

Panel

Department of Defense Panel



How the SCOs Can Help

- Ways to help the claimant receive benefits:
 - **Assist the claimant in sending in orders & DD Form 214s to the VA**
 - helps the VA pay the student correctly
 - helps the VA pay the student in a timely manner
 - Documentation development can take 30+ days with Department of Defense



Eligible Service for Chapter 33

- Chapter 33 Eligibility
 - **Active Duty Components**
 - full time in the regular components of the Armed Forces with an honorable discharge
 - **Title 10 Law**
 - Reserve Component under a call or order to active duty under Title 10 U.S.C. 688, 12301(a), 672(d), 12301(d), 12301(g), 12302, or 12304 with an honorable discharge
 - **Title 32 Law** (for Army National Guard and Air National Guard ONLY)
 - AGR (Active Guard and Reserve Duty)
 - Title 32 Full Time National Guard-OS (special cases)
 - Title 32 Full Time National Guard-OS, ADOS, ADSW & Training

Title 32

- **Title 32 Law**
 - **Public Law 111-377**
 - Modifies definitions on eligibility for Chapter 33
 - Expansion includes service in national guard for certain purposes
 - Paragraph (1) of section 3301 is amended by adding:
 - “(C) In the case of a member of the Army National Guard of the United States or Air National Guard of the United States, in addition to service described in subparagraph (B), **full-time service-**
 -
 - “(i) in the National Guard of a State **for the purpose of organizing, administering, recruiting, instructing, or training** the National Guard; or “(ii) in the National Guard under section **502(f) of title 32** when authorized by the President or the Secretary of Defense **for the purpose of responding to a national emergency declared by the President and supported by Federal funds.**”.

Title 32

- **Title 32 Law**
 - **Full Time National Guard duty (FTNG):**
 - Training or other duty, other than inactive duty, performed by a member of the Army National Guard or Air National Guard in the member's status as a member of the National Guard of a State or territory, the Commonwealth of Puerto Rico, or the District of Columbia under section 316, 502, 503, 504, or 505 for which the member is entitled to pay from the United States or for which the member has waived pay from the United States
 - Types of service that are FTNG:
 - AGR
 - ADSW
 - ADOS

Title 32

- **Title 32 Law**
 - **Active Guard and Reserve Duty (AGR):**
 - Authority – the **Governor** of a State or the Commonwealth of Puerto Rico, Guam, or Virgin Islands, or the commanding general of the District of Columbia National Guard, with the consent of the Secretary concerned, may order a member of the NG to perform Active Guard and Reserve Duty, as defined by section 101 (d)(6) of title 10, pursuant to section 502(f) of this title

Title 32

- **Title 32 Law**
 - Qualifying service towards Chapter 33:
 - **Title 32 FTNG Performing AGR**
 - It is all ordered by the Governor or CG
 - 502(f)
 - 180+ days
 - “Big 5” (organizing, administering, recruiting, instructing, and training)
 - requires honorable discharge
 - **Operation Noble Eagle from 09/11/01 to 05/31/02 - -**
 - Title 32 FTNG
 - National Emergency declared by the President
 - Federally funded
 - The only Title 32 ADOS/ADSW that qualifies**

Title 32

- DD-214 Example:

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)		14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)	
M			
15a. COMMISSIONED THROUGH SERVICE ACADEMY		YES	NO
b. COMMISSIONED THROUGH ROTC SCHOLARSHIP (10 USC Sec. 2107b)		YES	NO
c. ENLISTED UNDER LOAN REPAYMENT PROGRAM (10 USC Chap. 109) (If Yes, year of commitment: _____)		YES	NO
16. DAYS ACCRUED LEAVE PAID	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION	YES	NO
18. REMARKS			
<p>You may find useful information here.</p> <p>Example: “deployed to OIF Title 10 U.S.C. 688 (12301d)”</p>			
<p>The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.</p>			

Title 32

Questions?

