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

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2024-04276

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**COUNSEL:** NONE

**HEARING REQUESTED:** NOT INDICATED

**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**

Before it was determined that a Medical Evaluation Board (MEB) was required regarding his medical condition, Work-Product Flight Medicine prematurely submitted an Assignment Availability Code 37 (AAC37- medical code) on 26 June 2023; thus, triggering his premature TEB denial. At the time it was understood by his medical team that he would be able to return to flying status with the medical condition, therefore it would not be a long-term disqualifying issue. On 1 April 2024, he was put into an Initial Review-In-Lieu-Of (IRILO) process for his medical condition. This process allows a member to manage their medical condition while still allowing them to serve their Active Duty Service Commitment (ADSC) completely and without interruption. The IRILO process is separate from the Disability Evaluation System (DES)/Medical Evaluation Board (MEB) process, which is what the AAC37 code is used for by medical. At the time of his TEB application, the condition still qualified as serviceable with no indication he would not be able to serve his full ADSC. On 9 July 2024, he officially started the MEB process, where the AAC37 code is applicable. Therefore, he was able to fulfill the service requirements at the time of the TEB application.

The applicant’s complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a former Air Force captain (O-3).

On 17 November 2017, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant entered active duty with 1 months and 29 days total prior active service.

On 28 September 2023, according to the Benefits for Education Administrative Services Tool (BEAST) print-out, provided by AFPC/DP3SA, the applicant applied for TEB. On 14 February 2024, his request was rejected because he did not have the required retainability.

On 14 May 2025, according to DD Form 214, the applicant was honorably discharged from active duty in the grade of captain. He served 7 years, 5 months and 28 days total active service and was

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credited with 8 months and 8 days of foreign service. His narrative reason for separation reflects “Disability, Severance Pay, Non Combat, Related IDES.”

According to AF Form 469, *Duty Limiting Condition Report*, provided by the applicant, he was placed on mobility restrictions/duty restrictions. The physical limitations/restrictions reflect “AAC 31/DAV 41 – Temporary no PCS/No deployment. Est End Dat: 03/06/2024; AAC 37/DAV 42 – No deployment, member is undergoing an MEB. Est End Date:- 06/21/2024; TDY/Exercises require Commander/HCP/SGP approval.” Restrictions reflect – “Condition 1: (Mobility Restricting) – Estimated End Date: 03/06/2024;” Additional comments/clarification: “limit exposure to cold climates; mobility medical requirements; Requires specialty medical care; Requires frequent monitoring by healthcare provider; Limit exposure to cold environments. Condition 2: (Mobility Restricting) Estimated End Date: 06/21/2024. Restrictions: Avoid prolonged exposure to cold environments; Mobility medical requirements: Requires specialty medical care; Limit exposure to cold environments.”

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

## **APPLICABLE AUTHORITY/GUIDANCE**

### **DAFI 36-2670, *Total Force Development*, 25 June 2020**

6.11.15.1.1. Any member of the Armed Forces (RegAF and/or Selected Reserve) on or after August 1, 2009, who meets Post-9/11 GI Bill eligibility requirements at the time of the member’s request to transfer the entitlement, may do so provided the member meets one of the following (T-0):

6.11.15.1.1.1. Has at least six (6) years of creditable service in the Military Services (RegAF and/or Selected Reserve), National Oceanic Atmospheric Administration Corps, or Public Health Service on the date of election and agrees to serve four (4) additional years in the Military Services, National Oceanic Atmospheric Administration Corps, or Public Health Service from the date of election.

6.11.15.1.1.2. Members must be eligible to be retained for four (4) years from the date of election and NOT be precluded, prior to approval, by either standard policy (Service or Department of Defense) or statute.

6.11.15.1.1.2.1. Members who have not applied for transfer of education benefits, who are on limited duty or involved in a Medical Evaluation Board, Physical Evaluation Board, or Disability Evaluation System process must wait until the process is complete before applying.

6.11.15.1.1.2.2. If found fit for duty, the service member will comply with the standard application procedures.

## **AIR FORCE EVALUATION**

AFPC/DP3SP recommends denying the application. The Defense Manpower Data Center (DMDC) records show the applicant applied for TEB on 28 September 2023. The application was rejected on 14 February 2024 due to a MEB restriction. In accordance with DoDI 1341.13, Post 9/11 GI Bill, Section 3 [3.3.b.(4)(a)] and DAFI 36-2670, Total Force Development, Incorporating Change 4 (6.11.15.1.1.2.1. and 6.11.15.1.1.2.2.), members on limited duty or processing through the MEB or Disability Evaluation System (DES) must wait until the process is complete before applying for TEB. If found fit and returned to duty, members must comply with standard TEB application procedures. The applicant is projected to separate due to disability effective 14 May 2025.

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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 applicant is ineligible to transfer benefits due to a DES/MEB restriction.

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 26 March 2025 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 not 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 does not substantiate the applicant's contentions. The Board notes that, due to disability, the applicant was projected to separate on 14 May 2025, which date disallowed his ability to meet the requirements that members must be eligible to be retained for four years from the date of election and not be precluded, prior to approval, by either standard service or DOD policy or applicable statute. Therefore, the Board recommends against correcting the applicant's records.
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 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-2024-04276 in Executive Session on 15 August 2025:

Work-Product, Panel Member  
Work-Product, Panel Chair  
Work-Product, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 17 December 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

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Exhibit C: Advisory Opinion, AFPC/DPPSA, w/atchs, dated 18 March 2025.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 26 Marh 2025.

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.

10/22/2025

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Associate Director, AFBCMR

Signed by: USAF

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