



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

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Docket No. 596-24  
Ref: Signature Date

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Dear ■■■■■■■■■■

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 24 January 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish eligibility to transfer Post-9/11 GI Bill education benefits to your eligible dependent children. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded the ability to transfer Post-9/11 GI Bill education benefits to eligible dependents is a recruiting and retention tool that became effective 1 August 2009 in accordance with Title 38 U.S.C. § 3319. Pursuant to this law, Marine Corps Administrative (MARADMIN) messages were published implementing the program. These messages outlined eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents prior to separation. Specifically, MARADMIN 704/13 stipulated the ability to transfer education benefits (TEB) required a 4-year additional service obligation on active duty and/or the Selected Reserve (SELRES) at the time of election. However, completion of

service in the Individual Ready Reserve (IRR) does not qualify for SELRES time in accordance Department of Defense Instruction 1341.13.

A review of your record reflects you served in the Marine Corps from 10 December 1999 to 24 August 2004 and thereafter, transferred to the Marine Corps Reserve. On 19 February 2014, the Service approved your TEB application with an obligation end date of 16 February 2018. Your 16 April 2015 request to transfer to the IRR was approved by Headquarters U.S. Marine Corps on 29 June 2015 and your 10 November 2017 request to remain on the Inactive Status List was approved on 27 November 2017. Accordingly, the Service changed your TEB application approval to a denial indicating you had not committed to the required additional service time on 29 April 2019, and you were involuntarily discharged on 1 January 2020. Therefore, the Board determined that a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

2/5/2024

