



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

[REDACTED]  
Docket No. 5265-24  
Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. § 1552  
(b) 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 dependent children effective 23 August 2022.

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. On 15 December 2003, Petitioner entered active duty.
- b. On 31 October 2007, Petitioner reenlisted for 4 years and subsequently extended for 24 months.
- c. On 8 July 2013, Petitioner married [REDACTED].
- d. On 26 August 2013, Petitioner reenlisted for 4 years.
- e. On 7 May 2014, Petitioner submitted transfer of education benefits (TEB) application with less than 4 years remaining on contract and requested to allocate education benefits to [REDACTED].

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

[REDACTED]/19 months. The Service rejected the application indicating, “[d]isapprove-SM [Service Member] has not committed to the required additional service time.”

f. On 30 June 2017, Petitioner reenlisted for 6 years.

g. On 7 December 2018, Petitioner divorced [REDACTED].

h. On 13 February 2021, Petitioner married [REDACTED] and had one child: [REDACTED] born on 2 April 2021.

i. On 29 June 2022, Petitioner submitted NPPSC 1160/1, Command Career Request to reenlist on 1 August 2022 for 5 years. Petitioner marked “yes” to “Is Service member transferring post 9/11 G. I. Bill?”

j. On 31 July 2022, Petitioner reenlisted for 5 years.

k. On 23 August 2022, Petitioner submitted second TEB application, revoked allocated benefits to [REDACTED] and requested to allocate education benefits to [REDACTED]/18 months. The Service rejected the application indicating, “[d]isapprove-SM has not committed to the required additional service time.” There is no evidence that Petitioner completed the required Statement of Understanding before submitting TEB application.

l. On 7 November 2022, Petitioner’s second child, [REDACTED] was born.

m. On 7 June 2023, Petitioner submitted third TEB application, changed allocated benefits to [REDACTED]/1-month, and requested to allocate education benefits to [REDACTED]/1-month. The Service rejected the application indicating, “[d]isapprove-SM has not committed to the required additional service time.” There is no evidence that Petitioner completed the required Statement of Understanding before submitting TEB application.

n. On 1 January 2024, Petitioner completed the required Statement of Understanding.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error 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 concluded that had he received adequate counseling, he would have been

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<sup>1</sup> 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. Additionally, enlisted personnel were required to have sufficient time on contract to meet the additional service requirement prior to initiating their electronic transfer election. Furthermore, the policy directed members to periodically check the status of their application; a denied TEB application required members to take corrective action and reapply with a new service obligation end date.

<sup>2</sup> Updated the TEB process by establishing an online, self-service Statement of Understanding that must be completed by all Sailors prior to submitting a TEB application effective 1 October 2018.

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

able to transfer unused education benefits to eligible dependents by submitting the required Statement of Understanding prior to submitting his 23 August 2022 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 23 August 2022 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]/18 months through the MilConnect TEB portal on 23 August 2022. Note: Petitioner allocated education benefits to [REDACTED]/1-month after date of birth on 7 November 2022.

Commander, Navy Personnel Command (PERS-314) reviewed Petitioner's TEB application, and it was approved on 23 August 2022 with a 4-year service obligation. Note: PERS-314 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.

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.

8/14/2024

