



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

██████████  
Docket No. 7002-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN,  
XXX-XX-██████████

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 retroactive 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 4 December 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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 21 February 2006, Petitioner entered active duty.

b. Petitioner had two children: ██████████ and ██████████  
██████████

c. On 8 August 2013, Petitioner submitted transfer of education benefits (TEB) application and requested to allocate education benefits to Isaac N. Brighton/36 months. The Service rejected the application indicating "Disapproved-SM [Petitioner] has not committed to the required additional service time."

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d. On 12 November 2013, “MGIB [Montgomery GI Bill]” NAVPERS 1070/613, Administrative Remarks was uploaded to Petitioner’s Electronic Service Record (ESR) but was not verified.

e. On 31 January 2019, Petitioner submitted TEB application and requested to allocate education benefits to [REDACTED] and [REDACTED]. The Service rejected the application on 1 February 2019, indicating, “Disapproved-SM has not committed to the required additional service time.” There is no record of Petitioner completing the required Statement of Understanding (SOU).

f. On 13 June 2022, [REDACTED] verified Petitioner’s “MGIB” NAVPERS 1070/613, Administrative Remarks in his ESR.

g. On 18 June 2024, MyNavy Career Center provided Petitioner with directions on completing the required SOU and indicated, “If he is still retainable for 4 more years and plan on staying on active duty for 4 more years, he should complete the SOU in the MyNavy Education site and resubmit his TEB request. If not, his only option is to petition BCNR to see if they will back date his TEB request to date he secured the Page 13.”

h. On 21 June 2024, Petitioner completed the required SOU, submitted TEB application and requested to allocate education benefits to [REDACTED] and [REDACTED]. The Service rejected the application on 1 February 2019, indicating, “Disapproved-SM has not committed to the required additional service time.” Petitioner would not be able to complete the 4-year additional service obligation due to impending mandatory retirement date.

i. On 16 September 2024, Petitioner requested to transfer to the Retired List effective 1 March 2026 and the request was approved.

## 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 determined he continues to serve on active duty and has completed over 11 years of service since submitting his TEB application on 8 August 2013 and signing the required NAVPERS 1070/613, Administrative Remarks on

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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, all officers were required to have a NAVPERS 1070/613, Administrative Remarks, 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. 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 SOU that replaced the NAVPERS 1070/613, Administrative Remarks effective 1 October 2018.

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12 November 2013, thereby meeting the spirit and intent of reference (b). 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 elected to transfer unused education benefits to [REDACTED] and [REDACTED] through the MilConnect TEB portal on 12 November 2013.

Commander, Navy Personnel Command (PERS-314) reviewed Petitioner's TEB application, and it was approved on 12 November 2013 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 titled 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.

12/18/2024

