



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

### RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-00431

**Work-Product**

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

He be permitted to transfer his Post-9/11 GI Bill benefits to another dependent.

### APPLICANT'S CONTENTIONS

He was not briefed of the requirement to change his GI bill beneficiary prior to his retirement. Upon his son's death, he was advised he could not transfer the benefits from his son to daughter because he had already retired. He had always planned to request TEB for his daughter during her senior year of high school.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air National Guard (ANG) lieutenant colonel (O-5). He was placed on the Air Force Reserve Retired List, effective 25 Sep 18, eligible for retired pay except for attainment of eligibility age 60.

The applicant's automated records management system (ARMS) record does not include any Post-9/11 GI Bill Transfer of Educational Benefits (TEB) Statement of Understanding (SOU) or DD Form 2648, *Pre-Separation Counseling Checklist*.

The Defense Manpower Data Center (DMDC) records show the applicant's family members for Post-9/11 include his daughter, spouse and son. On 25 Aug 10, he transferred 36 months of eligibility to his son (CP) and zero months to his spouse and daughter.

The applicant did not provide a death certificate; however, an on-line search shows an obituary for his son (DP) with date of death 18 Nov 18. The deceased son (DP) was not listed in the DMDC as a beneficiary for Post-9/11 GI Bill.

Per Reserve Order dated 12 Dec 18, the applicant was placed on the Air Force Reserve Retired List effective 25 Sep 18.

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

### APPLICABLE AUTHORITY/GUIDANCE

**AFBCMR Docket Number BC-2023-00431**

Controlled by: SAF/MRB

Wo... Categories: SP-MIL/SP-PRVCY

Limited Dissemination Control: N/A

POC: [SAF\\_MRBC.Workflow@us.af.mil](mailto:SAF_MRBC.Workflow@us.af.mil)

DoDI 1341.13, *Post-9/11 GI Bill*, paragraph 3.4(1), An individual approved to transfer entitlement to educational assistance may transfer such entitlement to the individual's family member only while serving in the military services.

## **AIR FORCE EVALUATION**

NGB/A1Y recommends denial. There is not enough evidence to recommend approval. The applicant's son (CP), whom the transfer months are allocated to, is not listed as deceased in the Defense Enrollment Eligibility Reporting system (DEERS).

The applicant allocated all 36 months of his Post-9/11 GI Bill to his son (CP) before he retired in 2018. The Harry W. Colmery Veterans Assistance Act of 2017 allows for designation and transfer of Post-9/11 GI bill benefits to eligible dependents of the veteran upon the death of a dependent who had unused transferred benefits. This law is effective 1 Aug 18 and applies to a death that occurred after 1 Aug 09.

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 Jul 23 for comment (Exhibit D) but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was not timely filed. The Board also 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 Department of the 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.
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. However, should the applicant provide a death certificate for his son (CP) who was previously designated as his Post 9-11 GI Bill beneficiary, the Board will reconsider his request. Therefore, the Board finds the application untimely and recommends against correcting the applicant's records.

## **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**

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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-2023-00431 in Executive Session on 3 Oct 23:

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, Panel Chair  
Panel Member

Work-Product, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 22 Jan 23.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, NGB/A1Y, dated 23 Jun 23.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 10 Jul 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.

8/27/2025

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Board Operations Manager, AFBCMR  
Signed by: USAF

**AFBCMR Docket Number BC-2023-00431**

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