



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 6827-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,
XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) NAVADMIN 236/18, 24 Sep 18

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 show Petitioner transferred Post-9/11 GI Bill education benefits to his eligible dependent spouse effective 28 January 2019.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 26 February 2026 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. In June 2003, Petitioner married his first spouse. In October 2006, Petitioner's dependent child ██████████ was born.

b. Petitioner retired with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 19 February 2003 to 11 July 2013 upon accepting commission or warrant in same branch of service.

c. On 26 August 2010, Petitioner divorced first spouse.

d. In June 2017, Petitioner married second spouse ██████████. In November 2018, Petitioner's dependent child ██████████ was born.

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e. On 28 January 2019, Petitioner submitted TEB application without completing the required Statement of Understanding and requested to allocate 5 months of education benefits to each child. The Service rejected the application on 29 January 2019, indicating, "Disapproved-SM [Service Member] 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.

f. On 24 January 2025, Petitioner submitted request to transfer to the Retired List effective 1 March 2026; the request was approved by Navy Personnel Command.

g. On 26 October 2022, Petitioner submitted TEB application without completing the required Statement of Understanding and requested to allocate 3 months of education benefits to each child. The Service rejected the application on 27 October 2022, 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.

h. On 19 May 2025, Petitioner completed the required Statement of Understanding.

i. Petitioner retired with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 12 July 2013 to 28 February 2026 upon having sufficient service for retirement.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner met the basic eligibility criteria to transfer Post-9/11 GI Bill education benefits but failed to complete the administrative requirements outlined in reference (c). Although Petitioner did not complete the appropriate administrative requirements, the Board determined that he completed over 7 years of active duty service after submitting his initial TEB application before transferring to the Retired List, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner, in coordination with his command completed the required Statement of Understanding on 28 January 2019 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]/5 months, and [REDACTED]/5 months through the MilConnect TEB portal on 28 January 2019.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner's TEB application, and it was approved on 28 January 2019 with a 4-year service obligation.

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XXX-XX-[REDACTED]

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.

3/9/2026

[REDACTED]

Deputy Director

Signed by: [REDACTED]