



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

██████████
Docket No. 10114-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 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

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 his Post-9/11 GI Bill education benefits to his eligible dependent son.

2. The Board, consisting of ██████████, reviewed Petitioner's allegations of error and injustice on 1 May 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. 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 20 August 2001, Petitioner entered active duty.
- b. On 4 February ██████████, Petitioner married (██████████).
- c. On 20 July 2005, Petitioner reenlisted for 4 years with an End of Active Obligated Service (EAOS) of 19 July 2009 and Soft EAOS of 19 November 2010.
- d. On 12 August ██████████, Petitioner's dependent child was born ██████████

e. 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).”

f. On 13 August 2010, Petitioner reenlisted for 6 years with an EAOS of 12 August 2016.

g. 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.”

“Enlisted Members: Consult with command career counselor to ensure expiration of active obligated service (EAOS)/expiration obligated service is sufficient to meet the required additional service obligation and or discuss obligated service options. Enlisted members will have 30 days to submit their Transfer of Education Benefits (TEB) request following a 4-year reenlistment. Short term extensions will not be authorized for the purpose of Post-9/11 transferability. (b) At the time the TEB application is submitted, enlisted members who cannot commit to the additional required service obligation due to high year tenure (HYT) will be approved for transferability provided their Soft EAOS/EAOS matches their HYT month and year.”

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

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

i. On 22 April 2016, Petitioner reenlisted for 5 years with an EAOS of 21 April 2021 and Soft EAOS of 21 November 2021.

j. On 28 November 2018, Petitioner submitted TEB application and requested to allocate education benefits to [REDACTED]/24 months. The Service rejected the application on 29 November 2018 indicating, "Disapproved – SM [Service Member] has not committed to the required additional service time."

k. On 4 February 2020, Petitioner completed a Post-911 SOU (Statement of Understanding).

l. On 23 February 2021, Petitioner reenlisted for 2 years with an EAOS of 22 February 2023.

m. On 1 September 2022, Petitioner reenlisted for 3 years with an EAOS of 31 August 2025.

n. On 30 October 2023, Commander, Navy Personnel Command (PERS-836) notified Petitioner that "[y]our transfer to the Fleet Reserve is authorized as follows: a. Effective Date: 31 August 2025. b. Rate/Grade: ABCH/E-7. c. Service in a higher pay grade: NO. d. Reported for extraordinary heroism in the line of duty: NO."

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 administrative requirements outlined in references (c) and (d). Although Petitioner did not complete the appropriate administrative requirements, the Board concluded that had he received adequate counseling, he would have been able to transfer unused education benefits to eligible dependents upon reenlisting on 22 April 2016. Moreover, the Board determined Petitioner has completed over 9 years of active duty service since reenlisting on 22 April 2016, 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]/24 months through the MilConnect TEB portal on 22 April 2016.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 22 April 2016 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.

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

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.

5/8/2025

