



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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER: BC-2023-00538**

**COUNSEL: NONE**

**HEARING REQUESTED: YES**

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**APPLICANT'S REQUEST**

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

**APPLICANT'S CONTENTIONS**

In Jul 09, while assigned to the Pentagon, the applicant applied for TEB, signed the Statement of Understanding (SOU) and acknowledged the required four-year Active Duty Service Commitment (ADSC). Furthermore, the applicant verified his dependents were eligible in the Defense Enrollment Eligibility Reporting System (DEERS) and transferred an even amount of eligible months to his dependents on the TEB website. The applicant assumed the transfer was complete because he was never notified that the application was denied. In Jul 21, after serving another twelve years from the date he applied, he retired from active service. In Jun 22, the applicant discovered his dependents were not eligible for education benefits after the Department of Veteran Affairs (VA) denied a claim for his daughter. The VA denial stated, "The Air Force hasn't indicated that your parent has been approved for the transferability program." Since 2009, the applicant moved several times, and has been unable to locate a copy of the signed TEB SOU. He contacted the Pentagon Military Personnel Flight (MPF) to determine why the paperwork was never processed and what could be done to rectify the situation. After the MPF could not provide an answer on what happened, the applicant contacted the Defense Manpower Data Center (DMDC), and was informed of their inability to locate records for him in 2009. The applicant is requesting his military records be corrected to reflect his TEB application was approved, and education benefits transferred to his dependent children.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

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

On 30 Jun 21, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant retired with twenty-eight years and twenty-nine days 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**

**AFBCMR Docket Number BC-2023-00538**



AFPC/DP3SA recommends denying the applicant's request to transfer education benefits to his dependents. The applicant contends, in Jul 09, he applied for TEB and never received notification that his application was disapproved. 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. DMDC shows no record the member 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. In accordance with 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 serving as a member of 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 15 May 23 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. The board found no evidence the applicant applied for TEB in Jul 09. 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**

**AFBCMR Docket Number BC-2023-00538**

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-2023-00538 in Executive Session on 3 Oct 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, w/atchs, dated 7 Feb 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 15 May 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 23 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.

8/28/2025

[REDACTED]

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