

The Supreme Court Update - June 26, 2023

by Brock Huebner

The Supreme Court of the United States granted certiorari in two cases:

Rudisill v. McDonough, No. 22-888: This case concerns veterans' entitlement to educational benefits under the Montgomery G.I. Bill and the Post-9/11 G.I. Bill. The Montgomery G.I. Bill provides benefits to certain veterans who served between 1985 and 2030, while the Post-9/11 G.I. Bill provides benefits to certain veterans who served since September 11, 2001. The question presented is: Whether a veteran who has served two separate and distinct periods of qualifying service under the Montgomery GI Bill and the Post-9/11 GI Bill is entitled to receive a total of 48 months of education benefits as between both programs, without first exhausting the Montgomery benefit in order to obtain the more generous Post-9/11 benefit.

Moore v. United States, No. 22-800: This case addresses the constitutionality of the 2017 Tax Cuts and Jobs Act's repatriation tax, which imposed a one-time tax on certain large earnings held abroad. The question presented is: Whether the 16th Amendment authorizes Congress to tax unrealized sums without apportionment among the states.

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