

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01801

COUNSEL: NONE

HEARING DESIRED: NO

THE APPLICANT REQUESTS THAT:

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

THE APPLICANT CONTENDS THAT:

He was not aware that he was supposed to transfer his benefits. He did not transfer his benefits prior to his Reserve retirement and would like the opportunity to complete this transfer.

In support of his appeal, the applicant provides copies of his Reserve Retirement order, Reserve Order (RA) EK-0190; DD Forms 214, *Certificate of Release or Discharge from Active Duty*, issued in conjunction with his most recent separations.

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

STATEMENT OF FACTS:

On 12 Jan 12, the applicant was relieved from his Reserve assignment and transferred to the Retired Reserve.

AIR FORCE EVALUATION:

NGB/A1PS recommends denial, stating, in part, that they concur with the NGB Subject Matter Expert's (SME) advisory and does not recommend approval of a change to his eligibility to transfer his Post 9/11 GI Bill benefits to his eligible family members.

NGB/A1YR contacted the Retention Office Manager (ROM) of the applicant's former Wing, to obtain additional information. The ROM stated out-processing counseling was conducted with him on

29 Sep 11, where they discussed GI Bill benefits, to include the Post 9/11 GI Bill and Transfer of Education Benefits (TEB) requirements.

In addition to the verbal counseling, the ROM had the applicant review and complete a Montgomery GI Bill Retirement/Separation Counseling form (attached). Section One is the Post 9/11 GI Bill TEB portion that explains the transfer of Post 9/11 GI Bill benefits can only be done while serving in the Armed Forces and once a member separates the option is no longer available. The form also lets the members know they are responsible to initiate the transfer request prior to separation and gives the TEB website 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 30 Aug 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. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the NGB office of primary responsibility and adopt its rationale as the basis for our conclusion 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 in this application.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or 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.

The following members of the Board considered AFBCMR Docket Number BC-2012-01801 in Executive Session on 13 November 2012, under the provisions of AFI 36-2603:

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 28 Mar 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, NGB/A1PS, dated 6 Aug 12, w/atchs.
- Exhibit D. Letter, SAF/MRBR, dated 30 Aug 12.

Panel Chair

