RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2016-00456

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He be authorized to transfer his Post-9/11 GI Bill Educational Benefits (TEB) to his son.

APPLICANT CONTENDS THAT:

He failed to realize he had to name his son as eligible for TEB when he was on active duty. He only named his daughter, and she will not need all of his benefits.

The applicant’s complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant served the Regular Air Force.

On 30 Jun 14, the applicant was furnished an honorable discharge, and was credited with 20 years, 8 months, and 12 days of total active service.

The remaining relevant facts pertaining to this application are contained in the memorandum prepared by the Air Force office of primary responsibility (OPR), which is attached at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DPTT recommends denial indicating there is no evidence of an error or an injustice. On 30 Nov 09, the applicant was approved for Post-9/11 GI Bill transfer. The applicant’s approval form reflects he transferred the full 36 months of the benefit to his daughter. In accordance with (IAW) DoDI 1341.13, *Post-9/11 GI Bill*, Enclosure 3, f, (2), 2., an individual may not add family members after retirement or separation from the Military Services, but may modify the number of months of the transferred entitlement or revoke transfer of entitlement after retirement or separation for those family members who have received transferred benefits prior to separation or retirement.

Recommend disapproval. IAW DoDI 1341.13, the applicant had the opportunity to provide at least one month of benefits to all dependents listed in his DEERS record. To grant relief would be contrary to the criteria established by DoD Instruction.

A complete copy of the AFPC/DPTT evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 7 Sep 16 for review and comment within 30 days (Exhibit D). As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. We took notice of the applicant’s complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of AFPC/DPTT and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the requested relief.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2016-00456 in Executive Session on 30 Mar 17 under the provisions of AFI 36-2603:

Panel Chair

Member

Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2016-00456 was considered:

Exhibit A.  DD Form 149, dated 29 Jan 16, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Memorandum, AFPC/DPTT, dated 5 Apr 16.

Exhibit D.  Letter, SAF/MRBR, dated 7 Sep 16.

Pursuant to paragraph 1 of AFI 36-2603 (Title 32 Code of Federal Regulations, Part 865.1), it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.