



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

■
Docket No. 1064-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chp 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 retroactively approve transfer of Post-9/11 GI Bill education benefits to his eligible dependents effective 4 March 2021.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 August 2024 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 attended the U.S. Naval Academy (USNA) from 30 June 2004 to 22 May 2008.
- b. On 23 May 2008, Petitioner accepted a regular commission and entered active duty.
- c. On 31 August 2010, Petitioner resigned his commission to attend civilian school and entered the Armed Forces Health Professional Scholarship Program on 8 September 2010.
- d. On 5 May 2014, Petitioner married [REDACTED].
- e. On 18 May 2014, Petitioner accepted a regular commission and entered active duty on 8 June 2014.

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- f. On 9 February 2017, Petitioner completed USNA service obligation.
- g. On 27 July 2018, Petitioner's child, [REDACTED] was born.
- h. On 9 February 2020, Petitioner completed 36-aggregate months of qualifying active duty for Post-9/11 GI Bill eligibility.
- i. Petitioner submitted transfer of education benefits (TEB) applications on 4 March 2021, 4 January 2023, and 27 June 2023. The Service rejected the applications indicating, "Disapproved – SM [Service Member] has not committed to the required additional service time."
- j. On 29 June 2023, Petitioner completed the online, self-service TEB Statement of Understanding and submitted final TEB application. The Service approved the application with an obligation end date of 26 June 2027.

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 reference (d).¹ Although Petitioner did not complete the appropriate administrative requirements, the Board concluded that had he received adequate counseling, he would have been able to transfer unused education benefits to eligible dependents by submitting the required Statement of Understanding prior to submission of his 4 March 2021 TEB application. Therefore, the Board determined that under this circumstance, 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 Statement of Understanding on 4 March 2021 and submitted it to Commander, Navy Personnel Command for inclusion in the Petitioner's Official Military Personnel File.

Petitioner elected to transfer unused education benefits to [REDACTED]/6 months and [REDACTED]/30 months through the MilConnect TEB portal on 4 March 2021.

Commander, Navy Personnel Command (PERS-314) reviewed Petitioner's TEB application and it was approved on 4 March 2021 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

¹ 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.

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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.

8/28/2024

[REDACTED]