



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 6297-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████
XXX XX ██████████ USMC RET

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S. Code § 3319
(c) MARADMIN 0421/09, 15 Jul 09
(d) MARADMIN 704/13, 31 Dec 13

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 his Post-9/11 GI Bill education benefits to his eligible dependent children.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 19 February 2026 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. In December 1999, Petitioner married first spouse ██████████. In October 2005, Petitioner's first dependent child, ██████████ was born.

b. On 20 April 2007, Petitioner reenlisted for 4 years with an End of Current Contract (ECC) of 19 April 2011.

c. On 17 December 2010, Petitioner reenlisted for 4 years and 5 months with an ECC of 16 May 2014.

d. In February 2011, Petitioner's second dependent child, ██████████ was born.

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e. On 10 August 2011, Petitioner submitted TEB application with less than 4 years remaining on contract and requested to allocated 3 months of education benefits to each dependent. The Service rejected the application on 5 October 2011 indicating, “Disapproved-SM [Service Member] has not committed to the required additional service time.”

f. On 4 June 2014, Petitioner reenlisted for 4 years with an ECC of 3 June 2018.

g. In June 2018, Petitioner divorced.

h. On 10 January 2019, Petitioner submitted TEB application with less than 4 years remaining on contract, requested to allocated 3 months of education benefits to each child.

i. Petitioner was transferred to the Fleet Marine Corps Reserve with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 2 February 1999 to 28 February 2019 upon having sufficient service for retirement.

j. On 18 March 2019, the Service rejected Petitioner’s TEB application indicating, “Disapproved-SM has not committed to the required additional service time.”

k. In February 2020, Petitioner married current spouse and acquired three stepchildren.

l. In September 2020, Petitioner’s third dependent child, [REDACTED] was born.

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) 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 4 June 2014. Moreover, the Board determined that after reenlisting on 4 June 2014, Petitioner completed over 4 years of active duty service before transferring to the Fleet Marine Corps Reserve, 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]/3 months, and Andres [REDACTED]/3 months through the MilConnect TEB portal on 4 June 2014.

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Petitioner, in coordination with his command completed the required Statement of Understanding on 4 June 2014 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 2014 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 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.

3/2/2026

