



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

█  
Docket No. 4791-22  
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 28 July 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 requested that block 12a of your DD Form 214, Certificate of Release or Discharge from Active Duty dated 28 February 1999 be corrected to reflect 25 August 1978 vice 18 April 1986. Additionally, you requested compensation "for (8) years not accounted for on my retirement pay." 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 you enlisted on 25 August 1978 and entered active duty on 9 February 1979. On 17 April 1986, you discharged for immediate reenlistment effective 18 April 1986 and issued a DD Form 214 for the active duty period of 9 February 1979 through 17 April 1986. Additionally, the years of this active duty service period is captured in block 12d of your DD Form 214 dated 28 February 1999. Moreover, the Board verified that you are receiving retirement pay for 20 years and 29 days of active duty service, therefore, retroactive compensation is not warranted. You may request a copy of your DD Form 214 dated 17 April 1986 by submitting Standard Form 180, Request Pertaining to Military Record to Navy Personnel Command (PERS-313). PERS-313 can be contacted via phone at (833) 330-6622 or email at askmncc@navy.mil.

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,

8/9/2022

