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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00497

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COUNSEL: NONE

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

She be allowed to transfer her Post-9/11 GI Bill Transfer of Education Benefits (TEB) to her dependent.

### APPLICANT'S CONTENTIONS

She was not aware she had to apply for TEB while on active duty. She was under the impression that she would be able to transfer benefits when they become of age.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air Force airman first class (E-3).

On 20 November 2001, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty.

On 4 December 2001, the applicant signed DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*, (Chapter 30, Title 38, U.S. Code).

On 2 September 2009, according to DD Form 214, the applicant was honorably discharged in the grade of E-3. She served 7 years, 9 months, and 13 days total active duty. Her narrative reason for separation reflects "Pregnancy or Childbirth."

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

### APPLICABLE AUTHORITY/GUIDANCE

**Directive-Type Memorandum (DTM) 09-003: Post 9/11 GI Bill**, Attachment 2, paragraph 3.a : Eligible Individuals. Any member of the Armed Forces on or after August 1, 2009, who, at the time of the approval of the individual's request to transfer entitlement to education assistance under this section, is eligible for the Post-9/11 GI Bill, and

(3)(a) For those individuals eligible for retirement on Aug 1, 2009, no additional service is required.

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

**AFI 36-2306, Voluntary Education Program**, dated 13 Aug 10, Attachment 9.

A9.18. Transferability of unused benefits to dependents.

A9.18.7. Time for Transfer, Revocation, and Modification.

A9.18.7.1. Time for Transfer. A member approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

A9.18.9. Transfer of Benefits Procedures. All requests and transactions will be completed through the TEB Web application at <https://www.dmdc.osd.mil/TEB/>. Airmen are responsible for correcting inaccurate information. Airmen may request certification of Post-9/11 GI Bill eligibility from the DVA's website prior to requesting to transfer of benefits.

A9.18.9.3. Once certifying officials have approved a request to transfer benefits, Airmen may print a hard copy of the certified TEB request for their personal records. Additional service commitments will be recorded in the appropriate personnel system(s). Additional service commitments resulting from transferring unused Post-9/11 GI Bill benefits begin on the date of request and are served concurrent with any other additional service commitment in effect at the time of the transfer or incurred at any time after the request to transfer benefits. Transfer of Post-9/11 GI Bill benefits, in and of itself, will not limit any other reenlistment option or incentive to which a member may be eligible.

A9.20. AFPC/DPS Specific Procedures (Active Duty) – Transfer of Benefits Option Responsibilities:

A9.20.1. MEMBERS MUST:

A9.20.1.3. Apply for this option through DMDC's (TEB) website (<https://www.dmdc.osd.mil/TEB/>).

## **AIR FORCE EVALUATION**

AFPC/DP3SA recommends denying the application. The program for the transfer of benefits was enacted on 1 August 2009. The Defense Manpower Data Center (DMDC) shows no record the applicant applied for TEB. Without a request, eligibility for the program could not be established as AFI 36-2306 AFGM1, *The Education Services Program* [18.a.(2)] and Directive-Type Memorandum (DTM) 09-003: *Post-9/11 GI Bill*, Attachment 2 [3.a.(1)], cite the date of request as the date on which the appropriate service obligation would be applied. Additionally, in accordance with 38 U.S.C., Section 3319 (f)(1) and DTM 09-003, Attachment 2 [3.g.(1) and 3.i.], all requests for TEB must be submitted via the DMDC TEB web application while on active duty. Lastly, based on the applicant's Total Active Federal Military Service Date (20 November 2001), she would have incurred a four-year service obligation with TEB approval.

Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice on the part of the Air Force. DMDC shows no record the applicant applied for TEB.

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 13 April 2023 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 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 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. 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 2.1, considered Docket Number BC-2023-00497 in Executive Session on 15 August 2023:

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 22 February 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 5 April 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 13 April 2023.

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.

8/30/2025

X

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Board Operations Manager, AFBCMR

Signed by: Work-Product

**AFBCMR Docket Number BC-2023-00497**

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