



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. 10131-23
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.

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 16 January 2024. 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 change your separation date on your Certificate of Release or Discharge from Active Duty (DD Form 214) from 30 September 2005 to 21 August 2007. You stated this change will enable you to reach 21 years of active duty service, which will allow you to receive retirement benefits. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with Bureau of Naval Personnel Instruction 1900.8B, a DD Form 214 will not be prepared or issued in the case of personnel who are removed from the Temporary Disability Retired List (TDRL).

A review of your record reflects that you entered active duty on 24 February 1986 and transferred to the TDRL on 30 September 2005, with 19 years, 7 months, and 10 days of active duty service. You were discharged from the TDRL on 21 August 2007, with severance at 20 percent. The Board determined a change to your record is not warranted per the aforementioned policy and noted that service members do not accrue active duty service time while assigned to the TDRL.

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,

1/24/2024

