

AIR FORCE EVALUATION:

NGB/A1Y states the Retention Officer Manager (ROM) was contacted and stated briefings regarding the Post 9/11 GI Bill and the Transfer of Education Benefits (TEB) requirements were conducted many times.

The ROM also stated the applicant came into the office to submit his TEB request. His intent was to transfer the benefits to both of his sons. He attempted to do so in writing. He was given instructions on how to apply online and additional guidance to ensure he transferred the benefits to each eligible dependent as he could not designate new dependents to receive the benefits after retirement.

The applicant returned to the office and informed the ROM that he transferred the benefits to both sons. It was not until after the applicant's retirement that he notified the ROM only his oldest son was showing in the system as eligible to receive the benefit.

If the Board finds there was an injustice, A1Y recommends approval.

The complete A1Y evaluation is at Exhibit B.

NGB/AIPS concurs with the subject matter expert's recommendation.

The complete AIPS evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluation were forwarded to the applicant on 16 July 2012, for review and comment within 30 days (Exhibit D). As of this date, this office has received no response.

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. We note the Air Force office of primary responsibility recommends approval if the Board finds an injustice. However, based on the

applicant's complete submission, we do not find the evidence submitted is sufficient to conclude the applicant has been the victim of an error or injustice. We took note that the Retention Officer Manager (ROM) stated that briefings regarding the Post 9/11 GI Bill and the Transfer of Education Benefits (TEB) requirements were conducted many times. The ROM also stated the applicant informed him that he had transferred the benefits to both sons. However, based on the evidence before us, it appears the applicant failed to exercise due diligence to insure the transfer of benefits was effected as he intended. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

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

The following members of the Board considered AFBCMR Docket Number BC-2012-01457 in Executive Session on 13 November 2012, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 27 Mar 12, w/atchs.
- Exhibit B. Letter, NGB/A1Y, dated 14 Jun 12.
- Exhibit C. Letter, NGB/A1PS, dated 3 Jul 12,
- Exhibit D. Letter, SAF/MRBR, dated 16 Jul 12.

Panel Chair