



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

█  
Docket No. 1000-23  
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 17 March 2023. The names and votes of the panel members 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 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, and applicable statutes, regulations, and policies, and an advisory opinion (AO) provided by Naval Personnel Command (NPC), dated 9 March 2023.

You enlisted in the Navy on and began a period of active service on 29 May 1990. You were honorably discharged, on 24 May 1995, and issued a Certificate of Release or Discharge from Active Duty (DD Form 214) which does not indicate your entitlement to the Kuwait Liberation Medal (KLM).

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case these included, but were not limited to, your desire to be awarded the KLM and a new DD Form 214.

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. As part of the Board's review, NPC AO stated in pertinent part your record contained an administrative error, in that, your DD Form 214 does not annotate your entitlement to the KLM. As a result of the foregoing, on 9 March 2023, you were issued a

Correction to DD Form 214, Certificate of Release or Discharge from active Duty (DD Form 215) to reflect your eligibility for the KLM. Therefore, the Board determined a new DD Form 214 is not required in your case. 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,

4/4/2023

█

Executive Director

Signed by: █