



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

■  
Docket No. 1052-24  
Ref: Signature Date

Dear ■■■■■■■■■■,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code (U.S.C.). 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 7 August 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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to change your naval record to reflect you paid into the Montgomery GI Bill (MGIB) and that you did not use any of your MGIB benefits during the period of 1992 to 1996. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that pursuant to Title 38, Combined Federal Regulations, Part 21, and as promulgated in Department of Defense Instruction 1341.13, eligibility and administration of the MGIB and Post-9/11 GI Bill (PGIB) are the responsibility of the Department of Veterans Affairs (DVA). Additionally, an individual who, as of 1 August 2009, used entitlement under Title 38, U.S.C. Chapter 30, MGIB, but retained unused entitlement under that chapter, would make an irrevocable election to receive educational assistance under the provisions of Title 38, U.S.C. Chapter 33, PGIB, instead of educational assistance under the provisions of Chapter 30, would be limited to one month (or

partial month) of entitlement under Chapter 33 for each month (or partial month) of unused entitlement under Chapter 30.

A review of your Benefits for Education Administrative Services Tool (BEAST) record reflects you were enrolled in the MGIB under Title 38, U.S.C. Chapter 30. The BEAST further indicates you were authorized by the DVA to use 29 months of MGIB benefits. The total amount of usage authorized amounted to \$12,115.47 with the last payment occurring on 20 April 1996. The Board considered that you were enrolled in the Armed Forces Health Professional Scholarship Program from 10 August 1992 to 17 May 1996 but determined the Department of the Navy does not have the authority to authorize MGIB and/or PGIB entitlements, therefore this Board does not have authority to change what entitlements were used under the MGIB and/or PGIB. You may contact Navy Personnel Command (PERS-311) for assistance with the DVA by calling (833) 330-6622, emailing [askmncc.fct@navy.mil](mailto:askmncc.fct@navy.mil), or by chat at <https://my.navy.mil>. However, PERS-311 will not be able to adjust how many months of MGIB and/or PGIB educational benefits you have used but may be able to assist you with working with the DVA on the matter. Alternatively, you may contact the DVA, GI Benefits hotline directly, by calling (888) 442-4551, or online at <https://ask.va.gov>.

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,

8/21/2024

