



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. 3698-21
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 5 January 2022. 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. However, the Board concluded that Navy Administration (NAVADMIN) message 187/09, released on 26 June 2009 and NAVADMIN 203/09, released on 11 July 2009 published Navy guidance implementing the transfer of Post 9/11 GI Bill education benefits. Thereafter, Bureau of Naval Personnel Notice (BUPERSNOTE) 1780 promulgated on 7 April 2010 and NAVADMIN 235/11 on 4 August 2011. These policies outlined eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents prior to retiring. Specifically, the policies stipulated that personnel eligible for retirement on or after 1 August 2010 and before 1 August 2011 were required to complete 2 years additional service to transfer education benefits (TEB). 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, agreeing to serve the required additional years of service prior to initiating their electronic transfer election.

A review of your record does not reflect that you ever completed the required NAVPERS 1070/613, Administrative Remarks or that you submitted a TEB application in the MilConnect TEB portal prior to your 31 March 2012 transfer to the Retired List, thereby rendering you ineligible to transfer Post-9/11 GI Bill education benefits.

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,

2/4/2022

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Deputy Director

Signed by: ■