



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

█  
Docket No. 2300-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █  
█ XXX XX █ USMCR (DECEASED)

Ref: (a) Title 10 U.S.C. § 1552  
(b) MARADMIN 704/13

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject's widow, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that Subject's naval record be corrected to reflect 36-months of Post-9/11 GI Bill education benefits was allocated amongst his three dependent children.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 17 May 2023 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 Subject'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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Subject's Armed Forces Active Duty Base date was 22 May 2006.

b. Subject mobilized from 3 December 2007 through 5 January 2009 and again from 1 October 2011 through 30 June 2012.

c. Subject had three children: █ born on █, █  
█ born on █, and █ born on █

d. Subject submitted Transfer of Educational Benefits (TEB) application on 16 October 2016, with allocations to his spouse and two children; the third child had not been added to Defense Eligibility Enrollment Reporting System (DEERS). The Service approved the TEB application with an obligation end date of 16 October 2020.

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e. On 5 November 2016, Subject signed NAVMC 10922, Dependency Application adding third child to DEERS.

f. On 24 May 2021, Subject passed away.

### CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Subject was approved to transfer Post-9/11 GI Bill education benefits and completed his service obligation. The Board found that Subject might not have had an understanding regarding the importance of distributing months of education benefits to each dependent therefore, the Board agreed under this circumstance, relief is warranted.

### RECOMMENDATION

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

Subject elected to transfer unused education benefits to [REDACTED], [REDACTED] [REDACTED]/12-months, and [REDACTED]/12-months through the MilConnect TEB portal prior to his date of death on [REDACTED].

Note: Commandant of the Marine Corps will ensure Subject'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 Subject'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-entitled 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.

5/26/2023

[REDACTED]

Deputy Director

Signed by [REDACTED]