



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

[REDACTED]
Docket No. 1278-25
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.C. Chp 33
(c) BUPERSNOTE 1780
(d) NAVADMIN 236/18
(e) MILPERSMAN 1780-011

Encl: (1) DD Form 149 w/attachment
(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-9/11 GI Bill education benefits to his eligible dependents effective 4 April 2016.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 3 July 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-9/11 Veterans Educational Assistance Act (Post-9/11 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective on 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

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time of election. Additionally, all officers were required to have a NAVPERS 1070/613, Administrative Remarks (Page 13), prepared by their command in the Navy Standard Integrated Personnel System Electronic Service Record (ESR) agreeing to serve the required additional years of service prior to initiating their electronic transfer election. Furthermore, the policy directed members to periodically check the status of their application; a denied transfer of education benefits (TEB) application requires members to take corrective action and reapply with a new service obligation service date.

c. Reference (d) updated the TEB process by establishing an online, self-service Statement of Understanding (SOU) that was to be completed by all Sailors prior to submitting a TEB application effective 1 October 2018. Reference (e) further updated the administrative requirements to TEB and reiterated the requirement to complete the online, self-service SOU before submitting TEB application.

d. On 13 July 2006, Petitioner entered active duty.

e. On 5 October 2006, Petitioner discharged to Accept Commission in Same Branch of Service.

f. On 6 October 2006, Petitioner accepted active commission and entered active duty.

g. On 29 September 2012, Petitioner married spouse [REDACTED] and had two children: [REDACTED] born on 25 September 2014 and [REDACTED] born on 10 June 2016.

h. On 27 February 2016, Petitioner submitted TEB application. The Service rejected the application on 29 February 2016 indicating "Disapproved-SM [Service Member] has not committed to the required additional service time." Petitioner's ESR did not contain the required Page 13.

i. On 4 April 2016, "Transfer of Post 9/11 GI Bill Benefits to Dependents (Officers)" Page 13 was uploaded to Petitioner's ESR and verified on 19 April 2016.

j. Petitioner had two additional dependents: [REDACTED] born on 12 March 2020 and [REDACTED] born on 30 October 2022.

k. Petitioner submitted two additional TEB applications on 5 December 2024, and 13 February 2025 respectively. The Service rejected both applications indicating, "Disapproved-SM has not committed to the required additional service time."

l. On 3 March 2025, Petitioner submitted his final TEB application. The Service approved the application with an obligation end date of 2 March 2029.

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

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transfer Post-9/11 GI Bill education benefits on 4 April 2016 but did not complete the administrative requirements outlined in reference (c). Although Petitioner failed to resubmit his TEB application after completing the required Page 13 on 4 April 2016 in a timely manner, the Board determined he continues to serve and has completed over 9 years of active duty service, 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]/1-month, [REDACTED]/32 months, [REDACTED]/1-month through the MilConnect TEB portal on 4 April 2016. Note: Petitioner allocated education benefits to [REDACTED]/1-month, and [REDACTED]/1-month subsequent to their dates of birth.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 4 April 2016 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.

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.

7/25/2025

Deputy Director

Signed by: [REDACTED]