

Changes to the “48 Month Rule” for VR&E and EDU Beneficiaries - FAQs

The Department of Veterans Affairs (VA) is committed to improving the Veteran experience by ensuring that all Veterans maximize the benefits they’ve earned. In alignment with this commitment, VA reviewed a long-standing interpretation of a law known informally as the “48-month rule” (38 U.S.C. 3695) and determined a more favorable interpretation of this law would help eligible Veterans maximize their education benefits. Now, Veterans who use Veteran Readiness and Employment (VR&E) benefits prior to using any other VA education program, such as the Montgomery GI Bill or Post-9/11 GI Bill, can still use up to 48 total months of the other educational assistance benefit programs.

Students:

Q1) What is changing?

A1) Previously, we counted VRE usage against GI Bill education benefits when applying the 48-Month Rule. We no longer do it.

Q2) How will I find out if I am impacted?

A2) VA will send a notification letter to those affected by this update.

Q3) Do I have to do anything?

A3) No, VA will contact those affected by this update.

Q4) Should a Veteran with a service-connected disability using the Post-9/11 GI Bill apply for VR&E benefits if they are about to run out of entitlement?

A4) Yes, Veterans may apply for Veteran Readiness and Employment (VR&E) benefits at any time. However, the use of entitlement in any VA education program impacts the amount of remaining VR&E entitlement that a Veteran may be eligible to receive.

It may be possible for a Veteran to have entitlement previously used in a VA education program reclassified as entitlement used in VR&E, which could possibly result in additional entitlement to other VA education programs. However, it is important to note that this process is very limited and restricted by law and regulation; not every Veteran with a service-connected disability will qualify for retroactive induction.

Q5) What can I do to ensure that I have the correct number of months of entitlement for GI Bill education benefits?

A5) If you are a new applicant to GI Bill education benefits, your monthly entitlement calculation was computed without including any past entitlement used under VR&E. If you are currently using education benefits, your monthly entitlement will be re-calculated to remove any months of VR&E previously charged as prior VA training. You will receive a separate letter advising of your corrected remaining months of entitlement. If you used education benefits in the past, and already used 48 months of entitlement AND your period of eligibility (i.e. your delimiting date) has passed, there will be no adjustments to your awards.

Q6) I was denied benefits under the former interpretation, can I recover those benefits?

A6) If you believe you were improperly denied education benefits, AND you have not reached your delimiting date, you may submit VA Form 22-1995, showing which school you are now enrolled or wishing to attend. A review of your record will occur and if you have additional months of entitlement, you will be notified in an award letter. If VA is unable to provide additional months of entitlement, you will receive a letter explaining the reasons why.

Q7) Can the SCO at my University/College help me understand this new development with the 48-Month Rule?

A7) VA is planning to provide appropriate training to SCOs. For additional clarification, you should contact the VA Education Call Center at 1-888-442-4551 (1-888-GIBILL1).

Q8) Will I be contacted directly by VA if I am due relief from the 48-Month Rule?

A8) If you are currently receiving education benefits, you will be notified, by letter, if the number of months of entitlement have changed due to this update of the 48-month limitation.

Q9) Why does it matter that VR&E benefits are to be used first and then EDU benefits?

A9) The wording of the law makes a distinction between the order of usage. Each beneficiary should discuss with their VR&E case manager to determine the best way to use VR&E benefits vs. education benefits. The VA will help guide you to the correct decision based on your individual circumstance.

Additional Stakeholder Questions:

Q10) What information is available to students to prevent being denied benefits under the 48-Month Rule?

A10) Beneficiaries receive information explaining entitlement limits when they receive their Certificate of Eligibility and on award letters. Also, the [GI Bill website](#) has general information explaining the impact of using more than one program, and the [GI Bill Customer Help portal](#) provides access to a wealth of questions with answers and the ability to ask specific questions.

The Education Call Center is staffed to answer questions on this topic at 1-888-442-4551.

Q11) What is the significance of using VR&E benefits prior to GI Bill education benefits?

A11) 38 U.S.C. § 3695(b) requires VR&E to count any entitlement used in a VA education program toward the possible 48 months of entitlement. This update does not change this requirement. Therefore, entitlement previously used in any VA education program impacts the amount of possible remaining entitlement that may be used for VR&E benefits. However, under the new interpretation, prior use of VR&E benefits does not impact possible remaining entitlement for Education benefits.

Q12) What is being done to reach all affected students/former student about their options resulting from this decision?

A12) VA is contacting students and our stakeholders via email regarding information about this update, and making the necessary changes to our website, outreach materials and fact sheets, and ensuring that students are fully aware of the changes and its effect on entitlement.