



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

[REDACTED]
Docket No. 673-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chp 33
(c) BUPERSNOTE 1780
(d) NAVADMIN 236/18

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 establish eligibility to transfer Post-911 GI Bill education benefits to his eligible dependent child.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 June 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 personnel are required to have sufficient time on contract to meet the

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additional service requirement prior to initiating their electronic transfer election. Additionally, the policy directed members to submit transfer of education benefits (TEB) applications into the MilConnect TEB portal and periodically check the status of their application; a denied TEB application requires members to take corrective action and reapply with a new service obligation end date. Reference (d) updated the TEB process by establishing an online, self-service Statement of Understanding (SOU). Effective 1 October 2018, all Sailors are required to complete the SOU prior to submitting a TEB application.

c. On 20 June 2003, Petitioner entered active duty.

d. In December 2014, Petitioner married [REDACTED] and acquired a stepchild, [REDACTED] born in February 2007. Thereafter, they had two children: [REDACTED] born in December 2014 and [REDACTED] born in November 2023.

e. Petitioner reenlisted on 22 May 2017 for 6 years.

f. On 24 June 2019, Petitioner submitted TEB application with less than 4 years remaining on contract and requested to allocate education benefits to [REDACTED]/36 months. The Service rejected the application indicating "Disapproved – SM [Service Member] needs to contact Service Representative to resolve status."

g. On 17 June 2022, Petitioner reenlisted for 3 years, and thereafter extended for 1-month.

h. Petitioner submitted TEB applications on 10 December 2024 and 6 January 2025 with less than 4 years remaining on contract. The Service rejected the applications and 22 December 2024 and 13 January 2025 respectively indicating, "Disapproved – SM has not committed to the required additional service time." There is no record of Petitioner completing the required SOU prior to submitting his TEB application.

i. On 13 January 2025, Petitioner changed the allocation months of education benefits to reflect: [REDACTED]/34 months and [REDACTED]/2 months.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. 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 could have transferred unused education benefits to eligible dependents upon reenlisting on 22 May 2017. The Board determined Petitioner has completed over 8 years of active duty service subsequent to reenlisting on 22 May 2017, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined under these circumstances, relief is warranted.

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[REDACTED]

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner elected to transfer unused education benefits to [REDACTED]/34 months through the MilConnect TEB portal on 22 May 2017. Note: Petitioner allocated education benefits to [REDACTED]/2 months after date of birth on 14 November 2023.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 22 May 2017 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.

7/7/2025

[REDACTED]