

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

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).¹ Although Petitioner did not complete the appropriate administrative requirements, the Board concluded that had he received adequate counseling, he would have been able to transfer unused education benefits to eligible dependents upon reenlisting on 4 June 2010. Moreover, the Board determined Petitioner completed over 4 years of active duty after reenlisting on 4 June 2010, thereby meeting the spirit and intent of reference (b). 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 elected to transfer unused education benefits to [REDACTED]/1-month, [REDACTED]/1-month, and [REDACTED]/1-month through the MilConnect TEB portal on 4 June 2010.

Petitioner, in coordination with his command completed the required Statement of Understanding on 4 June 2010 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 4 June 2010 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.

6/28/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]

¹ The option to transfer a Marine's unused education benefits to an eligible dependent required a 4-year additional service obligation at the time of election for those eligible to retire on or after 1 August 2012. Additionally, Marines were to ensure additional service obligation was properly documented in the Marine Corps Total Force System and/or official service record prior to initiating a TEB request. Requests were disapproved for members whose record did not reflect the required additional service. Marines whose applications were disapproved would be required to reapply with a new service obligation date.