



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

[REDACTED]
Docket No. 11419-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED] USNR RET,
XXX-XX-[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], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 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 requires a 4-year additional service obligation at the time of election. Enlisted Selected Reserve (SELRES) members were required to have a NAVPERS 1070/613, Administrative Remarks, prepared by their command in the Navy

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Standard Integrated Personnel System (NSIPS) Electronic Service Record (ESR), and have sufficient time on contract to meet the additional service requirement prior to initiating their electronic transfer election. Enlisted members have 30 days to submit their transfer of education benefits (TEB) application following a 4-year reenlistment. 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.

c. On 11 August 2001, Petitioner married [REDACTED].

d. On 30 August 2001, Petitioner entered active duty.

e. Petitioner had two children: [REDACTED] born on [REDACTED], and [REDACTED] born on [REDACTED].

f. On 29 September 2012, Petitioner honorably discharged with 11 years and 1 month of active duty service.

g. On 13 June 2013, Petitioner enlisted in the Navy Reserve for 6 years.

h. On 24 September 2018, Petitioner signed "New Post 9/11 GI Bill Transfer to Dependents" NAVPERS 1070/613, Administrative Remarks. The document was uploaded to Petitioner's ESR and verified on 27 September 2018.

i. On 24 September 2018, Petitioner reenlisted for 4 years.

j. On 27 September 2018, Petitioner submitted TEB application and requested to allocate education benefits to [REDACTED] and [REDACTED]. The Service rejected the application on 28 September 2018, indicating, "Disapprove-SM [Service Member] has not committed to the required additional service time."

k. Petitioner mobilized in support of [REDACTED] from [REDACTED].

l. On 24 September 2022, Petitioner extension for 11 months becomes operative.

m. On 7 August 2023, Petitioner issued Retirement Order and Transfer Authorization to Retired Reserve Status effective 1 August 2023.

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 in accordance with reference (c). The Board surmised that Petitioner's 24 September 2018 reenlistment for 4 years was not released in NSIPS prior to Petitioner submitting TEB application on 28 September 2018. Therefore, the Board determined under this circumstance, relief is warranted.

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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 24 September 2018.

Commander, Navy Reserve Forces Command (N1) reviewed Petitioner's TEB application, and it was approved on 24 September 2018 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.

5/9/2025

