

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00547  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He be allowed to transfer his Post 9/11 GI Bill benefits to his dependents.

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APPLICANT CONTENDS THAT:

He did not complete the MGIB Transfer of Benefits (TEB) to his dependents.

In support of the applicant's appeal, he provides a copy of his DD Form 214 (*Certificate of Release or Discharge from Active Duty*).

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

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STATEMENT OF FACTS:

The 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:

NGB/A1Y recommends denial. A1Y states they contacted the Retention Office Manager (ROM) of the applicant's former wing to obtain additional information. The ROM stated, information on the Post 9/11 GI Bill and Transfer of Education Benefits (TEB) is posted in the Wing Newsletter on every Unit Training Assembly (UTA) weekend, and the Unit Career Advisors also brief their unit members on the program's requirements. The ROM also stated she did not recall speaking to the applicant prior to his retirement about Post 9/1 GI Bill and had no documentation of a separation. Upon further research, the ROM was able to obtain a copy of the applicant's retirement out-processing checklist, dated 3 December 2011 showing the applicant did out process through her office.

The applicant did not transfer Post 9/11 GI Bill benefits to his dependents prior to his retirement date as defined in Public Law No. 110-252. Therefore, based on guidance A1Y recommends denial.

The A1Y complete evaluation is at Exhibit B.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 14 November 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days (Exhibit C). As of this date, this office has received no 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 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-2012-00547 in Executive Session on 29 November 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00547 was considered:

- Exhibit A. DD Form 149, dated 10 February 2012, w/atch.
- Exhibit B. Letter, NGB/A1Y, dated 4 October 2012.
- Exhibit C. Letter, AFBCMR, dated 14 November 2012.