



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

DDJ:dj
Docket No: 1087-02
19 April 2002

[REDACTED]

[REDACTED]

Reference is made to your Application for Correction of Naval Record (DD Form 149).

In accordance with the Board's standard procedure, the records in your case were referred to the office within the Navy Department having cognizance over the subject matter addressed in your application for an advisory opinion relative to the issues presented therein. The enclosed opinion was furnished in response to the Board's request. The opinion, which is advisory only and is not binding upon the Board or the Secretary of the Navy, is forwarded for your information.

If you wish to submit any further statement or additional documentary material in support of your application, it is requested that you transmit same directly to this Board within 30 days from the date of this letter.

In the event you find it inconvenient to respond within the 30-day period, kindly indicate prior to the termination of such period the approximate date that your reply will be forthcoming. If no response is received within the 30-day period, your case will be decided on the evidence of record as soon as an extremely crowded docket will permit.

Sincerely,

D. D. JACKSON
Pay Section

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1780
PERS-604
29 Mar02

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS, ICO
[REDACTED]

Ref: (a) CNPC memo 5420 PERS-00ZCB of 26 Mar 02
(b) Title 38, United States Code, Chapter 32
(c) Veterans Benefits and Health Care Improvement Act of
2000 (PL 106-419)

1. The following is provided in response to reference (a):


a. Recommend the Board deny [REDACTED] request to enroll in the Veterans Educational Assistance Program (VEAP). Per reference (b), VEAP was closed to new enrollments on 30 June 1985, but reopened for five months from 28 October 1986 to 31 March 1987. Members who did not enroll before these deadlines lost their eligibility.


b. DD Form 2057 was used to document member's election to enroll or decline enrollment in VEAP. The DD Form 2057 [REDACTED] submitted reflects he only signed Part 1, which is completed prior to entry on active duty. This only indicates CDR Sourbeer was briefed on his eligibility for VEAP and the provisions of the program. Once on active duty, [REDACTED] did not complete Part 2, which indicates the member's election, and if electing enrollment, the amount designated to contribute each month. The fact that Part 2 was not completed does not constitute enrollment. [REDACTED] did not enroll in VEAP prior to closure of the program by Congress and no contributions were made to a VEAP account.

c. Notification of the open period and final closure of VEAP was given the widest dissemination via NAVOP messages, Navy Times articles and by placing a statement on the Leave and Earnings Statements of active duty members for several months.

d. Since this program closed 15 years ago, it is not expected that members would remember the specifics of the program or notification of its closure. Now that reference (c) authorized VEAP participants to enroll in the Montgomery GI Bill (MGIB) Program, those who never participated are petitioning the Board for waivers to the law to establish VEAP accounts. Over 40,000 Sailors are in this category.

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO


2. PERS-604's point of contact is Ms.  who can be reached at (DSN) 882-4260 or (C) 901-874-4260.


Head, Federal Education Programs
Branch (PERS-604)