

Procedural Advisory: Retention of Eligibility for Reserve Educational Assistance Program (REAP) Benefits

January 14, 2016

Background: The National Defense Authorization Act (NDAA) for 2016 ended the Reserve Educational Assistance Program (REAP) on Nov. 25, 2015, for new school enrollments. Due to Congressional mandate, the Department of Veterans Affairs (VA) can only grant REAP eligibility to those enrolled in school on November 24, 2015, or during their school's last term, quarter, or semester ending prior to that date.

Issue: The Department of Defense (DOD) has provided guidance to VA regarding when an individual is eligible to continue receiving benefits under REAP (Chapter 1607) beyond November 24, 2015. In order to retain eligibility, a claimant must have been enrolled in the term, quarter, or semester "immediately preceding" November 25, 2015. The following two scenarios meet the "immediately preceding" requirement.

- The individual was (or is) enrolled in a term, quarter, or semester that spans November 25, 2015; or
- The individual was enrolled in the school's last term, quarter, or semester ending prior to November 25, 2015 (i.e., no subsequent term started prior to that date).

Procedures: Veterans Claims Examiners (VCEs) will use the following procedures in order to determine if a claimant retains eligibility for REAP.

1. Individuals eligible to continue using REAP benefits on or after November 25, 2015:

- a. An individual who was enrolled in (*eligible and receive* benefits for) the term immediately preceding November 25, 2015 (as detailed above), may continue using REAP through November 25, 2019 or his/her delimiting date, the earlier date. VCEs should suppress any BDN generated letters and send the appropriate PCGL letter with the explanatory paragraph in Attachment A.
- b. It is required to verify the term "immediately preceding" via the school or training institution's official website, or by contacting the School Certifying Official (SCO). If the website has an internal search engine, type in the words "Academic Calendar" and navigate to the 2015-16 academic school year. Capture this calendar in the TIMS folder and label it as a "MISC" document with the description as "Academic Calendar". Otherwise, contact the School Certifying Official (SCO) to confirm the term "immediately preceding" and request a copy of the "Academic Calendar. Capture this information in TIMS.
- c. REAP benefits may be awarded if the following requirements are met.

- i. The initial application for REAP was received by VA before November 25, 2015 (i.e., the Date of Claim for the initial REAP request is 11/24/15 or earlier), and;
 - A. The claim includes the term, quarter, or semester immediately preceding November 25, 2015.
 - B. The claim includes a term, quarter or semester that spans November 25, 2015, or;
 - C. There is already a REAP award in BDN for the enrollment period immediately preceding November 25, 2015, including a spanning term as detailed above.

2. Individuals eligible to receive REAP benefits before November 25, 2015:

- a. An individual for whom an application for REAP was received by VA before November 25, 2015 (i.e., the Date of Claim for the initial REAP request is 11/24/15 or earlier) may still be paid REAP benefits for retroactive enrollments preceding November 25, 2015, even if he/she wasn't enrolled in the term immediately preceding that date.
- b. Determine if the individual is eligible for another benefit as of November 25, 2015.
- c. The VCE should suppress any BDN generated letters and send the appropriate PCGL letter with the "explanatory paragraph in Attachment B.

Individuals not eligible to receive REAP benefits:

- a. An individual whose original application was (or is) received on or after November 25, 2015 (send the appropriate REAP denial letter).
- b. An individual enrolled only on or after November 25, 2015 (send the appropriate REAP denial letter).
- c. An individual who has exhausted REAP benefits
- d. An individual with an expired delimiting date.

Note: If an individual is denied REAP for any reason; VCEs should determine if that individual is eligible for another benefit.

3. Individuals potentially eligibility for REAP:

- a. An individual whose original application was RECEIVED (i.e., one with a date of claim) prior to November 25, 2015, but for whom we have no evidence regarding enrollment in the "immediately preceding" term, quarter, or semester, is *potentially eligible* for REAP benefits.
 - i. If no school is listed on the application, the VCE is required to call the applicant in order determine if he/she was enrolled in the term quarter or semester "immediately preceding" November 25, 2015, and process the claim based on the applicable procedures detailed above.
 - ii. If there is a school or facility listed on the individual's application, or if we have received an enrollment certification only indicating periods after November 24, 2015, the VCE is required to call the SCO, verify if

the individual was enrolled in the “immediately preceding” term, and process the claim based on the applicable procedures detailed above.

Points to remember:

- Original applications for REAP must have been received by VA prior to November 25, 2015.
- Individuals must be enrolled in (*eligible and receive REAP benefits for*) the period “immediately preceding” the date of enactment.
- To be considered the “immediately preceding” term, the enrollment period must either span November 25, 2015; or be the last term ending prior to November 25, 2015, with no subsequent term starting prior to that date.
- VCEs should not make any modifications to the BDN delimiting date in order to account for the sunset date of REAP at this time. Education Service is currently looking into the feasibility of performing a batch update to correct any impacted delimiting dates and generating a corresponding letter explaining the reason for this change.

Questions: If you have any questions, please direct them to the Training Team via email at VAVBAWAS/CO/225A.

/s/

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Director, Education Service

Attachments:

- A-Expiration of Program Paragraph (Eligibility Retained)
- B- Expiration of Program Paragraph (Eligibility NOT Retained)

ATTACHMENT A

New Award Letter Paragraph (Eligibility Retained)

What You Need to Know

The National Defense Authorization Act (NDAA) of 2016 ended the Reserve Educational Assistance Program (REAP) on Nov. 25, 2015, for new school enrollments. Due to Congressional mandate, the Department of Veterans Affairs (VA) can only grant REAP eligibility to those enrolled in school on November 24, 2015, or during their school's last term, quarter, or semester ending prior to that date.

VA's authority to pay benefits for REAP will end on November 25, 2019.

You are eligible and may continue to use REAP until the earlier of November 24, 2019, or your delimiting date as determined by the Department of Defense (DOD). VA will continue to award REAP benefits for your continued pursuit of an approved training program.

ATTACHMENT B

New Award Letter Paragraph (Eligibility NOT Retained)

What You Need to Know

The National Defense Authorization Act (NDAA) for 2016 ended the Reserve Educational Assistance Program (REAP) on Nov. 25, 2015, for new school enrollments. Due to Congressional mandate, the Department of Veterans Affairs (VA) can only grant REAP eligibility to those enrolled in school on November 24, 2015, or during their school's last term, quarter, or semester ending prior to that date.

The information provided by you and/or your school indicates that you weren't enrolled in the period immediately preceding November 25, 2015. Consequently, your eligibility to use REAP ends on November 24, 2015. VA can't award REAP for pursuit of an approved training program after that date.

{Include the following only if eligible for one or more other benefit programs after November 24, 2015}

Eligibility for Other Benefits

Based on your period of service, you are eligible for benefits under the {select all that apply} Post-9/11 GI Bill (Chapter 33), Montgomery GI Bill–Active Duty (Chapter 30), or Montgomery GI Bill–Selected Reserves (Chapter 1606). You will receive a separate letter to inform you of your entitlement.