

Department of Veterans Affairs

§21.7137

(1) VA will increase the monthly rate provided in paragraphs (b)(1) through (b)(4) and (c)(1) through (c)(4) of this section by:

(i) \$5 for every \$20 an individual pursuing a program of education full time has contributed;

(ii) \$3.75 for every \$20 an individual pursuing a program of education three-quarter time has contributed;

(iii) \$2.50 for every \$20 an individual pursuing a program of education half time or less than one-half time but more than one-quarter time has contributed; and

(iv) \$1.25 for every \$20 an individual pursuing a program of education one-quarter time has contributed.

(2) If a veteran is pursuing an apprenticeship or other on-job training—

(i) During the first 6 months of the veteran's pursuit of training, VA will increase the monthly rate provided in paragraphs (b)(5) through (b)(8) and (c)(5) through (c)(8) of this section by \$3.75 for every \$20 the individual contributed;

(ii) During the second 6 months of the veteran's pursuit of training, VA will increase the monthly rate provided in paragraphs (b)(5) through (b)(8) and (c)(5) through (c)(8) of this section by

\$2.75 for every \$20 the individual contributed; and

(iii) During the remaining months of the veteran's pursuit of training, VA will increase the monthly rate provided in paragraphs (b)(5) through (b)(8) and (c)(5) through (c)(8) of this section by \$1.75 for every \$20 the individual contributed.

(3) VA will increase the monthly rate provided in paragraphs (b)(9) or (c)(9) of this section by \$5 for every \$20 the veteran has contributed.

(Authority: 38 U.S.C. 3015(g))

[55 FR 28386, July 11, 1990]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §21.7136, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§21.7137 Rates of payment of basic educational assistance for individuals with remaining entitlement under 38 U.S.C. chapter 34.

(a) *Minimum rates.* (1) Except as elsewhere provided in this section, the monthly rate of basic educational assistance for training that occurs after September 30, 2004 is the rate stated in the following table:

Training	Monthly rate			
	No dependents	One dependent	Two dependents	Additional for each additional dependent
Full time	\$1,192.00	\$1,228.00	\$1,259.00	\$16.00
¾ time	894.50	921.00	944.50	12.00
½ time	596.00	614.00	629.50	8.50
Less than ½ but more than ¼ time	596.00	596.00	596.00	0
¼ time or less	298.00	298.00	298.00	0

(Authority: 38 U.S.C. 3015.)

(2) For veterans pursuing apprenticeship or other on-the-job training, the

monthly rate of basic educational assistance for training that occurs after September 30, 2004 is the rate stated in the following table:

Training	Monthly rate			
	No dependents	One dependent	Two dependents	Additional for each additional dependent
1st six months of pursuit of program	\$855.75	\$868.13	\$879.00	\$5.25
2nd six months of pursuit of program	608.58	617.93	625.63	3.85
3rd six months of pursuit of program	375.20	381.33	386.05	2.45
Remaining pursuit of program	363.30	369.08	374.33	2.45

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(Authority: 38 U.S.C. 3015.)

(3) The monthly rate of basic educational assistance payable to a veteran who is pursuing a cooperative course after September 30, 2004, is the rate stated in the following table:

Monthly rate			
No dependents	One dependent	Two dependents	Additional for each additional dependent
\$1192.00	\$1228.00	\$1259.00	\$16.00

(Authority: 38 U.S.C. 3015.)

(b) *Less than one-half-time training.* Except as provided in paragraph (d) of this section, the monthly rate of basic educational assistance for a veteran who is pursuing a course on a less than one-half-time basis is the lesser of:

- (1) The monthly rate in paragraph (a)(1) of this section, or
- (2) The monthly rate of the cost of the course. If there is no cost for the course, educational assistance is not payable.

(Authority: 38 U.S.C. 3032; Pub. L. 98-525, Pub. L. 99-576)

(c) *Rates for servicemembers.* The monthly rate of basic educational assistance for a servicemember may not exceed the lesser of the following rates (except as provided in paragraph (d) of this section):

- (1) The monthly pro-rated cost of the course.
- (2) The following monthly rates for training that occurs after September 30, 2004—
 - (i) \$1,192.00 for full-time training;
 - (ii) \$894.50 for three-quarter-time training;
 - (iii) \$596.00 for one-half-time training and training that is less than one-half-time training but more than one-quarter-time training; and
 - (iv) \$298.00 for one-quarter-time training.

(Authority: 38 U.S.C. 3015.)

(d) *Increase (“kicker”) in basic educational assistance rates for service in the Selected Reserve.* (1) The Secretary of the service department concerned may increase the amount of basic educational assistance payable under para-

graphs (a), (b), or (c) of this section, as appropriate. The increase (“kicker”) is payable to an individual who has a skill or specialty in which there is a critical shortage of personnel or for which it is difficult to recruit, or, in the case of critical units, retain personnel, if the individual:

(i) Establishes eligibility for educational assistance under §21.7044(a) or §21.7080;

(ii) Meets the criteria of §21.7540(a)(1) with respect to service in the Selected Reserve.

(2) The Secretary of the military department concerned—

(i) Will, for such an increase, set the amount of the increase (“kicker”) payable for full-time training, but the increase (“kicker”) may not exceed \$350 per month;

(ii) May set the amount of the “kicker” payable, for a veteran pursuing a program of education less than full time or pursuing an apprenticeship or other on-job training, at an amount less than the amount described in paragraph (e)(2)(i) of this section.

(Authority: 10 U.S.C. 16131(i)(2))

(e) *Concurrent benefits.* VA may pay additional educational assistance to a veteran for a dependent concurrently with additional pension or compensation for the same dependent.

(Authority: 38 U.S.C. 3015(d), Pub. L. 98-525)

(f) *Two veteran cases.* VA may pay additional educational assistance to a veteran for a spouse who is also a veteran. This will not bar the payment of additional educational assistance or subsistence allowance under §21.260 of this part to the spouse for the veteran. If the veteran is paid additional educational assistance for a child, that will not bar payment of additional educational assistance or subsistence allowance under §21.260 of this part to the spouse for the same child.

(Authority: 38 U.S.C. 3015(d); Pub. L. 98-525)

[53 FR 1757, Jan. 22, 1988]

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