



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

[REDACTED]  
Docket No. 5696-17

DEC 15 2017

[REDACTED]  
Dear [REDACTED]

This is in reference to your application for correction of your husband's naval record pursuant to the provisions of 10 USC 1552. You filed this application as a qualified representative of your deceased husband.

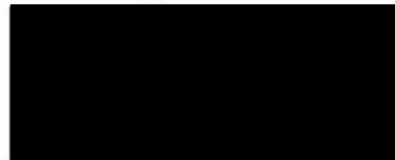
Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 December 2017. 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 husband's naval record and applicable statutes, regulations and policies.

A review of your record shows that your husband entered active duty with the Navy in September 1992. On 25 January 1994, the Physical Evaluation Board concluded he was unfit for continued naval service due to asthma, a condition that existed prior to his entry into the Navy. He was discharged on 18 February 1994 with an Honorable characterization of service due to his preexisting disability condition.

The Board carefully considered your arguments his narrative reason for separation should be changed to hardship. You assert he was discharged for hardship reasons and this was not reflected on his DD Form 214. Unfortunately, the Board disagreed with your rationale for relief. The Board could find no evidence that you husband requested or was considered for a hardship separation in lieu of a disability. Absent evidence to support your application, the Board felt it lacked evidence to grant relief in your case. Accordingly, the Board was unable to find an error or injustice warranting a correction to your record and denied your application. The Board appreciates your husband's service in the Navy and your sacrifices to our country.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director