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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02951

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COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

She be allowed to transfer her Post 9/11 GI Bill education benefits to her dependent effective 10 Jul 24.

APPLICANT'S CONTENTIONS

She made multiple attempts to transfer benefits to her daughter including reenlisting and extending to reach retainability. Due to misinformation, Headquarters Air Force Personnel Center (AFPC) recommended she submit a request to the AFBCMR.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an active duty Air Force senior airman (E-4).

On 10 Jul 18, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant enlisted in the Regular Air Force for a period of four years.

On 19 Jul 18, According to DD Form 2366, *Montgomery GI Bill Act of 1984 (MGIB), Basic Enrollment*, the applicant enrolled in the MGIB.

On 24 Mar 22, according to AF Form 1411, *Extension of Enlistment in the Air Force*, the applicant extended her enlistment from 9 Jul 22 to 9 Aug 24.

On an unknown date, the applicant reenlisted for four years with a new expiration term of service (ETS) of 18 Jul 28.

On 2 Aug 24, according to AF Form 1411, *Extension of Enlistment in the Air Force*, the applicant extended her enlistment for a period of 1 month, from 18 Jul 28 to 18 Aug 28, for the purpose of meeting retainability requirements in accordance with AFI 36-2606, *Reenlistment and Extension of Enlistment*, Table 6.2, rule 29.

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

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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 Aug 09, who is eligible for the Post-9/11 GI Bill, has at least six 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 education 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/DPPSA, recommends granting the applicant's request. Defense Manpower Data Center (DMDC) records show the applicant applied for Transfer of Education Benefits (TEB) on 20 Mar and 2 Jul 24. The applications were rejected on 15 Apr 24 and 15 Jul 24, respectively, due to not having 6 years' time in service. The applicant reapplied on 16 Jul 24, 31 Jul 24, and 7 Aug 24. The applications were rejected on 30 Jul 24, 5 Aug 24, and 21 Aug 24, respectively, because she could not secure retainability due to a High-Year of Tenure (HYT) restriction (10 Jul 28). In accordance with DoDI 1341.13 DAFI 36-3038, *Post 9/11 GI Bill*, Section 3, 3.3.b.(2) and 3.3.b.(4), only service members with at least 6 years of service may transfer education benefits to eligible family members. Additionally, members must agree to serve 4 additional years from the date of election.

Based on the documentation provided and analysis of the facts, there is evidence of an error or injustice on the part of the Air Force. If the applicant had submitted the application on 10 Jul 24, she would have been able to meet the 4-year retainability obligation (9 Jul 28) and avoid being restricted by her high year tenure (HYT) date (10 Jul 28). However, due to the TEB application process, the member's application remained in submission status, preventing her from reapplying.

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 1 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. The Board concurs with the rationale and recommendation of AFPC/DPPSA and finds a preponderance of the evidence substantiates the applicant's contentions. The applicant experienced multiple challenges in the submission and processing of her TEB application, leading to misunderstandings regarding her retainability obligation and eligibility status. The DMDC records reflect the challenges encountered were not merely administrative but systemic in nature.

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and highlight the complexities in navigating the TEB submission process and support the applicant's claims in seeking approval of her TEB application. 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 on 10 Jul 24, her application for transfer of Post-9/11 GI Bill Educational Benefits to her dependent was approved, with a service obligation end date of 9 Jul 28.

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-2024-02951 in Executive Session on 10 Apr 25:

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Panel Chair

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Panel Member

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Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 19 Aug 24.

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

Exhibit C: Advisory opinion, AFPC/DP3SP, dated 19 Sep 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 1 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.

5/16/2025

X

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Board Operations Manager, AFBCMR

Signed by: USAF

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