



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

Docket No. 3478-16

FEB 22 2017

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 27 July 2015.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 31 October 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 letter dated 13 April 2016 with the attachments to include letters for recommendation on your behalf for the Medical Service Corps and copies service record entries, it does not warrant relief.

The Board carefully considered your contention that the evidence you have now submitted were not considered during your first Board. However, the Board found that the previous Board considered your case on the grounds of statute of limitations, because you submitted your petition outside of the three year limitation set to submit a BCNR application from the date of an alleged error or injustice. At the time of your original submitted BCNR petition, over 19 years had passed since discovery. It is always the responsibility of the Petitioner to submit evidence he or she believes will help to prove his or her case to the Board, as the BCNR is not an investigative agency.

The Board further found and concurred with the advisory opinion that was provided to you on 13 September 2016 that per SECNAVINST 1120.8B CH-2, Academic Qualifications, the required average grade point average (GPA) for applicants to have for their undergraduate course work, is at least a 2.5 on a 4.0 scale. A review of your transcript suggests that you did not qualify for the program and that although you completed your degree in May 1991, your GPA was less than 2.5.

Furthermore, the Board concurred with the advisory opinion that your grades were less than stellar in your major concentration of "Health Care Administration," and that although you were an outstanding Sailor, you had too many grades of "C", "D" and "F" which made you less competitive on the academic side.

The Board took into consideration the current letters written on your behalf recommending you for both the MSC IPP [Medical Service Corps In-Service Procurement Program] and Medical Enlisted Commissioning Program (MECP), and concurred with the advisory opinion that although you've stated that you submitted packages in 1990 and 1991, a search of MSC IPP Board applicant's list sent to NPC in 1990 and 1991 was conducted and the list does not show you, further indicating your package was not presented to the MSC IPP Board. Searching back 27 years for an actual record of package submission is not possible, since NMPDC only kept a physical copy for no more than 5 yrs. Therefore, there is no way to substantiate that the Command received your package in 1990 or 1991. Accordingly, your request has been denied. The names and votes of the members of the panel will be furnished upon request.

In regard to your request for a personal appearance, be advised that the Board regulations state personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of the record.

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,



Executive Director

