



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

[REDACTED]
Docket No. 3880-25
Ref: Signature Date

[REDACTED]

Dear [REDACTED]

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 28 August 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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish eligibility to transfer Post-9/11 GI Bill education benefits to your eligible dependents effective 3 August 2009. 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 was promulgated on 7 April 2010. These policies outlined eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents. Specifically, the aforementioned policies required a 4-year additional service obligation on active duty and/or the Selected Reserve

(SELRES) at the time of election. 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. The policies further directed members to 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. Furthermore, the policies indicate that failure to complete the service obligation would result in the right to the transferred entitlement being forfeited. Moreover, when submitting an application via the MilConnect TEB portal, all service members must acknowledge a series of requirements before proceeding with their application. Included in these requirements is "I understand and agree to remain in the Armed Forces for the period required. I understand that failure to complete that service may lead to an overpayment by the Department of Veterans Affairs for any payment made."

A review of your record reflects that you entered active duty on 23 May 2003. You submitted your initial TEB application on 18 October 2010 and the Service rejected your application indicating, "Disapproved – SM [Service Member] has not committed to the required additional service time;" completion of the required Page 13 was not uploaded to your ESR. Your "Additional Service Obligation for Transfer of Post 9/11 G.I. Bill Benefits" Page 13 was uploaded to your ESR on 25 October 2010 and verified the same day. By signing this Page 13, you acknowledged the requirement to complete four additional years of service from the time of election. You resubmitted your TEB application on 1 November 2010 and the Service approved your application with an obligation end date of 31 October 2014. However, on 31 August 2013, you voluntarily resigned your commission, thereby not completing your TEB service obligation.

The Board could not find, nor did you provide evidence of submitting an application into the MilConnect TEB portal prior to 18 October 2010. The Board determined that by signing the 18 October 2010 Page 13 and accepting the requirements in the MilConnect TEB portal you recognized that failure to complete the service obligation would lead to termination of entitlement to transferability; therefore, 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,

9/26/2025

[REDACTED]