



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

██████████  
Docket No. 6240-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USNR,  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S.C. Chapter 33  
(c) BUPERSNOTE 1780  
(d) 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 26 September 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's adjusted Pay Entry Base Date is 9 August 1996.

b. On 12 December 2008, Petitioner affiliated with the Navy Reserve and assigned to a selected reserve unit on 9 January 2009.

c. Petitioner executed 115 aggregate days of qualifying active duty after completion of the following active duty for training orders: 18 July-18 August 2011; 20-22 January 2012; 14-16 December 2012; 14-20 July 2013; 17 July-16 August 2014; 14-17 November 2014; 11-14 March 2015; and 13 July-12 August 2015.

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d. On 23 October 2016, “Post 9 11 GI Bill Transfer of Benefits” Page 13 was uploaded to Petitioner’s Electronic Service Record (ESR).

e. On 3 July 2020, Petitioner mobilized in support of overseas contingency operations and demobilized on 15 September 2022 and transferred to the Navy Reserve in a selected reserve status.

f. On 14 July 2023, Petitioner submitted transfer of education benefits (TEB) application. The Navy rejected the applications on 17 July 2023 indicating, Petitioner “has not committed to the required additional service time. There is no record of Petitioner completing the required TEB statement of understanding.

## 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 education benefits but failed to complete the administrative requirements outlined in references (c)<sup>1</sup> and (d).<sup>2</sup> Although Petitioner did not complete the appropriate administrative requirements, the Board determined he continues to serve in a selected reserve status and has completed over 6 years of service since the required Page 13 was uploaded to his ESR, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined 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]/12 months, [REDACTED]/12 months, and [REDACTED]/12 months through the MilConnect TEB portal on 23 October 2016.

Commander, Navy Reserve Forces Command (CNRFC N1) reviewed Petitioner’s TEB application and it was approved on 23 October 2016 with a 4-year service obligation. Note: CNRFC N1 will ensure Petitioner’s Benefits for Education Administrative Services Tool Family Member History is updated with the aforementioned approved allocation of education benefits.

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

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<sup>1</sup> Reference (c), 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. Qualifying active duty service for Selected Reserve members includes orders to active duty from a Reserve Component under Title 10 U.S.C. 12301 (d). Additionally, all officers were required to have a NAVPERS 1070/613, Administrative Remarks (Page 13), prepared by their command in the Navy Standard Integrated Personnel System ESR, agreeing to serve the required additional years of service prior to initiating their electronic transfer election.

<sup>2</sup> Reference (d), updated the TEB process by establishing an online, self-service statement of understanding that replaced the Page 13 effective 1 October 2018 and required completion by all Sailors prior to submitting a TEB application.

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[REDACTED]

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.

10/12/2023

[REDACTED]