



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

Docket No. 4844-25
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

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 son.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 11 September 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 references (c) and (d), 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. Effective 1 October 2018, enlisted personnel are required to complete the

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online, self-service Transfer of Education Benefits (TEB) Statement of Understanding (SOU) and have sufficient time on contract to meet the additional service requirement prior to initiating their electronic transfer election, but no more than 30 calendar days following execution of a 4-year reenlistment. Additionally, the policy directs 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.

- c. On 24 February 2005, Petitioner entered active duty.
- d. On 14 April 2010, Petitioner married spouse [REDACTED] .
- e. Petitioner reenlisted on 16 May 2018 for 5 years.
- f. On 6 September 2019, Petitioner's son, [REDACTED] was born.
- g. On 16 November 2020, Petitioner submitted TEB application with less than 4 years remaining on contract and did not complete the required TEB SOU. Petitioner requested to allocate education benefits to [REDACTED] /24 months. On 17 November 2020, the Service rejected the application indicating "Disapproved – SM [Service Member] has not committed to the required additional service time."
- h. On 29 December 2022, Petitioner reenlisted for 4 years.
- i. Petitioner resubmitted TEB applications on 13 November 2023 and 10 July 2024 with less than 4 years remaining on contract and did not complete the required TEB SOU. Petitioner requested to allocate education benefits to [REDACTED] /12 months. The Service rejected both applications on 14 November and 11 July 2024 respectively, indicating, "Disapproved – SM has not committed to the required additional service time."
- j. On 10 July 2024, Petitioner completed the required TEB SOU.
- k. On 12 July 2024, Petitioner advised by Naval Personnel Command (PERS-311) that there is no record of him submitting the second TEB application before 13 November 2023. Additionally, PERS-311 noted Petitioner did not complete the required SOU prior to submitting TEB applications which contributed to the denials.

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 his dependent son upon reenlisting on 29 December 2022. Therefore, the Board determined that under these circumstances, relief is warranted.

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RECOMMENDATION

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

Petitioner, in coordination with his command completed the required TEB SOU on 29 December 2022 and submitted it to Commander, Navy Personnel Command for inclusion in the Petitioner's Official Military Personnel File.

Petitioner elected to transfer unused education benefits to [REDACTED]/12 months through the MilConnect TEB portal on 29 December 2022.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 29 December 2022 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.

11/18/2025

[REDACTED]

Deputy Director

Signed by: [REDACTED]