



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

b. In accordance with references (c) through (f), the option to transfer a Service member's unused education benefits to an eligible dependent requires a 4-year additional service obligation at the time of election. Additionally, reference (d) specified that Enlisted Marines had 45 days from the date of transfer of education benefits (TEB) web application to incur the required obligated service or the TEB request would be rejected; reference (e) provided 60 days, and reference (f) provided 180 days. Furthermore, the policy 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 date.

c. Petitioner's Armed Forces Active Duty Base Date is 17 September 2003.

d. On 26 January 2007, Petitioner reenlisted for 5 years and 8 months and thereafter extended for 22 months "TO OBTAIN OBLIGATED SERVICE TO EXECUTE ORDERS TO [REDACTED]."

e. Petitioner submitted TEB applications on 17 October 2011, 25 October 2011, and 22 November 2011. The Service rejected the first two applications indicating, Petitioner "has submitted an invalid entry," the third was rejected because Petitioner "had not committed to the required additional service time. Petitioner submitted the aforementioned TEB application with less than 4 years remaining on contract.

f. On 17 April 2014, Petitioner reenlisted for 4 years and subsequently extended for 17 months "TO OBLIGATE SERVICE FOR [REDACTED]."

g. On 6 February 2019, Petitioner reenlisted for 4 years.

h. On 11 March 2019, Petitioner submitted TEB application with less than 4 years remaining on contract. The Service rejected the application on 12 August 2019 indicating, Petitioner "had not committed to the required additional service time.

i. On 3 June 2020, Petitioner extended for 7 months "FOR OBLIGATED SERVICE TO EXECUTE [REDACTED]," and extended for 6 months on 25 February 2022, "FOR OBLIGATED SERVICE FOR PROMOTION."

j. On 4 April 2023, Petitioner submitted TEB application with less than 4 years remaining on contract. The Service rejected the application on 23 October 2023 indicating, Petitioner "had 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 GI Bill education benefits but failed to complete the administrative requirements outlined in references (c) through (f). 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

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upon reenlisting on 6 February 2019. Moreover, the Board determined Petitioner has completed over 4 years of continuous active duty service since the 6 February 2019 reenlistment, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined 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]/1-month and [REDACTED]/1-month through the MilConnect TEB portal on 6 February 2019.

Petitioner, in coordination with his command completed the required Statement of Understanding on 6 February 2019 and submitted it to Headquarters U.S. Marine Corps (HQMC) for inclusion in the Petitioner's Official Military Personnel File.

HQMC reviewed Petitioner's TEB application, and it was approved on 6 February 2019 with a 4-year service obligation.

That 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.

1/5/2024

