



presume that they have properly discharged their official duties. Applicants have the burden of overcoming this presumption but the Board will not deny an application solely because the record was made by or at the direction of the President or the Secretary in connection with proceedings other than proceedings of a board for the correction of military or naval records. Denial of an application on the grounds of insufficient evidence to demonstrate the existence of probable material error or injustice is final subject to the provisions for reconsideration.

The Board determined that your new evidence consisted of documentation of military sexual trauma that impacted your ability to question the Marines in charge of your medical retirement out-processing when they told you there was no option to opt-out of SBP. However, you did not provide any evidence of being coerced into electing your father as an SBP Natural Person with Insurable Interest beneficiary, leaving the Board to rely on the presumption of regularity. Therefore, the Board determined that no change to your record is warranted.

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,

7/1/2024

