



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

[REDACTED]  
Docket No. 709-23  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S.C. Chapter 33  
(c) MARADMIN 693/21

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 establish retroactive eligibility to transfer Post-9/11 GI Bill education with a service obligation that aligns with his desired retirement date of 1 January 2025.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 March 2023 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. Petitioner's Armed Forces Active Duty Base date is 14 January 2004.
- b. On 24 November 2016, Petitioner reenlisted for a term of 4 years.
- c. Petitioner submitted transfer of education benefits (TEB) application on 30 April 2019. The Service rejected the application on 11 July 2019 indicating, Petitioner "has not committed to the required additional service time."
- d. On 29 July 2019, Petitioner extended an additional 30 months on current contract.
- e. Petitioner submitted a second TEB application on 22 January 2020. The Service rejected the application on 22 June 2020 indicating, Petitioner "has not committed to the required additional service time."
- f. On 28 December 2021, Petitioner extended an additional 7 months on current contract.

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g. On 30 March 2022, Petitioner reenlisted for a term of 4 years.

h. Petitioner submitted a third TEB application on 14 June 2022. The Service rejected the application on 22 September 2022 indicating, Petitioner “has not committed to the required additional service time.”

#### 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 education benefits to his eligible dependents, however, he failed to complete the administrative requirements outlined in reference (c). Although the proper administrative requirements were not completed, the Board concluded Petitioner has attempted to TEB on several occasions and continues to serve on active duty, thereby meeting the spirit and intent of reference (b). Therefore, under these circumstances, the Board felt, relief is warranted.

#### RECOMMENDATION

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

Petitioner requested to transfer unused education benefits through the MilConnect TEB portal on 24 November 2016.

Petitioner, in coordination with his command completed the required Statement of Understanding on 24 November 2016 and submitted it to Commandant of the Marine Corps (CMC) for inclusion in the Petitioner’s Official Military Personnel File.

CMC reviewed Petitioner’s TEB application and it was approved on 24 November 2016 with a 4-year service obligation. Note: CMC shall ensure Petitioner’s Benefits for Education Administrative Services Tool Family Member History is updated to reflect the following allocation of education benefits: [REDACTED]/1-month, [REDACTED]/1-month, and [REDACTED]/1-month.

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.

3/15/2023

[REDACTED]