



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

█  
Docket No. 3395-23  
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.

A three-member panel of the Board, sitting in executive session, considered your application on 19 September 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. In addition, the Board considered the advisory opinion by Headquarters U.S. Marine Corps (HQMC) MMRP-13 of 18 May 2023, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

You requested correction to your DD Form 214, Certificate of Release or Discharge from Active Duty dated 7 May 1991 to reflect updated decorations/awards for participation in Operation Desert Shield/Storm, Foreign Service, and promotion to Sergeant. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. HQMC has advised the Board that you will be issued a correction to the DD Form 214 for your participation in Operation Desert Shield, Operation Desert Storm and Operation Desert Sabre and Foreign Service time. Questions regarding your corrected DD Form 214 can be addressed to MMRP at [smb.manpower.mmrp-10@usmc.mil](mailto:smb.manpower.mmrp-10@usmc.mil).

Regarding your promotion to Sergeant, the Board concluded that you were promoted while in the Reserves effective 1 April 1992, which was after your 7 May 1991 release from active duty. Therefore, correction to your rank is not warranted because the DD Form 214 is only issued for active duty service and your grade of E4 reflects the proper grade at the time your DD Form 214 was issued. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

9/26/2023

