



## THE AMERICAN LEGION LEGISLATIVE POINT PAPERS

### **GI Bill for Honorable Service**

#### **Background**

To receive most VA benefits, a veteran's character of discharge or service must be under other than dishonorable conditions. However, the GI Bill has a special requirement that a servicemember receive an "honorable discharge." Even if the character of service is "general under honorable conditions", the Post-9/11 GI Bill remains the only benefit out of reach for veterans.

There is no historical precedence for this status quo. The matter over GI Bill for general discharges was debated vociferously on the Senate floor prior to passage of the 1944 Servicemembers Readjustment Act, resulting in a unanimous committee vote to uphold GI Bill for all discharges other than dishonorable. It was only when the Montgomery GI Bill was passed that education benefits were cut back to only honorable discharges.

The American Legion does not believe there is a compelling reason to have deviated from the initial intent of the GI Bill being for all discharges other than dishonorable. The administrative conditions that result in a general discharge do not negate the honorable service that these servicemembers have provided to our country, and it is time to finally this historical inequity by granting these servicemembers the same GI Bill entitlements that we provided to our World War II veterans.

#### **Key Points**

- A 1946 Senate Report on the 1944 GI Bill declared “It is the opinion of the Committee that such [discharge less than Honorable] should not bar entitlement to benefits otherwise bestowed unless such offense was such ... as to constitute Dishonorable conditions.”

#### **What Can Congress Do?**

- Correct this statutory incongruity by amending GI Bill eligibility in the U.S. Code to allow those servicemembers who receive a “general under honorable conditions” discharge access to VA educational benefits