



Docket No. 63-25
Ref: Signature Date

Dear |

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 30 April 2025. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

You requested to establish eligibility to transfer Post-9/11 GI Bill education benefits to your eligible dependents effective 22 September 2019. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded the ability to transfer Post-9/11 GI Bill education benefits to eligible dependents is a recruiting and retention tool that became effective 1 August 2009 in accordance with Title 38 U.S.C. § 3319. Pursuant to this law, Navy guidance implementing the transfer of Post 9/11 GI Bill education benefits published by Navy Administration (NAVADMIN) message 187/09, released on 26 June 2009 and NAVADMIN 203/09, released on 11 July 2009. Subsequently, Bureau of Naval Personnel Notice 1780 promulgated on 7 April 2010 with several updates thereafter. These policies outlined eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents. Specifically, the policies indicate the option to transfer a Service member's unused education benefits to an eligible dependent requires the member to have at least 6 years (active duty and or Selected Reserve) and agrees to serve at least 4 additional continuous years in the Armed Forces from the date the individual elects to transfer education benefits (TEB). Additionally, the policies 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. NAVADMIN 236/18 updated the TEB process by establishing an online, self-service Statement of Understanding that replaced the NAVPERS 1070/613, Administrative Remarks effective 1 October 2018. NAVADMIN 178/19 reiterated the requirement to complete the Statement of Understanding prior to initiating the electronic transfer election.

A review of your record reflects your active duty service date is 18 May 2013. On 16 May 2019, you submitted a TEB application with less than 6 years of active duty service, followed by resubmission on 20 September 2019. The Service rejected both applications on 17 May 2019 and 23 September 2019 respectively, indicating, “Disapproved – SM [Service Member] has not committed to the required additional service time.” At that time there is no evidence of you completing the required Statement of Understanding prior to submitting your TEB applications. On 16 December 2024, you completed the Statement of Understanding and resubmitted your TEB application on 26 December 2024. The Service approved your TEB application with an obligation end date of 25 December 2028.

The Board determined you were aware of the requirement to check the status of your TEB application as demonstrated by the timely submission of your second application. However, you did not take corrective action and reapply to TEB until over five years after your second application was denied. Therefore, the Board determined under these circumstances, a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5/20/2025

