

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01014  
COUNSEL: NONE  
HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

1. Her DD Form 214, *Certificate of Release or Discharge from Active Duty*, be amended in item 12b to reflect a date of separation of 1 August 2009 rather than 14 July 2009.
  2. She be allowed to transfer her Post 9/11 GI Bill Transfer of Educational Benefits (TEB) to her dependents.
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APPLICANT CONTENDS THAT:

She was not advised prior to her separation that she had to transfer her benefits while still on active duty and that she was to serve on or after 1 August 2009. She separated 14 July 2009 - two weeks shy of meeting this requirement. She served her country honorably for 11 years - serving in Iraq, Kuwait and Afghanistan. If she had been aware of the requirements prior to separation she could have extended her enlistment.

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:

DPSOS recommends denial. DPSOS states the applicant did not provide any evidence of an error of injustice to warrant the requested change to her separation date. Based on the documentation on file in the master personnel records, the discharge, to include her separation date as reflected on her DD Form 214, was in accordance with the governing instruction.

The DPSOS complete evaluation is at Exhibit B.

DPSIT recommends denial. DPSIT states the applicant was separated effective 14 July 2009. The program for TEB started 1 August 2009. The applicant was eligible to reenlist but elected to separate. Had the member contacted her education center she would have received guidance on the Transfer of Education benefits as the DTM 09-003 Post 9/11 GI Bill Directive was published and available to all Education Centers as of 22 June 2009. There has been no injustice to the extent that the service member did not receive adequate counseling as required by law and DoD regulation.

The DPSIT complete evaluation is at Exhibit c.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 19 June 2012, copies of the Air Force evaluations were forwarded to the applicant for review and response within 30 days (Exhibit D). 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 opinions and recommendations of the Air Force offices of primary responsibility and adopt their 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.

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-2012-01014 in Executive Session on 27 March 2013, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01014 was considered:

- Exhibit A. DD Form 149, dated 13 March 2012, w/atch.
- Exhibit B. Letter, AFPC/DPSOS, dated 11 May 2012.
- Exhibit C. Letter, AFPC/DPSIT, dated 22 May 2012.
- Exhibit D. Letter, SAF/MRBR, dated 19 June 2012.