



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

█
Docket No. 3649-22
Ref: Signature Date

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Dear █,

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 9 June 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.

You initially entered active naval service on 28 July 1980 and discharged on 22 August 1982 with issuance of a DD Form 214 for immediate reenlistment effective 23 August 1982.

Your second recorded period of active service is from 23 August 1982 through 30 March 1986, in which another DD Form 214 was issued due to immediate reenlistment effective 31 March 1986.

On 7 September 1995, BUPERS Management █ released naval message █ authorizing your request to transfer to the Fleet Reserve effective 31 July 1996. The message contained an administrative error in paragraph "7" indicating the last period of active service from 3 January 1992 through 31 August 1996 and 4 years, 7 months, and 28 days of active service. The Defense Finance Account Service (DFAS) electronic record reflects that you were in fact separated on 31 July 1996 and transferred to the Fleet Reserve for retirement purposes, thus, supporting the evidence on your final DD Form 214.

You requested that your Certificate of Release or Discharge from Active Duty (DD Form 214) reflect active service from 13 August 1980 through 31 August 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 your Official Military Personnel File contained the proper periods of active duty service which are reflected on each DD Form 214 issued. All DD Forms 214s are enclosed with this decision letter.

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,

6/17/2022

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Deputy Director

Signed by: █

Enclosures: DD 214 effective 22 Aug 82
DD 214 effective 30 Mar 86
DD 214 effective 31 Jul 96