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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-03061

[REDACTED]

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 recently discovered his dependent son in college is ineligible to receive the remaining six months of his education benefits. The applicant contends that he was never briefed on the requirement to transfer one month of eligibility to each of his dependents prior to his retirement. On 2 Jun 20, the applicant retired from the Kentucky Air National Guard. However, his final months with his unit occurred during the most restrictive part of the COVID-19 pandemic. The applicant’s civilian job as a pilot and the COVID-19 restrictions to base, prevented him from out-processing the necessary offices or receiving retirement briefings from unit representatives. As a result, he was never informed of the requirement to transfer at least one month of education benefits to his dependents prior to his retirement.

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air National Guard lieutenant colonel (O-5).

On 15 Apr 08, according to DD Form 2384, *Notice of Basic Eligibility (NOBE)*, the applicant agreed to serve six years in the Selected Reserve in exchange for thirty-six months of educational assistance.

On 2 Jun 20, according to NGB Form 22, *Report of Separation and Record of Service*, the applicant was transferred to the USAF Reserve Retired List after twenty-five years of honorable service.

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

AIR FORCE EVALUATION

NGB/A1Y recommends denying the applicants request to transfer education benefits to his dependent children. 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. According to the Defense Manpower Data Center (DMDC), prior to separating, the applicant allocated months of education

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benefits to his spouse. However, DMDC shows no history that the applicant allocated education benefits to his dependent children. In accordance with DoDI 1341.13, para 3.f.(1). “An individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement to the individual’s family member only while serving in the Military Services (active duty or Selected Reserve.)” Before the TEB is approved the applicant must assign months to each dependent through the DMDC Milconnect website and check the Acknowledgments section that states “I understand that I may not change a 0-month designation of benefits once I am separated, retired, or discharged. Accordingly, I acknowledge that I have been advised to designate at least 1 month of benefits to each dependent prior to my separation from the Armed Forces.”

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 12 May 23 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 NGB/A1Y and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board found evidence the applicant transferred education benefits to his spouse; however, there was no evidence the applicant transferred one month of benefits to his dependent children prior to his retirement. 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 2.1, considered Docket Number BC-2022-03061 in Executive Session on 12 Sep 23:

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

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

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- Exhibit A: Application, DD Form 149, w/atchs, dated 17 Nov 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, NGB/A1Y, w/atchs, dated 9 May 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 May 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

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