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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-03733

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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 to his eligible dependents.

APPLICANT'S CONTENTIONS

He submitted his application for the Post-9/11 GI Bill Transfer of Benefits (TEB) on 20 Mar 14, which required obtaining retainability until 19 Mar 18, and he reenlisted on 7 Apr 14, for the purpose of "Qualify Post 9/11 G.I.B (TEB)" for a period of 35 months, with an estimated time of separation of 11 Mar 18. He is not sure of why he was 8 days short on his extension paperwork, and he is not sure who made the math error, the Military Personnel Flight (MPF) or himself, but somewhere there was a disconnect and the correct information was not made available at the time. He was told by the Military Personnel Flight (MPF) that everything was complete and met TEB requirements. His sole purpose behind the extension was for TEB eligibility. Since then, he has re-enlisted twice and Jan 25 will mark 19 years of service to his country. His goal when applying for TEB was to give each of his dependent children 18 months and denying his request will hinder his family financially. He respectfully requests the Board approve his request so that he can give his children a good start so that they can become financially successful.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force technical sergeant (E-6).

On 20 Mar 14, according to the applicant's *Benefits for Education Administrative Services Tool* (BEAST) record, reflects he submitted his request to transfer his education benefits.

On 7 Apr 14, according to DD Form 4, *Enlistment/Reenlistment Document – Armed Forces of the United States*, the applicant extended his current enlistment, entered on 12 Jan 09 for a period of 5 years, and 11 months, for a period of 35 months for the purpose of "Qualify Post 9/11 G.I.B (TEB)," This was the 2d extension and all extensions to current enlistment now total 39 months.

On 24 Apr 14, his application was rejected for "reject reason R."

On 20 Oct 17, according to DD Form 4, the applicant reenlisted for a period of 4 years and 9 months.

On 29 Apr 22, according to DD Form 4, the applicant reenlisted for an unspecified period. Section 8b, Remarks, contains the following statement, "I understand this reenlistment is for an unspecified

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Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

period and I will be allowed to serve up to my High Year of Tenure (HYT) for the current rank. My current HYT is 10 Jan 28.”

For more information, see the applicant’s submission at Exhibit A, 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.a.(1), Has at least 6 years of service in the Military Services (active duty or Selected Reserve), NOAA Corps, or PHS on the date of approval and agrees to serve 4 additional years in the Military Services, NOAA Corps, or PHS from the date of election.

AFI 36-2306_AFGM2, **Air Force Guidance Memorandum to AFI 36-2306**, *Voluntary Education*, 13 Aug 10 Incorporating Change 1, 12 Dec 11.

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

A9.20.2. Military Personnel Section (MPS): A9.20.2.1. Counsel all Airmen extending or reenlisting for purpose of qualifying for the transferability of benefits. Airmen will incur a 4-year Active Duty Service Commitment (ADSC) requirement unless otherwise exempt (e.g., retirement eligible).

AIR FORCE EVALUATION

AFPC/DPPSA recommends denying the application. Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error of injustice. The applicant did not secure the required retainability within the application period. Defense Manpower Data Center records show that he applied for TEB on 20 Mar 14 and on 24 Apr 14 it was rejected as, in accordance with DoDI 1341.13, paragraph 3.a.(1) and AFI 36-2306_AFGM2, paragraphs A9.18.1.2 and A9.20.1, he required retainability to 19 Mar 18. While he extended for 35 months on 7 Apr 14, this extension set his date of separation as 11 Mar 18; eight (8) days short of the required retainability.

To grant relief would be contrary to the criteria established by the following law and/or Department of Defense guidance: Title 38 USC Section 3319 and DoDI 1341.13, Enclosure 3.

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 29 Jan 25 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 AFPC/DPPSA against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. In this regard, the applicant applied to transfer his education benefits on 20 Mar 14 and reenlisted for the purpose of TEB on 7 Apr 14. Thereafter, he has served on continuous active duty, reenlisted twice more, and has completed his obligation and fulfilled the additional service commitment to the Air Force. While the applicant's extension to his enlistment fell short of the retainability criteria by eight (8) days, the Board finds the applicant met the intent of the program and the shortfall should be regarded as a procedural defect only and not as evidence of an intent to abandon the transfer request. Therefore, the Board recommends correcting the 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 20 Mar 14, he elected and was approved to transfer his Post-9/11 GI Bill Educational Benefits to his dependents with an obligation end date of 19 Mar 18.

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-2024-03733 in Executive Session on 18 Jul 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 23 Oct 24.

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

Exhibit C: Advisory opinion, AFPC/DPPSA, w/atchs, dated 24 Jan 25.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 29 Jan 25.

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.

7/23/2025

X

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Board Operations Manager, AFBCMR

Signed by: USAF

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