



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, DC 20301-4000

PERSONNEL AND
READINESS

NOV 13 2008

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Payment of Credentialing Expenses for Military Members

I received a memorandum from the Assistant Secretary of the Air Force (Manpower and Reserve Affairs) dated May 23, 2008, requesting that the Department of Defense allow the Air Force to use the authority found in 10 U.S.C § 2015 to reimburse Air Force judge advocates the costs for their bar dues. The Judge Advocates General for the Army, Navy, and Air Force endorsed this request.

On February 12, 2007, I forwarded the attached memorandum, subject: Payment of Credentialing Expenses for Military Members, throughout the Department of Defense and to the Secretaries of the Military Departments. The statute and my memorandum appear broad enough to address and authorize the requested bar dues payments, although the memorandum attaches certain limitations and only authorizes the use of FY07 and FY08 funds.

My February 2007 memorandum requires an assessment report of the use of the 10 U.S.C. § 2015 authority to be submitted by November 30, 2008. Because of additional requirements noted below, I am extending the due date on that report to December 8, 2008.

I ask that the Military Departments analyze their proposed bar dues payment programs under the areas listed in the attachment to the February 2007 memorandum and also address these additional bar dues-specific questions:

- Payment metrics and amounts. Would the Military Departments set a maximum amount that could be paid per year? How would the Military Departments handle requests for payment for more than one bar membership? Would the Military Departments authorize payments for more than just bar dues, to include, for example, payment for continuing legal education expenses?
- Source of funds. Would the Military Departments establish a central fund or require that payment be made from local budgets?
- Reserve component application. Would the Military Departments authorize payments for members of the reserve component on active duty, and if so, would such payments be tied to a minimum period of active duty or be pro-rated based on time on active duty?
- Civilian attorney comparison. How would the Military Departments' proposed payments compare in amount and substance to any payments made to civilian attorneys based on 5 USC § 5757?
- Expanded Legal Assistance Program (ELAP). Would the Military Departments include payments to states in support of the ELAP to allow military attorneys to qualify to represent legal assistance clients in state courts?

By virtue of this memorandum, I extend the authority for payments for any category of credentials already authorized and already paid by the Military Departments in either FY07 or FY08 (or both) under the terms of the February 12, 2007, memorandum.

The Military Departments must set out any payments already made under the authority of 10 USC § 2015 in the report, now due on December 8, 2008. After reviewing that report, I will determine whether to discontinue funding for any categories of credentialing payments already made, and whether—and to what extent—to authorize payments for any categories of credentialing requested but not previously paid, including payments for bar dues.

If you have any questions concerning the December report or the additional requirements concerning bar dues payments, please contact LTC Rob Parsons, OSD (P&R) (MPP/OEPM) at 703-614-3973.



David S. C. Chu

Attachment:
As stated



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FEB 12 2007

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
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ASSISTANTS TO THE SECRETARY OF DEFENSE
UNDER SECRETARY OF DEFENSE FOR ACQUISITION,
TECHNOLOGY AND LOGISTICS
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Payment of Credentialing Expenses for Military Members

This memorandum establishes Department of Defense (DoD) policy and guidance for establishing discretionary programs for the payment of professional credentialing expenses to military members that include state-imposed and professional licenses, courses and examinations leading to credentialing, certifications and renewals, and other expenses consistent with those authorized in section 2015, title 10 U.S.C.

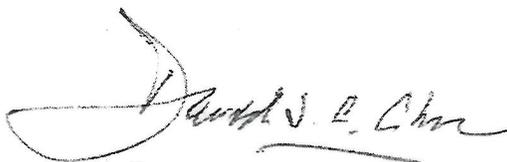
It is the DoD policy that the Military Departments may pay for credentialing of military members if the preponderance of their assigned duties are covered by the credential and the credential has been approved for those assigned duties. Military Departments may also pay for course work in preparation of a certification or license. Courses are those that are part of an identified course of study leading to a certificate or license. Once the Service member has obtained the required certification or license, the Military Department may pay for the fees required for renewal of the certification or license. Paying for credentialing solely as a component of retention, recruiting, transition programs, or to acquire an educational degree is not authorized.

At their discretion, the Military Departments are authorized to implement credentialing programs for FY07 and FY08. The following parameters apply:

- The programs should focus primarily on enlisted personnel, but must include the Reserve Component positions and should cut across all occupational skills that require certification or licensure requirements
- The programs should use nationally recognized credentialing agencies to the maximum extent possible.
- The programs should reduce Service training load by eliminating duplicative training in Service schools.
- Payment metrics must be developed that stipulate the amount to be reimbursed and those skills or components of the credentialing process (instruction, exams, renewals, professional membership, etc.) that are authorized for reimbursement.
- Fair and reasonable Military Service Obligations for payment of credentials, certificates, examinations, and renewals will be established.
- Credentialing Programs will include procedures to avoid duplicating the benefits such as those provided by other programs (GI Bill and Tuition Assistance).
- Payment of professional credentialing expenses will not be made if the Service member fails exams or certifications subsequent to the initial exam/certification.
- Regardless of component, a Service member's civilian credentials should be considered for award of credit or partial credit for Service skill training.

Military Departments desiring to utilize this authority shall provide their credentialing programs to the USD (P&R) for review but may implement upon receipt of this policy. Those Military Departments utilizing this authority will provide the DoD an assessment report not later than November 30, 2008. The report will address, at a minimum, those areas listed at the attachment.

This policy is issued pursuant to the Responsibilities and Functions of the USD (P&R), as contained in DoDD 5124.02 para. 6.3, and is effective immediately. Secretaries of the Military Departments may further delegate authorities to authorize payments consistent with this policy. This policy will be reviewed in January 2009.



David S. C. Chu

Attachment:
As stated

cc:
DUSD, Readiness
DUSD, Program Integration
DUSD, Military Community and Family Policy
DUSD, Military Personnel Policy

Areas to Address in the Annual Assessment of Credentialing Implementation

- Describe methodologies used to determine those skills eligible to receive funding for credentialing.
- Comment on the possession of credentials as they relate to baseline individual proficiency, performance of collective tasks, and personnel management such as promotion and retention.
- Quantify/qualify the assessment of program effectiveness [was it worth the effort/cost?] Discuss the potential for expansion and comment on areas for collaboration with other Services.
- Compile and review funds expended per fiscal year and the number of participants by component (Active or Reserve) in the various categories, such as education pre-exam, credentialing exam, continuing education, and renewals.
- Compile a listing of funded credentialing activities per fiscal year to include: number of recipients; their specialty codes (AFSC/MOS/NEC or NOBC); credentialing body (agency, association, labor union, society, state, et al)
- Comment on the decision criteria (accreditation standards, membership, endorsements, etc.) for selecting appropriate entities / societies / agencies that were used for credentialing for specific skills. For example, there are several credentialing organizations for one career field. Are they all acceptable or was there a preference driven by level of standards in the position or quality of continuing education between renewal?
- Comment on DoD or Service related policies and practices that may require modification to support credentialing.
- Inform the Department of systems development, organizational overhead or structure created or enhanced to manage credentialing, if any.
- Provide similar assessments on the above for the Reserve Component if significantly different than the active component.