

Guard & Reserve GI Bill Parity

BACKGROUND

National Guard and Reserve servicemembers play a critical role in defending our borders, responding to public health crises and supporting local law enforcement. These servicemembers frequently face unique challenges on the home front, often leaving behind their families and civilian jobs for extended periods, sometimes at a considerable financial loss. Despite their significant contributions, they are often denied a fundamental benefit: the GI Bill.

Under current law, National Guard and Reserve servicemembers accrue GI Bill entitlement only when activated under federal orders. When activated under state orders, they do not qualify for GI Bill benefits, creating a significant disparity in access to these crucial resources. This issue became particularly apparent during the COVID-19 pandemic when many National Guard units were activated in response to the public health emergency. Those called under federal orders to assist with pandemic relief were eligible for GI Bill benefits, but those activated under state orders, such as those supporting governors' declarations, were not. Similarly, National Guard members who helped construct the U.S.-Mexico border wall earned GI Bill benefits, but the thousands who responded to civil rights protests in 2020 did not.

The arbitrary distinction between federal and state orders in determining GI Bill eligibility is unjust and should be eliminated. The American Legion strongly believes that "every day in uniform counts" and that National Guard and Reserve servicemembers, who serve alongside their active-duty counterparts, should receive the same benefits. It is time for Congress to rectify this discrepancy and extend GI Bill eligibility to all National Guard and Reserve servicemembers, regardless of the nature of their activation.

KEY POINTS

- Over the course of the COVID-19 pandemic, all 50 states and U.S. territories activated servicemembers under 502(f) status to directly assist in the crisis.
- When Army Reserve servicemembers are ordered to professional development academies, they are activated under GI Bill-eligible 12301(d) orders.
- When National Guard servicemembers are ordered to the same professional development academies, they are activated under GI Bill-ineligible 502(f) orders.

WHAT CONGRESS CAN DO

- **Pass H.R. 1423 - Guard and Reserve GI Bill Parity Act of 2025**
- **Pass H.R. 6976 – Duty Status Reform Act** to simplify Guard and Reserve pay and benefits accounting.
- Hold DoD and the National Guard Bureau accountable for transparency to National Guard and Reserve servicemembers on their GI Bill eligibility.



THE AMERICAN LEGION'S LEGISLATIVE AGENDA

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