



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

██████████
Docket No. 9256-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,
██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) 38 U.S. Code § 3319
(c) NAVADMIN 187/09, 26 Jun 09
(d) NAVADMIN 203/09, 11 Jul 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 reallocate education benefits to his two youngest daughters.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 27 March 2025 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. On 15 August 1986, Petitioner signed a Veterans Educational Assistance Act of 1984 (GI Bill) (Chapter 30, Title 38, U.S. Code) enrolling in the program.

b. On 13 July 1989, Petitioner's first dependent child was born (██████████).

c. On 21 February 1990, Petitioner entered active duty.

d. On 27 May 1993, Petitioner's second dependent child was born (██████████).

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
[REDACTED]

e. Petitioner was discharged 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 13 August 1986 to 14 March 1996 upon completion of required active service.

f. On 30 November 2002, Petitioner got married ([REDACTED]).

g. On 20 August 2006, Petitioner's third dependent child was born ([REDACTED]).

h. Reference (b) authority to transfer unused education benefits to family members. Eligible Individuals. An individual referred to in subsection (a) is any member of the Armed Forces who, at the time of the approval of the individual's request to transfer entitlement to educational assistance under this section, has completed at least—(1) six years of service in the armed forces and enters into an agreement to serve at least four more years as a member of the Armed Forces; or (2) the years of service as determined in regulations pursuant to section (k).

i. Reference (c) the Post 9-11 GI Bill becomes effective 1 August 2009. this education assistance program offers sailors and their families a tax-free option to pay for college and should be considered as you plan your navy career and support your family's education needs.

The Department of Veterans Affairs (DVA) is responsible for final determination of service member eligibility. navy is responsible for verifying applications for transferability. general eligibility criteria are as follows: a. sailors are eligible for Post 9-11 GI Bill if they have accrued specific active-duty service, on or after, 11 September 2001 of: (1) at least 30 continuous days if discharged due to a service-connected disability or (2) between 90 days and 36 months or more of total qualifying active duty service. b. qualifying active-duty service is defined as: (1) for active-duty members, active duty served in the regular component of the navy. (2) for selected reserve members (SELRES), ordered to active-duty service under title 10, sections 688, 12301(a), 12301(d), 12301(g), 12302 and 12304 (orders in support of contingency operations, i.e., mobilization). c. sailors must have received an honorable discharge to be eligible for the benefit.

j. Reference (d) explains transferability policies and the application process. This process is complicated and servicemembers must consult with their career counselors to fully understand it. This NAVADMIN is broken into four parts: eligibility, process, service obligation policy, and reference information.

“The transferability option must be elected while the member is serving in the armed forces. Active members who separate, retire, transfer to the Fleet Reserve or who are discharged prior to 1 August 2009 are not eligible to elect transferability. SELRES members who transfer to the Retired Reserve (with or without pay), transfer to the Individual Ready Reserve or who are discharged prior to 1 August 2009, are not eligible to elect transferability.”

“Per ref b [DoD policy on Post 9-11 GI Bill], members of the armed forces who elect to transfer benefits: a. Must have served six years in the armed forces (active and/or SELRES) and agree to serve four additional years in the armed forces from the date of election; or b. Must have served at least ten years in the armed forces and if either Navy, DOD policy or federal statute

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
[REDACTED]

restricts the member from committing to four additional years, members must agree to serve the maximum amount of time allowed by that policy or statute...”

“While the member is in the armed forces, new dependents may be added, entitlements changed or unused entitlements revoked. These changes will be made by the member through the transferability of educational benefits (TEB) website (<https://www.dmdc.osd.mil/teb>). After retirement or separation from the armed forces, the veteran may modify, or revoke transferred entitlement for existing designated dependents by submitting a request in writing to the DVA.”

k. On 16 July 2009, Petitioner submitted Transfer of Education Benefits (TEB) application and requested to transfer unused education benefits to [REDACTED]/36-months. The Service approved the application with an obligation end date of 1 August 2009.

l. Petitioner was transferred to Fleet Reserve 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 23 September 1999 to 28 February 2010 upon having sufficient service for retirement.

m. On 1 January 2012, Petitioner’s fourth dependent child was born ([REDACTED]).

n. On 16 September 2016, Petitioner adjusted [REDACTED] allocated education benefits from 36-months to 12-months.

o. Petitioner’s Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner has used 23-months of education benefits; last payment was 12 June 2024.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded that Petitioner has utilized his education benefits and only has 13-months remaining to transfer to his eligible dependents. Petitioner was approved to transfer Post-9/11 GI Bill education benefits and completed his service obligation; however, failed to allocate benefits to [REDACTED] prior to transferring to the Fleet Reserve. 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 Fleet Reserve, he would have taken appropriate action. Therefore, the Board agreed that under these circumstances, partial relief is warranted, however in accordance with reference (d), [REDACTED] is ineligible to receive education benefits because she was born after Petitioner’s retirement.

RECOMMENDATION

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
[REDACTED]

Petitioner reallocated unused education benefits to [REDACTED]/12-month and [REDACTED]
[REDACTED]/1-month through the MilConnect TEB portal prior to transferring to the Fleet
Reserve effective 1 March 2010.

Note: Commander, Navy Personnel Command (PERS-314) will ensure Petitioner's BEAST
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.

That no further changes be made to 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.

4/7/2025

