

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

b. In accordance with reference (b), the option to transfer a Service member's unused education benefits to an eligible dependent required a 4-year additional service obligation at the time of election. Additionally, all officers were required to have a NAVPERS 1070/613, Administrative Remarks, prepared by their command in the Navy Standard Integrated Personnel System Electronic Service Record (ESR), agreeing to serve the required additional years of service prior to initiating their electronic transfer election. Furthermore, the policy directed members to periodically check the status of their application. If the request was disapproved, members were required to take corrective action and reapply with a new service obligation end date.

c. Reference (c), promulgated Sailors with more than 16-years of service would lose their ability to transfer their unused Post-9/11 GI Bill educational benefits on 12 July 2019, and prompted effected Sailors to take immediate action if they desired to take advantage of this program prior to effective date of the eligibility change. Additionally, reference (b) changed the language of the required NAVPERS 1070/613, Administrative Remarks.

d. Reference (d), updated the Transfer of Education Benefits (TEB) process by establishing an online, self-service Statement of Understanding that replaced the NAVPERS 1070/613, Administrative Remarks effective 1 October 2018.

e. Reference (e), announced Sailors with over 16-years of service were authorized to continue eligibility and transfer of Post-9/11 GI Bill educational benefits provided they obligated 4-years of additional service on active duty or in the Selected Reserve.

f. Petitioner's Active Duty Service Date is 12 December 1993.

g. On 11 June 2018, Petitioner signed a NAVPERS 1070/613, Administrative Remark agreeing to serve 4 additional years (or to his statutory limit) for the transfer of his unused educational benefits to his eligible dependents. The NAVPERS 1070/613, Administrative Remarks was witness by a Personnel Officer but was not entered in Petitioner's ESR.

h. Petitioner submitted TEB application on 10 July 2018. On 16 July 2018, the Service rejected the application indicating, Petitioner "has not committed to the required additional service time."

i. Petitioner submitted final TEB application on 9 January 2021. On 11 October 2021, the Service rejected the application indicating, Petitioner "has not committed to the required additional service time."

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 met the basic eligibility criteria to transfer Post-9/11 GI Bill benefits to his eligible dependents in accordance with references (b) and (c). However, the required NAVPERS 1070/613, Administrative Remarks was not uploaded to Petitioner's ESR, impeding his ability to transfer education benefits in July 2018. Although

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the proper administrative requirements were not completed, the Board found Petitioner provided sufficient evidence reflecting intent to transfer his unused educational benefits, attempted to satisfy all requirements of the program, and has continued to serve more than 3-years from his original request. 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 10 July 2018 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 [REDACTED]/1-month, [REDACTED]/1-month, [REDACTED]/1-month, and [REDACTED]/1-month through the MilConnect TEB portal on 10 July 2018.

Commander, Navy Personnel Command (PERS-314) reviewed Petitioner's 10 July 2018 TEB application and it was "approved" vice "rejected" on 16 July 2018 with a four-year 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.
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.

11/24/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]