



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01948

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Post-9/11 GI Bill election be updated to reflect one month of eligibility for his second dependent (IAS).

APPLICANT'S CONTENTIONS

He transferred one month of his Post-9/11 GI Bill benefit to his oldest dependent during his active duty service. However, he mistakenly allotted one month of the benefit to one dependent, rather than allotting at least one month to both of his dependents. He understood that he needed to transfer one month for eligibility, but he misunderstood the benefit needed to be transferred to each dependent for eligibility.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 29 Feb 19, the applicant executed the AF Form 4406, *Post 9/11 GI Bill Transfer of Educational Benefits, Statement of Understanding*, in which he acknowledged an active service commitment until 27 Jan 23.

On 31 Jan 23, according to Special Order **Work-Product**, dated 5 Jul 22, the applicant retired.

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

AIR FORCE EVALUATION

AFPC/DP3SPA recommends denying the application indicating there is no evidence of an error or injustice.

The Defense Manpower Data Center reflects the applicant applied for the transfer of educational benefits on 29 Jan 19 and the application was approved on 19 Mar 19. He incurred a service obligation with an end date of 17 Jan 23. He retired effective 1 Feb 23.

AFBCMR Docket Number BC-2024-01948

Work-Product

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DAFI 36-2670, *Total Force Development, Incorporating Change 3* (6.11.15.3) and DoDI 1341.13: *Post 9/11 GI Bill*, Section 3 (3.3f(1), 3.3f(2)(a), 3.3g(1)(a) and 3.3g(2)(a)1 and 2, states individuals must designate at least one month of enlistment to each eligible family member before separation or retirement and may only add new dependents to the transfer while serving in the Armed Forces. Accordingly, when the applicant retired the dependent with zero months allocated became ineligible for the benefit.

The complete advisory opinion is at Exhibit C.

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APPLICANT’S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 6 Aug 24 for comment (Exhibit D), and the applicant replied on 9 Aug 24 and 10 Oct 24. In his response, the applicant contended he is seeking to have his dependent currently listed as ineligible be listed as eligible, a benefit he earned. This request is not contrary to any laws. He has completed the required service commitment, and his dependent is already listed on the portal. He contends DoDI 1341.13, para 3.3(d) states “months must be transferred in whole,” but it does not prevent the unused months from being reallocated to another dependent.

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/DP3SPA and finds a preponderance of the evidence does not substantiate a change in the applicant’s records. DAFI 36-2670 notes each eligible family member must be designated at least one month prior to separation or retirement. 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-2024-01948 in Executive Session on 11 March 2025:

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, w/atchs, dated 28 May 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, dated 30 Jun 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 6 Aug 24.
- Exhibit E: Applicant's Response, w/atchs, dated 9 Aug 24 and 10 Oct 24.

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.

3/26/2025

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, AFBCMR

Signed by

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