



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

██████████
Docket No. 10855-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████,
USN, ██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) BUPERSNOTE 1780, 7 Apr 10
(d) NAVADMIN 235/11, 4 Aug 11

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 show Petitioner transferred his 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 8 May 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 23 July 1997, Petitioner enlisted in the U.S. Naval Reserve with 8 years with an Expiration of Obligated Service of 22 July 2005.

b. On 10 February 2006, Petitioner reenlisted for 5 years with a new contract expiration date of 9 February 2011.

c. On 8 April 2006, Petitioner married ██████████.]. Furthermore, on this date, Petitioner gained the following dependents: children ██████████.] (May 2001) and ██████████.] (October 2002) and dependent child was born ██████████] (May 2007).

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d. On 31 January 2011, Petitioner reenlisted for 2 years with a new contract expiration date of 30 January 2013.

e. On 3 August 2011, Petitioner signed an agreement to extend enlistment for 21 months with a Soft Expiration of Active Obligated Service of 30 October 2014 in order to incur sufficient obligated service to execute orders.

f. 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 22 September 1997 to 5 July 2012 due to reduction in force – mandatory separation. Furthermore, block 12c (NET active service this period) listed 14 years, 9 months, and 14 days.

g. On 6 July 2012, Petitioner reenlisted for 3 years with a new contract expiration date of 5 July 2015.

h. On 26 September 2014, NR ADMIN PERS 0823 issued Petitioner an Administrative Remarks (NAVPERS 1070/613) listing the following: “Discharged this date: Type of discharge: General (Under Honorable Conditions). Reason for discharge: unsatisfactory participation in the ready reserve reentry code: RE-4. SPD Code: HHJ. Discharge authority: MILPERSMAN 1910-158.”

i. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner has used 2 months of education benefits; last payment was 23 March 2016.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner met the basic eligibility criteria to transfer Post-9/11 GI Bill education benefits but failed to complete the administrative requirements outlined in references (c) and (d). Although Petitioner did not complete the appropriate administrative requirements, the Board concluded that had he received adequate counseling, he would have been able to transfer unused education benefits to eligible dependents prior to his 5 July 2012 discharge. 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 transfer unused education benefits to [REDACTED]/1-month, [REDACTED]/1-month, and [REDACTED]/24 months through the MilConnect TEB portal prior to discharge on 5 July 2012.

Commander, Navy Personnel Command (PERS-311) reviewed Petitioner’s TEB application and it was approved with an obligation end date to align with involuntary discharge on 5 July 2012.

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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 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.

5/21/2025

