



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

██████████  
Docket No. 2945-25  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S. Code § 3319  
(c) BUPERSNOTE 1780, 7 Apr 10

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 third child prior to retirement.

2. The Board, consisting of ██████████ reviewed Petitioner's allegations of error and injustice on 21 August 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. 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 8 August 1990 to 21 February 1991 to accept commission as an Officer in the USN/USNR.

b. On 11 August 2006, Petitioner got married ██████████. On 5 March ██████████, Petitioner's dependent child ██████████ was born. On 24 January ██████████, Petitioner's dependent child ██████████ was born.

c. In accordance with 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

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

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).

d. On 12 August 2009, Petitioner submitted TEB application and requested to transfer unused education benefits to [REDACTED]. The Service approved the application with an obligation end date of 12 August 2011.

e. In accordance with reference (c), Transfer of Post-9/11 GI Bill Entitlement. To promote recruitment and retention of members of the Armed Forces, the Secretary of Defense/SECNAV have agreed to allow eligible individuals to transfer a portion or all of their unused Post-9/11 GI Bill entitlement to their spouse and/or children. Before a member can apply to transfer entitlement, the spouse and/or children must be enrolled in the Defense Eligibility Enrollment System (DEERS) and be eligible for ID card benefits. For children, this means the child has not reached age 21 or has not reached age 23 and is enrolled full-time at an [REDACTED]

Eligible Individuals. Any member in the Armed Forces on or after 1 August 2009, who is eligible for the Post-9/11 GI Bill and who, at the time of approval of the individual's request to transfer their unused Post-9/11 GI Bill entitlement:...(3) Is/becomes retirement eligible during the period 1 August 2009 through 1 August 2012, and agrees to serve the additional period, if any, specified below...For those eligible for retirement after 1 August 2009 and before 1 August 2010, 1 additional year from the date of transfer election is required in the Armed Forces.

Administrative Requirements of Transferor...Ensure the required, additional Armed Forces service obligation (see paragraphs 13a(1), (2), and (3)(c)-(f)J is reflected in the Electronic Service Record (ESR) prior to making election to transfer Post-9/11 GI Bill entitlement...Members should check the TEB Web site periodically for status of their applications. If an application is disapproved, the member should see their command career counselor, take corrective action and then must reapply.

f. On 13 July 2020, Commander, Navy Personnel Command notified Petitioner via [REDACTED] that “[Petitioner’s] request for retention on active duty in a retired status, your letter of 18 March 2020 with enclosure, has been approved until 28 February 2022. The decision to approve your request was made after carefully reviewing current billet requirements and concluding that an immediate need exists for your expertise.”

g. On 29 June 2021, Commander, Navy Personnel Command notified Petitioner via [REDACTED] that “[Petitioner’s] request, your letter of 15 March 2021 with enclosure, for further retention on active duty in a retired status was carefully considered and a thorough review of current billet requirements was conducted. Regrettably, as per MILPERSMAN 1811-010, your request is disapproved.”

h. On 3 August 2021, Commander, Navy Personnel Command notified Petitioner via [REDACTED] that “[Petitioner’s] request for further retention on active duty in a retired status, your letter of 15 March 2021 with enclosure, has been approved until 28

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

February 2023. The decision to approve your request was made after carefully reviewing current billet requirements and concluding that an immediate need exists for your expertise.”

i. On 12 January 2023, Commander, Navy Personnel Command notified Petitioner [REDACTED] that “[Petitioner’s] request for retention on active duty in a retired status, your letter of 25 July 2022 with enclosure, has been approved until 31 August 2023. The decision to approve your request was made after carefully reviewing current billet requirements and concluding that an immediate need exists for your expertise.”

j. Petitioner retired 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 February 1991 to 31 August 2023 upon having maximum service or time in grade.

k. On 3 August 2015, Petitioner’s dependent child [REDACTED] was born.

## 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 on 12 August 2009, Petitioner submitted TEB application and requested to transfer unused education benefits to [REDACTED]. The Service approved the application with an obligation end date of 12 August 2011. Although Petitioner completed his service obligation, he failed to allocate benefits to his youngest child 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, relief is warranted.

## RECOMMENDATION

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

Petitioner reallocated education benefits to [REDACTED] through the MilConnect TEB portal prior to transferring to the Retired List effective 1 September 2023.

Note: Commander, Navy Personnel Command (PERS-311) 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

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

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.

9/9/2025

