



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

TRG
Docket No: 7663-07
28 August 2008

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 August 2008. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 27 October 1987 at age 19. You then served in an excellent manner for about 23 months. On 30 September 1989 you were honorably discharged so that you could begin training in the Naval Reserve Officer Training Corps (NROTC) program. At that time, you were assigned a separation program designator of KGX which indicates that your discharge was voluntary. The KGX code is the only authorized code for individuals in your situation.

In 1993 you requested to be dropped from the NROTC program. This request was approved and you acknowledged that you were required to repay the money spent on your education.

In your application you are requesting, in effect, that the reason for your discharge in 1989 or in 1993 be changed to establish your eligibility for the Montgomery G. I. Bill (MGIB). It is clear that your discharge on 30 September 1989 was a voluntary action so that you could receive a college degree through the NROTC program. Further, the record shows that you were dropped from the NROTC program at your request and therefore you were voluntarily separated at that time. Additionally, the Board did not believe that service as a midshipman in NROTC can be used for MGIB length of service requirements.

Since you did not complete the MGIB service requirements and your discharges are considered to be voluntary, the Board concluded that a correction to your record is not warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,



W. DEAN PFEIFFER
Executive Director