



Work-Product

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

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### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00682

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

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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

She transferred her benefits in October/November 2009. She was stationed at Izmir, Turkey (austere location). There was no Education Service Officer (ESO) for her retirement briefing; she was advised to transfer a minimum of one month of her entitlement to ensure she retained transferability; she completed the required form at that time and was advised that all requirements had been met.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force major (O-4).

On 17 January 1990, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty.

On 31 January 2010, the applicant was honorably released from active duty in the grade of major and retired on 1 February 2010. She served 20 years and 14 days total active service. Her narrative reason for separation reflects "Vol Retirement: Maximum Service or Time in Grade."

According to Special Orders Number **Work-Product** dated 16 March 2009, the applicant was relieved from active duty on 31 January 2010 and retired on 1 February 2010 in the grade of major. She served 20 years and 14 days of active service for retirement.

The Benefits for Education Administrative Services Tool (BEAST) print-out, provided by AFPC/DP3SA, shows no record the applicant applied for TEB.

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

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## APPLICABLE AUTHORITY/GUIDANCE

In accordance with Directive-Type Memorandum (DTM) 09-003, dated 22 Jun 09 DoD Instruction 1341.3, *Post-9/11 GI Bill Program*, dated 31 May 13, members are eligible to transfer benefits if their service to the Armed Forces was on or after 1 Aug 09. If that member became retirement eligible during the period from 1 August 2009, through 31 July 2012 and agreed to serve the additional period, if any, specified in the following subparagraphs before 1 August 2013 (the date that this subparagraph became no longer in effect), then that member was considered to have an approved transfer provided they fulfilled their service commitment:

- For those individuals who have an approved retirement date after August 1, 2009, and before July 1, 2010, no additional service is required.

## 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 Defense Manpower Data Center (DMDC) shows 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* (3.a.) and AFI 36-2306 AFGM1, *The Education Services Program* [18i(3)], cite the date of request as the date on which the appropriate service obligation would be applied. In accordance with AFI 36-2306 AFGM1 [18g(1), 18i and 20a(1)(c)], 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 28 August 2024 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 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. The Board noted the applicant had an approved retirement date of 1 February 2010; therefore, no additional service was required to transfer her benefits to her eligible dependents. At the time the applicant states she transferred her benefits to her dependents; the program was just being introduced and information surrounding the application process was limited. 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 30 November 2009, her application to transfer her Post-9/11 GI Bill Educational Benefits to her dependents was approved with no additional service obligation.

## 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-2024-00682 in Executive Session on 12 November 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 16 February 2024.

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

Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 26 March 2024.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 August 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.

4/6/2025

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