



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. 115-23
Ref: Signature Date

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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 4 May 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.

A review of your record shows that you completed an entrance medical exam for enlistment into the Navy on 24 August 1987, in which you did not report problems with dry skin. On 16 March 1988, you entered active duty and commenced recruit training in at █. On 5 April 1988, you went to sick call, complaining of a rash, and revealing that you had repeated problems with dry skin for the past two years. You were referred to █ for consultation with the Department of Dermatology. The Dermatology provider diagnosed you with atopic eczema, existed prior to entry, and recommended that you be discharged from the Navy. You appeared before a Medical Board, on 12 April 1988, which determined that you did not meet the minimum physical standards for enlistment or induction.

As a result, Branch Medical Clinic Recruit Training Command (RTC) █ notified you of the Medical Board's recommendation that you be discharged by reason of enlistment in error, failure to meet enlistment physical standards. You signed the notification and did not submit a statement in rebuttal. Subsequently, the Commanding Officer, █ notified you of administrative separation by reason of defective enlistment and induction due to erroneous enlistment. You signed the notification on 21 April 1988, stating that you did not object to the

discharge, and were separated on 4 May 1998. Your Certificate of Release or Discharge from Active Duty (DD Form 214) states the narrative reason for separation was erroneous enlistment – enlisted in error.

In your petition, you contend that before you were separated you were told that you would receive a medical discharge. You request that your DD Form 214 be corrected to show medical discharge. The Board carefully reviewed your petition and the material that you provided in support of your petition and disagreed with your rationale for relief. The Board noted that you signed notification of your administrative separation stating that you understood your reason for discharge, defective enlistment, and your discharge characterization. The Board further noted that you qualified for an erroneous enlistment discharge based on your diagnosed preexisting skin condition that was disqualifying for enlistment. Consequently, the Board determined that your administrative discharge for erroneous enlistment was supported by the preponderance of the evidence, and your DD Form 214 is administratively correct. 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,

6/1/2023

