same level of benefits (including housing allowances) only through the end of the current term. For additional terms, student veterans' housing allowances would be reduced to 50% of the national average of the US Department of Defense's basic allowance for housing or an E-5 with dependents, which is the standard rate for students in online programs
- **Schools not approved for online programs:** Student veterans enrolled in schools without SAA approval for online programs would stop receiving their full benefits as soon as online training began. Veterans in such programs would also stop receiving their monthly housing allowance

Legislative fix

- 3503 authorizes the secretary of the VA to disregard the distinction between schools approved for online programs and schools lacking this approval if schools transition their programs online for an "emergency or health-related situation." Although S. 3503 does not define an emergency or health-related situation, Congress clearly intended this to apply to the pandemic
- Now, all student veterans enrolled in a program of education approved by the SAA (or the VA, as relevant) that transitions online as a result of the pandemic will, assuming the VA does waive the distinction, continue receiving their full educational assistance benefits and monthly housing allowance
- Through S. 3503, the VA may continue providing student veterans whose programs are transitioned online due to the pandemic their full benefits (including housing allowances) through December 21, 2020

While S.3503 only permits the VA to maintain the same level of educational benefits, the VA has [stated](#) that it intends to do so. Schools shifting to online programs should update student veterans on the impact of this new law and be prepared to respond to additional questions about current and future benefits. Schools should contact their SAA and VA education liaison representative with any questions regarding implementation of the new law.

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