



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

ES
Docket No: 6610-14
29 July 2015

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW NAVAL RECORD OF EX- **5 U.S.C. 552(b) (6)**
5 U.S.C.

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, filed enclosure (1) with this Board requesting correction of her "Report of Separation from Active Duty (DD Form 214)," which is incomplete. Enclosures (1) through (3) apply.

2. The Board, consisting of **5 U.S.C. 552(b) (6)**
5 U.S.C. reviewed Petitioner's allegations of error and injustice on 10 July 2015 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 18 April 1975. She served without disciplinary incident, however, she was repeatedly counseled regarding her

substandard performance and inability to adapt. As a result, she was recommended for an administrative separation.

d. On 3 October 1977, Petitioner, while serving in paygrade, E-1, was discharged under honorable conditions by reason of convenience of the government and assigned an RE-4 reenlistment code.

e. At the time of Petitioner's discharge, she was issued a DD Form 214 that was not properly filled out, specifically, it was missing information. In this regard, the DD Form 214 did not reflect Petitioner's rate of AA (block 6a), paygrade of E-1 (block 6b), selective service number and its city/state (blocks 8a and 8b), authority and reason of Convenience of the government, BUPERSMAN 3850220, JHJ (block 8c), and reenlistment code of RE-4 (block 10).

f. In Petitioner's application, she implies that the corrected DD Form 214 is required for veteran's benefits, specifically, treatment for her diagnosed post-traumatic stress disorder (PTSD).

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action. The Board especially notes the incomplete DD Form 214 and believes that Petitioner may be denied veterans' benefits based on the missing information. In this regard, the Board directs the issuance of an updated and corrected DD Form 214 which reflects the missing information.

RECOMMENDATION:

a. That Petitioner's naval record, specifically, the DD Form 214, be updated/corrected to reflect all information necessary for completion of the form.

b. That Petitioner be issued a "new" DD Form 214 which reflects the foregoing changes.

c. That a copy of this report of proceedings be filed in Petitioner's naval record, along with the previously issued DD Form 214 which reflects the corrected date of birth.

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d. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received in April 2015.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c), it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5 U.S.C. 552(b)
(6)

T. J. REED
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5 U.S.C. 552(b) (6)

ROBERT J. O'NEILL
Executive Director