



**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-2023-02904

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

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**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 reenlisted fulfilling a four year term. Despite no break in service, his reenlistment is not reflected in his records. At that time there were virtual Military Personnel Flight (vMPF) to MilConnect transition issues and there was a hurricane that impacted his primary Military Personnel Flight (MPF); however, his retainability was confirmed on 4 October 2018 by the Consolidated Support Staff at *Work-Product*. He believes an inadvertent documentation oversight occurred, but he fulfilled his service obligation and diligently ensured his dependents could access benefits for educational pursuits.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a retired Air Force technical sergeant (E-6).

On 22 October 2002, according to DD Form 214, *Certificate of Release of Discharge from Active Duty*, the applicant enlisted in the Regular Air Force.

On 4 October 2018, according to an e-mail provided by the applicant, he wrote to his Consolidated Support Staff (CSS) and indicated he started the process to transfer his educational benefits to his children. In addition, he provided a screenshot showing a date of separation of 24 May 2020 and requested guidance on how to extend for the purpose of TEB.

On 10 October 2018, as noted in the documents provided by AFPC/DP3SA, the Defense Manpower Data Center (DMDC) records show the applicant applied for TEB. On 14 November 2018, the application was rejected because he failed to secure the required retainability within the application period.

On 27 October 2021, according to AF Form 1411, *Extension of Enlistment in the Air Force*, the applicant extended his current enlistment he entered on 25 Feb 15 for a period of 4 years and 15 months by a period of 8 months. At that time his Expiration Term of Service (ETS) reflected 24 Oct 22 and based on the extension was extended to 24 Jun 23. In addition, this was the applicant's second extension of his current enlistment.

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Controlled by: SAF/MRB  
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Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

On 31 October 2023, according to Special Orders Number **Work-Product**, the applicant was relieved from active duty and retired effective on 1 November 2023 in the grade of technical sergeant. The applicant served 21 years and 9 months of active 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**

DoDI 1341.13, *Post-9/11 GI Bill*, Enclosure 3, Paragraph 3, dated 31 May 2013 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 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. 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 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 four years retainability (from the date of application), complete, and submit the required TEB SOU within 30 days of the Initial Notification. The myFSS historical records show the applicant was sent the Initial Notification on 12 October 2018, but on 14 November 2018, the application was rejected because he failed to secure the required retainability within the application period.

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 10 October 2023 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 the victim of an 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. Specifically, the Board notes when the applicant initially applied for TEB on 10 October 2018 and

when he retired in 2023, he would have fulfilled the four-year ADSC. 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 10 October 2018, he elected and was approved to transfer his Post-9/11 GI Bill Educational Benefits to his eligible dependents with an obligation end date of 9 October 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-2023-02904 in Executive Session on 9 January 2024:

- 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 31 August 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 2 October 2023.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 10 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.

1/27/2024

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**Work-Product**

Board Operations Manager, AFBCMR

Signed by: **Work-Product**