



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

█  
Docket No. 8755-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD █  
█ USMCR (RET)

Ref: (a) Title 10 U.S.C. § 1552  
(b) MARADMIN 0421/09

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 allocate unused Post-9/11 GI Bill education benefits to his eligible dependent children.

2. The Board, consisting of █, and █ reviewed Petitioner's allegations of error and injustice on 25 October 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, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

- a. Petitioner's Pay Entry Base Date was 28 August 1996.
- b. On 22 June 2002, Petitioner married █.
- c. Petitioner mobilized from 13 February 2003 to 6 June 2004 in support of █  
█
- d. Petitioner had two children: █ born in █, and █  
born in █
- e. On 21 October 2010, the Service approved Petitioner's Transfer of Education Benefits application with an obligation end date of 22 February 2014. Petitioner allocated 10-months of education benefits to spouse.

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f. In [REDACTED], Petitioner's third child, [REDACTED] was born.

g. On 10 October 2014, Petitioner transferred to the Individual Ready Reserve (IRR) and transferred to the Retired Reserve awaiting pay at age 60 on 31 January 2021.

#### 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 was approved to transfer Post-9/11 GI Bill education benefits and completed his service obligation, however failed to allocate benefits to each of his dependents prior to transferring to the IRR. Although Petitioner did not complete the proper administrative requirements, the Board found that had he received clear counseling from his command regarding the inability to distribute the education benefits upon transferring to the IRR, he would have taken appropriate action. 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 allocate unused education benefits to [REDACTED]  
[REDACTED] and [REDACTED] through the  
MilConnect TEB portal prior to transferring to the IRR on 10 October 2014.

Note: Headquarters U.S. Marine Corps 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-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.

11/1/2023

[REDACTED]