



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

█  
Docket No. 5365-22  
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.

A three-member panel of the Board, sitting in executive session, considered your application on 9 August 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.

On 10 February 1977, you enlisted in the Naval Reserve for 6 years with an Expiration of Obligated Service of 9 February 1983.

You were released from active duty with an honorable character of service and was issued a Certificate of Release or Discharge from Active duty (DD Form 214) for the period of 19 April 1977 to 18 April 1980 due to completion of required active service.

You were discharged from active duty with an honorable character of service and was issued a DD Form 214 for the period of 24 February 1982 to 4 January 1984 for immediate reenlistment.

You were discharged from active duty with an honorable character of service and was issued a DD Form 214 for the period of 5 January 1984 to 18 December 1989 for immediate reenlistment.

On 10 September 1997, Chief of Naval Personnel notified President, Physical Evaluation Board (PEB) that yours request for retention on active duty in a Permanent Limited Duty (PLD) assignment to complete 20 years was approved. Retention in a PLD status is approved. Approved PLD is for a period greater than 6 months. Reevaluation of member by PEB was

required. You were directed to complete reevaluation 3 months prior to completion of PLD period.

On 23 December 1997, BUPERS, [REDACTED] notified PERSUPP DET [REDACTED] [REDACTED] that Secretary of the Navy (SECNAV) has directed that unless separated earlier under the provisions of SECNAVINST 1920.4C or Uniform Code of Military Justice, you were to be retained on active duty in a limited duty status until 28 February 1999. Special note: this message is not authorization for discharge or retirement, only retention on active duty for a specific period of time or completion of 20 years.... Follow procedures below to complete the required medical reevaluation, possible change in condition of members, as well as members' personnel files. Forward the completed medical board reevaluation to the PEB for final determination of disability separation type.

You were retired based on disability from active duty with an honorable character of service and were issued a DD Form 214 for the period of 19 December 1989 to 28 February 1999 upon having sufficient service for retirement.

You requested that your time in the Navy be added up correctly. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertion that you are not receiving all of your retirement pension. However, the Board concluded that although your statement of service dated 31 March 1999 shows a discharge date of 23 March 1999 with 20 years and 1-month active duty, the Board determined due to the lack of evidence in your record justifying said discharge date. Furthermore, your statement of service as of 2 August 2022 reflects a discharge date of 28 February 1999, with 20 years and 7 days of active duty. Your DD Form 214 effective 28 February 1999, showing your retirement based on disability, supports this date, as does the 23 December 1997 BUPERS message stating the SECNAV had directed you be retained on active duty in a limited duty status until 28 February 1999. The Board found no error or injustice to warrant any additional service credit.

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,

8/24/2022

[REDACTED]

Deputy Director

[REDACTED]