



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

Docket No. 805-21  
Ref: Signature Date

Dear

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 6 October 2021. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

You requested to establish eligibility to transfer Post-9/11 GI Bill education benefits to your eligible dependents. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that Navy Administrative (NAVADMIN) message 236/18 updated the transfer of education benefits (TEB) process and NAVADMIN 020/19 outlined a temporary exception to policy for members that had served at least 10 years. NAVADMIN 236/18 indicates the option to transfer a Service member's unused education benefits to an eligible dependent requires a 4-year additional service obligation at the time of election and specifies the requirement for enlisted personnel to have sufficient time on contract to meet the additional service requirement prior to initiating their electronic transfer election. NAVADMIN 020/19 provided a provision for members with 10 years of service that were unable to serve 4 additional years of service because of Navy or Department of Defense policy, or federal statute; the obligation would be adjusted to the maximum amount of time allowed by that policy. However, NAVADMIN 020/19 required enlisted personnel within 4 years of their high year tenure (HYT) to have their hard or soft end of active obligated service reflected in their electronic service record (ESR) that aligned with the month and year of their HYT before applying for TEB. A review of your record indicates your active duty service date was 7 August 1997; HYT for E-7 is 24 years length in service in

accordance with Military Personnel Manual Article 1160-120. You reenlisted on 31 October 2017 for a term of 3 years and subsequently extended for 1-month; end of active obligated service 30 November 2020. On 5 April 2019, and 13 June 2019, you submitted TEB applications; both were rejected for not having the required obligated service available in your ESR. Thereafter, you voluntarily transferred to the Fleet Reserve effective 1 November 2020. Furthermore, your record did not contain evidence of any earlier attempts by you to TEB, thereby rendering you ineligible.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

10/29/2021

Deputy Director