



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

Docket No. 2200-25
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) MARADMIN 704/13, 31 Dec 13
(d) MARADMIN 017/20, 14 Jan 20

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 show Petitioner transferred Post-9/11 GI Bill education benefits to his eligible dependents effective 3 June 2021.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 14 August 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 13 December 1999, Petitioner entered active duty.
- b. On 15 December 1999, Petitioner signed a Montgomery GI Bill Act of 1984 (MGIB) (DD Form 2366) certifying that “I am eligible for the MGIB based on my initial entry on active duty after June 30,1985.”
- c. In March 2006, Petitioner married first spouse.
- d. On 22 March 2012, Petitioner reenlisted for 4 years with an End of Current Contract (ECC) of 21 March 2016.

e. On 21 May 2015, Petitioner signed an agreement to extend enlistment for 15 months with an End of Active Service (EAS) of 21 June 2017 in order to have sufficient obligated service for overseas extension.

f. In accordance with reference (b), “[a]uthority 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, 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).”

g. In accordance with reference (c), “[t]his MARADMIN consolidates and collectively cancels refs (a) [MARADMIN 389/09], [MARADMIN 421/09], - (c) [MARADMIN 428/11] and provides updated guidance regarding the transfer of post 9-11 GI bill educational benefits. Information contained in ref (a) concerning the post 9-11 GI bill itself, eligibility, and benefits has been incorporated into ref (d) [MCO 1560.25].”

“Under the post 9-11 GI bill, which became effective on 1 August 2009, Marines may use the educational benefit themselves and/or may be permitted to transfer all, or a portion of, their unused entitlement to such educational assistance to one or more of their eligible dependents in return for agreeing to an additional service commitment in the armed forces (active duty and/or selected reserve (SELRES)). TEB is not an entitlement and may not be authorized for any purpose other than promoting recruiting and retention.”

“Procedures for requesting to transfer educational benefits: A. Active Component Enlisted Marines: (1) Marine verifies dependent information reported in DEERS. (2) Marine speaks with their unit career planner about eligibility criteria for transfer, additional obligated service requirements, re-enlistment and enlistment extension options, and forms required for TEB approval. (3) Marine elects to transfer unused educational benefits through the DMDC TEB web application, concurrent with a submission of a reenlistment/extension (if additional obligated service is required) request to CMC (MMEA-6) as prescribed in MCO 1040.31 (Enlisted Retention and Career Development Program). Career Planner specifies that the request is submitted, "For purposes of establishing required obligated service for eligibility to transfer unused educational benefits under the Post 9-11 GI Bill." (4) Marine, in coordination with his or her command, completes the Statement of Understanding (SOU) and submits it to CMC (MMSB) for inclusion in the Marine's Official Military Personnel File (OMPF).”

“Approval of TEB requests should not be assumed. Marines must periodically check the DMDC TEB web application to view the status of TEB requests. (1) If approved, an auto-generated approval letter, which shall be maintained by the member, will appear within DMDC TEB web application. (2) If rejected (i.e., disapproved), Marines should determine the reason for the rejection by referring to the rejection codes provided and take appropriate, corrective action and reapply, if desired.”

h. In September 2014, Petitioner divorced first spouse..

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

i. In December 2015, Petitioner married [REDACTED] and acquired a stepchild [REDACTED] born in June 2001.

j. On 13 January 2016, Petitioner reenlisted for 4 years with an ECC of 12 January 2020.

k. In July 2016, Petitioner acquired second stepchild [REDACTED] born in June 2004.

l. On 25 May 2017, Petitioner signed an agreement to extend enlistment for 3 months with an EAS of 12 April 2020 in order to have sufficient obligated service for overseas extension.

m. In accordance with reference (d), “[t]his MARADMIN cancels reference [c] [MARADMIN 391/19] and provides guidance specific to the transfer of Post-9/11 GI Bill (PGIB) education 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 the PGIB and TEB are available at benefits.va.gov/gibill.”

“Eligible Marines. Marines who meet the following four criteria may request to transfer to one or more of their eligible dependents all or a portion of their PGIB education benefit. Applicants should not presume automatic approval of TEB requests, and are responsible to check the status of their TEB request via the DMDC TEB Web application as provided in paragraph 7, below. a. Currently serving on active duty or in the Selected Reserve (SELRES)... d. Be willing and able to complete four (4) additional years of service (active duty or SELRES – with no break in service) from the TEB request date.”

“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...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 re-enlist; do not assume approval. 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...”

“A Marine may modify or revoke an approved transfer at any time through the DMDC TEB Web application. A Marine may not change a 0-month transferee designation once separated, retired, or discharged...A Marine may add eligible family members through the DMDC TEB Web application while serving in the Uniformed Services. This action does not incur additional obligated service. A Marine may not designate new transferees once separated, retired, or discharged. A limited exception is provided for upon the death of an originally designated dependent.”

n. In January 2021, Petitioner’s child [REDACTED] was born.

o. On 3 June 2021, Petitioner submitted TEB applications with less than 4 years remaining on contract and requested to allocate education benefits to [REDACTED] 36 months. The Service rejected the application on 26 July 2021, indicating, “Disapproved-SM [Service Member] has not committed to the required additional service time.”

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

p. On 1 December 2021, Petitioner signed a Reenlistment Extension Lateral Move Request (NAVMC 11537) for a 36-month reenlistment. Petitioner's ECC/EAS was 19 August 2022. The Commanding Officer recommended approval of the request on 21 December 2021.

q. On 5 February 2022, Petitioner reenlisted for 3 years with an ECC of 4 February 2025.

r. On 5 February 2022, Petitioner signed an agreement to extend enlistment for 7 months with an EAS of 4 September 2025 in order to have sufficient obligated service for TEB.

s. On 7 June 2023, Petitioner submitted TEB application with less than 4 years remaining on contract and requested to allocate education benefits to [REDACTED]/36 months. The Service rejected the application on 7 November 2023, indicating, "Disapproved-SM need to contact Service Representative to resolve status."

t. Petitioner's projected retirement date is 31 January 2026.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that 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 (d). 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 13 January 2016. Moreover, the Board determined Petitioner has completed over 9 years of service since reenlisting on 13 January 2016 and continues to serve on active duty, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined that under this circumstance, partial relief is warranted; Petitioner did not have sufficient time on contract to warrant approval effective 3 June 2021.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner elected to transfer unused education benefits to [REDACTED]/1-month through the MilConnect TEB portal on 13 January 2016. Note: Petitioner allocation education benefits to [REDACTED]/34 months after date of birth on 5 January 2021.

Headquarters United States Marine Corps (HQMC) reviewed Petitioner's TEB application, and it was approved on 13 January 2016 with a 4-year service obligation. HQMC will ensure Petitioner's Benefits for Education Administrative Services Tool Family Member History is updated with the aforementioned approved allocation of education benefits.

A copy of this report of proceedings will be filed in Petitioner's naval record.

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

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

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.

8/20/2025

