



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 6041-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,
XXX-XX-██████████

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

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 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 22 January 2026 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 (b), an individual may transfer a portion or all of their unused Post-9/11 GI Bill entitlement to their spouse and/or children. Entitlement for existing dependents may be modified or revoked after separating from the Armed Forces (active

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duty/Selected Reserve). 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 6 July 1992, Petitioner entered active duty.

d. On 16 January 1999, Petitioner married first spouse [REDACTED]. Thereafter, they had two children: [REDACTED] born on 27 April 2002, and [REDACTED] born on 7 July 2004.

e. On 31 July 2009, Petitioner reenlisted for 3 years and thereafter, extended for an aggregate of 18 months.

f. On 5 November 2009, Petitioner submitted Transfer of Education Benefits (TEB) application and requested to allocate 18 months of education benefits each child. The Service approved the TEB application with an obligation end date of 4 November 2012.

g. On 20 August 2010, Petitioner divorced first spouse [REDACTED].

h. On 14 January 2012, Petitioner married current spouse [REDACTED], and acquired three step-children: [REDACTED] born on 18 September 1997, [REDACTED] born on 15 December 2003, and [REDACTED] born on 14 July 2007.

i. Petitioner reenlisted on 31 August 2013 for 2 years, 24 October 2014 for 3 years, 5 April 2017 for 4 years, and thereafter extended for an aggregate of 16 months.

j. On 31 July 2022, Petitioner transferred to the Retired List.

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 and completed his service obligation, however failed to allocate benefits to each of his dependents 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 retiring, 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]/1-month, [REDACTED]/1-month and [REDACTED]/34 months through the MilConnect TEB portal prior to transferring to the Retired List effective 1 August 2022.

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Note: Commander, Navy Personnel Command (PERS-311) will ensure Petitioner's Benefits for Education Administrative Service 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 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.

2/23/2026

