



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02665

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

The applicant was eligible for the Montgomery GI Bill (MGIB) and used payroll deductions to pay for the entitlement. Between 2009 and 2010, the applicant designated one year of eligibility to each of his four dependent children. However, in 2022, one of the applicant's dependents was denied Post-9/11 GI Bill education benefits when they applied for college. The applicant discovered that education benefits were never formally transferred to his dependents. The applicant is requesting to transfer education benefits to his dependents because he has completed three master's degree programs and has no need to use the education benefit.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force colonel (O-6).

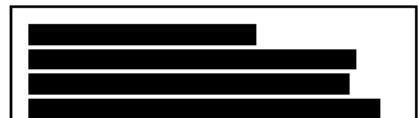
On 28 Aug 97, according to DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*, the applicant acknowledged that he was eligible for MGIB benefits and would be automatically enrolled.

On 30 Jun 17, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant retired with twenty (20) years of active service.

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. Based on documentation provided by the applicant and analysis of the facts, there is no evidence of error or injustice on the part of the Air Force. In accordance with Directive-Type Memorandum 09-003: *Post-9/11 GI Bill*, all request for TEB must be submitted via the Defense Manpower Data Center (DMDC) TEB web application while serving as a member of the Armed Forces. According to the DMDC there is no record of



the applicant's submission of an application for TEB. Without a request, eligibility for the program could not be established.

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 16 Nov 22 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find it in the interest of justice to waive the three-year filing requirement.
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 no evidence the applicant applied to transfer education benefits to his dependents. Thus, the Board finds no evidence of an injustice or error in the applicant's discharge to warrant granting relief. 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 application was not timely filed; it would not be in the interest of justice to excuse the delay; 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-2022-02665 in Executive Session on 7 Feb 23:

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

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

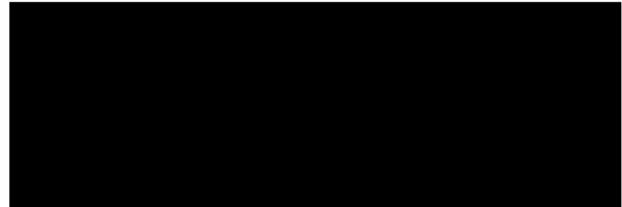
Exhibit A: Application, DD Form 149, dated 22 Sep 22.

AFBCMR Docket Number BC-2022-02665

Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atch, dated 24 Oct 22.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 16 Nov 22.

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.

8/28/2025



AFBCMR Docket Number BC-2022-02665