



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

at the time of election. Reference (c) provided Enlisted Marines 60-days from the date of transfer of education benefits (TEB) web application to incur the required obligated service or the TEB request was rejected. Reference (d) specifies a Marine's TEB request is maintained in a pending status for generally, no more than 180 days to allow processing time for the Marine's request to extend or reenlist. Additionally, both policies directed Marines to periodically check the status of their application; a denied TEB application required Marines to take corrective action and reapply with a new service obligation end date.

c. Petitioner's Armed Forces Active Duty Base date is 22 January 2003.

d. Petitioner reenlisted for 4 years on 6 February 2016.

e. Petitioner submitted TEB application on 9 November 2018. The Service rejected the application on 8 January 2019 indicating, Petitioner "has not committed to the required additional service time."

f. Petitioner reenlisted for 4 years and 5 months on 4 October 2019.

g. Petitioner submitted second TEB application on 28 July 2022. The Service put the application in a "Pending" status 5 August 2022.

## 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 met the basic eligibility criteria to transfer Post-9/11 GI Bill education benefits but failed to complete the administrative requirements outlined in references (c) and (d). Although Petitioner did not complete the appropriate administrative requirements, the Board concluded that had he received proper counseling, he would have been able to transfer unused education benefits to eligible dependents upon reenlisting on 6 February 2016. Moreover, Petitioner completed over 6 years of active duty since reenlisting on 6 February 2016 and is still serving, thereby meeting the spirit and intent of reference (b). Therefore, the Board felt, under these circumstances relief is warranted.

## RECOMMENDATION

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

Petitioner elected to transfer unused education benefits to [REDACTED]/33-months, [REDACTED]/1-month, [REDACTED]/1-month, and [REDACTED]/1-month through the MilConnect TEB portal on 6 February 2016.

Petitioner, in coordination with his command completed the required Statement of Understanding on 6 February 2016 and submitted it to Commandant of the Marine Corps (CMC) for inclusion in the Petitioner's OMPF.

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CMC reviewed Petitioner's TEB application and it was approved on 6 February 2016 with a 4-year service obligation.

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 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.

9/23/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]