



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

██████████
Docket No. 7812-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

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

Ref: (a) Title 10 U.S.C. § 1552

(b) Title 38 U.S.C. Chp 33

(c) DoDI 1341.13

(d) MARADMIN 704/13

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 spouse and 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. 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 references (c) and (d), a member must at the time of election, have served at least 6 years in the Armed Forces (active duty and/or Selected Reserve) and agree to

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED],
[REDACTED] USMC RET

serve four additional years in the Armed Forces from the date of election. Reference (c), specifies that individuals that fail to complete the service obligation due to discharge or release from active duty or the Selected Reserve, with an injury or disability found to be in the line of duty based on the results of Medical Evaluation Board and Disability Evaluation System processing where a member was found unfit for duty (with a medical separation or retirement order) will be considered to have completed his or her previously approved transfer of education benefits (TEB) related service agreement. Reference (d) indicated that active duty Marine officers were required to be career designated before garnering approval to TEB.

- c. On 8 May 2007, Petitioner entered active duty.
- d. On 21 November 2009, Petitioner married spouse, [REDACTED] and had two children: [REDACTED] born on 21 March 2012 and [REDACTED] born on 23 November 2016.
- e. On 31 January 2017, Petitioner discharged to Accept Commission or Warrant in Same Branch of Service.
- f. On 1 February 2017, Petitioner accepted an active commission and thereafter designated as a Marine Corps Enlisted Commissioning Education Program student, followed by assignment to Personnel Admin School Marine Corps Combat Service Support Schools Training as a student.
- g. On 25 September 2017, Petitioner submitted TEB application and requested to allocate 1-month of education benefits to each dependent. The Service rejected the application on 26 September 2017 indicating, "Disapproved - SM [Service Member] has not committed to the required additional service time."
- h. On 16 June 2018, Petitioner joined to [REDACTED] for duty as a Manpower Officer.
- i. On 30 May 2020, Petitioner discharged with Severance Pay, Not Combat Related, Integrated Disability Evaluation System.
- j. The Benefits for Education Administrative Services Tool Education Summary reflects that Petitioner used 14 months of education benefits; last payment was 1 December 2016.

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, however, his TEB application was rejected due to being in a transient pipeline student status at the time of election. 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 subsequent to completion of his training assignments. Therefore, the Board determined that under these circumstances, relief is warranted.

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED],
[REDACTED] USMC RET

RECOMMENDATION

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

Petitioner elected to transfer unused education benefits to [REDACTED]/1-month, [REDACTED]
[REDACTED]/1-month and [REDACTED]/1-month through the MilConnect TEB portal on 16 June 2018.

Headquarters U.S. Marine Corps (HQMC) reviewed Petitioner's TEB application, and it was approved on 16 June 2017 with a 4-year service obligation. Note: HQMC is directed to ensure Petitioner's obligation end date is adjusted to align with his medical discharge on 30 May 2020.

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.

3/26/2026

