



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

JRE
Docket No. 11481-08
11 December 2008



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 December 2008. After careful consideration of your application, the Board concluded that your application was not timely filed, and that it would not be in the interest of justice to excuse your failure to submit your application in a timely manner.

Although you state you discovered the alleged error and/or injustice in your record in 1994, when you were notified by the Department of Veterans Affairs (VA) that your request for service connection for a hearing loss had been denied, available records indicate that the VA denied similar requests in 1956 and 1987. It appears that you were aware of your hearing loss when you were released from active duty in 1954, as you advised the Board of Veterans Appeals in a statement dated 10 July 1989 that "Nevertheless, it was obvious to me, my family, and my friends that a noticeable degree of hearing loss had occurred. Also, at that time, there was an undesirable social stigma associated with people who endure a hearing loss, so I didn't pursue this disability with the Veterans Administration".

The Board did not consider your request that additional information be entered in item 29 of your DD Form 214 because

you did not exhaust an available administrative remedy by submitting that request to the Commandant of the Marine Corps for administrative correction.

You may request reconsideration of this decision. Your request must include newly discovered relevant evidence which was not reasonably available to you when you submitted your application. The evidence may pertain to the timeliness of your application or to its merits. Absent such additional evidence, further review of your application is not possible.

I regret that a more favorable reply cannot be made.

Sincerely,


W. DEAN PFEFFER
Executive Director