

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

e. On 5 April 2011, Petitioner submitted transfer of education benefits (TEB) application. The Service rejected the application on 7 April 2011 indicating “Disapproved – SM [Service Member] has not committed to the required additional service time.” The required NAVPERS 1070/613, Administrative Remarks was not uploaded to Petitioner’s Electronic Service Record (ESR) in accordance with reference (c).

f. On 18 March 2012, Petitioner demobilized and returned to the SELRES status.

g. On 16 December 2016, Petitioner transferred to [REDACTED]

h. Petitioner transferred to the Retired Reserve without pay effective 1 July 2017.

i. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner has used 3 months of education benefits; last payment was 11 January 2010.

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 reference (c).¹ Although Petitioner did not complete the appropriate administrative requirements, the Board determined he completed over 5 years of SELRES service after submitting his TEB application on 5 April 2011, 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, in coordination with his command completed the required Statement of Understanding on 5 April 2011 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] and [REDACTED] through the MilConnect TEB portal on 5 April 2011.

Commander, Naval Reserve Forces Command (N1C2) reviewed Petitioner’s TEB application and it was approved on 5 April 2011 with a 4-year service obligation.

¹ The option to transfer a Service member’s unused education benefits to an eligible dependent requires a 4-year additional service obligation at the time of election. 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. Additionally, the policy directed members to periodically check the status of their application; a denied TEB application requires members to take corrective action and reapply with a new service obligation end date.

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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.

10/23/2024

[REDACTED]