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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02723

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be allowed to transfer his Post-9/11 GI Bill education benefits (TEB) to his eligible dependents.

APPLICANT'S CONTENTIONS

On 13 Sep 11, he applied to transfer his Post-9/11 GI Bill benefits to his son. He submitted the VA Form 22-1990 and was told that was all he needed to do and was good to go. At the time, he was an Active Guard Reserve (AGR) and remained one until his retirement on 31 May 17. In Apr 24, his son applied to the Department of Veterans Affairs (VA) for the TEB benefits but was informed via letter dated 28 May 24, which stated "the military hasn't indicated that your spouse or parent has been approved for the transferability program." He contacted the VA and was informed that the TEB benefit was not attached to his son and to contact the Air Force. The Air Reserve Personnel Center (ARPC) informed him that the system showed his 13 Sep 11 TEB request being denied on 21 Dec 11, but could not tell him the reason due to a system change. Further, the system showed that they tried to contact him but, he was never notified on the transfer denial. He was operating on the assumption his application had been approved.

When he applied on 13 Sep 11, his son was enrolled in the Defense Enrollment Eligibility Reporting System (DEERS), he had completed a minimum of six years of qualifying service and finally, he had fulfilled the required four (4) year service obligation when he retired on 31 May 17.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force Reserve lieutenant colonel (O-5).

On 13 Sep 11, according to the applicant's *Benefits for Education Administrative Services Tool* (BEAST) record reflects he submitted his request to transfer his education benefits.

On 21 Dec 11, his application was rejected for reason "Service Member needs to contact Service Representative to resolve reason."

On 31 May 17, according to his DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects he was honorably retired and credited with 20 years, 1 month, and 6 days of active service.

AFBCMR Docket Number BC-2024-02723

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

Department of Defense Instruction (DoDI) 1341.13, *Post-9/11 GI Bill*, Enclosure 3.

3. Transferability of Unused Education Benefits to Family Members. Subject to the provisions of this enclosure, the Secretary concerned, to promote recruitment and retention in the Uniformed Services, may permit an individual eligible for Post-9/11 GI Bill educational assistance to elect to transfer to one or more of his or her family members all or a portion of his or her entitlement to such assistance.

AFI 36-2306, *Voluntary Education Program*, dated 13 Aug 10. Attachment 9, Chapter 33, Post-9/11 GI Bill Department of Veterans Affairs (DVA):

A9.2. Program Description and Purpose. The Air Force Post-9/11 GI Bill Program carries out DoD policy that implements the Department of Veterans Affairs (DVA) Post-9/11 GI Bill Program (also known as Chapter 33 benefits). The Program offers increased educational benefits to veterans who served on or after 11 September 2001 and a transfer program that supports Air Force recruiting and retention. The DVA offers information at <http://www.gibill.va.gov/>.

A9.3. Applicability. Applies to military personnel of the following components: Air Force active duty, the Air Force Reserve and Air National Guard (Active, Reserve and Guard). The Post-9/11 GI Bill is effective 1 August 2009.

A9.18. Transferability of unused benefits to dependents.

A9.18.1.1. Any member of the Armed Forces (active duty and/or Selected Reserve) who meets Post-9/11 GI Bill eligibility requirements and at the time of the approval of the member's request to transfer entitlement to educational assistance:

A9.18.1.2. Has at least 6 years of service in the Armed Forces (active duty and/or Selected Reserve) on the date of election and agrees to serve 4 additional years in the Air Force from the date of request, regardless of the number of months transferred, or

A9.18.9. Transfer of Benefits Procedures. All requests and transactions will be completed through the TEB Web application at <https://www.dmdc.osd.mil/TEB/>. Airmen are responsible for correcting inaccurate information. Airmen may request certification of Post-9/11 GI Bill eligibility from the DVA's website prior to requesting to transfer of benefits.

AIR FORCE EVALUATION

ARPC/DPAT recommends denying the request. The BEAST system indicates he submitted a request on 13 Sep 11, which was disapproved on 21 Dec 11 with the reason: "Needs to contact Service Representative to resolve status." He claims he did not receive notification of the denial, and further investigation reveals no contact was made by him regarding his TEB status between 21 Dec 11 and 27 May 24.

Therefore, based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice as the applicant failed to make contact or follow up regarding his TEB, he did not complete the required Statement of Understanding (SOU), and he did not submit additional information to support his claim.

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 7 Oct 24 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 ARPC/DPAT against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant’s contentions. The Board found the applicant enrolled in TEB and completed the required service commitment. Furthermore, the Board found the applicant met the intent to properly enroll in TEB and to deny would be a detriment to the applicant. 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 that on 13 Sep 11, he elected and was approved to transfer his Post-9/11 GI Bill Educational Benefits to his dependents with an obligation end date of 12 Sep 15.

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-2024-02723 in Executive Session on 21 May 25:

- 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 29 Jul 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPAT, w/atchs, dated 26 Sep 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 7 Oct 24.

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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.

8/28/2025

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2024-02723

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