





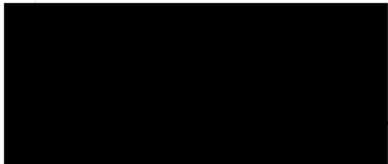
The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These include, but are not limited to, your desire for a change to your narrative reason for separation to “medical” and contentions that you were being treated for back issues, which did not allow you to pass your PRT, and you now receive 50% disability.

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Your record documents that you failed three PRTs and this formed the basis for your administrative separation. While you contend that these failures were caused by a medical condition related to your back, the Board noted you provided no evidence to substantiate your contention or that you were medically waived from taking the PRT. Further, the Board was not persuaded by your argument that you currently possess a 50% disability rating from the Department of Veterans Affairs (VA) since eligibility for compensation and pension disability ratings by the VA is tied to the establishment of service connection and is manifestation-based without a requirement that unfitness for military duty be demonstrated. Ultimately, the Board concluded the record shows that your discharge processing was conducted in accordance with the applicable regulation in effect at the time. The Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. Accordingly, given the totality of the circumstances the Board found no indication to support adjustment 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,

10/8/2022



Executive Director

Signed by:

