



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

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Docket No. 2638-21

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 3 November 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 son. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that Bureau of Naval Personnel Notice (BUPERSNOTE) 1780 published on 7 April 2010 with various updates thereafter and Navy Administrative (NAVADMIN) messages outline eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents. Generally, to be eligible for the Post-9/11 GI Bill, individuals must serve on qualifying active duty on or after 11 September 2001 for an aggregate period ranging from 90 days to 36 months or more. Additionally, to transfer education benefits (TEB) Service members must have served 6 years in the active component or Selected Reserve and agree to serve four additional years of service from the date of election. Completion of inactive duty training periods and Annual Training orders is not qualifying active duty service. Furthermore, NAVADMIN 236/18 updated the TEB process by establishing an online, self-service Statement of Understanding that replaced the NAVPERS 1070/613, Administrative Remarks effective 1 October 2018. NAVADMIN 006/20 reiterated the requirement for Service members to complete an additional 4-year obligated service to take advantage of transferring Post-9/11 GI Bill education benefits.

A review of your record indicates you submitted your initial TEB application on 4 August 2019. The application was rejected because you had not completed an aggregate of 90 days of qualifying active duty service. On 10 August 2020, you submitted a second TEB application and were directed to contact the Service Representative to resolve your status. On 30 October 2020, Navy Personnel Command notified you of your impending separation on 31 March 2023, thereby in eligible to incur the additional 4-year obligated service to transfer Post-9/11 GI Bill education benefits.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

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,

11/30/2021

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Deputy Director  
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