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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-02373

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

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

APPLICANT'S CONTENTIONS

He transferred his education benefits in 2012 when he had the required amount of retainability to apply; however, he is now being told there is no record of his transfer. He has never used his GI Bill because he completed the transfer. His son has been accepted to Louisiana State University with the understanding he could use the benefits to cover his tuition. He served 20 years in the Air Force and was depending on this benefit to help his son gain a higher education. If his request is denied, it would cause severe financial strain and he is asking this administrative error be corrected so his son can utilize the benefits he worked for during his Air Force career.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 3 Oct 11, the applicant signed AF FM 901, *Reenlistment Eligibility Annex to DD Form 4* and section D, *The reason for this reenlistment is to qualify for transferability of the Post-9/11 GI Bill* is checked "No."

On 4 Oct 11, according to DD FM 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, the applicant reenlisted for a period of 4 years and 13 months. The form also reflects his previous military service upon his reenlistment as 8 years, 7 months, and 24 days.

On 26 Aug 16, the applicant signed AF FM 901, and section D, *The reason for this reenlistment is to qualify for transferability of the Post-9/11 GI Bill* is checked "No."

On 29 Aug 16, according to DD FM 4, the applicant reenlisted for a period of five (5) years and two (2) months.

On 9 Jun 21, the applicant signed AF FM 901, and Section IV, *Reenlistment Agreement*, Item B states, "The authority/condition for this request is AFI 36-2606, Table 5.8, Rule 5 – 2nd/Career Amn to get retain for PCS/PCA/TDY assign, to include deploy."

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On 16 Jun 21, according to DD FM 4, the applicant reenlisted for an unspecified number of years in the grade of master sergeant which allowed him to serve up to his High Year of Tenure (HYT) of 11 Feb 27.

On 28 Feb 23, as shown on the applicant's DD Form 214, *Certificate of Release or Discharge from Active Duty*, he was honorably discharged in the grade of master sergeant and credited with 20 years and 20 days of net active service. The narrative reason for separation reflects, "Sufficient Service for Retirement."

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

APPLICABLE AUTHORITY/GUIDANCE

In accordance with DoD Instruction 1341.13, *Post-9/11 GI Bill*, Enclosure 3, and AFI 36-2649, *Voluntary Education Program*, Attachment 13, A13.18.1.1., members are eligible to transfer benefits if their service to the Armed Forces was on or after 1 Aug 09. Additionally, 38 U.S.C., Section 3319 (f)(1) states: "an individual 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."

AIR FORCE EVALUATION

AFPC/DP3SA (Education Services) recommends denying the application. The applicant contends he completed the required documents for TEB approval. He states, "I applied for a transfer of education benefits under the Post-9/11 GI Bill in 2012, when I had the required amount of retainability to apply for the benefits transfer. I am now being told there is no record of this transfer of benefits."

According to the Defense Manpower Data Center (DMDC) there is no record the applicant applied for TEB. Without a request, eligibility for the program could not be established as Directive-Type Memorandum (DTM) 09-003: *Post-9/11 GI Bill*, Attachment 2 [3.a.(1)] and AFI 36-2306 IC1, *Voluntary Education Program* [18.a.(2)], 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 19 Sep 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 notes, there is no evidence, nor has the applicant provided any that indicates he elected to transfer his Post-9/11 GI Bill benefits to his dependents. While the applicant reenlisted on 4 Oct 11, 29 Aug 16 and 16 Jun 21, there is no indication on the DD Forms 4 or the accompanying AF Forms 901 the purpose for reenlistment was for the transfer of education benefits. Furthermore, the applicant has since retired from the Air Force and in accordance with DoD Instruction 1341.13 all requests for TEB must be executed while serving as a member of the armed forces. 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-2023-02373 in Executive Session on 14 May 2024:

Work-Product	Panel Chair
Work-Product	Panel Member anel Member

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

- Exhibit A: Application, DD Form 149, dated 21 Jul 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 13 Sep 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Sep 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.

1/17/2025

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