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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02354

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NOT INDICATED

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 paid into the Montgomery GI Bill and attempted to transfer it multiple times. He took an active duty service commitment (ADSC) but the system did not notify him he was denied. He checked in with the Education Officer and was told he was enrolled in the program. He was told by his local Military Personnel Flight (MPF) he needed to reapply.

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 17 October 2000, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty.

On 12 November 2000, the applicant signed DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB)*.

On 2 January 2012, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant reenlisted in the Regular Air Force for four years and one month beginning in pay grade E-6. His previous military service upon enlistment/reenlistment reflects 11 years and 1 month total active military service.

On 22 March 2014, according to the Benefits for Education Administrative Services Tool (BEAST) print-out, provided by AFPC/DP3SA, the applicant applied for TEB. The application was rejected on 28 April 2014 with an obligation end date of 21 March 2018.

On 3 October 2015, according to the BEAST print-out, provided by AFPC/DP3SA, the applicant applied for TEB. The application was rejected on 5 November 2015 with an obligation end date of 2 October 2019.

On 30 November 2015, according to AF Form 901, *Reenlistment Eligibility Annex to DD Form 4*, “The reason for this reenlistment is to qualify for transferability of the Post 9/11 GI Bill – Yes.”

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On 7 December 2015, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant reenlisted in the Regular Air Force for four years beginning in pay grade E-6. His previous military service upon enlistment/reenlistment reflects 15 years, 1 month and 20 days total active military service.

On 12 August 2020, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant reenlisted in the Regular Air Force for an unspecified amount of time beginning in pay grade E-6. His previous military service upon enlistment/reenlistment reflects 19 years, 9 months and 25 days total active military service.

On 31 July 2024, the applicant was honorably released from active duty in the grade of master sergeant and retired on 1 August 2024. He served 23 years, 9 months and 14 days total active service. His narrative reason for separation reflects “Sufficient Service for Retirement.”

According to Special Orders Number **Work-Product** dated 26 March 2024, the applicant was relieved from active duty on 31 July 2024 and retired on 1 August 2024 in the grade of master sergeant. He served 23 years, 9 months and 14 days 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

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 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. The Defense Manpower Data Center (DMDC) records show the applicant applied for TEB on 22 March 2014 and 3 October 2015. The applications were rejected on 28 April 2014 and 5 November 2015, respectfully, because he failed to secure the required retainability within the application period. He required retainability to 21 March 2018 and 2 October 2019; however, his date of separation at the time of both application rejections was 1 February 2016. In accordance with AFI 36-2306 *AFGM2, Voluntary Education* (A9.18.1.2. and A9.20.1.), AFI 36-3649 *AFGM2015-01, Air Force Voluntary Education* (A13.18.1.1.1. and A13.20.1.5.) and DoDI 1341.13, *Post-9/11 GI Bill*, Enclosure 3 [3.a.(1)], members must secure and agree to serve four additional years from the date of application. The applicant reenlisted on 7 December 2015, outside the 30-day application period.

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.

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 13 September 2024 for comment (Exhibit D). In his response he indicates in 2014, he initially requested a transfer of his educational benefits, and his request was denied due to insufficient retainability. He applied again in 2015, and his request was denied 5 November 2015. On 30 November 2015 he signed an ADSC specifically for transferring his MGIB to the Post-9/11 program. He reenlisted on 7 December 2015 for four years to obtain the retainability needed to complete the required transfer - or so he thought. He was advised by his MPF he no longer had educational benefits. He explained when he entered the service in 2000, everyone was automatically enrolled in the MGIB. The MPF informed him that he never obtained retainability. Since the MGIB no longer exists, how can he be denied the Post-9/11 benefits after completing the ADSC he signed on 30 November 2015. He further indicates he is now a disabled veteran and has received letters from the Department of Veterans Affairs indicating he is eligible for the Post-9/11 benefits. He is unable to recoup or use the educational benefits he paid into and served honorably to earn.

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 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 found the applicant requested TEB on 22 March 2014 and 3 October 2015. His applications were rejected on 28 April 2014 and 5 November 2015, respectively, because he failed to secure the required retainability within the application period. He required retainability to 21 March 2018 and 2 October 2019. The applicant retired effective 1 August 2024. Given the applicant has continued to serve beyond the four-year service commitment from the date he originally applied for TEB, the Board recommends correcting the applicant's records as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 3 October 2015, his application to transfer his Post-9/11 GI Bill Educational Benefits to his dependents was approved with a service obligation end date of 2 October 2019.

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-2024-02354 in Executive Session on 11 March 2025:

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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 30 June 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 10 September 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 13 September 2024.
- Exhibit E: Applicant’s Response, not dated.

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.

5/12/2025

X *Work-Product*

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Board Operations Manager, AFBCMR

Signed by *Work-Product*