



CCI 671.11
EFFECTIVE DATE: 7 August 2019

By Order of the Assistant Secretary for Health:

ADM Brett P. Giroir, M.D.

SUBJECT: Transfer Post-9/11 GI Bill Education Benefits

1. PURPOSE: This Instruction provides guidance on the transfer of Post-9/11 GI Bill benefits to a dependent of an officer of the Commissioned Corps of the U.S. Public Health Service (Corps).
2. APPLICABILITY: This Instruction applies to all Corps officers serving on active duty who have at least 6 years of creditable service in the Corps.
3. AUTHORITY:
 - 3-1. CCD 157.01, "Transfer of Education Benefits"
 - 3-2. Department of Defense Instruction [DoDI 1341.13](#), "Post-9/11 GI Bill"
 - 3-3. [38 U.S.C § 3319](#), "Authority to transfer unused education benefits to family members"
 - 3-4. [38 C.F.R. Book G, Subpart P, 21.9570](#), "Post-9/11 GI Bill: Transfer of Entitlement"
 - 3-5. [Veterans Educational Assistance Improvement Act, Section 110](#), "Transfer of Unused Education Benefits"
4. PROPONENT: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The responsibility for assuring the day-to-day management of the Corps is the Surgeon General (SG).
5. SUMMARY OF REVISIONS AND UPDATES: This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System (eCCIS) and replaces Personnel Policy Memorandum (PPM) PPM 12-001 dated 5 December 2011. This issuance replaces the information from the previous instruction of the PPM, and creates a stand-alone Instruction within eCCIS.

6. POLICY:

6-1. General.

- a. To promote recruitment and retention, the Director, Commissioned Corps Headquarters (CCHQ) or his/her designee may permit an officer eligible for Post-9/11 GI Bill educational assistance to transfer all or a portion of this benefit to one or more of his/her family members. The transfer of such benefits requires an officer to commit to a 4-year active duty service obligation, which runs concurrent with other Corps service obligations.
- b. Transferability is neither a benefit nor a transition or readjustment benefit. The Corps will not automatically approve an officer's request to transfer benefits. CCHQ must determine whether the officer is eligible for retention under Corps policies.
- c. The determination of an officer's total years of creditable service is based on the date of the officer's transferability of educational benefits (TEB) application, and not the date the request is approved by the Corps.
 - (1) For purposes of this Instruction, except as provided in Sections 6-1.c.(2) and 6-1.c.(3), "creditable service" means active duty uniformed service that is creditable towards determining an officer's eligibility for retirement as well as all Selected Reserve service whether or not the Selected Reserve service was in an active duty status.
 - (2) Service performed prior to receiving an educational degree that is used to qualify the officer for a commission in the Corps is not considered credible service calculated for the 6 to 16 years of eligibility (e.g., Junior or Senior Commissioned Officer Student Training and Extern Program (COSTEP); Uniformed Services University of Health Sciences (USUHS)).
 - (3) The 5-year civil service retirement credit is not considered creditable service calculated for the 6 to 16 years of eligibility for active duty uniformed service.
 - (4) The eligibility period for officers without established eligibility, following commissioning through the Service Academies (with exception of the Coast Guard Academy for individuals who enter into an agreement to service before 4 January 2011) or Reserve Officer Training Corps (ROTC) Scholarship Programs, will not begin until they have completed their statutory obligated active duty service.
- d. Corps officers who have not applied for TEB, who are on limited duty or undergoing an evaluation to determine their Fitness for Duty (FFD), must wait until the process is complete before applying. If found fit for duty, the officer will comply with the standard TEB application procedure.
 - (1) Corps officers who applied to TEB, but were denied due to insufficient retainability because of undergoing a FFD evaluation and are later found fit for duty, must request transferability again once they are found fit for duty and commit to an additional 4 year service obligation.
 - (2) Corps officers who applied to TEB before attaining 16 years of service, were denied due to undergoing a FFD evaluation, and were subsequently found FFD, but only after having accrued more than 16 years of total creditable service, will be allowed to apply to TEB again, provided the officer applies

to TEB within 90 days of being informed of the FFD determination and meets all other eligibility criteria.

6-2. Eligibility.

- a. Eligible Officers. Subject to the conditions in Section 6-1.c. and d., an officer who is entitled to the Post-9/11 GI Bill may apply to transfer that benefit provided he/she meets the following conditions:
 - (1) Have at least 6 years of total creditable service.
 - (2) Effective 12 January 2020, must not have more than 16 years of total creditable service.
 - (3) Eligible to serve, and agree to serve, four additional years on active duty in the Corps from the date of election.
- b. Eligible Family Members. An officer approved to transfer a benefit to educational assistance under this section may transfer that benefit to his or her spouse, to one or more of his or her children, or to a combination of his or her spouse and one or more children.
 - (1) Confirmation of family members will be made using the Defense Enrollment Eligibility Reporting System (DEERS).
 - (2) Once an officer has designated a child as a transferee, a child's subsequent marriage will not affect his or her eligibility to receive the educational benefit; however, the officer retains the right to revoke or modify the transfer at any time.
 - (3) Once an officer has designated a spouse as a transferee, subsequent divorce will not affect the transferee's eligibility to receive educational benefits; however, the officer retains the right to revoke or modify the transfer at any time.
 - (4) TEB may not be treated as marital property, or asset of a marital estate, subject to division in a divorce or other civil proceeding.

6-3. Transfer of Post-9/11 GI Bill Benefits.

- a. Months of Transfer. Months transferred must be whole months. The number of months of benefits transferred to an eligible family member may not exceed the lesser of:
 - (1) The months of Post-9/11 GI Bill unused benefits available.
 - (2) 36 months.
- b. Transferee Usage.
 - (1) Policies and procedures for family member use of Post-9/11 GI Bill transferred educational benefits are the responsibility of the Department of Veterans Affairs (VA). Those policies and procedures are presented and updated at <https://www.benefits.va.gov/gibill/>.

- (2) After approval of the TEB request, commencement of use by a family member is subject to the following conditions:
 - (a) A spouse may start to use the benefit immediately after the officer making the transfer has completed at least 6 years of Uniformed Service (active duty service and/or Selected Reserve).
 - (b) A child may start to use the benefit after the officer making the transfer has completed at least 10 years of Uniformed Service (active duty service and/or Selected Reserve), or if the officer making the transfer is separated for one of the reasons in Section 6-3.e.
 - (c) A family member may use the benefit while the officer remains on active duty or after separation from active duty provided the officer completed the additional service required to make the transfer as stipulated in Section 6-2.a.
 - (d) A child may not use the benefit until he or she has attained a secondary school diploma (or equivalency certificate), or reached 18 years of age.
 - (e) Benefits can be transferred thru age 20. At age 21, the child must be enrolled in DEERS as a fulltime student between the ages of 21-23 in order to receive the transfer benefit. The child is no longer eligible to use the benefit after reaching age 26.
- c. Designation of Transferee. An officer transferring a benefit to educational assistance shall, through milConnect at <https://www.dmdc.osd.mil/milconnect/>.
 - (1) Designate the family member or members to whom such benefit is being transferred.
 - (2) Designate the number of months of such benefit to be transferred to each family member.
- d. Time for Transfer, Revocation, and Modification.
 - (1) Time for Transfer. An individual approved by the Director, CCHQ, or his/her designee, to transfer entitlement may do so at any time while serving as a member of the Corps, subject to the provisions of [38 U.S.C. §3319\(f\)](#).
 - (2) Modification or Revocation.
 - (a) An officer transferring the benefit may modify or revoke at any time the transfer of any unused portion of the benefit so transferred.
 - (i) An officer may add new family members, modify the number of months of the transferred benefit for existing family members, or revoke transfer of benefits only while serving in the Uniformed Services.
 - (ii) An officer may not add dependents after retirement or separation from the Corps, but may modify the number of months of the transferred benefit or revoke the transfer of benefits after retirement or separation for those family

members who have received transferred benefits prior to separation or retirement.

- (b) The modification or revocation of the transfer of benefits shall be made by submitting notice of the action to both CCHQ and the Secretary of Veterans Affairs. Additions, modifications, or revocations made while in the Corps will be made through the TEB website described in Section 8-1. Modifications or revocations after separation from the Corps will be accomplished through TEB Web application at <https://www.dmdc.osd.mil/milconnect/>.
 - (c) Officers must complete and digitally sign PHS Form 7082 using his/her DoD issued Common Access Card (CAC) or a Personal Identity Verification (PIV) card that is issued by the OPDIV/STAFFDIV/non-HHS Federal organization to which the officer is assigned. The completed and electronically signed PHS Form 7082 will be submitted to PHSDEERSGIBILL@hhs.gov. Handwritten signed forms can be scanned and emailed to PHSDEERSGIBILL@hhs.gov.
- e. Failure to Complete Service Agreement. If an officer transferring benefits fails to complete the service agreed to in Section 6-2.a., the amount of any transferred benefits that is used as of the date of such failure shall be treated as an overpayment of educational assistance and shall be subject to collection by the VA except in the following circumstances in which the officer will be considered to have completed his/her previously approved TEB-related service agreement:
- (1) His or her death;
 - (2) Release from active duty, with an honorable discharge for a medical condition which pre-existed the service of the officer and was not service connected;
 - (3) Release from active duty for hardship with an honorable discharge as determined by the ASH or SG;
 - (4) Release from active duty, with an honorable discharge, for a physical or mental condition, not a disability, that did not result from the officer's own willful misconduct, but did interfere with the performance of duty;
 - (5) Release from active duty, with an honorable discharge, for an injury or disability found to be in the line of duty based on the results of a FFD evaluation where the officer was found unfit for duty (with a medical separation or retirement order);
 - (6) Release from active duty with an honorable discharge, due to reduction in force or force shaping initiative resulting from a decision by the Secretary, Health and Human Services (HHS); or
 - (7) Release from active duty, with an honorable discharge, for failure of a permanent promotion (see [CCI 333.01](#), "Failure of Permanent Promotion").

7. RESPONSIBILITIES:

7-1. The Assistant Secretary for Health (ASH) is responsible for establishing Corps policies.

- 7-2. The SG is responsible for the day to day-to-day management of the Corps.
 - 7-3. The Director, Commissioned Corps Headquarters (CCHQ) or designee, serves as the ASH's alternate as the Commissioned Corps uniformed service representative.
 - 7-4. All officers are responsible for adhering to the guidelines and procedures listed in this instruction, as well as any additional guidance.
8. PROCEDURES: All requests and transactions for officers who remain in the Corps will be completed through the TEB Web application at <https://www.dmdc.osd.mil/milconnect/>. The [TEB Beneficiary Guide](#) will provide instruction for enrollment; verification; and additions, changes, and revocations. Modifications or revocations after separation will be accomplished through the TEB Web application and requires DS Login. Guidance can be found on the My Access Center Your DS Logon Self-Service Site: <https://myaccess.dmdc.osd.mil/identitymanagement/registration.do?execution=e3s1>
9. HISTORICAL NOTES: This is the first issuance of this Instruction within the eCCIS and creates a stand-alone Instruction within the eCCIS.