

Marine Gunnery Sergeant John David Fry Scholarship (“Fry Scholarship”)
Section 1002 of Public Law 111-32
September 04, 2009

This document provides an overview of the Fry Scholarship provisions in Public Law 111-32, signed by the President on June 24, 2009. Public Law 111-32 amends the Post-9/11 GI Bill (chapter 33) to include an additional category of eligible individuals.

Fry Scholarship Provisions

Adds a category of individuals eligible under ch33 effective 08/01/09:

- Child of an active duty member of the Armed Forces who dies in the line of duty on or after 9/11/01.
- Definition of a child includes a married child or an individual above the age of 23.

Eligibility:

- Eligible for 36 months of entitlement at the 100% benefit level
- Period of eligibility is 15 years beginning on his/her 18th birthday (delimiting date is 33rd birthday)
- Cannot use benefit before age 18 even if he/she has completed high school
- Not eligible for the Yellow Ribbon Program

If a child eligible for ch33 benefits under this category (line of duty death of a parent) is serving, or has served, in the Armed Forces, the following rules apply:

- If the child is eligible under ch30, ch1606, or ch1607 on 8/1/09, then he/she must relinquish eligibility under one of those programs to receive benefits under ch33.
- A child’s character of discharge from his/her own service does not impact eligibility resulting from the line of duty death of a parent.
- A child on active duty will receive benefits at the active duty benefit rate (eligible for unlimited T&F but not eligible for monthly housing allowance or books & supplies stipend).
- A child who meets the service requirements to transfer entitlement under ch33, may be eligible to transfer up to 36 months of entitlement to a dependent(s).

VA will begin accepting applications for individuals applying for benefits under the Fry Scholarship provision effective **May 1, 2010**. VA must begin issuing payment to children eligible for benefits under this category of the Post-9/11 GI Bill not later than 08/01/10, including retroactive payments for eligible children enrolled during the period of 08/01/09 through 07/31/10. Processing instructions will be issued prior to 08/01/10.

Note: Children currently enrolled in school may apply to receive benefits under the Survivors’ and Dependents’ Educational Assistance Program (chapter 35). They may opt to receive a retroactive payment under the Fry Scholarship provision by submitting an application on or after May 1, 2010.