

Subj: REVIEW OF NAVAL RECORD [REDACTED]
[REDACTED] USMC (RET)

- g. Petitioner's child, [REDACTED] was born in [REDACTED]
- h. On 15 December 2016, Petitioner transferred to the Permanent Disability Retired List (PDRL).
- i. On 10 January 2017, Petitioner divorced [REDACTED].

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 retiring. 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 PDRL, he would have taken the 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 revoke unused education benefits from his former spouse, [REDACTED] and allocate unused education benefits to [REDACTED], [REDACTED], and [REDACTED] through the MilConnect Transfer of Education Benefits portal prior to transferring to the PDRL on 15 December 2016.

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

