



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 4161-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chp 33
(c) BUPERSNOTE 1780

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 allocate unused 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 11 December 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-9/11 Veterans Educational Assistance Act (Post-9/11 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective on 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 reference (c), the option to transfer a Service member's unused education benefits to an eligible dependent requires a 4-year additional service obligation in the Armed Forces (active duty and/or Selected Reserve (SELRES)) at the time of election. The

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

policy further indicates that failure to complete the service obligation in the Armed Forces would result in the right to the transferred entitlement being forfeited. Additionally, an individual may transfer a portion or all of their unused Post-9/11 GI Bill entitlement to their spouse and/or children. However, entitlement may not be transferred to a new dependent or a dependent with "0" months of transferred entitlement once the transferor is no longer a member of the Armed Forces.

- c. On 26 February 1993, Petitioner enlisted in the Navy Reserve under the Advanced Paygrade Program.
- d. On 6 February 1995, Petitioner accepted an Inactive commission.
- e. On 11 July 2005, Petitioner married spouse [REDACTED] and had two children: [REDACTED] born on 13 July 2005 and [REDACTED] born on 25 July 2006.
- f. Petitioner mobilized in support of [REDACTED] from 19 January 2007 to 9 May 2008.
- g. On 11 September 2009, Petitioner issued orders to [REDACTED] [REDACTED] [REDACTED] effective 1 October 2009; orders do not indicate this was a voluntary transfer.
- h. On 26 October 2009, Petitioner executed active duty orders.
- i. On 17 December 2009, Petitioner submitted transfer of education benefits (TEB) application and requested to transfer education benefits to his spouse/18 months. The Service approved the TEB application with an obligation end date of 25 February 2013.
- j. On 5 March 2010, Petitioner released from active duty orders and transferred to non-pay based on aforementioned orders.
- k. On 4 November 2010, Petitioner was assigned to [REDACTED].
- l. On 1 January 2011, Petitioner promoted to Commander/O-5.
- m. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner's spouse used 6 months of education benefits; last payment was 4 February 2011.
- n. On 10 February 2011, Petitioner issued orders and assigned to SELRES unit, [REDACTED] [REDACTED]. Navy Personnel Command (PERS-911) approved Petitioner's assignment on 25 February 2011.
- o. On 6 December 2022, Petitioner transferred to the Retired Reserve with pay.

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

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting the following corrective action. Petitioner was approved to transfer Post-9/11 GI Bill education benefits, however, the Board surmised he was involuntarily transferred to the VTU prior to his obligation end date. The Board determined that in accordance with reference (c), Petitioner's obligation end date should be adjusted to align with his involuntary transfer to non-pay status. Additionally, Petitioner failed to allocate benefits to his dependent children prior to transferring to the Retired 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 redistribute the education benefits upon transferring to the Retired Reserve, 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's TEB obligation end date was adjusted to align with his initial transfer to non-pay status.

Petitioner reallocated education benefits to [REDACTED]/6 months, [REDACTED]/15 months and [REDACTED]/15 months through the MilConnect TEB portal prior to transferring to the Retired Reserve with pay effective 6 December 2022.

Note: Commander, Navy Reserve Forces Command (N1) 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.

1/21/2026

