



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

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-00831

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

**APPLICANT'S REQUEST**

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

**APPLICANT'S CONTENTIONS**

On 31 Oct 19, the applicant retired from active duty after twenty-one years of service. The applicant contends that prior to his retirement, he converted his Montgomery GI Bill (MGIB) to the Post-9/11 GI Bill and transferred education benefits to his dependents. However, in the summer of 2022, while the applicant's dependent was applying for college, he inquired about initiating his education benefits and was informed that the transfer of education benefits was never initiated on his behalf.

The applicant believes that when TEB was established in May 13, it was never designed to benefit retirees. Furthermore, in 2018, when the eligibility window for TEB was expanded, it still did not include retirees who were outside of the eligibility window. The Department of Defense Instructions that govern TEB denies retirees the opportunity to determine the use of an educational benefits earned during their service. The applicant believes it is an injustice to have served over twenty-one years of active duty and be unable to use education benefits for his dependent.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

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

On 31 Oct 19, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant retired after twenty-one years and seven months 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**

AFPC/DP3SA recommends denying the applicants request to transfer education benefits to his dependents. Based on 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. The applicant contends that prior

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[REDACTED]

to retirement, he converted his MGIB to TEB and transferred education benefits to his dependents. Furthermore, the applicant contends that TEB was never designed to benefit retirees and governing instructions should be amended to support TEB for retirees. The Defense Manpower Data Center shows no record the applicant applied for TEB. Without a request, eligibility for the program could not be established as AFI 36-2649\_AFGM2019-01, Air Force Voluntary Education Program (A13.18.1.1.1), cites the date of request as the date on which the appropriate service obligation would be applied. Additionally, in accordance with 38 USC §3319(f)(1), DoDI 1341.13, Change 1, Enclosure 3 [3. and 3(f)(1)], and AFI 36-2649\_AFGM2019-01 (A13.18.7.1., A13.18.9., and A13.20.1.3.) 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 14 Jun 23 for comment (Exhibit D), but has received no response.

The applicant's complete response is at Exhibit E.

### **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 did not exhaust 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 before his retirement. Therefore, the Board 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.

[REDACTED]

**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-2023-00831 in Executive Session on 7 November 2023:

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

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

- Exhibit A: Application, DD Form 149, dated 31 Mar 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 22 May 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 14 Jun 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.

9/1/2025

[REDACTED]