



Docket No. 8878-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO

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 allocate unused Post-9/11 GI Bill education benefits to his eligible dependent children.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 2 April 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 (c), 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. Petitioner served on active duty from 23 July 1997 to 30 June 1998, and released from active duty for Enrollment in Service Academy.

d. On 24 May 2002, Petitioner accepted an active commission and entered active duty.

e. On 31 August 2002, Petitioner married spouse [REDACTED] and had two children: [REDACTED] born on 7 February 2006; and [REDACTED] born on 9 August 2007.

f. On 4 October 2012, Petitioner submitted Transfer of Education Benefits (TEB) application and requested to allocate 36 months of education benefits his spouse. The Service approved the TEB application with an obligation end date of 3 October 2016.

g. On 30 June 2021, Petitioner transferred to the Retired List.

h. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner's spouse used 15 months of education benefits; last payment was 27 May 2015.

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 dependent 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 allocated education benefits to [REDACTED]/15 months, [REDACTED]/11 months and [REDACTED]/10 months through the MilConnect TEB portal prior to transferring to the Retired List effective 1 July 2021.

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

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[REDACTED]

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.

5/4/2026

[REDACTED]