

Q1: When will the changes to the DoDI take effect?

A1: To assist the Uniformed Services in complying with this instruction, the military departments, USCG, NOAA, and USPHS will have one year from the date of this change to implement most of the amended requirements in this issuance, with these exceptions:

- Military departments, the USCG, NOAA, and USPHS will provide their guidance implementing transferability, as well as their written force training and education plans, no later than 60 days after publication of the revised DoD Instruction.
- Effective immediately, service members must be eligible to be retained for 4 years from the date of election and not be precluded, prior to approval, by either standard policy (DoD/DHS, military department or military service) or statute.
- Service members separated under “force shaping” authorities and policies prior to completing their required four years of service resulting from the transfer of educational benefits retain their eligibility to transfer benefits. Effective immediately, the scope of “force shaping” was expanded to expressly include officers involuntarily separated as a result of being twice passed over for promotion, and enlisted personnel who were involuntarily separated as a result of failure to meet minimum retention standards, or because of a change in these policies.

Q2: How many people will be affected by the policy change?

A2: Our goal with this policy change is to have minimal impact to the force. Currently there are approximately 35,101 (or 9 percent of) active duty service and/or selected reserves, and National Guard service members with 16 or more years of service that have eligible dependents and have not transferred their benefits. These service members would be affected by this policy. However, once the policy is communicated to the Services, these members have a year to affect a transfer of benefits, therefore, we believe this policy will have minimal impact to the force.

More than 362,000 (or 91 percent of) active duty service and/or selected reserves, and National Guard Service members (includes USCG, NOAA, and USPHS) with 16 or more years of service have either transferred their benefits or do not have eligible dependents.

In addition, there are 12,049 selected reserves, and National Guard Service members with 16 or more years of service (approximately 6.4 percent) that currently do not have sufficient qualifying active duty service to transfer educational benefits.

Q3: Why was there a need for such a change in policy?

A3: Congress enacted the authority to transfer educational benefits to enhance recruitment and retention, and the changes align the benefit to those purposes. With this action, the department is addressing the intent of Congress, ensuring the benefit remains available for future service members, and clarifies policy for the Uniformed Services. All approvals will now be contingent on a service member’s eligibility for four years of additional service from the date of election.

Q4: Will the changes in the DoDI address the issues raised by Congress and others?

A4: The changes align the benefit with recruitment and retention of service members in the force, specifically by ensuring those who transfer benefits can serve for their required service commitment up to the 20 years required to secure a military retirement.

Q5: What does DOD mean by “member must be eligible to be retained for 4 years from the date of election and not be precluded, prior to approval, by either standard policy (Service or DOD) or statute”?

A5: A service member must be eligible to be retained for 4 years from the date of election. Those who cannot commit to four years, (i.e., mandatory retirement date, high-year tenure, retention control point, and those who are not medically qualified), cannot sign up to transfer their benefits.

Q6: What major changes have been made to the DoDI?

A6: Eligibility to transfer benefits is limited to service members in the Uniformed Services, (includes the USCG), with less than 16 years of total service (active duty service and/or selected reserves as applicable). Those who cannot commit to four years, such as those with a mandatory retirement date or a high-year tenure or retention control point, are not eligible and cannot be approved to transfer their benefits.

The change also provides clarification for service members who are on limited duty or involved in a Medical Evaluation Board (MEB), Physical Evaluation Board (PEB), or Disability Evaluation System process. Service members must comply with standard procedure (if they have not yet applied for TEB) or must apply once found fit for duty (if they have applied but were denied). Only members who were previously approved, and then subsequently entered MEB/PEB or Disability Evaluation System process, and found fit, keep their earlier date. Service members subsequently found fit for duty, but only after having accrued more than 16 years of total creditable service, will be allowed to apply to TEB again, provided the member applies to TEB within 90 days of being informed of the fit for duty determination.

Service members who have not applied, and subsequently found unfit for duty (with a medical separation/retirement order) - But otherwise eligible to request to transfer their benefit, (have six years), **may not be approved for transferability with no additional service obligation.**

Q7: How will the changes impact the transferability criteria for a service member who is going through a medical evaluation board process, and is a combat wounded warrior? If found unfit for duty (with a medical separation/retirement order) but otherwise eligible to request to TEB: Can they be APPROVED, to transfer the benefits without the 4-year commitment, and with an obligation date equivalent to the medical separation/retirement date?

A7: No. The ability to transfer the Post-9/11 education benefit to family members, as specified in section 3319(a)(2), title 38, U.S. Code, was enacted by Congress to “promote recruitment and retention in the uniformed services”. Department policy characterizes transferability of educational benefits as a recruiting and retention program, it is neither an entitlement nor a transition or readjustment benefit.

Q8: What is the ten-years of service exception?

A8: Previously, Service members with ten years of service could transfer the benefit without serving the four years, if they were prevented by policy or statute from doing so. Now such members must be eligible to serve when they elect to transfer educational benefits.