

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

honorable discharge will be eligible for educational assistance under the Post-9/11 GI Bill. The option to transfer a Service member's unused education benefits to an eligible dependent requires 6 years of service on active duty and/or the Selected Reserve and agreement to serve four additional years on active duty and/or the Selected Reserve from the date of election. 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 Electronic Service Record, agreeing to serve the required additional years of service prior to initiating their electronic transfer election.

c. Petitioner served in the U.S. Marine Corps from 1 January 2010 to 1 July 2014.

d. On 2 July 2014, Petitioner accepted a regular commission in the U.S. Navy for service in the Uniformed Services University of Health Services.

e. On 13 February 2017, "Post 9-11 GI Bill" NAVPERS 1070/613, Administrative Remarks was uploaded to Petitioner's Electronic Service Record.

f. On 18 May 2018, Petitioner completed course of education with the Uniformed Services University of Health Services and accepted a regular commission as a Lieutenant/O-3 on 19 May 2018.

g. On 4 June 2018, Petitioner entered active duty.

h. Petitioner submitted transfer of education benefits (TEB) application on 22 April 2020. The Service rejected the application indicating, Petitioner "had not committed to the required additional service time." There is no record of Petitioner completing the required TEB Statement of Understanding (SOU).

i. On 3 July 2023, Petitioner placed in Accounting Category Code 355 (temporary duty medical board or physical evaluation board).

j. Petitioner submitted two additional TEB applications on 13 July 2023 and 21 July 2023. The Service rejected both applications indicating, Petitioner "had not committed to the required additional service time." There is no record of Petitioner completing the required TEB SOU.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner met the basic eligibility criteria to transfer Post-9/11 GI Bill education benefits but failed to complete the administrative requirements outlined in reference (d).¹ Additionally, the Board determined Petitioner's record indicates he has three times failed to select to higher grade and currently undergoing Physical Evaluation Board processing, rendering him ineligible to TEB. Although

¹ Reference (d), updated the TEB process by establishing an online, self-service SOU 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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Petitioner did not complete the appropriate administrative requirements, the Board determined Petitioner acknowledged the service requirement by completing the Page 13 on 13 February 2017, submitted his initial TEB application shortly after completing 6 years of active duty service and continues to serve on active duty, thereby meeting the spirit and intent of reference (b). Therefore, the Board agreed that under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner, in coordination with his command completed the required TEB SOU on 22 April 2020, and submitted it to Commander, Navy Personnel Command for inclusion in Petitioner's Official Military Personnel File.

Petitioner elected to transfer unused education benefits to [REDACTED] and [REDACTED] through the MilConnect TEB portal on 22 April 2020.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application and it was approved on 22 April 2020 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.

10/30/2023

[REDACTED]