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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-03525

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COUNSEL: NONE

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

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

### APPLICANT'S CONTENTIONS

At the time of his original application in 2020 he reenlisted in August 2019 on a six-year reenlistment that fulfilled the TEB service requirement. However, the Military Personnel Data System (MilPDS) at the time did not reflect his new expiration term of service (ETS) date. Therefore, his request for TEB was denied. He is retiring and thought this process had been handled in 2020. He transferred one month of his benefits to each family member, and it had to be transferred by January 2021. But apparently, since then, it was denied again. He requests to be grandfathered into his original application and reenlistment of January 2020 to avoid the four-year commitment in light of retirement.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an Air Force Reserve senior master sergeant (E-8) awaiting retired pay at age 60.

On 13 January 2019, according to AF Form 1411, *Extension or Cancellation of Extensions of Enlistment in the Regular Air Force/Air Force Reserve*, the applicant requested his enlistment entered on 4 February 2017 be extended a period of 11 months for the purpose of "Deployment." His request was approved. His separation date was changed from 3 February 2019 to 3 January 2020.

According to DD Form 4/1 which was provided by the applicant, he continued to reenlist contracting his last enlistment on 3 August 2019 for a period of six years.

On 16 June 2019, as noted in the documents provided by ARPC/DPAT, the applicant applied for TEB and on 27 August 2019 the TEB application was rejected because he did not secure the required retainability (4 years-14 Jun 23) or complete the SOU. The second request on 8 December 2019 for TEB was rejected on 27 January 2020. The third request on 27 January 2020 was denied on 7 April 2020 due to no communication from the applicant.

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

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On 27 January 2020, according to DAF Form 4406, *Post 9/11 GI Bill Transfer of Educational Benefits Statement of Understanding (SOU)*, the applicant acknowledged he would incur a service obligation of four years, and a Selective Reserve Service Commitment (SRSC) would be updated in his records. The Reserve Component date shows 7 December 2023.

According to Reserve Order [REDACTED], dated 12 September 2024, the applicant was relieved from his current assignment, assigned to the Retired Reserve section ZA and placed on the Reserve Retired List effective 1 January 2025 in the grade of senior master sergeant.

According to MilPDS, the applicant's Point Credit Summary shows he served 22 years, 8 months and 20 days of satisfactory service.

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 Forces 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 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**

ARPC/DPAT recommends denying the application. The first TEB request on 16 June 2019 was disapproved on 27 August 2019 due to an incomplete SOU and failure to reenlist. The second request on 8 December 2019 was disapproved on 27 January 2020, with the applicant claiming he missed the original email and stating the ETS should be August 2025. The technician confirmed the ETS as 2 August 2021 and advised the applicant to reapply. The third request on 27 January 2020 was denied on 7 April 2020 due to no communication from the applicant despite multiple extensions and reminders to resolve reenlistment issues.

Based on the documentation provided by the applicant and the analysis of the facts, there is no evidence of error or injustice. The applicant did not make contact or follow up regarding their TEB, which could have prevented the need for additional requests. The applicant's ETS was updated with a 19-month extension between the first and second TEB requests indicating the reenlistment update should not have been an issue. It was essential for the applicant to ensure the local CSS/MPS updated the information in MilPDS.

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 9 December 2024 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 notes when the applicant originally applied for TEB on 16 June 2019, he was required to have four years of retainability to 15 June 2023. The applicant applied for TEB twice subsequent to his original request. The applicant retired effective 1 January 2025. Given the applicant has fulfilled the four-year service commitment from the date he originally applied for TEB, he met the intent of the program and to deny would be a detriment to the applicant. Therefore, 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 27 January 2020, he elected to transfer his Post 9/11 GI Bill Education Benefits to his dependents with a service obligation end date to 26 January 2024.

## 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-2024-03525 in Executive Session on 18 July 2025:

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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 6 October 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPAT, w/atchs, dated 7 November 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 9 December 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.

7/30/2025

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Board Operations Manager, AFBCMR  
Signed by: USAF

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