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

### RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2023-03774

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**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### 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

She learned in November 2023 that some of her dependents were not eligible for the TEB. She was not aware of the steps needed to take prior to retiring for her dependents to use her benefits. The dependent who currently holds all the education benefits will not be using them. She apologizes for this oversight and request all her dependent children be able to use her benefits.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

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

On 4 November 1999, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty.

On 11 January 2016, as noted in the documents provided by AFPC/DP3SA, the Defense Manpower Data Center (DMDC) shows the applicant applied for TEB. On 25 January 2016, the request was approved with an obligation end date of 4 November 2019.

On 21 January 2016, AF Form 4406, *Post 9/11 GI Bill Transfer of Educational Benefits Statement of Understanding (SOU)*, the applicant acknowledged with the Active Duty Component, that she would incur a service obligation of four years and an Active Duty Service Commitment (ADSC) would be updated in her records. The Active Duty Component date reflects 4 November 2019.

On 31 August 2022, according to DD Form 214, the applicant received an honorable character of service. She served 22 years, 9 months and 27 days total 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.

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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)

## 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 DMDC records reflects the applicant applied for TEB on 11 January 2016. The application was approved on 25 January 2016, with an obligation end date of 4 November 2019. In accordance with (IAW) DoDI 1341.13 *Post-9/11 GI Bill*, 3.3.b(2)(a) and 3.3.g(2)1., an individual must designate at least one month of entitlement to each eligible family member before separation or retirement and may only add new dependents to the transfer while serving in the Armed Forces. The applicant's record was partially approved to reallocate months to A.R. who is still eligible for transferred benefits; however, when the applicant retired effective 1 September 2022, dependents with zero months allocated became ineligible IAW DoDI 1341.13, 3.3.g(2)1.

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 17 January 2024 for comment (Exhibit D), and the applicant replied on the same date. In her response, the applicant contended in the chaos to complete all requirements prior to retirement, she did not realize nor was she informed during any out-processing briefing, that she needed to allocate percentages to each of her dependents to ensure they would all be able to take advantage of educational benefits. She had a "virtual" out-processing appointment where important details were missed by her counselor. She was also not paid a retirement pension for months. If properly counselled she would have ensured the requirement was met immediately upon getting married. The educational benefits provided by the military are not only a means of support for individual service members but also a means of investing in the future of their dependents. Her desire is to ensure her dependents can fully access the educational benefits they should be entitled to because of her service in the Air Force.

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 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, when the applicant retired on 1 September 2022, her dependents with zero months allocated became ineligible. Therefore, the Board recommends against correcting the applicant's records.

## 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

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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-2023-03774 in Executive Session on 13 August 2024:

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, Panel Chair

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, Panel Member

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, Panel Member

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

Exhibit A: Application, DD Form 149, w/atchs, dated 15 November 2023.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 16 January 2024.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 17 January 2024.

Exhibit E: Applicant's Response, dated 17 January 2024.

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.

4/15/2025

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Board Operations Manager, AFBCMR

Signed by:

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