



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

█
Docket No. 10145-23
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 11 December 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active service on 6 July 1988. You were discharged on 15 May 1992 after completing your enlistment honorably. Upon your discharge, you were issued a DD Form 214 that listed your social security number (SSN) as XXX-XX-█. A review of your record indicates every document contained in your record consistently mirrors the SSN and name listed on the DD Form 214, many of which required your verification and signature, including the DD Form 214.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire to have the name on your Certificate of Release or Discharge from Active Duty (DD Form 214) changed to reflect your current name and your social security number as "XXX-XX-█." You contend your father's name and SSN is listed on your DD Form 214 and you would like the information changed. In support of your

application, you provided your social security number card and correspondence from Navy Personnel Command, PERS-312 that determined there were no clerical errors with your record.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your record appears correct based on the documents in your record. The Board recommends you contact the social security administration to obtain evidence as to when your social security number was issued. In addition, the Board would need evidence that supports your contention that the SSN in your record is that of your father's, including an explanation why his SSN consistently appears throughout your record and why it was verified by you as correct. Absent additional evidence of error, the Board determined the presumption of regularity applies in your case. As a result, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested. Accordingly, given the totality of the circumstances, the Board determined 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,

1/12/2024

