



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 8196-16
DEC 29 2016

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552. Your case was reconsidered in accordance with new Board for Correction of Naval Records procedures that conform to *Lipsman v. Secretary of the Army*, 335 F. Supp. 2d 48 (D.D.C. 2004). You were previously denied relief by this Board on 12 April 2016.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 September 2016. 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. However, after careful and conscientious consideration of the entire record, the Board determined that while your request does contain new information not previously considered by the Board, specifically your letters received in our office on 27 July 2016, it does not warrant relief.

The Board carefully considered your contention that competence was relevant in your case because your last name was spelled [REDACTED] vice [REDACTED] in the advisory opinion from Headquarters U.S. Marine Corps (MFR). The Board determined that the misspelling of your last name was clearly a clerical error and did not interfere in HQMC's impartial process of reviewing and making their recommendation on your petition.

Furthermore, the Board found that per Marine Corps Order (MCO) 1560.28B of 18 April 1991, "The VEAP [Veterans' Educational Assistance Program] was established to provide education assistance to individuals who first entered the Armed Forces after 31 December 1976 and before 30 June 1985. The VEAP is a participatory program with the eligible Marine contributing up to \$2,700.00 that is matched by the Government at the rate of 2:1 providing a total benefit of \$8,100." The Board found that you entered active duty on 1 September 1977, and that it is noted on your DD Form 214 (Certificate of Release or Discharge from Active Duty) that you did not

not contribute to the VEAP program. Accordingly, your request has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regrettable that the circumstances of your case are such that the Board will not process any additional reviews and this matter is considered a final action. However, if you wish to continue to seek relief you will need to present your concerns to a court of appropriate jurisdiction.

Sincerely,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director