



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

█  
Docket No. 6888-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD █  
█ USMC

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 38 U.S.C. § 3319  
(c) MARADMIN 391/19  
(d) 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 retroactively approve transfer of Post-9/11 GI Bill education benefits to his eligible dependents effective 16 January 2020.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 17 July 2024 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 Subject'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. On 25 June 2007, Petitioner entered active duty.

b. On 29 August 2009, Petitioner married █ and had one child: █ born on █.

c. Petitioner reenlisted on 6 March 2012 for 5 years; on 14 April 2017 for 4 years and thereafter extended for 18 months.

d. On 16 January 2020, Petitioner submitted transfer of education benefits (TEB) application with less than 4 years remaining on contract. The Service rejected the application on 16 June

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2020 indicating, “Disapproved – SM [Service Member] has not committed to the required additional service time.”

e. On 21 January 2021, Petitioner reenlisted for 4 years and subsequently extended for 22 months “IOT [In order to] have sufficient obligated service for DI [REDACTED]

f. Petitioner submitted TEB applications on 15 April 2024 and 29 April 2024 with less than 4 years remaining on contract. The Service rejected both applications indicating, “[d]isapproved – SM needs to contact Service Representative to resolve status.”

g. On [REDACTED], Petitioner’s child, [REDACTED], was born.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error 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).<sup>1</sup> 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 by submitting another TEB application in conjunction with his 21 January 2021 reenlistment. Therefore, the Board determined that under this circumstance, partial 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] and [REDACTED] through the MilConnect TEB portal on 21 January 2021.

Headquarters U.S. Marine Corps (HQMC) reviewed Petitioner’s TEB application, and it was approved on 21 January 2021 with a 4-year service obligation.

The part of Petitioner’s request for corrective action that exceeds the foregoing is denied. Petitioner did not have sufficient time on contract to warrant TEB approval on 16 January 2020.

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.

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<sup>1</sup> The option to transfer unused education benefits to an eligible dependent required Marines have at least 6 years of creditable military service on the TEB request date and be willing and able to complete four additional years of service at the time of election. Additionally, reference (c) specified that Enlisted Marines had 150 days from the date of TEB web application to incur the required obligated service or the TEB request will be rejected; reference (d) authorized 180 days. Furthermore, the 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.

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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.

8/1/2024

[REDACTED]