



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

■  
Docket No. 799-23  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ■■■■■■■■■■, USN,  
■■■■■■■■■■

Ref: (a) Title 10 U.S.C. § 1552  
(b) NAVADMIN 170/18  
(c) NAVADMIN 236/18

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to establish eligibility to transfer Post-9/11 GI Bill education benefits to his eligible dependents.

2. The Board, consisting of ■■■■■■■■■■, and ■■■■■■■■■■ reviewed Petitioner's allegations of error and injustice on 10 May 2023 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner reenlisted on 30 August 2018 for a term of 4 years.

b. On 3 September 2018, Petitioner submitted Transfer of Education Benefits (TEB) application. The Service rejected the application on 4 September 2018 indicating, Petitioner "had not committed to the required additional service time."

c. On 15 November 2021, Petitioner reenlisted for 4 years.

d. On 4 November 2022, Petitioner issued BUPERS Order: 3082 (Official Fleet Reserve Orders) to transfer to the Fleet Reserve effective 30 June 2023.

Subj: REVIEW OF NAVAL RECORD IC [REDACTED], USN,  
[REDACTED]

## 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 education benefits to his eligible dependents in accordance with references (b) and (c). The Board concluded Petitioner attempted to TEB within 4 days of his 30 August 2018 reenlistment and continues to serve on active duty, therefore, under these circumstances, relief is warranted.

## RECOMMENDATION

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

Petitioner elected to transfer unused education benefits to [REDACTED], [REDACTED], and [REDACTED] through the MilConnect TEB portal on 30 August 2018.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application and it was approved on 30 August 2018 with a 4-year 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.
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.

5/19/2023

[REDACTED]  
Deputy Director  
[REDACTED]