



**CUI//SP-MIL/SP-PRVCY**

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

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**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

*Work-Product*

**DOCKET NUMBER:** BC-2023-02606

**COUNSEL:** NONE

**HEARING REQUESTED:** YES

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**APPLICANT'S REQUEST**

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

**APPLICANT'S CONTENTIONS**

Her benefits were transferred to her daughter on 17 August 2016. She spoke to her local Education office and Military Personnel Flight but was never informed that she needed to take further action in MilConnect until she was denied by the Department of Veterans Affairs (VA) to utilize the benefit. This situation has called a financial strain on her family.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a currently serving senior master sergeant (SMSgt) (E-8).

On 19 May 1999, according to DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, the applicant enlisted for a period of 4 years in the grade of airman basic (E-1).

On 1 June 1999, the applicant signed DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*, (Chapter 30, Title 38, U.S. Code).

On 17 August 2016, according to AF Form 1411, *Extension or Cancellation of Extensions of Enlistment in the Regular Air Force (RegAF)/Air Force Reserve (AF Reserve)/Air National Guard (ANG)*, the applicant extended for 31 months for the purpose of "Transfer Post-9/11 GI Bill." Her DOS of 13 February 2018 was extended to 12 September 2020. Her High Year Tenure (HYT) reflects 19 May 2023.

According to the Retrieval Applications Web (RAW), the applicant contracted her last reenlistment on 4 August 2020 and currently shows her category of enlistment as "Career" with a date of separation of 31 May 2025.

On 18 July 2023, as noted in the documents provided by AFPC/DP3SA, the applicant applied for TEB and on 11 August 2023, the TEB application was rejected because she did not secure the required retainability or complete the SOU.

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Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
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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 application. The Defense Manpower Data Center (DMDC) shows no record the applicant applied for TEB in 2016. Without a request, eligibility for the program could not be established as DoDI 1341.13: *Post-9/11 GI Bill*, Enclosure 3 [3.a.(1)] and AFI 36-2649\_AFGM2016-01, *Air Force Voluntary Education Program* (A13.18.1.1.1) cite the date of request as the date on which the appropriate service obligation would be applied. In accordance with DoDI 1341.13, Enclosure 3 [3.f.(1) and 3.h.], all TEB requests must be submitted via the DMDC TEB web application while servicing as a member of the Armed Forces.

DMDC records show the applicant applied for TEB on 18 July 2023. The application was rejected on 11 August 2023, because she could not secure the required retainability to 17 July 2027 due to a High Year of Tenure date (19 May 2025).

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 12 September 2023 for comment (Exhibit D), and the applicant replied on 2 October 2023. In her response, the applicant contended that the Post 9/11 GI Bill transfer policies require a completion of at least 6 years of military service and have 4 years retainability on the date of election in order to transfer benefits. She reenlisted in August 2016 to meet this requirement. At that time, she met all stated criteria and continued to serve our nation with unwavering dedication and commitment for a total of 24 years. As stated on her reenlistment form, her intent has always been to transfer her benefits to her daughter. At the time of reenlistment, she was not informed of the full process to complete the transfer application and as a result, she is being denied the opportunity to provide this valuable option to her child. She was under the impression that once she completed the extension, the MPF would take care of the rest. It was never brought to her attention that there was a second step in MilConnect to complete the transfer request. This was truly an unintentional oversight on her part, and she is now aware of the error. This transfer is crucial for her daughter's future education and well-being.

The applicant's complete response is at Exhibit E.

### **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. In this respect, the Board finds the applicant more likely than not was not made aware of the steps necessary to complete the transfer of benefits. When the applicant extended her enlistment on 17 August 2016 for the purpose of TEB, the Board finds the applicant met the intent of the program. The Air Force received all the service it would have if the applicant had adhered to the formalities of the process. To deny relief in this circumstance would be to place form over

substance to the detriment of the applicant. Therefore, the Board recommends correcting the applicant's records as indicated below.

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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 13 February 2018, she elected and was approved to transfer her Post 9/11 GI Bill Education Benefits to her dependents with a service obligation end date of 12 February 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-2023-02606 in Executive Session on 7 November 2023:

- Work-Product**, Panel Chair
- Work-Product**, Panel Member
- Work-Product**, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 5 July 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 30 August 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 12 September 2023.
- Exhibit E: Applicant's Response, w/atch, dated 2 October 2023.

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.

3/26/2024

X **Work-Product**

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Board Operations Manager, AFBCMR  
Signed by: **Work-Product**