



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 7105-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO ██████████,
██████████ USMC RET

Ref: (a) Title 10 U.S.C. § 1552
(b) Title 38 U.S.C. Chp 33
(c) MARADMIN 017/20
(d) DoDI 1341.13

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 establish eligibility to transfer Post-9/11 GI Bill education benefits to his eligible dependents.

2. The Board, consisting of ██████████, ██████████ and ██████████ reviewed Petitioner's allegations of error and injustice on 11 December 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-9/11 Veterans Educational Assistance Act (Post-9/11 GI Bill, Public Law 110-252) was signed into law on 30 June 2008 and became effective on 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

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time of election. Enlisted Marines had 150 days from the date of transfer of education benefits (TEB) web application to incur the required obligated service or the TEB request would be rejected. The policy further 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.

c. Reference (d) indicates, Service members will be considered to have completed his or her previously approved TEB-related service agreement upon discharge or release from active duty or the Selected Reserve, with an honorable discharge, for injury or disability found to be in the line of duty based on the result of Medical Evaluation Board and Disability Evaluation System processing where a member was found unfit for duty (with a medical separation or retirement order).

d. On 14 October 2014, Petitioner entered active duty and thereafter, extended for 24 months.

e. On 28 July 2018, Petitioner reenlisted for 4 years.

f. On 13 October 2020, Petitioner completed 6 years of active duty service.

g. On 26 March 2021, Petitioner married spouse [REDACTED].

h. On 11 May 2021, Petitioner submitted TEB application with less than 4 years remaining on contract and requested to allocate 18 months of education benefits to his spouse.

i. On 10 June 2021, Petitioner extended for 22 months.

j. On 27 November 2021, the Service rejected the application indicating, "Disapproved-SM [Service Member] does not have 6 years in Armed Forces."

k. On 23 November 2021, Petitioner reenlisted for 4 years and 9 months.

l. On 5 January 2023, Petitioner submitted second TEB application with less than 4 years remaining on contract and requested to allocate 12 months of education benefits to his spouse. The Service rejected the application on 2 October 2023 indicating, "Disapproved-SM has not committed to the required additional service time."

m. On 3 December 2023, Petitioner's child, [REDACTED] was born.

n. On 9 May 2024, Petitioner issued notification of Transfer to the Permanent Disability Retired List (PDRL) on 30 July 2024, with a disability rating of 30%, non-combat related. Subsequently, on 30 July 2024, Petitioner was honorably transferred to the PDRL with 9 years, 9 months, and 17 days.

o. The Benefits for Education Administrative Services Tool (BEAST) Education Summary reflects that Petitioner used 8 months of education benefits; last payment was 29 October 2025.

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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 at the time of his 23 November 2021 reenlistment, followed by allocating benefits to his son prior to transferring to the PDRL. Moreover, the Board determined that Petitioner completed the maximum time allowed after his 23 November 2021 reenlistment and being found unfit for continued active duty service, thereby meeting the spirit and intent of references (b). Therefore, the Board determined that under these circumstances, 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]/12 months through the MilConnect TEB portal on 23 November 2021. Note: Petitioner allocated education benefits to [REDACTED]/1-month prior to transferring to PDRL on 30 July 2024.

Headquarters United States Marine Corps (HQMC) reviewed Petitioner's TEB application, and it was approved on 23 November 2021 with a 4-year service obligation. Note: HQMC will adjust Petitioner's obligation end date to align with his transfer to the PDRL on 30 July 2024. Additionally, HQMC will ensure Petitioner's BEAST Family Member History is updated to reflect the aforementioned allocations.

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.

1/14/2026

