



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

Docket No. 10860-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) MARADMIN 391/19, 11 Jul 19
(d) MARADMIN 693/21, 6 Dec 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 eligibility to transfer Post-9/11 GI Bill education benefits to his eligible dependents effective 15 December 2019.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 15 May 2025 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

- a. On 23 May 2005, Petitioner entered active duty.
- b. On 25 November 2006, Petitioner got married (REDACTED).
- c. On 12 March 2008, Petitioner signed a Montgomery GI Bill Act of 1984 (MGIB) Basic Enrollment form (DD Form 2366) and elected to enroll in the program.
- d. Reference (b) authority to transfer unused education benefits to family members. Eligible Individuals. An individual referred to in subsection (a) is any member of the Armed Forces who,

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at the time of the approval of the individual's request to transfer entitlement to educational assistance under this section, has completed at least—(1) six years of service in the armed forces and enters into an agreement to serve at least four more years as a member of the Armed Forces; or (2) the years of service as determined in regulations pursuant to section (k).

e. On 26 December 2012, Petitioner reenlisted for 3 years and 6 months with an End of Current Contract (ECC) of 25 June 2026.

f. On 1 February 2016, Petitioner got divorced.

g. On 30 March 2016, Petitioner reenlisted for 4 years and 3 months with an ECC of 24 September 2020.

h. Reference (c) canceled MARADMIN 704/13 and MARADMIN 642/18, and provided guidance specific to the transfer of Post-9/11 GI Bill (PGIB) educational benefits (TEB) to dependents process. a. Eligibility and administration of the PGIB are the responsibility of the Department of Veterans Affairs (VA). Policies and procedures for utilization of PGIB and TEB benefits are available at benefits.va.gov/gibill. Information concerning the PGIB itself, eligibility, and benefits are provided in reference (c) [MCO 1560.25]. b. References (d) [DODI 1341.13] and (e) [DTM-18-006] provide TEB policy. References (f) [OUSD(PR) MEMO] and (g) [OUSD(PR) MEMO] deferred full implementation of reference (d) to 12 July 2019 and 12 January 2020, respectively. c. Per reference (d), the Marine Corps is authorized to use TEB to promote recruitment and retention: TEB is not an entitlement. Accordingly, Marines should not presume automatic approval of a TEB request.

Process. a. Prior to or concurrent with submitting a request to TEB, Marines will review references (c) and (d) and speak with their unit Career Planner about re-enlistment and extension options available to be retained for 4 years (on active duty or in the SELRES). b. Eligible Marines must use the DMDC TEB Web application at milconnect.dmdc.osd.mil/milconnect to request to TEB, modify, or revoke transferred benefits... f. Before approving a request to TEB, CMC (MM/RA) will determine whether the Marine meets eligibility criteria, to include whether the Marine is eligible for retention under retention policies and is not precluded by either policy or statute from being retained for 4 additional years from the TEB request date. g. CMC (MM/RA) will maintain TEB requests in a pending status for a reasonable period (i.e., generally, no more than 150 days) to allow Marines to request to extend or re-enlist, when necessary. (1) Desired retention and extension actions, consistent with current retention policies, are a shared responsibility between the Marine, his or her unit, and CMC (MM/RA). Marines are responsible to track their request to extend or reenlist: do not assume approval. (2) TEB requests held in a pending status beyond this period, when MM/RA has not authorized a Marine to extend or re-enlist to meet the additional service obligation, will be rejected. h. Marines must check the status of their TEB request via the DMDC TEB Web application...

i. On 24 July 2019, Petitioner reenlisted for 4 years with an ECC of 23 July 2023.

j. On 12 October 2019, Petitioner got married ([REDACTED]).

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k. Petitioner submitted a TEB application on 16 December 2019 with less than 4-years remaining on contract and requested to allocate education benefits to [REDACTED]/2-months. The Service rejected the application on 21 May 2020 indicating, "Disapproved – SM [Service Member] has not committed to the required additional service time."

l. Reference (d) replaced reference (b), and provides updated guidance on the transferability of unused Post-9/11 GI Bill (PGIB) TEB to dependents process.

TEB policy is provided in references (b) [DODI 1341.13, POST-9/11 GI BILL, INCORPORATING CHANGE 1, 12 JULY 2018] and (c) [DTM-18-006, TRANSFERABILITY OF UNUSED POST-9/11 GI BILL EDUCATIONAL BENEFITS BY RECIPIENTS OF THE PURPLE HEART]. Except as provided by reference (c), TEB is neither an entitlement nor a transition or readjustment benefit. Accordingly, Marines who submit a request to TEB should not presume that their request is automatically approved. Further, Marines who have not submitted a request to TEB should not presume that they have transferred their PGIB education benefits to their dependents...

Key Update. Marines who are submitting a TEB request or have already been approved to TEB and have not already done so, are advised: 3.a. To transfer all of their unused and undesignated PGIB education benefits to their eligible dependents. This is not a mandatory requirement, however, doing so ensures that maximum months are designated should the Marine pass away with unused and undesignated PGIB education benefits. Failing to do so may limit months that can be transferred by the VA amongst the dependents of a deceased Marine. 3.b. To review and modify any specified periods of use that may have been designated (i.e., Transfer End Date), if so desired. This is not a mandatory requirement, however, failing to do so may limit a dependent's access to benefits in the case of a deceased Marine. Transfer Effective Dates cannot be modified after a Veteran's death. See paragraph 7.b.3. of this MARADMIN for details. 3.c. These actions may be accomplished via the DMDC TEB Website.

m. On [REDACTED], Petitioner's dependent child was born ([REDACTED]).

n. On 19 September 2022, Petitioner's Careerist Active Duty Reenlistment request was submitted requesting a 48 month reenlistment and TEB with reenlistment. Petitioner's request was approved by HQMC on 7 October 2022. Message text states, "SNM's Transfer of Educational Benefits (TEB) request will be approved when the reenlistment or extension granted via this authority has been executed and reflects in MCTFS. Once the required obligated service has been obtained, SNM is directed to contact the TEB SMB box at USMC.TEB(at)USMC.MIL for approval."

o. On 13 October 2022, Petitioner reenlisted for 4 years with an ECC of 12 October 2026.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded Petitioner did not have an eligible dependent to transfer education benefits to until he was three months into his

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24 July 2019 reenlistment, and he requested to TEB five months after he reenlisted. Petitioner's request to TEB was denied because he had less than 4 years on contract, and he had not committed to the required additional service time. In accordance with reference (c), his request was held in a pending status to allow him to extend or reenlist. If Petitioner had checked the status of his request, he could have requested to extend to meet the service requirement. Therefore, the Board determined that he is ineligible to TEB on 16 December 2019 in accordance with references (b) and (c). However, the Board determined that on 19 September 2022, Petitioner's Careerist Active Duty Reenlistment request was submitted requesting a 48 month reenlistment and TEB. On 7 October 2022, Petitioner's request to reenlist was approved by HQMC. Petitioner was informed that his TEB request would be approved once his acceptance of the reenlistment reflected in MCTFS. Furthermore, he must contact the TEB SMB box for approval. Although Petitioner failed to complete the requirement, the Board determined that 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]/2-months and [REDACTED]/1-months on 13 October 2022 via the MilConnect TEB web portal.

Headquarters United States Marine Corps reviewed Petitioner's TEB application, and it was approved on 13 October 2022 with a 4-year service obligation.

That no further changes be made to Petitioner's naval record.

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 titled 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.

6/3/2025