

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00419  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

She be allowed to transfer her Post 9/11 GI Bill benefits to her dependents.

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APPLICANT CONTENDS THAT:

Prior to retirement in 2009 she attempted to transfer equal benefits to her dependents.

In support of the applicant's appeal, she provides a personal statement, Department of Defense - TEB Form, and a Department of Defense Manpower Data Center Letter.

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

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STATEMENT OF FACTS:

The applicant was relieved from active duty on 31 August 2009 and retired on 1 September 2009 in the grade of technical sergeant.

The remaining relevant facts pertaining to this application, extracted from the applicant's military records, are contained in the letter prepared by the appropriate office of the Air Force at Exhibit B.

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AIR FORCE EVALUATION:

AFPC/DPSIT recommends denial. DPSIT states the applicant indicated she submitted the application to transfer to her two daughters prior to her retirement on 31 August 2009. However, at the time prior to her retirement she only transferred 36 months to her oldest daughter and as stated by the applicant and confirmed by her TEB Transfer Request Form. Her youngest daughter was listed in DEERS under her husband. This is confirmed by the member's approval form dated 23 January 2012.

The applicant stated that she discovered the error on 29 June 2009 - if this is the case she could have changed the benefit prior to her retirement of 31 August 2009. The fact that the youngest daughter was not listed at the time of transfer should have triggered the applicant in seeking out why she was not listed and then to take the corrective action to get transfer benefits prior to retirement.

The DPSIT complete evaluation is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 8 March 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and response within 30 days (Exhibit C). As of this date, no response has been received by this office.

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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 an error or injustice. The applicant's contentions are duly noted; however, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought.
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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of an error or an injustice; the application was denied without a personal appearance; and 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-2012-00419 in Executive Session on 13 November 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00419 was considered:

- Exhibit A. DD Form 149, dated 18 November 2011.
- Exhibit B. Letter, AFPC/DPSIT, dated 4 January 2012.
- Exhibit C. Letter, SAF/MRBR, dated 13 January 2012.