

**DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for the Correction of
the Coast Guard Record of:

BCMR Docket No. 2011-243

XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX

FINAL DECISION

This proceeding was conducted according to the provisions of section 1552 of title 10 and section 425 of title 14 of the United States Code. The Chair docketed the application upon receipt of the applicant's completed application on August 29, 2011, and subsequently prepared the final decision as required by 33 CFR § 52.61(c).

This final decision, dated May 17, 2012, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

APPLICANT'S REQUEST AND ALLEGATIONS

The applicant asked the Board to change the mark in block 15a on her DD Form 214 (DD 214) from "no" to "yes." Block 15a answers the question "whether member contributed to Post-Vietnam Era Veteran's Educational Assistance Program" (VEAP). She alleged that the block 15a is incorrect because it states that she did not contribute to the Montgomery G.I. Bill (MGIB) plan, when in fact she did so. She submitted a copy of her leave and earnings statement that shows she contributed \$1200.00 to the MGIB plan.

The applicant's DD 214 shows that she enlisted in the Coast Guard on October 14, 2008, and was discharged on January 1, 2011, due to weight control failure. It also shows the following remark in block 18: "MGIB INFO: Member's initial service contract was for 6 years.

VIEWS OF THE COAST GUARD

On October 20, 2011, the Judge Advocate General (JAG) of the Coast Guard submitted an advisory opinion recommending that the Board deny relief in accordance with a memorandum submitted by the Commander, Personnel Service Center (PSC).

PSC did not recommend relief and argued that the DD 214 is correct as is and that the applicant has failed to substantiate any error or injustice with regard to it. In this regard, PSC stated the following:

b. According to [the Personnel and Pay Procedures Manual, PSCINST M1000.2A, Chapter 4.C.5.], “The Veterans Education Assistance program (VEAP) was available to any member who first became a member between 1 January 1977 and 30 June 1985.” As the applicant was not even born until 1984, she is in no way eligible to have participated in the VEAP.

c. According to [the DD 214 Manual, COMDTINST M1900.4D, Chapter 1.E.], block 15a only refers to the VEAP, not the Montgomery G.I. Bill, hence why this box is correctly marked “NO” . . .

d. The only notation allowed on [the DD 214] with regard to the Montgomery G.I. Bill is to be entered in block 18, Remarks, in accordance with the policy found [in the instruction]. This notation is correctly entered on the applicant’s DD 214.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the applicant's military record and submissions, the Coast Guard's submission and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to section 1552 of title 10 of the United States Code. The application was timely.

2. The applicant enlisted in the Coast Guard on October 14, 2008, and was discharged on January 7, 2011. She contributed \$1,200 to the Montgomery G.I. Bill program prior to her discharge. She did not, however, contribute to the VEAP program because that program was discontinued in 1985.

3. Therefore, the mark of “no” in block 15a on the applicant’s DD 214 is correct because she did not contribute to VEAP. Block 18 of the DD 214 correctly includes the following comment with regard to MGIB: “MGIB Information: Member’s initial service obligation was for 6 years.”

4. If the applicant is seeking MGIB benefits, she should apply directly to the nearest office of the Department of Veterans’ Affairs (DVA), since that agency administers the MGIB program.

5. Accordingly, the applicant’s request should be denied.

[ORDER AND SIGNATURES APPEAR ON NEXT PAGE]

ORDER

The application of XXXXXXXXXXXXXXXX USCG, for correction of her military record is denied.

