

SUBJECT: Changes to Army's Interpretation of 10 USC §12301(d) for Eligibility to Post 9/11 GI Bill and Transfer of Education Benefits (TEB)

February 16, 2017

Purpose: The Army has changed its interpretation of 10 USC §12301(d) for eligibility to Post 9/11 GI Bill and Transfer of Education Benefits (TEB). As a result, Education Service is making the Regional Processing Offices (RPOs) aware of the changes and any impacts to processing. The Education Call Center should also use this information to respond to potential questions it may receive.

Background: Prior to October 1, 2016, the U.S. Army Human Resources Command (HRC) interpreted 38 U.S.C. § 3301(1)(B) to only include mobilization, contingency, ADOS-AC, CO-ADOS-AC service as qualifying service for the Post-9/11 G.I. Bill. Unfortunately, that interpretation was incorrect which resulted in the Army HRC not reporting qualifying service to The Department of Veterans Affairs (VA) through the Veteran Information System (VIS) and erroneously disapproving some Servicemember's participation in TEB. Because the service periods were performed pursuant to 10 USC §12301(d), they qualify under Public Law 110-252, section 3301.

Beginning October 1, 2016, the Army HRC corrected their interpretation and began including Active Duty Training (ADT), Active Duty Special Work (ADSW), and Active Duty Operational Support-Reserve Component (ADOS-RC) performed after September 10, 2001 as qualifying service for the Post 9/11 GI Bill (PGIB) for Veteran eligibility and Transfer of Education Benefits (TEB) eligibility.

Actions: The following actions should be taken to ensure continuity among the RPOs if corrective action is needed:

- a) VIS has been updated to include the appropriate service; this means active claims in the Long Term Solution (LTS) will be off-ramped for review and require no special instructions; process any additional service periods in accordance with existing procedures. Education Service will be working with DoD to get a list of impacted claimants for potential adjustment that no longer have active education claims.
- b) Servicemembers and Veterans may review their record in the Reserve Component Manpower System (RCMS) Self-Service site for missing periods of active duty that may not have been counted towards their Post-9/11 eligibility here: <https://selfservice.rcms.usar.army.mil/>.

A second option is for Servicemembers to reach out to their Unit Administrator (UA), S-1, or Reserve Personnel Administration Center (RPAC) who has access to the RCMS site (different from the RCMS Self-Service site), <https://rcms.usar.army.mil/>.

- c) Servicemembers and Veterans claiming to have served more ADT, ADSW, and ADOS-RC after 10 Sep 2001 than documented on the RCMS ADOS Table must submit their pay account documentation for review/update to one of the following based on status:

Status	Email	Phone
Troop Program Unit (TPU)	Unit Administrator (UA), S-1, or Reserve Personnel Administration Center (RPAC)	N/A
Enlisted IRR/IMA/Retired Reserve	usarmy.knox.hrc.mbx.epmd-pab-ir-ima-ret@mail.mil	(502)613-5977
Enlisted AGR	usarmy.knox.hrc.mbx.epmd-pab-agr@mail.mil	(502)613-5964
Officer IRR/IMA/AGR/Retired Reserve	usarmy.knox.hrc.mbx.opmd-idd-pabt@mail.mil	(502)613-6727
Officer Health Svs IRR/AGR	usarmy.knox.hrc.mbx.opmd-hs-psb@mail.mil	(502)613-6846
Officer Health Svs IMA	usarmy.knox.hrc.mbx.opmd-hsd-reserve-branch@mail.mil	(502)613-6846
Discharged Veterans	usarmy.knox.hrc.mbx.tagd_ask-hrc@mail.mil	1-800-army-hrc or 1-800-276-9472
All age 59 or older	usarmy.knox.hrc.mbx.tagd_ask-hrc@mail.mil	(502)613-8950

- d) The HRC GI Bill Team has identified TEB cases that were previously rejected due to having less than 90 days of qualifying service. The HRC GI Bill Team will review these cases and contact the Servicemembers directly to inform them of their qualifying status or if they will remain in non-qualifying status.

Q&As

Q1: What is the change in the Post-9/11 GI Bill program?

A1: There was no change to the Post-9/11 GI Bill program. The Army is now supplying VA with service information that was previously unreported. Beginning 1 Oct 2016, the U.S. Army Human Resources Command (HRC) began counting Active Duty Training (ADT), Active Duty Special Work (ADSW), and Active Duty Operational Support-Reserve Component (ADOS-RC) performed after 10 Sep 2001 as qualifying service for the Post 9/11 GI Bill (PGIB) for Soldier Eligibility and for the PGIB Transfer of Education Benefits (TEB) because the service was performed pursuant to 10 USC §12301(d) which qualifies under Public Law 110-252, section 3301. The Army's previous interpretation of Public Law 110-252, section 3301 included only mobilization / contingency / ADOS-AC / CO-ADOS-AC service only.

Q2: Who is eligible under this change?

A2.: More Servicemembers will become eligible for the Post 9/11 GI Bill under this change in interpretation because ADT, ADSW, and ADOS-RC performed pursuant to 10 USC §12301(d) after 10 Sep 2001 will now be counted in addition to previous qualifying service performed for mobilization / contingency / ADOS-AC / CO-ADOS-AC after 10 September 2001 under 10 USC §688, §12301(a), §12301(d), §12301(g), §12302, and §12304. Previous qualifying service performed after 10 September 2001 in the Regular Army or other equivalent military services, and in the Army National Guard or Air National Guard service performed pursuant to 32 USC §502(f) for Operation Noble Eagle (11 Sep 01-31 May 02) and Active Guard/Reserve (AGR) (State level) counts as qualifying service also. Soldier eligibility requires a minimum of 90 qualifying days of stated service after 10 Sep 2001. Transferring education benefits to dependents requires the Soldier to be PGIB eligible, have at least six years (50+ points/year) of service, have no negative action flag, and commit to a 4-year service obligation from the TEB request date.

Q3: What types of active duty service qualify for the Post 9/11 GI Bill (PGIB), including the Transfer of Education Benefits (TEB)?

A3: Active duty service performed after 10 Sep 2001 pursuant to 10 USC §688, §12301(a), §12301(d), §12301(g), §12302, and §12304, and 32 USC §502(f) for Operation Noble Eagle (11 Sep 2001-31 May 2002) and AGR (state level).

Q4: Will Active Duty Training (ADT), Active Duty Special Work (ADSW), and Active Duty Operational Support-Reserve Component (ADOS-RC) count for my eligibility for the Post 9/11 GI Bill?

A4: Yes. Active duty service performed after September 10, 2001 in ADT, ADSW, and/or ADOS-RC status will count since these types of active duty are performed pursuant to 10 USC §12301(d).

Q5: How do I know how much ADT, ADSW, and/or ADOS-RC qualifying service I have after September 10, 2001?

A5: You may review your record in the Reserve Component Manpower System (RCMS) Self-Service site, <https://selfservice.rcms.usar.army.mil/>. Within the RCMS Self-Service site, click on the "My Soldier Data" and the AD tab. "School Training", "Special Training", "Branch Officers Basic Course", and "Officer Initial Military Training" for 10 USC §12301(d) ADT, ADSW, and/or ADOS-RC performed after 10 Sep 2001 can be cited. The following AD does not count: Annual Training, Initial Entry Training, IRR Training, IMA Training, and Medical Hold. Another option is to contact your Unit Administrator (UA), S-1, or Reserve Personnel Administration Center (RPAC) who has access to the RCMS site (different from the RCMS Self-Service site), <https://rcms.usar.army.mil/>. Within the RCMS site, the UA, S-1, or RPAC will need to click on the Mobilization tab, ADOS tab, and the Soldier Active Duty Tour History tab, insert the Soldier's SSN and the current date, and click on submit. Again, days for "School Training", "Special Training", "Branch Officers Basic Course", and "Officer Initial Military Training" for 10 USC §12301(d) ADT, ADSW, and/or ADOS-RC performed after 10 Sep 2001 can be counted.

Q6: Do I need to provide order copies of ADT, ADSW, and ADOS-RC to the U.S. Army Human Resource Command GI Bill Team?

A6: No. Every USAR Soldier with active duty performed after 10 Sep 2001 in ADT, ADSW, and/or ADOS-RC status is reflected in the Reserve Component Manpower System (RCMS) Active Duty Operational Support (ADOS) Table. The HRC GI Bill Team will only use the RCMS ADOS Table to determine ADT, ADSW, and ADOS-RC qualifying days.

Q7: I think I have more ADT, ADSW, and ADOS-RC qualifying service than what appears in RCMS. What actions should I take to get the ADT, ADSW, and/or ADOS-RC added to RCMS?

A7: You must submit your orders and pay account documentation for review/update to one of the following based on status:

- a. Troop Program Unit (TPU) status: Unit Administrator (UA), S-1, or Reserve Personnel Administration Center (RPAC).
- b. Enlisted Individual Ready Reserve (IRR), Individual Mobilization Augmentee (IMA), or Retired Reserve status: usarmy.knox.hrc.mbx.epmd-pab-irr-ima-ret@mail.mil or (502)613-5977.
- c. Enlisted AGR status: usarmy.knox.hrc.mbx.epmd-pab-agr@mail.mil or (502)613-5964.

- d. Officer IRR, IMA, AGR, or Retired Reserve status: usarmy.knox.hrc.mbx.opmd/idd-pabt@mail.mil or (502)613-6727.
- e. Officer Health Services IRR/AGR status: usarmy.knox.hrc.mbx.opmd-hs-psb@mail.mil or (502)613-6846.
- f. Officer Health Services IMA status: usarmy.knox.hrc.mbx.opmd-hs-psb@mail.mil or (502)613-6846.
- g. Discharged Veteran status: usarmy.knox.hrc.mbx.tagd_ask-hrc@mail.mil or 1-800-army-hrc or 1-800-276-9472.
- h. all categories age 59 or older status: usarmy.knox.hrc.mbx.tagd_ask-hrc@mail.mil or (502)613-8950.

Q8: I requested TEB before 1 Oct 2016; however, my TEB request was rejected because I didn't have at least 90 days of qualifying service after 10 Sep 2001. Should I resubmit my TEB request?

A8: No. The HRC GI Bill Team is in the process of reviewing TEB requests submitted during June 28, 2009- September 30, 2016 that had been rejected due to having less than 90 days qualifying service after September 10, 2001. The HRC GI Bill Team will notify the affected USAR Servicemembers via the email address or U.S. Postal Service address listed in the Integrated Web System (IWS)/Soldier Management System (SMS) of their TEB eligibility or continued ineligibility. All USAR Servicemembers should ensure their current email is accurately listed in the IWS/SMS, <https://www.hrcapps.army.mil/iws/>.

Q9: How long will it take for the HRC GI Bill Team to review my previously rejected TEB request (due to having less than 90 days of PGIB qualifying service) that I had submitted before October 1, 2016?

A9: The 10 USC §12301(d) ADT, ADSW, and/or ADOS-RC TEB review process will be completed as early as possible.

Q10: I requested TEB before October 1, 2016; however, my TEB request wasn't rejected for having less than 90 days of qualifying AD service, but was rejected due to having less than six years in service, insufficient retainability, or a negative action flag. Will my TEB request be reviewed also?

A10: No. Your initial TEB rejection was valid. If you qualify for TEB because in addition to 90 days of qualifying service, you now have at least six years of service and sufficient retainability to meet the four-year service obligation, and do not have a negative action flag, you may submit another TEB request.

Q11: I am one of the USAR Servicemembers who requested TEB before 1 Oct 2016; however, my TEB request was rejected because I didn't have at least 90 days of qualifying service after September 10, 2001. HRC states it is in the process of reviewing my case. What will happen if my dependents were eligible at the time of the TEB request but are no longer eligible for TEB due to the child being age 26 or older or now married, my step-children are no longer my dependents in DEERS, or my spouse and I divorced and is no longer my dependent in DEERS?

A11: The HRC GI Bill Team will review each case for dependency eligibility (based upon the TEB request date), and will contact the Soldier/Veteran to explain the dependents eligibility or ineligibility.

Q12: I am one of the USAR Servicemembers who requested TEB before 1 Oct 2016; however, my TEB request was rejected because I didn't have at least 90 days of qualifying service after 10 Sep 2001. Later, when I had at least 90 days of qualifying service other than 10 USC §12301(d) ADT, ADSW, and ADOS-RC, I requested TEB again and my TEB request was approved and I incurred a TEB service obligation from that subsequent TEB request date. However, I later had my TEB rejected because I didn't fulfill the TEB Obligation End Date. Will my earlier TEB request be reviewed to see if I should have been approved with the earlier TEB request date and subsequent TEB Obligation End Date?

A12: Yes. Your earlier TEB request date(s) will be reviewed to see if you should have been approved with an earlier TEB request date and subsequent TEB Obligation End Date. The HRC GI Bill Team will notify each of these Servicemembers of their TEB eligibility or continued ineligibility. All USAR Servicemembers should ensure their current email is accurately listed in the Integrated Web System (IWS)/Soldier Management System (SMS), <https://www.hrcapps.army.mil/iws/> or contact the HRC Service Center at 1-888-ARMY-HRC (1-888-276-9472).

Questions: If you have any questions regarding this advisory, please contact the Operations team via email at VAVBAWAS/CO/222A.

V/R

Operations Team
Education Service