

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00049

COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His Transfer of Education Benefits (TEB) application be approved.

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APPLICANT CONTENDS THAT:

The reason his TEB application was disapproved was "Service Member (SM) has not committed to the required additional service time." At the time he applied (11 December 2009) he was not directed or informed about having to sign the AF Form 4406 *Post-9/11 GI Bill Transfer of Education Benefits Statement of Understanding* to complete the application process. The web site he visited only had a check box to indicate he understood the additional service time requirement and nothing more. He never received an email stating an "AF Form 4406 is ready for signature" or any other correspondence indicating his application was disapproved. He was under the impression that his TEB request was complete until he discovered the milConnect website on 10 November 2011.

In support of his request, the applicant provides a copy of his milConnect Transfer of Education Benefits screen print stating disapproval of his TEB request and a copy of the Veterans Affairs (VA) Educational Benefits Brief dated 2 April 2009; absent any mention of the AF Form 4406.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force in the grade of Lieutenant Colonel with an effective Date and date of rank of 1 August 2007.

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AIR FORCE EVALUATION:

AFPC/DPSIT recommends denial. DPSIT states, the Department of Veterans Affairs (DVA), Department of Defense (DoD), and the military services widely publicized the Post 9-11 GI Bill and the transferability feature to make sure every eligible service member understood the process for transferring benefits. The Transfer of Benefits (TEB) system began accepting applications as of 27 June 2009, with an effective date no earlier than 1 August 2009.

The applicant submitted his TEB application on 14 December 2009. His request was received from the AFPC Service Center with a detailed explanation of what needs to be completed by the member. On 19 January 2010, a notification was sent to the applicant stating that his application had expired because the statement of understanding (SOU) was not signed. The applicant did not contact the AFPC Service Center until 8 November 2011 to inquire about his application being disapproved.

The complete DPSIT evaluation is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 4 November 2011, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days (Exhibit C). To date, this office has not received a response.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. After a thorough review of the evidence of record and applicant's submission, we believe that relief is not warranted in this case. Therefore, we agree with the opinion and recommendation of the Air Force office of primary responsibility (OPR) and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. In view of the above and in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered AFBCMR Docket Number BC-2012-00049 in Executive Session on 13 September 2012, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

All members voted to correct the record, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 30 December 2011.
- Exhibit B. Letter, AFPC/DPSIT, dated 17 February 2012.
- Exhibit C. Letter, SAF/MRBR, dated 8 March 2012.

Panel Chair

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AIR FORCE BOARD FOR CORRECTION  
OF MILITARY RECORDS

CASE TRANSMITTAL / COORDINATION RECORD

IN THE MATTER OF:

XXXXXXXXXX

DOCKET NO:

BC-2012-00049

MCD: 5 November 2012

<u>ROUTE IN TURN</u>	<u>INITIALS</u>	<u>DATE</u>
1. CHIEF EXAMINER (Coord/Signature)	_____	_____
2. EXECUTIVE DIRECTOR/ DEPUTY EXECUTIVE DIRECTOR (Coordination)	_____	_____
3. EXAMINER FOR DISPATCH	_____	_____
4. XXXXXXXXXXXX PANEL CHAIR (Signature on Proceedings)	_____	_____
7. EXAMINER		
4. AFBCMR (Processing)		

DEBORAH F. DAVIDSON  
Examiner  
Air Force Board for Correction  
of Military Records