



UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02247

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be allowed to transfer his Post-9/11 GI Bill Transfer of Education Benefits (TEB) to his dependents.

APPLICANT'S CONTENTIONS

He never received the Statement of Understanding (SOU) at his deployed email and failed to gain the required retainability. On 3 August 2018, he initiated the TEB to his dependents while deployed to Work-Product. At that time, he believed he was under the indefinite reenlistment and did not need retainability.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force chief master sergeant (E-9).

According to the Retrieval Applications Web (RAW), the applicant entered active duty on 28 July 1999 and currently has 24 years of active service.

On 19 June 2014, according to DD Form 4, *Enlistment/Reenlistment document Armed Forces of the United States*, the applicant reenlisted for a period of 5 years and 5 months in the grade of E-7.

According to the applicant's Meritorious Service Medal citation, the applicant was awarded the medal for outstanding achievement from 27 March 2018 to 10 October 2018 while deployed in support of Operation INHERENT RESOLVE.

On 17 August 2018, as noted in the documents provided by AFPC/DP3SA, the applicant was sent a message from the Total Force Service Center (TFSC) that his application for TEB had been received. The message further indicates that in order to be approved, he must submit a SOU, and commit to four additional years of service from the date of application.

On 13 September 2018, as noted in the documents provided by AFPC/DP3SA, the TEB application was rejected because he did not secure the required retainability or complete the SOU.

AFBCMR Docket Number BC-2023-02247

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Controlled by: SAE/MRB

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Limited Dissemination Control: N/A

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

According to the Retrieval Applications Web (RAW), the applicant contracted his last reenlistment on 8 June 2020 and currently shows his category of enlistment as “Career” with a date of separation of 8 August 3888.

On 31 July 2023, according to DAF Form 4406, *Post-9/11 GI Bill Transfer of Educational Benefits Statement of Understanding*, the applicant incurred a four year Active Duty Service Commitment with an end date of 4 July 2027 in exchange for TEB.

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

APPLICABLE AUTHORITY/GUIDANCE

According to the regulation at the time of the applicant’s discharge, DODI 1341.13, Post-9/11 GI Bill, Enclosure 3, Paragraph 3, dated 31 May 13 states: Any service member on or after 1 August 2009, who is entitled to the Post-9/11 GI Bill at the time of the approval of his or her request to transfer that entitlement under this section, may transfer that entitlement provided he or she has at least 10 years of service in the Military Services (active duty or Selected Reserve) on the date of approval, is precluded by either standard policy (Service or DOD) statute from committing to four additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute. (Note that this provision uses the same language as AFI 36-2649, Voluntary Education Program, paragraph A13.18.1.1.2 paragraph 3.a.(2)). The effect of this paragraph is the elimination of the retainability requirement for members who have at least 10 years of service, who are subject to early separation due to policy or statute, and who agree (or would have agreed) to serve the maximum time allowed.

AIR FORCE EVALUATION

AFPC/DP3SA recommends denying the application. The Defense Manpower Data Center (DMDC) records show the applicant applied for TEB on 3 August 2018. The application was rejected on 13 September 2018 because he failed to secure the required retainability within the application period. In accordance with AFI 36-2649 AFGM2018-01, *Air Force Voluntary Education Program* (A13.18.1.1.1, A13.20.1.1., A13.20.1.5., and A13.20.1.6), members must secure 4 years retainability (from the date of application), complete, and submit the required TEB SOU within 30 days of the Initial Notification. myFSS records show the initial notification was sent on 7 August 2018. An AFPC TEB technician noted the applicant did not secure retainability for the application. Additionally, when applying for TEB via milConnect, the “Message from Your Service Component” stated, “*Within 72 duty hours, you will receive an email from the Total Force Service Center (TFSC). If you DO NOT receive an email...contact the TFSC at 1-800-525-0102 ASAP.*”

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. The applicant did not secure retainability.

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 August 2023 for comment (Exhibit D), and the applicant provided duplicate documentation from his application submission (i.e, Temporary Duty History, certificate for award of the Meritorious Service Medal (Second Oak Leaf Cluster), and TEB request).

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 the victim of an error or injustice. While the Board notes the recommendation of AFPC/DP3SA against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. On 3 August 2018, at the time the applicant initially applied for TEB, he was at a deployed location, and it is likely that he never received notification that he needed to sign the SOU or that his application had been rejected. In addition, the Board finds it reasonable that the applicant was under the impression that he was under a "Career" or indefinite enlistment and therefore had the retainability required for the TEB. Given that the applicant continued to serve since he initially applied for TEB and still serves to this day, now under a "Career" enlistment, the board finds that the applicant met the intent of the program and has fulfilled the military service obligation required for TEB. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 3 August 2018, his application to transfer his Post-9/11 GI Bill Educational Benefits to his eligible dependents was approved with a service obligation end date of 2 August 2022.

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-2023-02247 in Executive Session on 12 September 2023:

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, Panel Chair

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, Panel Member

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, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 7 July 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 8 August 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 August 2023.
- Exhibit E: Applicant's Additional Documentation, not dated.

AFBCMR Docket Number BC-2023-02247

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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.

7/31/2025

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2023-02247

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