

HOUSE RESEARCH

Bill Summary

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Overview

This bill addresses a festering problem with the *federal* GI bill for National Guard and Reserve members who have been ordered into federal active military service, a problem that is affecting a growing number of Minnesota soldiers and families.

The bill exhorts Congress and the President to reform the *Montgomery GI Bill for the Select Reserves - the MGIB-SR* - to enable members of the National Guard and other Reserves who have served in federal active service to use the program benefits *following* their separation or discharge from the Guard or Reserves.

Under current federal law, a Guard or Reserve member is entitled to MGIB-SR educational benefits *only while the person is serving actively in the National Guard or Reserves*. Eligibility for the benefits terminates as soon as the person is no longer *serving actively* in at least drill status.

The problem arises when National Guard and Reserve members are serving in federal active military service, especially during extended deployments for war duty, and thus are not present and able to attend higher education.

Such problem with a lack of time to use the benefits is exacerbated for the many members who have enlisted while still juniors in High School since, though their six-year military clock begins ticking immediately, they cannot begin using their MGIB-SR college benefits until they have completed high school and their basic combat training and advanced individual training (AIT). At that point, the

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member might well have only about 4 to 4 1/2 years' time remaining in which to fit

in 4 years of higher education. Any time spent in federal active duty, of course, would further narrow that time frame.

Many National Guard and Reserve members have already been deployed more than once - to the Balkans, and for war-related duty in Iraq and Afghanistan. Adding in time spent during basic training and AIT, some members of the Minnesota National Guard and Reserves have reportedly already spent as much as four full years deployed outside Minnesota in active military service.

Thus, an increasing number of Minnesotan Guard and Reserve members and their families are discovering that they have not had sufficient time apart from active military service to use their MGIB-SR benefits, and that those benefits will be terminated at the end of their six years of reserve duty, unless they extend their military enlistments.

This memorial resolution exhorts Congress and the President to reform the MGIB-SR program to allow Guard and Reserve members who have been ordered into federal active duty to be able to use their benefits following completion of their enlistment period.

It further encourages Congress and the President to make such reform retroactive for all Guard and Reserve members who have served since 9/11.

Note: The military has repeatedly noted that Guard and Reserve members may already be able to use their MGIB-SR benefits *following* completion of military service under a variation of the MGIB-SR program. However, in order to qualify for that extension under current federal law, the member must have served *two or more years continuously* in federal active service. However, few *if any* Minnesota Guard and Reserve members have been ordered into federal active service for that length of time *continuously*, even though many have been ordered to serve two or more years *consecutively* (which *does not* make them eligible for the time extension).

Note: A similar timing problem was discovered in 2005 affecting the *Minnesota National Guard Tuition Reimbursement Program*. The 2005 immediately amended the program rules to allow Guard members who serve in federal active service an additional two years, plus a-day-for-a-day of active service, in order to use their state educational benefits following their separation from the Minnesota National Guard. (See: Laws of Minn 2005, ch 156, art. 4, sec. 4.)