



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

[REDACTED]
Docket No. 11566-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) BUPERSNOTE 1780, 7 Apr 10
(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 spouse effective 26 November 2013.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 29 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 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 27 May 2005, Petitioner entered active duty.

b. 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).

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

c. 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. Administrative Requirements of Transferor...Active Duty Officers (including FTS, other than those in categories listed in paragraphs 13a(3) (c)-(e) above): The command will complete a NAVPERS 1070/613 in NSIPS ESR. The NAVPERS 1070/613 will read "I understand by signing this NAVPERS 1070/613, I agree to complete 4 more years in the Armed Forces (active or SELRES) from the date I request transferability of Post-9/11, REAP or MGIB-SR education benefits to my dependents/ family members. I understand that failure to complete this 4-year obligation may lead to an overpayment by the DVA [Department of Veterans Affairs] that may be recouped for any payments made to dependents/family members." The NAVPERS 1070/613 will be signed by the member, witnessed and dated. Complete/submit electronic transfer election using the Transferability of Education Benefits (TEB) Web application at <https://www.dmdc.osd.mil/milconnect>.

d. On 14 September 2013, Petitioner got married ([REDACTED]).

e. On 26 November 2013, Petitioner signed "GI Bill Transfer" Administrative Remarks (NAVPERS 1070/613), it was uploaded to his ESR and verified.

f. On 19 January 2015, Petitioner's dependent child ([REDACTED]) was born.

g. On 25 October 2017, Petitioner's dependent child ([REDACTED]) was born.

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 ICO [REDACTED], USN,
XXX-XX-[REDACTED]

i. On 20 November 2021, Petitioner's dependent child ([REDACTED]) was born.

j. On 14 November 2024, Petitioner submitted TEB application and requested to allocate education benefits to [REDACTED]/12 months, [REDACTED]/12 months, and [REDACTED]/12 months. The Service rejected the application on 18 November 2024 indicating, "Disapproved SM [Service Member] has not committed to the required additional service time." There is no evidence that Petitioner completed the required TEB Statement of Understanding prior to submitting his TEB application.

k. On 19 November 2024, Petitioner completed the required Post 911 (SOU).

l. On 19 November 2024, Petitioner resubmitted TEB application and requested to allocate education benefits to [REDACTED]/12 months, [REDACTED]/12 months, and [REDACTED]/12 months. The Service approved the application with an obligation end date of 20 November 2028.

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 reference (c). Although Petitioner did not complete the appropriate administrative requirements, the Board surmised that had he received adequate counseling, he would have submitted a TEB application at the time he completed the required NAVPERS 1070/613, Administrative Remarks. Moreover, Petitioner has completed over 11 years of active duty since signing the NAVPERS 1070/613, Administrative Remarks, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined under these circumstances, 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]/1-month through the MilConnect TEB portal on 26 November 2013. Note: Petitioner subsequently allocated education benefits to [REDACTED]/12 months, [REDACTED]/12 months, and [REDACTED]/11 months.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 26 November 2013 with a 4-year service obligation. Note: PERS-311 will ensure Petitioner's Benefits for Education Administrative Services Tool Family Member History is updated with the aforementioned approved allocation of education benefits.

A copy of this report of proceedings will be filed in Petitioner's naval record.

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

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.

6/9/2025

[REDACTED]

Deputy Director

Signed by: [REDACTED]