



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

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Docket No. 9654-24  
Ref: Signature Date

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From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S.C. § 3319  
(c) BUPERSNOTE 1780, 14 Sep 15  
(d) NAVADMIN 236/18, 24 Sep 18

(b) Title 38 U.S.C. § 3319

(c) BUPERSNOTE 1780, 14 Sep 15

(d) NAVADMIN 236/18, 24 Sep 18

Encl: (1) DD Form 149 w/attachments  
(2) Subject's Naval record

## (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 show Petitioner transferred Post-9/11 GI Bill education benefits to his eligible dependent spouse and 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 Subject's naval record, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 18 December 2006, Petitioner entered active duty.

b. On 8 July 2009, Petitioner's first dependent child was born

c. Reference (b) “Authority to transfer unused education benefits to family members. Eligible Individuals. An individual referred to in subsection (a) is any member of the Armed Forces who, at the time of the approval of the individual's request to transfer entitlement to educational assistance under this section, has completed at least—(1) six years of service in the armed forces and enters into an agreement to serve at least four more years as a member of the Armed Forces; or (2) the years of service as determined in regulations pursuant to section (k).”

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[REDACTED]

- d. On 14 July 2010, Petitioner got married [REDACTED]
- e. On 18 April 2011, Petitioner's second dependent child was born [REDACTED]
- f. On 20 March 2012, Petitioner reenlisted for 2 years with an End of Active Obligated Service (EAOS) of 19 March 2014.
- g. On 29 August 2012, Petitioner extended for 9 months with an SEAOS of 19 December 2014.
- h. On 24 October 2014, Petitioner reenlisted for 3 years with an EAOS of 23 October 2017.
- i. Reference (c) "Transfer of Post-9/11 GI Bill Entitlement. To promote recruitment and retention of members of the Armed Forces, the Secretary of Defense and SECNAV have agreed to allow eligible individuals to transfer a portion or all of their unused Post-9/11 GI Bill entitlement to their spouse and or children. Before a member can apply to transfer entitlement, the spouse and or children must be enrolled in the Defense Eligibility Enrollment System (DEERS) and be eligible for identification (ID) card benefits. For children, this means the child has not reached age 21 or has not reached age 23 and is enrolled fulltime at an IHL.

Eligible Individuals. Any member in the Armed Forces on or after 1 August 2009, who is eligible for the Post-9/11 GI Bill and who, at the time of approval of the individual's request to transfer his or her unused Post-9/11 GI Bill entitlement: (1) Has served at least 6 years (active duty and or SELRES), and agrees to serve at least 4 additional continuous years in the Armed Forces from the date the individual elects to transfer; or (2) Has served at least 10 years (active duty and or SELRES) on the date of election and either standard policy (Navy or DoD or statute does not allow the member to commit to 4 additional continuous years, but who agrees to serve the maximum amount of time allowed by such policy or statute. NOTE: Provisions for members who were retirement eligible during the period of 1 August 2009 through 1 August 2012 expired on 1 August 2013."

j. On 17 December 2015, Petitioner submitted TEB application with less than 4-years remaining on contract and requested to allocate education benefits to [REDACTED]/1-month. The Service rejected the application indicating "Disapproved-SM [Service Member] has not committed to the required additional service time."

k. On 17 June 2016, Petitioner reenlisted for 4 years with an EAOS of 16 June 2020.

1. Reference (d) "Updated TEB process effective 1 October 2018: a. An online, self-service Statement of Understanding (SOU) replaces the Administrative Remarks (NAVPERS 1070-613) (i.e., Page 13) pre-requisite for all Selected Reserve (SELRES) Sailors and all officers in references (a) and (b). b. This SOU must be completed by all Sailors prior to submitting a TEB application. c. Sailors may access SOU via MyNavyPortal or by using a Common Access Card via the My Education web site at <https://myeducation.netc.navy.mil/webta/home>. d. Upon completion of the SOU, Sailors will receive a link to DMDC milConnect portal to submit their

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[REDACTED]

TEB application. e. To ensure prompt feedback on TEB applications, Sailors should verify email information when completing the SOU.”

m. On 17 December 2019, Petitioner reenlisted for 6 years with an EAOS of 16 December 2025.

n. On 6 February 2020, Petitioner submitted TEB application and requested to allocate education benefits to [REDACTED]/18-months. The Service rejected the application on 7 February 2020 indicating “Disapproved-SM has not committed to the required additional service time.” There is no record of Petitioner completing the required TEB SOU at this time.

o. On 11 August 2020, Petitioner’s third dependent child was born [REDACTED]

p. On 11 March 2024, Petitioner extended for 20 months with an SEAOS of 16 August 2027.

q. On 9 September 2024, Petitioner completed the required TEB SOU.

r. On 30 January 2025, Petitioner reenlisted for 4 years with an EAOS of 29 January 2029.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner met the basic eligibility criteria to transfer Post-9/11 GI Bill education benefits but failed to complete the SOU prior to submitting a TEB application, in accordance with reference (d). Although Petitioner did not complete the appropriate administrative requirements, the Board surmised that had he received adequate counseling, he would have completed the SOU prior to submitting his TEB application on 6 February 2020. Moreover, Petitioner has completed over 5 years of active duty since his last TEB application submission, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined that under these circumstances, 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 TEB SOU on 6 February 2020 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]/1-month, [REDACTED]/18-months, [REDACTED]/1-month and [REDACTED]/1-month on 6 February 2020. Commander, Navy Personnel Command (PERS-314) reviewed Petitioner’s TEB application, and it was approved on 6 February 2020 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.

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[REDACTED]

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.

4/16/2025

[REDACTED]