



Docket No. 3765-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO
[REDACTED] USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chapter 33
(c) 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 establish eligibility to transfer Post-9/11 GI Bill education benefits to his eligible dependent with an obligation end date of 16 December 2026.

2. The Board, consisting of [REDACTED], [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 September 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. 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. The Post-911 Veterans Educational Assistance Act (Post-911 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective 1 August 2009. The bill provides financial support for education and housing for service members with at least 90 days of service on or after 11 September 2001. The act also includes provision for qualifying service members to transfer education benefits to their eligible dependents. General descriptions of the essential components of the law were widely available beginning in summer 2008, but specific implementing guidance was not published until summer 2009.

b. In accordance with reference (c), the option to transfer a Service member's unused education benefits to an eligible dependent requires a 4 year additional service obligation at the time of election. Additionally, the policy specified that Enlisted Marines had 180 days from the

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date of transfer of education benefits (TEB) web application to incur the required obligated service or the TEB request would be rejected. Furthermore, the policy directs Marines to periodically check the status of their application; a denied TEB application requires Marines to take corrective action and reapply with a new service obligation end date.

- c. On 27 November 2006, Petitioner entered active duty.
- d. On 11 April 2010, Petitioner married spouse [REDACTED].
- e. On 14 December 2019, Petitioner reenlisted for 4 years.
- f. On 16 December 2022, Petitioner submitted TEB application with less than 4 years remaining on contract.
- g. On 23 February 2023, Petitioner extended for 15 months to obligate service for promotion to next higher grade.
- h. On 19 July 2023, the Service rejected Petitioner's TEB application indicating, "Disapproved-SM [Service Member] has not committed to the required additional service time."
- i. On 9 December 2023, Petitioner reenlisted for 4 years.

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 reference (c). 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 his spouse upon reenlisting on 14 December 2019. Moreover, the Board determined Petitioner continues to serve and has completed over 4 years of active duty since reenlisting on 14 December 2019, thereby meeting the spirit and intent of reference (b). Therefore, the Board determined that under these circumstances, 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]/6 months through the MilConnect TEB portal on 14 December 2019.

Headquarters U.S. Marine Corps reviewed Petitioner's TEB application, and it was approved on 14 December 2019 with a 4-year service obligation.

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The part of Petitioner's request for corrective action that exceeds the foregoing is denied.

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.

12/8/2025

