

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

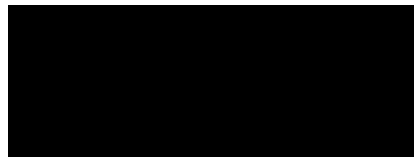
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Docket No. 7951-07
6 Nov 07

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 Usc 1552.

A three-member panel of the Board for correction of Naval Records, sitting in executive session, considered your application on 6 November 2007. 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. In addition, the Board considered the advisory opinion furnished by NPC memo 1780 PERS-352G of 17 Oct 07, a copy of which is attached.

After careful and conscientious consideration of the entire record, a majority of the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application, and your request for a personal appearance before the Board, 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 also 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.



Enclosure

DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1780
PERS-352G
17 Oct 07

**MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS**

Via: Assistant for BCNR Matters (PERS-31C)
Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICC
Ref: (a) CNPC memo 5420 PERS—31C of 16 Oct 07
(b) Title 38, United States Code, Chapter 32

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

a. Per reference (b), the Veterans Educational Assistance Program (VEAP) was available to members who entered the military for the first time between 1 January 1977 and 30 June 1985. A review of record indicates she initially entered active duty 31 May 1985. VEAP was closed to new enrollments on 30 June 1985, but reopened for five months from 28 October 1986 to 31 March 1987. Notification of the open period and final closure of VEAP was given widest dissemination. Only those members who elected to enroll in VEAP and had their disbursing office start an allotment to a VEAP account are considered participants.

b We recommend denial of request She states "As everybody accepts educational benefits and I would have been a fool to turn it down and there is also no declination form in my record I ask that this error be rectified." With all due respect to many, many members entering active duty during VEAP era did not participate, neither upon initial entry nor during the open period, because of it's meager benefits, especially when compared to the previous education program, the [REDACTED] GI Bill. She indicates there is no declination form in her record. It is extremely rare to find a DD Form 2057 in a member's service record. This is because throughout the years of a member's career, the service record is reviewed and documents are purged. Historically, the DD Form 2057 was most often among the purged documents. Normally, if a VEAP-era member or veteran produces their DD Form 2057, it's because they kept a copy in their own personal files. Even more important than the DD Form 2057 is whether or not the member became a participant by

contributing to a VEAP account. To determine if an individual is a VEAP participant, we check a Defense Finance and Accounting Service system for a Navy VEAP account. In case, the system confirmed she did not participate in VEAP before 1 July 1985, or by the end of the VEAP open period, 31 March 1987.

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Subj: REQUEST FOP. COMMENTS AND RECOMMENDATIONS ICO

c. VEAP was never a very popular program, and it is only now when members/veterans are nearing retirement or considering further education that they are requesting enrollment in VEAP. Although we believe all who have served on active duty deserve education benefits, allowing those who didn't participate in VEAP before the legislated deadlines to enroll now would create an inequity to the thousands of other Sailors who also didn't participate and now have no education benefits.

2. PERS-352G's point of contact is [REDACTED] who can be reached at [REDACTED] [REDACTED] [REDACTED].

