



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-00536

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

In Aug 16, the applicant was pregnant with her second child and applied to TEB to her oldest dependent. Within 30 days of being notified of needing retainability she went into labor and delivered her baby. After delivering her child, she attempted to reenlist and was informed that she was unable to reenlist while on convalescent leave. Her leave ended in December, and she reenlisted shortly after due to the holiday schedule. She never received any notifications regarding her TEB application as she was on convalescent leave, nor did she receive any after returning to work. In addition, at the time she applied her husband was deployed, she was taking care of two children and leading multiple work centers. She wasn't aware that her TEB request was denied until she recently applied for retirement and discovered the oversight. She fulfilled the service commitment associated with her original application and is requesting that it be approved so she can retire.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force master sergeant (E-7).

From 28 Sep 16 to 21 Dec 16, according to AF Form 988, *Leave Request/Authorization*, provided by the applicant, she was placed on convalescent leave for a total of eighty-four days.

On 19 Dec 16, according to AF Form 901, *Reenlistment Eligibility Annex to DD Form 4*, the applicant selected "no" in Block D. *The reason for this reenlistment is to qualify for transferability of the Post 9/11 GI Bill.*

On 9 Jan 17, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant reenlisted for five-years.

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

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Controlled by: SAF/MRB

Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

AIR FORCE EVALUATION

AFPC/DP3SA recommends denying the application for TEB, because the applicant did not secure the required retainability within the thirty-day application period. On 31 Aug 16, Defense Manpower Data Center (DMDC) records reflect the applicant applied for TEB with a commitment date of 30 Jun 20. However, within thirty-days of submitting the application, the applicant states that she went into labor and delivered a child. On 3 Oct 16, the application was rejected because she did not secure retainability within the thirty-day suspense. On 9 Jan 17, the applicant reenlisted for five-years.

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 20 Mar 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 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 submitted completed the TEB SOU or secured the required retainability within the application window. 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-2023-00536 in Executive Session on 12 Jun 23:

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

[REDACTED]

[REDACTED]