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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS****RECORD OF PROCEEDINGS****IN THE MATTER OF:****DOCKET NUMBER:** BC-2024-02394

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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 submitted his TEB request on 16 September 2016 as evidenced by the AF Form 4406, *Post 9/11 GI Bill Transfer of Educational Benefits Statement of Understanding (SOU)*. The fact this is somehow not reflected in his record is an error. He continued serving on active duty meeting his obligation of an additional four years (16 September 2020) and served beyond the active duty service commitment (ADSC) by remaining on active duty until 31 July 2024. He satisfied his commitment and should be able to transfer his benefits to his designated dependent(s).

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force colonel (O-6).

On 1 July 1994, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty.

On 1 March 2024, according to the Benefits for Education Administrative Services Tool (BEAST) print-out, provided by AFPC/DP3SA, the applicant applied for TEB. On 11 April 2024, his request was rejected because he did not have the required retainability.

On 31 July 2024, according to the BEAST print-out, provided by AFPC/DP3SA, the applicant applied for TEB. On 21 August 2024, his request was rejected because he did not have the required retainability.

On 31 July 2024, according to DD Form 214, the applicant received an honorable character of service in the grade of colonel and retired on 1 August 2024. He served 30 years and 1-month total active service. His narrative reason for separation reflects "Maximum Service or Time in Grade."

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On 31 July 2024, according to Special Orders Number [Work-Product], the applicant was relieved from active duty and retired effective 1 August 2024 in the grade of colonel. He served 30 years and 1-month 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) shows no record the applicant applied for TEB on 16 September 2016. Without a request, eligibility for the program could not be established as DoDI 1341.13, *Post-9/11 GI Bill*, Enclosure 3 (3.a.) and AFI 36-2649_AFGM2016-01, *Air Force Voluntary Education Program* (A13.18.1.1.1.), cite the date of request as the date on which the appropriate service obligation would be applied. In accordance with DoDI 1341.13, Enclosure 3 (3.h.) and AFI 36-2649_AFGM2016-01 (A13.18.7.1., A13.18.9., and A13.20.1.3.) all requests must be submitted via the TEB web application while serving as a member of the Armed Forces.

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 shows no record the applicant applied for TEB in 2016.

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), and the applicant replied indicating in 2016, he requested a transfer of his benefits to his dependents while he was a group commander stationed overseas at an expeditionary location ([Work-Product]) for two years with his family. As evidence he requested TEB, he provided a scanned copy of the signed SOU which he provided to his servicing orderly room and MPF at [Work-Product] Air Base. This hardcopy proof of his TEB submission was necessary since he did not have electronic access to the DMDC during his two-year contingency assignment. His request was not honored and entered into the DMDC in 2016 unbeknownst to him, which is an error and injustice. When he attempted to assign/distribute his benefits before his retirement date

in the DMDC his request had been denied because the SOU had never been enacted in the DMDC. He faithfully and honorably served on active duty for 30 years.

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 applicant states he provided a signed copy of an AF Form 4406, *Statement of Understanding (SOU)*, dated 16 September 2016; however, the SOU is blank, not signed or dated. 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-2024-02394 in Executive Session on 8 April 2025:

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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 5 July 2024.

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

Exhibit C: Advisory Opinion, AFPC/DP3SA, w/atchs, dated 10 Sep 2024.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 13 September 2024.

Exhibit E: Applicant's Response, dated 13 September 2024.

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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.

4/16/2025

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Board Operations Manager, AFBCMR

Signed by:

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