



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

MEH
Docket No. 6061-10
4 Oct 10

[REDACTED]

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 4 October 2010. 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 in regards to enrollment in the Montgomery GI Bill (MGIB) program. The Defense Manpower Data Center (DMDC) system indicates you declined enrollment in the MGIB program. However, even if you had properly enrolled, to include paying the required \$1,200 contribution, there is no action the Board can take as the delimiting date has passed. Individuals have 10 years from the date of separation from active duty to use MGIB entitlement. Since you were separated on 4 September 1997, your delimiting date has already passed. The MGIB program is administered by the Veteran's Administration (VA) and the Board has no authority to extend the delimiting date. Accordingly, your request for enrollment in the MGIB has been denied. The request to have your middle name corrected on your DD Form 214 has been administratively resolved and a DD Form 215 has been issued. 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.

Sincerely,


W. DEAN PFEIFFER
Executive Director

Enclosure