



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. 8907-22
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 19 January 2023. 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 to correct your rank to Captain/O3-E on your Certificate of Release or Discharge from Active Duty (DD Form 214). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors to include your assertions. The Board concluded that your promotion to the rank of Captain/O3-E was in the Reserves and was effective on 1 October 1991, which was after your 1 April 1990 release from active duty. Therefore, correction to your active duty DD Form 214 is not warranted. Furthermore, the Board noted that a DD Form 214 is only issued for active duty service, thus your grade of O2-E reflects the proper grade at the time your DD Form 214 was issued. However, the Board noted that the Department of Veterans Affairs website outlines other separation documents that can be utilized when submitting VA Form 40-1330, Claim for Standard Government Headstone or Marker. The Headquarters U.S. Marine Corps letter 1822 MMSR-5 of 6 October 1995 along with your DD Form 214 should be sufficient to ensure your appropriate rank is applied. You may visit the Department of Veterans Affairs website at <https://www.va.gov/burials-memorials/> for additional information and assistance.

Sincerely,

1/24/2023

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