

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
XXX-XX-[REDACTED]

prior to 1 August 2013. Effective 1 August 2013, all service members incurred a 4-year additional service obligation regardless of retirement eligibility per reference (c). References (b) and (c) also indicated if the transferor failed to complete the agreed additional service obligation required for transferability under the Post 9/11 GI Bill, the right to the transferred entitlement was forfeited.

c. Petitioner submitted TEB application on 13 April 2014.

d. On 30 May 2014, Petitioner signed "Reenlistment for GI Bill Transferability" NAVPERS 1070/613, Administrative Remarks and it was entered into his electronic service record.

e. The Service approved Petitioner's TEB application on 13 April 2015 with an obligated end date (OED) of 29 February 2016; mandatory retirement date (MRD).

f. Petitioner transferred to the Retired List effective 1 December 2015.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Petitioner was approved to transfer Post-9/11 GI Bill education benefits with an OED that aligned with his MRD; however, he retired prior to 29 February 2016. Although Petitioner did not complete the proper administrative requirements, the Board determined, Petitioner provided sufficient evidence of retiring due to Command/organization needs and felt that had he received clear counseling on the effects of retiring prior to his OED, he would have continued to serve until his MRD. Therefore, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner, in coordination with her command completed the required NAVPERS 1070/613, Administrative Remarks on 1 August 2009 and submitted it to Commander, Navy Personnel Command for inclusion in the Petitioner's Official Military Personnel File.

Petitioner elected to transfer unused education benefits to Korrin M. Danko/36-months through the MilConnect TEB portal on 1 August 2009.

Commander, Navy Personnel Command (PERS-314) reviewed the Petitioner's TEB application and it was approved on 1 August 2009 without an additional service obligation.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

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5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/6/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]