



**UNITED STATES AIR FORCE  
BOARD FOR CORRECTION OF MILITARY RECORDS**

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-00170

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

**APPLICANT'S REQUEST**

He be allowed to transfer his Post-9/11 GI Bill Transfer of Educational Benefits (TEB) to his dependents.

**APPLICANT'S CONTENTIONS**

He should not be denied his request to transfer his benefits to his children because he did not respond to an email. He applied in time for the transfer as required and the application was approved and later denied. Something as critical as the TEB should not be denied solely on an email request. There should have been written correspondence sent instead.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a retired Air Force Reserve master sergeant (E-7).

On 5 April 2013, the applicant signed a *Post 9/11 G.I. Bill Transfer of Educational Benefits Statement of Understanding*.

According to documentation provided by ARPC/DPAT, the applicant's Benefits of Education Administrative Services Tool (BEAST) reflects the applicant submitted a TEB request on 10 July 2013 and the transfer request was rejected.

On 1 April 2017, the applicant was relieved from his current assignment, assigned to the Retired Reserve Section and placed on the USAF Reserve Retired List, per Reserve Order *Work-Product*, dated 6 October 2016.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

**APPLICABLE AUTHORITY/GUIDANCE**

DoDI 1341.13, dated 31 May 2013, Enclosure 3

Transferability of Unused Education Benefits to Family Members: Subject to the provisions of this enclosure, the Secretary concerned, to promote recruitment and retention in the Uniformed

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Controlled by: SAF/MRB

Limited Dissemination Control: N/A  
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[REDACTED]

Services, may permit an individual eligible for Post-9/11 GI Bill educational assistance to elect to transfer to one or more of his or her family members all or a portion of his or her entitlement to such assistance.

Eligible Individuals: Any Service member on or after 1 August 2009, who is entitled to the Post-9/11 GI Bill at the time of the approval of his or her request to transfer that entitlement under this section, may transfer that entitlement provided he or she meets one of these conditions:

(1) Has at least 6 years of service in the Military Services (active duty or Selected Reserve), NOAA Corps, or PHS on the date of approval and agrees to serve 4 additional years in the Military Services, NOAA Corps, or PHS from the date of election.

(2) Has at least 10 years of service in the Military Services (active duty or Selected Reserve), NOAA Corps, or PHS on the date of approval, is precluded by either standard policy (Service or DoD) or statute from committing to 4 additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute.

(3) Is or becomes retirement eligible during the period from 1 August 2009, through 31 July 2012, and agrees to serve the additional period, if any, specified in subparagraphs 3.a.(3)(a) through 3.a.(3)(d) of this enclosure. A Service member is considered to be retirement eligible if he or she has completed 20 years of active Federal service or 20 qualifying years as computed pursuant to section 12732 of Reference (c). This subparagraph will no longer be in effect on 1 August 2013, and on or after that date all members must comply with subparagraphs 3.a.(1) or 3.a.(2) of this enclosure to be eligible for transfer of unused education benefits to family members.

## **AIR FORCE EVALUATION**

ARPC/DPAT recommends denying the application. Upon review of the applicant's BEAST records, there is no evidence of a TEB request being approved, either in his Personal Education Summary or Service Member TEB History. An Automated Records Management System (ARMS) review concluded no evidence of a signed Statement of Understanding (SOU), which is signed and agreed upon by the applicant to serve the additional incurred four-year service commitment when requesting TEB. An ARPC technician submitted a myPers ticket on 26 August 2013 regarding TEB status, giving the applicant a suspense date of 30 days to submit his SOU form or his request would be disapproved. On 2 October 2013, the applicant was notified by myPers of TEB denial due to no response. The first correspondence noted in myPers from the applicant regarding denied TEB request was on 4 November 2021. The applicant retired on 1 April 2017 and is no longer eligible to request a transfer of his benefits to his dependents. Additionally, had he been approved, he would have had to complete the four-year service commitment, which he missed by three months, retiring in April 2017.

The complete advisory opinion is at Exhibit C.

## **APPLICANT'S REVIEW OF AIR FORCE EVALUATION**

The Board sent a copy of the advisory opinion to the applicant on 10 March 2022 for comment (Exhibit D), and the applicant replied on 22 March 2022 and 30 March 2022. In his response, the applicant contended his original request for TEB was filed on 10 July 2013; however, was not processed because the Air Force said he did not respond to an email. He was not expecting to



[REDACTED]

receive instruction for TEB in an email nor was he instructed there were more forms to submit. He does not remember receiving that email amongst the large quantity of emails he received daily. As a Reservist, he does not log into his official email on a regular basis. He would only log on during his duty periods. The initial findings stated he was short of the required service commitment by three months. He served 23 years of honorable service with numerous awards and decorations and flew thousands of hours worldwide in support of many Air Force Missions. Further, ARPC/DPAT stated that there was no evidence of a signed SOU in the record; however, he requested documents through the Milconnect.dmdc website and received the SOU he signed on 5 April 2013. The SOU was signed prior to the date ARPC/DPAT alleged the BEAST showed he submitted a request for TEB on 10 July 2013. Based on the date he signed the SOU should suffice for the required service obligation of 4 years military service.

The applicant's complete response is at Exhibit E.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPAT and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes the applicant applied for TEB and signed an SOU on 5 April 2013. He was required to have four years retainability; however, he retired on 1 April 2017 - leaving him four days short of completing his active duty service commitment. Therefore, the Board recommends against correcting the applicant's records.

## **RECOMMENDATION**

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

## **CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-00170 in Executive Session on 14 June 2022 and 5 December 2023:

[REDACTED], Panel Chair  
[REDACTED], Panel Member  
[REDACTED], Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atch, dated 27 December 2021.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPAT, w/atchs, dated 28 February 2022.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 March 2022.

[REDACTED]

Exhibit E: Applicant's Response, w/atchs, dated 22 March 2022 and 30 March 2022.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

4/13/2025

X [REDACTED]

Board Operations Manager, AFBCMR

Signed by: [REDACTED]

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[REDACTED]