

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00672

COUNSEL: NONE

HEARING DESIRED: NO

THE APPLICANT REQUESTS THAT:

He be entitled to the Post 9/11 GI Bill educational benefits.

THE APPLICANT CONTENDS THAT:

His information on his son was entered incorrectly in the Defense Enrollment Eligibility Reporting System (DEERS). He tried numerous times to transfer his Post 9/11 GI Bill benefits to his son, but was unable to do so. He also attempted several times to have his son's information corrected in DEERS, prior to retirement, but was unsuccessful.

In support of his appeal, the applicant provides a personal statement.

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

STATEMENT OF FACTS:

The applicant was relieved from his Air National Guard assignment, on 1 Dec 11 and transferred to the Air Force Reserve Retired List with a reason of eligible for retired pay except attainment of eligibility age.

Post-9/11 GI Bill: Any member of the Armed Forces (active duty or Selected Reserve (SelRes), officer or enlisted) on or after 1 Aug 09, who is eligible for the Post-9/11 GI Bill, and meets the following:

- Has at least 6 years of service in the Armed Forces on the date of election and agrees to serve a specified additional period in the Armed Forces from the date of election.
- Has at least 10 years of service in the Armed Forces (active duty and/or SelRes on the date of election, is precluded by either standard policy (service or Department of Defense (DoD)) or statute from committing to four additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute, or

- Is or becomes retirement eligible during the period from 1 Aug 09 through 1 Aug 13. A service member is considered to be retirement eligible if he or she has completed 20 years of active duty or 20 qualifying years of reserve service.
 - For those individuals eligible for retirement on 1 Aug 09, no additional service is required.
 - For those individuals who have an approved retirement date after 1 Aug 09, and before 1 Jul 10, no additional service is required.
 - For those individuals eligible for retirement after 1 Aug 09, and before 1 Aug 10, 1 year of additional service after approval of transfer is required.
 - For those individuals eligible for retirement on or after 1 Aug 10, and before 1 Aug 11, 2 years of additional service after approval of transfer are required.
 - For those individuals eligible for retirement on or after 1 Aug 11, and before 1 Aug 12, 3 years of additional service after approval of transfer are required.

AIR FORCE EVALUATION:

NGB/A1PS recommends approval, stating, in part, the Subject Matter Expert, in NGB/A1YR contacted the Retention Office Manager (ROM) to obtain additional information. The ROM confirmed the applicant tried numbers times to transfer his Post 9/11 GI Bill benefits to his son, but was unable to do so, as he was entered in the DEERS system incorrectly as a ward of the state, and not his son. She also confirmed the member attempted many times to have his son's information corrected in DEERS, prior to retirement, but was unable to do so.

The complete NGB/A1PS evaluation, with attachments, is at Exhibit C.

APPLICANT'S REVIEW OF THE AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 11 May 12 for review and response. As of this date, no response has been received by this office (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of error or injustice warranting corrective action regarding the applicant's Transfer of Educational Benefits. The NGB office of primary responsibility has adequately addressed the issues presented by the applicant and we are in agreement with its opinion and recommendation. Therefore, we recommend the applicant's record be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that on 30 November 2011, he elected to transfer his Post 9/11 GI Bill Educational Benefits.

The following members of the Board considered AFBCMR Docket Number BC-2012-00672 in Executive Session on 13 September 2012, under the provisions of AFI 36-2603:

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

- Exhibit A. DD Form 149, dated 12 Feb 12, w/atch.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, NGB/A1PS, dated 3 Apr 12, w/atch.
- Exhibit D. Letter, SAF/MRBR, dated 11 May 12.

Panel Chair