



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

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Docket No: 6421-22
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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 18 November 2022. The names and votes of the panel members will be furnished upon request. You requested that an error has incurred and that all your commands, school and security clearance were not accurately notated on your DD Form 214. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the 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, applicable statutes, regulations, and policies.

You enlisted in the U.S. Navy and began a period of active duty on 5 December 1989. On 18 March 1991, you received non-judicial punishment (NJP) for assault on a second class petty officer. Subsequently you were given a counseling warning regarding your pattern of misconduct. You were then counseled on two occasions, on 2 September 1992 and 5 October 1992, for your performance and conduct, verbally or physically assaulting another person, and possessing drug paraphernalia. On 5 April 1993, you received your second NJP for a one day unauthorized absence. The following day you declined alcohol treatment and you were notified for separation for Alcohol Abuse Rehabilitation Failure.

Although your record was incomplete, in that it does not contain the documents pertinent to the administrative separation processing. However, whenever official records are incomplete or unavailable, unless there is substantial credible evidence to rebut the presumption, the Board can presume a regularity in the conduct of the government affairs. Your Certificate of Release or

Discharge from Active Duty (DD Form 214), reveals that you were separated from the Navy on 8 April 1993 with an Honorable characterization of service, your narrative reason for separation is "Alcohol Abuse – Rehabilitation Failure," your separation code is "GPD," and your reenlistment code is "RE-4."

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with applicable statutes and regulations. These included, but were not limited to, your desire to have all your commands, the KWR-46 school, and your security clearance be added to your DD Form 214.

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board concluded that a list of commands and security clearance are not placed on service members DD Form 214 when they are discharged from the service. The Board also determined that all schools you attended were properly noted on your DD Form 214. Ultimately, absent evidence to the contrary, the Board concluded that your DD Form 214 is correct based on applicable Navy Regulations and Instructions. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

11/30/2022

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