

Chapter 33 Entitlement (38 CFR 21.9550)

Individuals eligible under chapter 33 who have only one qualifying period of active duty are generally entitled to 36 months of educational assistance. Individuals are generally limited to a maximum of 48 months of entitlement when using benefits under two or more programs.

Individuals eligible for benefits under the National Call to Service program and chapter 30, 31, 32, 33, 34, 35, or 36 of title 38; or Chapter 1607, 1606, or section 903 of title 10; or the hostage relief act of 1980; or the omnibus diplomatic security and antiterrorism act of 1986 may not receive assistance under two or more such programs concurrently.

Elections

Historically, students eligible for chapter 30 or 1606 had to relinquish a benefit to receive chapter 33. Students eligible for more than one benefit only had to relinquish one benefit to receive chapter 33.

Veterans who have 2 or more qualifying periods of active duty, may now receive up to 48 months of entitlement if eligible for Post-9/11 GI Bill and either Montgomery GI Bill Active Duty (MGIB-AD) or Montgomery GI Bill Selected Reserve (MGIB-SR). Veterans who have 2 or more qualifying periods of active duty no longer have to relinquish a benefit and their chapter 33 benefits will not be restricted to only the months of entitlement remaining under chapter 30 if they switch to chapter 33.

Please note the following:

- Reenlistments are considered separate periods of service, but enlistment extensions are not
- Two benefit chapters cannot be used at the same time
- Benefit chapters can be used in any order and the student can switch back and forth for each enrollment period
- Benefits cannot exceed 36 months under any one benefit chapter or exceed a total of 48 months if more than one chapter is used

What if students have questions?

VA is working to update beneficiary records to reflect remaining entitlement without any beneficiary action required. VA will provide beneficiaries with instructions if they need to take any action. **Beneficiaries should not take action unless notified by VA.**

VA is committed to providing impacted Veterans and our other stakeholders with regular updates about VA's effort to implement these new changes through email and our **Post-9/11 GI Bill Facebook** page.