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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02378

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COUNSEL: NONE

HEARING REQUESTED: NONE INDICATED

APPLICANT'S REQUEST

He be allowed to transfer his Post-9/11 GI Bill education benefits (TEB) to his eligible dependents.

APPLICANT'S CONTENTIONS

On 1 Sep 21, the applicant retired from active service and assumed his dependent would receive Post-9/11 Bill education benefits. His dependent is currently enrolled in college, and he recently discovered that she was not eligible to receive his education TEB. The applicant is a 100% permanently disabled veteran, and his daughter is the recipient of multiple scholarships. However, due to high interest rates and other costs associated with the recent purchase of a home, the applicant is experiencing a financial hardship with paying his dependents tuition. He is requesting to transfer his education benefits to his dependent in order to assist with cost of tuition.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force technical sergeant (E-6).

On 23 Aug 01, according to DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*, the applicant acknowledged that he was eligible for MGIB benefits and would be automatically enrolled.

On 31 Aug 21, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant retired with twenty (20) years, and twenty-four (24) days of active service. The narrative reason for separation was for voluntary retirement – sufficient service for retirement.

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

AIR FORCE EVALUATION

AFPC/DP3SA recommends denying the application. The applicant requests to have his education benefits transferred to his dependent. However, according to Defense Manpower Data Center (DMDC) there is no record the applicant submitted an application for TEB. There is no evidence of error or injustice on the part of the Air Force, because the applicant did not apply to transfer his Post-9/11 Education Benefits to his dependents while in service.

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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 11 Oct 22 for comment (Exhibit D), but has received no response.

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 AFPC/DP3SA and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board found there was no evidence the applicant applied to transfer education benefits to his dependent while in service. Therefore, the Board recommends against correcting the applicant's records.
4. The applicant has not shown a personal appearance with or without counsel, would materially add to the Board's understanding of the issues involved.

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 Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-02378 in Executive Session on 7 Feb 23:

Work-Product	Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 7 Sep 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 6 Oct 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 11 Oct 22.

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

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