

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

> Docket No. 10746-23 Ref: Signature Date

| _ | |
|---|--|
| | |
| | |

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 1 May 2024. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies.

You requested to establish eligibility to receive Post-9/11 GI Bill education benefits. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that in accordance with Department of Defense Instruction 1341.13, eligibility and administration of the Post-9/11 GI Bill are the responsibility of the Department of Veterans Affairs. Generally, to be eligible for the Post-9/11 GI Bill, individuals must serve on active duty on or after 11 September 2001, for at least 30 continuous days with a discharge due to a service connected disability: or an aggregate period ranging from 90 days to 36 months or more. Additionally, per Title 38 Combined Federal Regulation § 21.9640, entry level and skills training is excluded from qualifying active duty service (other than entry level and skill training) has been completed. Once a service member has completed this 24 months of qualifying active duty service, their entry level and skill training will be included in their aggregate active duty service.

A review of your record reflects that you enlisted in the Marine Corps Reserve on 23 November 2016 for 8-years. On 6 February 2017, you entered active duty and upon completion of initial active duty training (IADT) on 8 September 2017, you were released from active duty, issued a

DD Form 214 indicating a Separation Code of "MBK2"- Completion of Required Active Service, and transferred to the Marine Corps Reserve to complete the remainder of your contractual obligation. On 9 September 2017, you were joined to and completed Annual Training from 14 June 2018 to 28 June 2018. Thereafter, you were transferred to the Permanent Disability Retired List on 30 June 2020, accumulating a total of 7 months and 18 days of active duty service and 2 years, 9 months, and 7 days of total inactive duty service.

The Board determined your IADT period was more than 30-continuous days, but you were not discharged from your active duty periods with a service-connected disability. Additionally, you did not meet the 24 months of qualifying active duty service threshold in order to garner approval to utilize Post-9/11 GI Bill education benefits. The Board found your total aggregate active service in your record is correct; therefore, agreed a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,