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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01477

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COUNSEL: NONE

HEARING REQUESTED: NO

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 signed a four-year contract on 28 December 2015 and reenlisted in 2019. In October 2022, he had been on active duty for 6 years and 10 months and had 1 year and 2 months left on his contract. Subsequently, he reenlisted for four more years to obtain retainability so he could take on a recruiter position. When he reenlisted, he thought he transferred from the GI Bill to Post-9/11. He attended recruiter school and did not check to see if the change had occurred because he was focused on the class. Further, he had no access to his email until February 2023.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force staff sergeant (E-5).

On 28 December 2015, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted for a period of four years in the Air Force beginning in the pay grade of airman basic.

On 6 January 2016, the applicant signed DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)* and enrolled in the MGIB.

On 30 September 2022, according to DD Form 4, the applicant reenlisted for a period of 4 years and 14 months in the Air Force beginning in the pay grade of staff sergeant (E-5). Previous military service upon reenlistment reflects total active military service six years, nine months and one day.

On 17 April 2024, according to the Benefits for Education Administrative Services Tool (BEAST) print-out, provided by AFPC/DP3SA, the applicant applied for TEB. On 30 April 2024, his request was rejected because he did not commit to the required additional service time.

According to the Retrieval Applications Web (RAW), the applicant's date of separation (DOS) reflects 29 November 2027.

AFBCMR Docket Number BC-2024-01477

Work-Product

Work-Product

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

APPLICABLE AUTHORITY/GUIDANCE

Service members enrolled in the Post-9/11 GI Bill Program are able to transfer unused educational benefits to their dependent spouses or children. Any member of the Armed Forces, active duty or Selected Reserve, officer or enlisted, on or after 1 August 2009, who is eligible for the Post-9/11 GI Bill, has at least six years of service in the Armed Force on the date of election, and agrees to serve 4 additional years in the Armed Forces from the date of election; or has at least 10 years of service on the date of election, is precluded by either standard policy (Service or DoD) or statute from committing to 4 additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute, can transfer their unused Post-9/11 GI Bill educational benefits to their dependents (Title 38 USC, Chapter 33, § 3319(b)(1)). Title 38 USC, Chapter 33, § 3319(f)(1) adds that the transfer of such entitlement can only be done while serving as a member of the armed forces when the transfer is executed.

AIR FORCE EVALUATION

AFPC/DP3SA recommends denying the application. AFPC/DP3SA has considered the entire record including the applicant's submissions and all pertinent materials. 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 in 2022. Without a request, eligibility for the program could not be established as Department of Defense Instruction (DoDI) 1341.13, *Post-9/11 GI Bill* [3.3.b.(1)] and AFI 36-2670, *Total Force Development* [6.11.15.1.1.] cite the date of request as the date on which the appropriate service obligation would be applied. Additionally, in accordance with DoDI 1341.13 [3.3.a.(4)] and AFI 36-2670 [6.11.15.8.] all requests for TEB must be submitted via the DMDC TEB web application.

The complete advisory opinion is at Exhibit C.

REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 3 June 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 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. 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

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-2024-01477 in Executive Session on 12 November 2024:

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

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

- Exhibit A: Application, DD Form 149, dated 18 April 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atch, dated 30 May 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 3 June 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.

4/7/2025

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