



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON, TN 38055-0000

Canc frp: Aug 16

BUPERSNOTE 1780
PERS-314
14 Sep 2015

BUPERS NOTICE 1780

From: Chief of Naval Personnel

Subj: POST-9/11 GI BILL

Ref: (a) 38 U.S.C
(b) BUPERSINST 1780.1A
(c) RESPERS M-1001.5, Navy Reserve Personnel Manual

Encl: (1) Post-9/11 Educational Assistance 1 August 2009

1. Purpose

a. To implement policy and provide updated information to Navy personnel about the Post-9/11 Educational Assistance Program authorized under Chapter 33 of reference (a).

b. This notice incorporates information contained in NAVADMIN 187/09, Post 9/11 GI Bill Eligibility and Benefits; NAVADMIN 203/09, Post 9/11 GI Bill REAP, and MGIB-SR Transferability Policy and Interim Provisions for Retirement Eligible Members; NAVADMIN 354/09, Post 9/11 GI Bill Update; and NAVADMIN 235/11, Changes to Post 9/11 GI Bill.

2. Discussion. Reference (b) implements policies and provides information on all GI Bill programs for Navy personnel. It will be updated when OPNAV policy is finalized.

3. Points of Contact

a. For questions on this program regarding active duty personnel, including Full Time Support, contact:

Commander, Navy Personnel Command
GI Bill Programs Branch (PERS-314)
5720 Integrity Drive
Millington TN 38055-0314

Comm: (901) 874-4258/DSN 882 or
Toll Free 1-866-827-5672, Ext 4258
Fax: (901) 874-2052/DSN 882
E-mail: mill_gibill@navy.mil

b. For questions on this program regarding Selected Reserve personnel, contact:

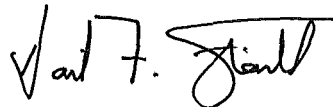
Commander, Navy Reserve Forces Command
Post-9/11 GI Bill Manager (N1C2)
1915 Forrestal Drive
Building NH-32
Norfolk, VA 23551-4615

Toll Free 1-800-621-8853
E-mail: cnrfc_post911gibill@navy.mil

c. For questions regarding GI Bill entitlement status or benefit payment status, contact the Department of Veterans Affairs (DVA) at 1-888-442-4551. Overseas personnel should direct inquiries to:

VA Regional Office
P.O. Box 4616
Buffalo, NY 14240-4616

4. Cancellation Contingency. This notice shall remain in effect until BUPERSINST 1780.1A is revised or for 1 year, whichever occurs first. This notice may be retained for reference purposes only.



DAVID F. STEINDL
Rear Admiral, U.S. Navy
Deputy Chief of Naval Personnel

Distribution:
Electronic only, via BUPERS Web site
<http://www.npc.navy.mil>

POST-9/11 EDUCATIONAL ASSISTANCE
1 AUGUST 2009

1. Background. Public Law 110-252 amended 38 U.S.C. by adding Chapter 33, the Post-9/11 Educational Assistance Program, hereafter referred to as the Post-9/11 GI Bill. The Post-9/11 GI Bill is administered by the Department of Veterans Affairs (DVA) and provides for educational assistance to eligible members of the Armed Forces who serve qualifying active duty service on or after 11 September 2001. The term "Armed Forces" used throughout this enclosure is defined as: active duty service in the active forces and or Selected Reserve (SELRES) service in a drill pay status (this does not include service in the Individual Ready Reserve or assignment in a voluntary training unit). DVA is the final authority on determination of program eligibility. The Office of the Chief of Naval Operations, Navy Education Strategy and Policy Branch (N127), is responsible for Navy's policy for the Post-9/11 GI Bill. Navy Personnel Command (NAVPERSCOM), GI Bill Programs Branch (PERS-314) and Navy Reserve Forces Command (NAVRESFORCOM), Post-9/11 GI Bill Manager (N15), are responsible for the execution of the Post-9/11 GI Bill for Navy active duty personnel including full-time support (FTS), SELRES, and veterans.

2. Eligible Individuals. Generally, an individual who serves a minimum of 90 aggregate days of qualifying active duty on or after 11 September 2001, and receives an honorable discharge will be eligible for educational assistance under the Post-9/11 GI Bill. A member who serves on active duty on or after 11 September 2001 for at least 30 continuous days and is discharged due to a service-connected disability will also be eligible. Qualifying active duty service includes full-time active duty in the active forces, or for a SELRES, orders to active duty from a Reserve Component under 10 U.S.C., sections 688, 12301(a), 12301(d), 12303(g), 12302 or 12304.

a. The following periods of active duty service are excluded for purposes of accruing service for Post-9/11 GI Bill eligibility:

(1) Reserve Officer Training Corps Scholarship Program statutory contract period (4 years; beginning 1 July 2010, 5 years);

(2) Service academy statutory contract period (5 years);

(3) Service terminated due to defective enlistment and induction based on an individual being a minor for purposes of service in the Armed Forces, an erroneous enlistment, or a defective enlistment agreement;

(4) Service used for the Loan Repayment Program (3 years);

(5) SELRES service used to establish eligibility under the Montgomery GI Bill-Selected Reserve (MGIB-SR) or Reserve Educational Assistance Program (REAP); or

(6) Initial entry training (recruit training and "A" school) unless the member serves 24 months or more of aggregate qualifying service.

b. The following chart depicts SELRES qualifying active duty service.

**SELECTED RESERVE QUALIFYING SERVICE FOR POST-9/11 GI BILL
ELIGIBILITY
(ONLY QUALIFYING SERVICE COMPLETED AFTER 10 SEP 01)**

TYPE OF TRAINING AND/OR ORDERS TO ACTIVE DUTY	SERVICE QUALIFIES TOWARD TOTAL AGGREGATE ACTIVE SERVICE	LEGAL REFERENCE
Inactive Duty Training (IDT) (Drills and Inactive Duty Training Travel (IDTT)	No	10 U.S.C., section 10147
Annual Training (AT)	No	10 U.S.C., sections 10147/12301(b)
Funeral Honors	No	10 U.S.C., section 12503
Initial Active Duty for Training (IADT)	Yes *	10 U.S.C., section 12301(d)
Active Duty for Training (ADT) for Operational Support	Yes **	10 U.S.C., section 12301(d)
Active Duty for Training (ADT) for Schools	Yes **	10 U.S.C., section 12301(d)
Active Duty for Special Work (ADSW)	Yes	10 U.S.C., section 12301(d)
Active Duty for Operational Support (ADOS)	Yes	10 U.S.C., section 12301(d)
Mobilization (Voluntary)	Yes	10 U.S.C., section 12301(d)
Full Mobilization (Involuntary, During War Time)	Yes	10 U.S.C., section 12301(a)
Partial Mobilization (Involuntary)	Yes	10 U.S.C., section 12302
Presidential Recall (PRC)	Yes	10 U.S.C., section 12304
Full-Time Support (FTS Recall)	Yes	10 U.S.C., section 12301(d)

14 Sep 2015

* IADT service time will not count toward the total aggregate until member has more than 24 aggregate months of qualifying service. (Time served in recruit training and "A" school.)

** Written ADT orders not reflecting the legal reference will qualify towards the total aggregate. SELRES members with ADT or ADSW orders less than 90 days in length should contact Commander, Navy Reserve Forces Command for information on having this time calculated by the DVA.

c. An individual who is the child of a person who, on or after 11 September 2001, dies in the line of duty while serving on active duty as a member of the Armed Forces, is eligible for educational assistance under the Post-9/11 GI Bill. This educational assistance is known as the "Marine Gunnery Sergeant John David Fry Scholarship." For the purposes of this paragraph, the term "child" includes a married individual or an individual who is above the age of 23 years.

3. Entitlement. Individuals eligible under the Post-9/11 GI Bill are generally entitled to 36 months of full-time educational program assistance. Individuals may not receive benefits under the Post-9/11 GI Bill and Montgomery GI Bill (MGIB), Veterans Educational Assistance Program (VEAP), MGIB-SR, REAP, Vocational Rehabilitation and Employment Program, or Dependents' Educational Assistance Programs concurrently. Generally, individuals are limited to a maximum of 48 months of entitlement when eligible for benefits under two or more DVA education programs.

a. Individuals eligible under the MGIB program may elect to relinquish entitlement to receive benefits under the Post-9/11 GI Bill; however, they are only entitled to the number of months of benefits they have remaining under the MGIB program, up to a maximum of 36 months. For example, if an individual had 10 months of remaining MGIB entitlement when he or she elected the Post-9/11 GI Bill, he or she would only be eligible for 10 months of entitlement under the Post-9/11 GI Bill.

b. If an individual exhausts **ALL** of his or her MGIB entitlement, and meets all the eligibility requirements for the Post-9/11 GI Bill, he or she may still be eligible for benefits under the Post-9/11 GI Bill. For example, if an individual used

14 Sep 15

all 36 months of MGIB entitlement and meets eligibility under the Post-9/11 GI Bill, he or she may receive up to 12 months of benefits under the Post-9/11 GI Bill (48-month maximum entitlement minus 36 months used MGIB entitlement equals 12 months available for Post-9/11 GI Bill entitlement).

c. If a member of the SELRES is eligible for education benefits under Title 10 Chapter 1606 MGIB-SR or Chapter 1607 REAP, member may elect to relinquish entitlement to either program to receive benefits under the Post 9/11 GI Bill. Unlike relinquishing MGIB benefits, members will be eligible for 36 months of benefits under Post 9/11 GI Bill, or the number of months in addition to other VA education benefits utilized to not exceed 48 months total.

4. Retaining Entitlement. In order to retain Post-9/11 GI Bill entitlement, after meeting the service requirements, an individual must:

a. Be honorably discharged from the Armed Forces (if less than honorable discharge is received, a discharge prior to immediate reenlistment will suffice, but the period after reenlistment will not be creditable for Post-9/11 GI Bill purposes); or

b. Be released from the Armed Forces with service characterized as honorable and placed on the retired list, temporary disability retired list, or transferred to the Fleet Reserve or the Fleet Marine Corps Reserve; or

c. Be released from the Armed Forces with service characterized as honorable for further service in a Reserve Component; or

d. Be discharged or released from the Armed Forces for a medical condition which existed prior to service and is not service-connected, hardship as determined by the Secretary of the Navy (SECNAV), or a physical or mental condition (not a disability) that interfered with the individual's performance of duty, but did not result from the individual's own misconduct; or

e. Continues on active duty.

14 Sep 2015

5. Time Limitation to Use Entitlement

a. Except as stated in paragraphs 5b and 13e(3), opportunity to use Post-9/11 GI Bill entitlement ends 15 years from the date of the member's last release or discharge from active duty of at least 90 consecutive days other than for training.

b. SELRES members who do not have a single period of qualifying active duty service of 90 consecutive days: Entitlement ends 15 years from the date of member's release or discharge from the active duty period during which they reached the required 90 days of aggregate qualifying active duty service.

c. Individuals entitled to the Marine Gunnery Sergeant John David Fry Scholarship may use their entitlement for 15 years from the date of their 18th birthday.

6. Post-9/11 GI Bill Elections. Members and veterans entitled to the Post-9/11 GI Bill may apply for benefits or determination of entitlement from the DVA using VA 22-1990 Application for VA Education Benefits. Applications may be submitted by mail or electronically through the DVA Web site (www.benefits.va.gov/gibill) using the Veterans On-Line Application (VONAPP). The DVA will issue a certificate of eligibility (COE).

a. An individual who, as of 1 August 2009, is:

(1) Eligible for MGIB, MGIB-SR, or REAP benefits;

(2) A member of the Armed Forces who is eligible to receive MGIB benefits and is making the basic \$1,200 contribution toward the MGIB; or

(3) A member of the Armed Forces who previously declined MGIB enrollment and who is eligible for the Post-9/11 GI Bill on the date of election, may elect the Post-9/11 in lieu of the MGIB, MGIB-SR or REAP. Only one program needs to be relinquished. The election is irrevocable. The individual will no longer be eligible under the GI Bill program he or she elected to relinquish in order to receive the Post-9/11 GI Bill.

b. Any initial MGIB enrollment contributions being made at that time the member elects the Post-9/11 GI Bill in lieu of the MGIB will cease the month following the election. This does not apply if the entire \$1,200 has been contributed. To effect the cessation of MGIB contributions, the member must provide NAVPERSCOM (PERS-314) a copy of his or her COE received from the DVA. This may be done by mail (NAVPERSCOM (PERS-314), 5720 Integrity Drive, Millington, TN 38055-0314); e-mail (mill_gibill@navy.mil), or fax (901) 874-2052/DSN 882). Upon receipt of the COE, NAVPERSCOM (PERS-314) will authorize the Defense Finance and Accounting Service (DFAS) to stop pay deductions the month following the member's Post-9/11 GI Bill election.

7. Approved Programs of Education. Individuals with Post-9/11 GI Bill entitlement may receive educational assistance for any program of education that is approved under the MGIB Program, including approval by the State Approving Agency concerned, graduate and undergraduate degrees, vocational and technical training, on-the-job training, flight training, correspondence training, licensing and national testing programs, entrepreneurship training, and tutorial assistance. All training programs must be approved for GI Bill benefits. DVA is the final authority on program eligibility. Information on programs approved for Post-9/11 GI Bill Program payments is available on the DVA Web site <http://www.benefits.va.gov/gibill>.

8. Educational Assistance. Tuition and fees, monthly housing allowance, and stipend for books and supplies may be included in the education assistance provided. An eligible member or veteran will receive a percentage of the maximum benefit payable based on the aggregate amount of active duty served on or after 11 September 2001. An individual entitled to the Marine Gunnery Sergeant John David Fry Scholarship will be eligible for 100 percent of the maximum benefit payable. Post-9/11 GI Bill benefits are subject to change based on legislative changes. Benefits are different for educational programs pursued on a full-time basis or at an applicable reduced rate determined by the DVA for less than full-time enrollment. The following chart depicts the aggregate active duty service matched with the maximum percent of benefit payable:

Service Requirements (aggregate active duty service after 9/10/01)	Includes Recruit Training & "A" School?	Payment Tiers Percentage
At least 36 months	Yes	100*
At least 30 continuous days of active duty (Must be discharged due to service-connected disability)	Yes	100*
At least 30 months, but less than 36 months	Yes	90
At least 24 months, but less than 30 months	Yes	80
At least 18 months, but less than 24 months	No	70
At least 12 months, but less than 18 months	No	60
At least 06 months, but less than 12 months	No	50
At least 90 days, but less than 06 months	No	40

* Eligible for Yellow Ribbon Program (see paragraph 10)

a. Tuition and Fees. The amount payable for the entire quarter, semester, or term will be sent directly to the school as a lump sum payment. Individuals are eligible for the applicable percentage (based on aggregate active duty service) of the following:

(1) For individuals not on active duty, the full net cost of tuition and fees for all public school in-state students.

(2) For individuals on active duty, the lesser of the tuition and fees charged or the amount of charges that exceed the amount paid by the Navy's tuition assistance (commonly called "Top Up").

(3) For individuals enrolled on half-time basis or less, the lesser of established charges or the highest amount of established charges regularly charged in-State undergraduate students for full-time pursuit at in-State public institutions of higher learning (IHL).

(4) For individuals enrolled in a non-public or foreign IHL, the DVA has established an annual cap for tuition and fees. Please refer to the DVA Web site, www.benefits.va.gov/gibill, for additional information.

14 Sep 2015

b. Monthly Housing Stipend. The monthly housing stipend is based on the monthly basic allowance for housing (BAH) payable for a military member with dependents in pay grade E5 residing in the same ZIP code of the school that the individual is attending. This stipend, which is prorated based on the percentage of maximum benefit payable as noted in the above chart, is paid to the individual monthly. Individuals pursuing training solely by distance learning are entitled to the housing stipend at one-half the national average of the BAH rate for an E-5 with dependents. Active duty members and individuals training at half-time or less are not eligible for the monthly housing stipend.

c. Stipend for Books and Supplies. Individuals may receive a stipend of up to \$1,000 per academic year for books, supplies, etc. The stipend is paid proportionally for each quarter, semester, or term attended. It is based on \$41.67 per credit hour, not to exceed 24 credit hours in an academic year. This stipend, which is prorated based on the percentage of maximum benefit payable as noted in the above chart, is paid to the individual. Individuals training at half-time or less are eligible for an appropriately reduced stipend for books.

d. Rural Benefit. A one-time payment of \$500 with no entitlement charge may be paid to an individual using the Post-9/11 GI Bill to pursue a program of education if the individual resides in a county with six persons or less per square mile as determined by the most recent decennial census; and either:

(1) Physically relocates at least 500 miles; or

(2) Travels by air to physically attend a school if no other land-based transportation exists.

e. Other Benefits. The following benefits are authorized with no charge to entitlement as a result:

(1) Tutorial assistance may be paid up to \$100 per month, not to exceed a total of \$1,200;

(2) One licensing or certification test may be reimbursed, not to exceed the cost of the test up to a maximum of \$2,000; and

14 Sep 2015

(3) Work study is authorized for individuals training at three-quarter time or higher.

9. Supplemental Educational Assistance

a. A previously guaranteed Navy College Fund kicker under the MGIB program or a kicker under MGIB-SR will be paid to the student at the end of each month.

b. The \$600 increased benefit option available under MGIB and REAP is sometimes erroneously referred to as a kicker. This option cannot be used with the Post-9/11 GI Bill, and those who choose to use the Post-9/11 GI Bill in lieu of the MGIB or REAP cannot receive a refund of their contributions for that option.

10. Yellow Ribbon Program (YRP) For public-private contributions for additional educational assistance, the Post-9/11 GI Bill allows IHL to voluntarily enter into an agreement with DVA to fund up to 50 percent of the established charges not already covered. The DVA will match each additional dollar that an institution contributes, up to 50 percent of the difference between the student's tuition benefit and the total cost of tuition and fees. The combined amounts may not exceed the full cost of the school's established charges. The YRP provides additional funding for training at private institutions, graduate training, and out-of-State tuition. Only individuals entitled to the 100 percent benefit rate (based on service requirements) may receive this funding. Active duty members are not entitled to use this program. Additional information on this program can be found on the DVA Web site www.benefits.va.gov/gibill.

11. Overpayment of Benefits. Tuition and fee payments are made to the school on behalf of the student, which means the student is responsible for any overpayment incurred as a result of not completing courses and not substantiating mitigating circumstances for not completing such enrollment. The student will be charged an overpayment equal to the amount of all educational assistance paid for that period of enrollment. The DVA will determine the amount of an overpayment of an individual in receipt of Post-9/11 GI Bill benefits and notify the individual. The individual will make repayment arrangements with the DVA's Debt Management Center.

14 Sep 2015

12. Refund of MGIB Enrollment Contributions Due to Election of the Post-9/11 GI Bill Program

a. Individuals who initially entered active duty after 30 June 1985, enrolled in the MGIB and now elect the Post-9/11 GI Bill, may receive a proportional refund of their \$1,200 enrollment contribution. This refund may be included in the last monthly housing stipend payment by the DVA when the individual's Post-9/11 GI Bill entitlement is exhausted. The individual who made the contribution MUST be the one to use the last month of the benefit and he or she must be entitled to the housing allowance in order to receive the refund. The refund amount is based on the number of months remaining under the MGIB Program at the time the individual elected the Post-9/11 GI Bill. There is no provision for a refund of MGIB contributions made by those who:

- (1) Do not use all of their Post-9/11 entitlement;
- (2) Transfer all of their Post-9/11 entitlement to their dependent(s);
- (3) Initially declined MGIB, but enrolled during the open enrollment period;
- (4) Enrolled in the MGIB by converting from VEAP; or
- (5) Enrolled in the MGIB as result of a voluntary separation incentive or a qualifying involuntary separation and re-entered active duty.

b. Contributions toward the \$600 increased benefit option under the MGIB and REAP are currently non-refundable by law and not authorized by the Navy.

13. Transfer of Post-9/11 GI Bill Entitlement. To promote recruitment and retention of members of the Armed Forces, the Secretary of Defense and SECNAV have agreed to allow eligible individuals to transfer a portion or all of their unused Post-9/11 GI Bill entitlement to their spouse and or children. Before a member can apply to transfer entitlement, the spouse and or children must be enrolled in the Defense Eligibility Enrollment System (DEERS) and be eligible for identification

14 Sep 2015

(ID) card benefits. For children, this means the child has not reached age 21, or has not reached age 23 and is enrolled full-time at an IHL.

a. Eligible Individuals. Any member in the Armed Forces on or after 1 August 2009, who is eligible for the Post-9/11 GI Bill and who, at the time of approval of the individual's request to transfer his or her unused Post-9/11 GI Bill entitlement:

(1) Has served at least 6 years (active duty and or SELRES), and agrees to serve at least 4 additional continuous years in the Armed Forces from the date the individual elects to transfer; or

(2) Has served at least 10 years (active duty and or SELRES) on the date of election and either standard policy (Navy or DoD or statute does not allow the member to commit to 4 additional continuous years, but who agrees to serve the maximum amount of time allowed by such policy or statute.

NOTE: Provisions for members who were retirement eligible during the period of 1 August 2009 through 1 August 2012 expired on 1 August 2013. These members must comply with subparagraphs 13a(1) or 13a(2) of this enclosure.

b. Administrative Requirements of Transferor

(1) Ensure spouse and or children are enrolled in DEERS and eligible for ID card benefits prior to completing application to transfer Post-9/11 GI Bill entitlement. See paragraph 13 above.

(a) Eligible military members and their eligible military spouses may both transfer entitlement to their child(ren); however, both members must have children enrolled in DEERS, only one will have them enrolled for Federal benefits.

(b) Eligible military members may transfer their Post-9/11 entitlement to their military spouses, who may also be eligible for Post-9/11 entitlement.

(2) Ensure the required, additional Armed Forces service obligation (see paragraphs 13a(1) and (2)) is reflected in the

14 Sep 2015

electronic service record (ESR) prior to making election to transfer Post-9/11 GI Bill entitlement. Applications from members whose ESR does not reflect the required additional service obligation will be disapproved. The members will then be required to reapply for transferability and their additional service obligation will be calculated from the date their **reapplication** is approved. Approvals cannot be backdated to the original submission date.

(a) Enlisted Members: Consult with command career counselor to ensure expiration of active obligated service (EAOS)/expiration obligated service is sufficient to meet the required additional service obligation and or discuss obligated service options. Enlisted members will have 30 days to submit their Transfer of Education Benefits (TEB) request following a 4-year reenlistment. Short term extensions will not be authorized for the purpose of Post-9/11 transferability.

(b) At the time the TEB application is submitted, enlisted members who cannot commit to the additional required service obligation due to high year tenure (HYT) will be approved for transferability provided their soft EAOS (SEAOS)/EAOS matches their HYT month and year.

(c) SELRES Officers and Enlisted: All SELRES members are required to have a NAVPERS 1070/613 Administrative Remarks page agreeing to serve the required additional years of service prepared by their command in the Navy Standard Integrated Personnel System (NSIPS) ESR. See paragraph 13b(2)(d) below for required statement for NAVPERS 1070/613. The NAVPERS 1070/613 shall be signed by the member, witnessed, and dated.

(d) Active Duty Officers (including FTS): The command shall complete a permanent NAVPERS 1070/613 in the NSIPS ESR. The NAVPERS 1070/613 shall read "I understand by signing this NAVPERS 1070/613, I agree to complete 4 more years (or to my statutory limit, whichever is less) in the Armed Forces (active or SELRES) from the date I request transferability of Post-9/11, REAP, or MGIB-SR education benefits to my dependents or family members using the Transfer of Education Benefits site. I understand that failure to complete this obligation may lead to an overpayment by the Department of Veterans Affairs (DVA) that may be recouped for any payments made to dependents or

14 Sep 2015

family members." The NAVPERS 1070/613 **MUST** be completed regardless of any documentation a member may have for an existing service obligation. Officers who are required to retire due to statute will be approved with a service obligation end date that matches their forced retirement date.

(e) The following policy applies for personnel in a limited duty status who require additional service obligation for transferability.

1. If cleared for duty and determined to be eligible for continued service, member must follow procedures.

2. Service members already designated for a medical discharge and who have completed at least 10 years of service in the Armed Forces may elect transferability with no additional service obligation, however, the election must be made prior to separation and the Sailor must be awarded an honorable discharge. The Service member must provide a copy of his or her medical separation or retirement message to NAVPERSCOM (PERS-314) or NAVRESFORCOM (N1C2) before the separation or retirement date.

(3) Complete and submit electronic transfer election using the TEB Web application at <https://www.dmdc.osd.mil/milConnect>.

(a) The TEB Web application, when updated in the near future, will also be used by those members eligible for MGIB-SR and REAP to transfer entitlement under those programs to family members, if implemented by DoD. By choosing transferability under the Post-9/11 GI Bill, the member is making an irrevocable decision to convert over to that educational benefit program. Certain SELRES members will have education benefit entitlement under two or more programs. Those members must submit VA Form 22-1990 and indicate in section II which entitlement they desire to relinquish in lieu of Post 9/11 GI Bill benefits. For more information, contact NAVRESFORCOM (N1C2).

(b) The transferor's family member(s) will be listed on the application, pre-populated from DEERS.

(c) The transferor can only modify his or her request once it has been approved by NAVPERSCOM (PERS-314) or NAVRESFORCOM (N1C2).

(d) The transferor must acknowledge the following disclosures:

1. I am eligible for the education program I am applying to transfer.

2. I understand I may transfer up to 36 months (or my remaining months of eligibility, whichever is less) of my education benefits to spouse and or children, and can modify or revoke my election at any time.

3. I understand that my spouse may use the benefit immediately and my children (ages 18-26) may use the benefit after I have served 10 years.

4. I understand and agree to remain in the Armed Forces for the period required. I understand that failure to complete that service may lead to an overpayment by the DVA for any payments made. (Service documentation will remain on file with the Service).

5. I understand that I am responsible for any overpayments due to not completing my additional obligated term of service agreement.

6. I understand that in order to request this transfer, if I am eligible for the MGIB (38 U.S.C., Chapter 30), or the MGIB-SR (10 U.S.C., Chapter 1606), or REAP (10 U.S.C., Chapter 1607), I am converting from the program to the Post-9/11 GI Bill. This conversion is irrevocable.

7. I may not receive more than a total of 48 months of benefits under two or more programs.

8. If electing Chapter 33 in lieu of Chapter 30, my months of entitlement under Chapter 33 will be limited to the number of months of entitlement remaining under Chapter 30 on the effective date of my election. However, if I completely exhaust my entitlement remaining under Chapter 30 before the

14 Sep 2015

effective date of my Chapter 33 election, I may receive up to 12 additional months of benefits under Chapter 33.

9. My conversion to the Post-9/11 GI Bill is irrevocable and may not be changed. However, I retain the right to change or modify months of entitlement at any time until they are exhausted.

(e) Members MUST check the TEB Web site periodically for status of their applications.

1. If an application is disapproved, the member should see his or her command career counselor, take corrective action, and reapply.

2. Approved applications will be sent electronically to the DVA via the Defense Manpower Data Center. Requests that have been approved will reflect a projected obligation end date, normally 4 years.

c. Months of Entitlement Transferable. The number of months transferred by an individual may not exceed the lesser of the months of unused entitlement available under the Post-9/11 GI Bill or 36 months.

d. Designation of Transferee

(1) An individual transferring Post-9/11 entitlement must designate the eligible transferee(s), the number of months of entitlement to be transferred to each transferee, and specify the period for which the transfer will be effective for each transferee.

(2) An eligible individual may transfer entitlement only while serving as a member of the Armed Forces.

(3) The transferor may modify (add new dependents, change entitlement for existing dependents, or revoke entitlement) while serving in the Armed Forces.

(4) The transferor may modify entitlement for existing dependents or revoke entitlement after separating from the Armed Forces. However, entitlement may not be transferred to a new dependent or a dependent with "0" months of transferred

14 Sep 2015

entitlement once the transferor is no longer a member of the Armed Forces. After retirement, as long as member has a DFAS MyPay personal identification number or Defense Self-Service logon, the member will be able to make changes in the milConnect Web site. After separation from the Armed Forces, modification and revocation of transferred entitlement shall be made by submitting written notice to the DVA Regional Processing Office (RPO) that services the geographic area where the veteran lives. Addresses of the four DVA RPOs are available at www.benefits.va.gov/gibill.

(5) Transferred Post-9/11 GI Bill entitlement may not be treated as marital property or the asset of a marital estate subject to division in a divorce or other civil proceeding.

(6) A child may establish eligibility to Post-9/11 benefits if the entitlement is transferred before reaching the age of 23.

e. Use of Transferred Entitlement. The transferee who receives entitlement is subject to the following:

(1) He or she must apply to the DVA for Post-9/11 benefits using VA 22-1990E Application For Family Member To Use Transferred Benefits, which is available electronically on the DVA Web site using VONAPP.

(2) Spouse: May start to use the entitlement immediately after approval. The spouse is entitled to educational assistance in the same manner as the transferor, including the 15-year delimiting date. If the spouse starts school prior to the TEB approval, the TEB request CANNOT be backdated to match the spouse's school start date.

(3) Child: May start to use the entitlement when the transferor has completed at least 10 years of service in the Armed Forces and the child has completed the requirements of a secondary school diploma (or equivalency certificate) or reaches 18 years of age. The child is entitled to educational assistance in the same manner as the transferor as if the transferor is not on active duty. The child is not subject to the 15-year delimiting date, but may not use any transferred entitlement after reaching 26 years of age.

14 Sep 2015

(4) The death of the transferor does not affect the use of entitlement by the transferee.

(5) A subsequent divorce will not affect the transferee's eligibility to receive education benefits; however, after the transferor has designated a spouse as a transferee, the transferor retains the right to revoke or modify the transfer at any time.

(6) A child's subsequent marriage will not affect the transferee's eligibility to receive education benefits; however, after an individual has designated a child as a transferee, the transferor retains the right to revoke or modify the transfer at any time.

f. Overpayment to Transferee. In the event of an overpayment of educational assistance to a transferee, the transferee and the transferor will be jointly and severally liable to the United States for the amount of the overpayment for the purposes of 38 U.S.C., Chapter 36, section 3685.

g. Failure to Complete Service Agreement. Generally, after the TEB application has been approved, if the transferor fails to complete the agreed additional service in the Armed Forces required for transferability under the Post-9/11 GI Bill, the right to the transferred entitlement is forfeited. Refer to paragraph 13i of this instruction for transfers between full-time active duty and SELRES. Any amount of transferred entitlement used by the transferee as of the date of such failure shall be treated as an overpayment of educational assistance and will be subject to collection by the DVA. (SELRES members who voluntarily transfer to the IRR, including the VTU, prior to completing their service agreement may not reestablish eligibility by returning to SELRES status at a later date.) This does not apply in the case of the transferor who fails to complete the agreed additional service due to:

(1) Death of the transferor; or

(2) Discharge or release from active duty in the Armed Forces for a medical condition which preexisted the service of the transferor and was not service connected; or

(3) Discharge or release from active duty for hardship;
or

(4) Discharge for a physical or mental condition that was not characterized as a disability and did not result from the transferor's willful misconduct, but did interfere with his or her performance of duty; or

(5) Discharge or release for a disability; or

(6) Discharge or release for a reduction in force or force shaping.

h. Transferability Force Management Policy:

(1) Senior enlisted members (E7-E9) identified by the performance-based board for continuation, who must retire before reaching their HYT will be allowed to transfer their benefits prior to retirement. Members in this category who have already transferred their benefits will not lose approved transferability if they are discharged prior to reaching their service obligation end date. These members must contact NAVPERSCOM (PERS-314) or NAVRESFORCOM (N1C2) prior to retirement.

(2) Sailors not selected for retention by the Quota-Based Enlisted Retention Board may be allowed to transfer their benefits prior to separation provided they have 10 or more years of service at the time of their separation. Sailors with less than 10 years at the time of separation will not retain transferability unless they affiliate with the SELRES and serve the required service obligation.

(3) Enlisted members approved for the Enlisted Early Career Transition Program that have transferred education benefits can fulfill their additional obligated service if they remain in a SELRES drill pay status until their service obligation end date.

(4) SELRES officers with a Post 9/11 additional service obligation requirement must follow SELRES assignment procedures required to remain in a SELRES status per reference (c) for a period of time equal to or exceeding their service obligation

14 Sep 2015

end date. Examples of standard SELRES assignment procedures include, but are not limited to:

(a) Junior Officers: Applying for orders in Junior Officer Apply system.

(b) Senior Officers: Participation in annual apply board per COMNAVRESFORNOTE 5400.

(c) Officers who require but do not receive overgrade waivers must participate in annual Apply Board per COMNAVRESFORNOTE 5400.

(5) SELRES officers who participate in the annual Apply board per paragraphs 13h(4)(a) and (4)(b) above and are not selected for a billet will have their obligation end date adjusted to reflect the last day of their current paid billet tenure, protecting their existing transferability of education benefits. Members must remain in a SELRES status until directed to transfer to the VTU by Commander, Navy Reserve Forces Command.

i. Policy for members who change Service Component after agreeing to additional service obligation:

(1) A member who incurred an active duty or SELRES obligation who transitions to become a member of the SELRES or full-time active duty the day immediately following release from previous full-time active or SELRES status, the member's original obligation end date will remain unchanged. Any break in paid status (e.g., IRR) voids this continuous service. See paragraphs 13i(2) and 13i(3) for policy on breaks in service.

(2) A member who incurred an active duty or SELRES obligation, whose dependents have not utilized any transferred benefits, transitions to SELRES or full-time active duty greater than 1 day following release from previous full-time active duty or SELRES must commit to a NEW full 4-year obligation in the component to which the member transitioned to initiate a request to reinstate transferability of education benefits. This reinstatement option may only be used one time in a career.

(a) Member must contact losing Service Component point of contact to indicate intent to request reinstatement.

14 Sep 2015

(b) Losing component will reject initial approved transferability request in DMDC TEB portal (only if member has already left active or SELRES status).

(c) Losing component will inform gaining component of member's request.

(d) Member must comply with paragraphs 13(a) through 13(c) to initiate new transferability request.

(3) A member who fails to complete the agreed service obligation may not reinstate eligibility with a new obligation in the same component (full-time active duty or SELRES).

14. Pre-separation Counseling. As part of pre-separation counseling, activities shall:

a. Provide members with information on the benefits of the Post-9/11 GI Bill and document accordingly.

b. Include a review of the members' ESR for completion of any additional obligated service incurred for transferability. If the members have not completed their obligation and are separating for reasons other than those listed in paragraph 13h above, inform them they will be subject to collection by the DVA of all transferred entitlement used.