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News Release

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VA Secretary Waives Resident-Rate Requirements of the Choice Act through December, 2015

Ensures Continued GI Bill Benefits for Students While States Work to Comply with New Law

WASHINGTON – In order to make it easier for Veterans and their families to receive their GI Bill benefits where they choose, the Secretary of Veterans Affairs has used his authority to waive the provisions of Section 702 of the Veterans Access, Choice and Accountability Act of 2014 (Choice Act). This action will ensure all GI Bill® students are able to continue training at their chosen institutions. Under Section 702, VA must disapprove education programs at public institutions for Post-9/11 GI Bill and Montgomery GI Bill-Active Duty (MGIB-AD) benefits if a school charges certain individuals tuition and fees in excess of the resident rate for terms beginning after July 1, 2015.

VA recognizes that the time allotted for states and territories to comply with Section 702 of the Choice Act is challenging for some states and schools due to the process required to make legislative and/or policy changes. This limited waiver by Secretary McDonald covers programs that are not in compliance for all terms beginning prior to January 1, 2016, in order to allow time for non-compliant states and territories to make the requisite legislative and policy changes. VA is requesting all currently non-compliant states and territories to submit their plans to become compliant to VA, through their State Approving Agency, no later than June 15, 2015.

“Our military members and their families make sacrifices that require them to pack up and move with little notice,” said Bob McDonald, Secretary of Veterans Affairs. “They shouldn’t be penalized after they leave military service by burdensome residency requirements. This waiver will allow students to continue receiving the GI Bill benefits they’ve earned as states work to comply with this important law.”

VA has provided technical assistance to numerous states and many have reached compliance. A list of states that are in compliance is posted on the GI Bill website. VA will update the list as states become compliant.

In general, the resident-rate provisions of the Choice Act cover Veterans, as well as their spouses and children, using Post-9/11 GI Bill or MGIB-AD who live in the state where they are attending school and who enrolled within three years of the Veteran’s qualifying discharge. To remain approved, schools must charge tuition and fees at the resident rate to these covered individuals.

For more information on GI Bill resident-rate requirements and to see which states comply, visit the GI Bill website at <http://www.benefits.va.gov/gibill/702.asp>. Updates will also be posted on the GI Bill Facebook page at <https://www.facebook.com/gibillEducation>.

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