



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



Docket No. 579-22
Ref: Signature Date



Dear Petitioner:

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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 19 May 2022. 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 a 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.

A review of your record shows that you were placed on the Temporary Disability Retired List (TDRL) effective 25 February 1981. On 25 February 1986, you were determined to be permanently disabled and transferred to the Permanent Disability Retired List (PDRL).

In your petition, you requested that you be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) that reflects your transfer to the PDRL. The Board considered your request, but noted that, per BUPERS Instruction 1900.8 series, individuals who are removed from the TDRL are within the category of "ineligible personnel" for the issuance of a DD Form 214. In other words, a DD Form 214 is not issued under circumstances where an individual is removed from the TDRL. Moreover, a DD Form 214 is issued when a service member is discharged or released from active duty. When you were transferred from the TDRL to the

PDRL, you were not discharged or released from active duty. Thus, the Board concluded the issuance of a DD Form 214 reflecting your transfer to the PDRL is not required by instruction. Moreover, the Board concluded no injustice exists in your case since the U.S. Postal Service has alternative means to document your transfer to the PDRL; specifically, Commander, Naval Military Personnel Command letter NMPC-231/JFR of 4 February 1986. Accordingly, the Board found insufficient evidence of error or injustice to merit a change to your record.

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,

6/14/2022



Executive Director

Signed by:

