



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

Docket No. 895-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO
XXX XX [REDACTED] USMC RET

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chp 33
(c) DTM 009-003
(d) MARADMIN 0421/09

Encl: (1) DD Form 149
(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 unused Post-9/11 GI Bill education benefits to include his eligible dependent spouse.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 June 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. 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. The Post-911 Veterans Educational Assistance Act (Post-911 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective 1 August 2009. The bill provides financial support for education and housing for service members with at least 90 days of service on or after 11 September 2001. The act also includes provision for qualifying service members to transfer education benefits to their eligible dependents. General descriptions of the essential components of the law were widely available beginning in summer 2008, but specific implementing guidance was not published until summer 2009.

b. In accordance with references (c) and (d), the option to transfer a Service member unused education benefits to an eligible dependent required a 4-year additional service obligation at the time of election for those eligible to retire on or after 1 August 2012. Additionally, the policies

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
XXX XX [REDACTED] USMC RET

indicated that 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 entitlement transferred to existing designated dependents. 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.

- c. On 21 August 1995, Petitioner entered active duty.
- d. In November 1996, Petitioner's first child [REDACTED] was born.
- e. In December 1996, Petitioner married spouse [REDACTED], and second child, [REDACTED] was born in June 1999.
- f. On 14 September 2007, Petitioner reenlisted for 4 years and 3 months.
- g. On 26 December 2009, Petitioner submitted Transfer of Education Benefits (TEB) application and requested to allocate 18 months of education benefits to each child.
- h. On 16 March 2011, Petitioner reenlisted for 4 years.
- i. On 15 April 2011, Petitioner signed the Post 9/11 Educational Benefits Transferability Commitment and Statement of Understanding agreeing to serve 4 years in the Armed Forces and the Service approved his TEB application with an obligation end date of 26 December 2013.
- j. On 25 February 2014, Petitioner extended for 12 months to gain obligated service for promotion.
- k. On 29 February 2016, Petitioner transferred to the Fleet Marine Corps Reserve.
- l. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner's daughter, [REDACTED] used 14 months of education benefits; last payment was 21 April 2021. Petitioner's son, [REDACTED] used 13 months of education benefits; last payment was 26 May 2023.

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 the service obligation; however, failed to allocate benefits to each of his dependents prior to transferring to the Fleet Marine Corps Reserve. Although Petitioner did not complete the proper administrative requirements, the Board found that if he received adequate counseling from his command regarding the inability to distribute the education benefits upon transferring to the Fleet Marine Corps Reserve, he would have taken appropriate action prior to retiring. Therefore, the Board determined under this circumstance, relief is warranted.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
XXX XX [REDACTED] USMC RET

RECOMMENDATION

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

Petitioner reallocated education benefits to [REDACTED]/9 months, [REDACTED]/14 months, and [REDACTED]/13 months through the MilConnect TEB portal prior to transferring to the Fleet Marine Corps Reserve effective 1 March 2016.

Note: Headquarter U.S. Marine Corps 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.

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.

7/7/2025

