



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

[REDACTED]  
Docket No. 9602-24  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S.C. Chp 33  
(c) BUPERSNOTE 1780

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-911 GI Bill education benefits to his eligible dependent children.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 April 2025 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. The Post-911 Veterans Educational Assistance Act (Post-911 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective 1 August 2009. The bill provides financial support for education and housing for service members with at least 90 days of service on or after 11 September 2001. The act also includes provision for qualifying service members to transfer education benefits to their eligible dependents. General descriptions of the essential components of the law were widely available beginning in summer 2008, but specific implementing guidance was not published until summer 2009.

b. In accordance with reference (c), 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, the policy directed members to complete/submit electronic transfer election using the MilConnect Transfer of Education Benefits (TEB) portal.

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[REDACTED]

- c. On 5 January 1998, Petitioner entered active duty.
- d. On 14 January 2006, Petitioner married spouse [REDACTED], and they had two children: [REDACTED] born on 23 November 2006, and [REDACTED] born on 23 June 2008.
- e. On 12 September 2011, Petitioner reenlisted for 6 years and thereafter reenlisted on 18 August 2017 for 2 years.
- f. On 28 October 2018, Petitioner transferred to Temporary Disability Retired List.
- g. On 25 March 2021, Petitioner issued notification of his transfer to the Permanent Disability Retired List (PDRL) effective 1 April 2021.
- h. On 5 May 2021, Petitioner issued notification of his transfer to the PDRL effective 1 June 2021.
- i. On 12 March 2024, Petitioner issued notification from Department of Veterans Affairs indicating combined disability rating of 100% effective 1 December 2023.

## 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 (c). Although Petitioner did not complete the appropriate administrative requirements, the Board determined he completed over 7 years of active duty service from the date of reenlisting on 12 September 2011, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined 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]/18 months, and [REDACTED] 18 months through the MilConnect TEB portal on 12 September 2011.

Commander, Navy Personnel Command (PERS-314) reviewed Petitioner's TEB application, and it was approved on 12 September 2011 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

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[REDACTED]

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.

5/3/2025

