



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

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Docket No. 1443-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD █  
XXX XX █ USMC RET

Ref: (a) Title 10 U.S.C. § 1552  
(b) DoDI 1341.13

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 redistribute unused Post-9/11 GI Bill education benefits to his eligible dependents.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 13 March 2024 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. On 10 June 2007, Petitioner married █ and they had two children: █ born on 24 November 2008 and █ born on 8 September 2010.

b. On 1 October 2013, Petitioner promoted to Major/O-4.

c. On 29 October 2018, Petitioner submitted Transfer of Education Benefits (TEB) application and allocated 18 months of education benefits to each child. The Service approved the application with an obligation end date of 28 October 2022.

d. On 18 December 2019, the Service changed Petitioner's TEB obligation end date to 31 August 2022 due to his failure of selectin to Lieutenant Colonel/O-5.

e. Petitioner transferred to the Retired List effective 1 September 2022.

f. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner has used 4 months of education benefits; last payment was 15 May 1998.

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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 Retired List. 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 Retired List, he would have taken appropriate action. Therefore, the Board determined that under this circumstance, partial relief is warranted.

RECOMMENDATION

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

Petitioner reallocated education benefits to [REDACTED] /2 months, [REDACTED] /15 months, and [REDACTED] /15 months through the MilConnect TEB portal prior to transferring to the Retired List effective 1 September 2022.

Note: Headquarter U.S. Marine Corps will ensure Petitioner's BEAST Family Member History is updated with the aforementioned approved allocation of education benefits.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied in accordance with reference (b).<sup>1</sup>

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.

3/29/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]

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■ Reference (b), an individual may not add dependents after retirement or separation from the Armed Forces but may modify or revoke at any time, any unused portion of the unused portion of the entitlement transferred to existing designated dependents. Additionally, the number of months transferred may not exceed the lesser of the months of unused entitlement available under the Post-9/11 GI Bill, 36 months, or the number of months specified by the Department of Defense.