



DEPARTMENT OF THE ARMY
HEADQUARTERS, 25TH INFANTRY DIVISION AND U.S. ARMY HAWAII
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19 AUG 2019

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: U.S. Army Hawaii Policy Letter #31-Commander's Guidance for Releasing Documentation for Transitional Compensation (TC)

1. References.

a. Department of Defense (DoD) Instruction 1342.24, Transitional Compensation for Abused Dependents, 23 May 1995 (Administrative Reissuance Incorporating Change 1, 16 Jan 97).

b. Army Regulation (AR) 608-1, Army Community Service, 13 Mar 13.

c. DoD Policy Memorandum, Exceptional Eligibility for Transitional Compensation for Abused Dependents, 14 Apr 08.

d. Memorandum, Assistant Secretary of the Army, DAIM-ZA, 13 Jun 14, Subject: Exceptional Eligibility (EE) Transitional Compensation (TC) Cases-Action Memorandum.

2. General. The Transitional Compensation program was established by Congress and implemented by the DoD and the Army to reduce victim disincentives to reporting abuse by helping to ease the unexpected transition from military to civilian life for eligible Family members who have experienced an intimate partner abuse offense.

3. Purpose. This policy memorandum assists the Family Advocacy Program (FAP), Victim Advocate Program (VAP) in the execution of TC by providing Commanders guidance for releasing documentation in support of the Transitional Compensation application process.

4. Applicability. This policy applies to all Commanders in USARHAW who have a Soldier who has been court-martialed or received an administrative separation as a result of child maltreatment or intimate partner abuse.

5. Background.

a. The Transitional Compensation program was established by Congress as an entitlement for abused dependents of military personnel. The legislation authorizes

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temporary payments for eligible dependents of Soldiers who are separated from active duty under a court-martial sentence or administration separation, if the basis for the separation included language documenting an intimate partner abuse/child maltreatment offense. The victim is also eligible if the Soldier received a sentence that includes forfeiture of all pay and allowances by a court-martial that has convicted the Soldier of an intimate partner abuse/child maltreatment offense.

b. Eligibility for Transitional Compensation has been expanded. Exceptions to policy have created a secondary pathway to TC when evidence exists that the Soldier engaged in an intimate partner/child abuse offense, but was separated from the Army for other reasons. The Secretary of the Army has the final approval authority for all Exceptional Eligibility Transitional Compensation applications.

c. The Transitional Compensation program offers eligible dependents benefits and entitlements for 36 months. Eligible Family members receive monthly payments based on the current monthly Dependency and Indemnity Compensation rate. During the entitlement period, beneficiaries are entitled to commissary and exchange privileges. They are also eligible to receive medical care, including behavioral health services, as TRICARE beneficiaries. Dental care services may be provided in dental facilities of the Uniformed Services on a space available basis.

d. Transitional Compensation applications will be forwarded to Installation Management Command (IMCOM) Headquarters, G9, Family and Morale, Welfare and Recreation for approval. Forwarding of the TC application can occur once the Victim Advocacy Program (VAP) receives the memorandum of intent from command to initiate an administrative separation, or VAP receives the results of a court-martial. Processing Transitional Compensation applications at the beginning of the separation process will decrease the wait times for victims who suffered an intimate partner abuse offense.

6. Responsibilities.

a. Commanders. Upon request from the VAP, Commanders will release a copy of the memorandum of intent to initiate an administrative separation, the Soldier's official military personnel record, and other documentation necessary for the purposes of completing the applicant's TC application. Commanders will notify the VAP on chapter initiations, changes, or other information that may impact processing of the TC application. The Commander will also be required to provide a written explanation, if there is evidence that the Soldier committed an intimate partner/child abuse-neglect offense, such as a police report or substantiated Incident Determination Committee finding, if the offense was not included in the reasons for separation. Commanders should closely coordinate with their servicing Legal Office when providing the written explanation for Exceptional Eligibility for Transitional Compensation applications. Both the Garrison Commander and Senior Commander will provide written concurrence or non-concurrence for Exceptional Eligibility Transitional Compensation applications.

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b. The Victim Advocacy Program will coordinate with Commanders, submit the application packet to IMCOM HQ G9 for approval, and update IMCOM HQ G9 on any changes.

7. This memorandum supersedes USARHAW Policy Letter #13, dated 4 Aug 16 and remains in effect until superseded or rescinded in writing.

8. The point of contact for this policy is Family Advocacy Program Manager, Army Community Service, at 808-655-4778.



RONALD P. CLARK
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Commanding

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