

# VFW Calls on VA to Honor Supreme Court Ruling on GI Bill Benefits

## VA guidance continues to deny or limit access to earned benefits

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**KANSAS CITY, Mo.** — With the fall semester underway, the Veterans of Foreign Wars of the U.S. (VFW) is once again leading the charge to ensure all veterans receive the full educational benefits they have earned — especially in the wake of the U.S. Supreme Court’s landmark decision in *Rudisill v. McDonough*.

Last year, the Supreme Court sided with veterans, ruling that those eligible under both the Montgomery GI Bill and the Post-9/11 GI Bill are entitled to the full measure of benefits under both programs, up to the 48-month cap. The decision rejected a long-standing Department of Veterans Affairs’ (VA) policy that forced veterans to forfeit one set of benefits if their service was continuous, rather than interrupted by a break.

Despite the Court’s clear decision, VA issued guidance late last year through its “2024 Education Directives,” that continues to deny or limit access to earned benefits. The new rules wrongly impose a “break in service” requirement, block the transfer of benefits to dependents in certain cases, refuse to extend deadlines for dependent usage, and offer no retroactive relief to veterans and families harmed by prior unlawful policies.

“These new rules directly contradict the Supreme Court’s decision on what veterans have earned through honorable service,” said VFW National Commander Carol Whitmore. “We will not stand by while bureaucrats strip away what the Court — and Congress — have already promised. Veterans and their families have planned their futures around these benefits, which is why VA must honor this contract.”

To challenge these unlawful directives, the VFW has joined a new lawsuit before the U.S. Court of Appeals for the Federal Circuit, alongside the Commonwealth of Virginia, and individual veterans, including the original petitioner, James Rudisill. The lawsuit seeks to strike down VA’s directives by reinforcing the Supreme Court’s decision, ensuring veterans

### NATIONAL HEADQUARTERS

406 W. 34th Street  
Kansas City, MO 64111  
Office 816.756.3390  
Fax 816.968.1157

### WASHINGTON OFFICE

200 Maryland Ave., N.E.  
Washington, D.C. 20002  
Office 202.543.2239  
Fax 202.543.6719

info@vfw.org  
www.vfw.org

and their dependents receive access to all education benefits they are rightfully owed.

In its initial response to the lawsuit, VA sought to remove VFW as a petitioner, suggesting that the VFW did not have veterans affected by the decision. Though the VFW has already secured affidavits from affected members to refute this motion, the organization is asking all VFW members affected by VA's erroneous interpretation of the Rudisill decision to come forward and submit their stories to [legal@vfw.org](mailto:legal@vfw.org).

“If you or your family were counting on these education benefits this fall and suddenly found yourself left out, we want to hear from you,” said Whitmore. “Your story is important, and it could help make sure no veteran is left behind.”

*To read the official court petition, [click here](#).*