



**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. 1094-24  
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 12 September 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. In addition, the Board considered the advisory opinion contained in Commander, Navy Personnel Command memo 1830 PERS-836/071 of 15 July 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

On 17 June 1987, you enlisted in the U.S. Naval Reserve for 8 years with an expiration of obligated service of 16 June 1995. You were released from active duty with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 6 June 1988 to 5 June 1991. On 1 June 1995, you reenlisted in the Inactive U.S. Naval Reserve for 3 years. On 16 May 1998, you reenlisted in the Inactive U.S. Naval Reserve for 6 years. On 11 August 1999, you reenlisted in the Active U.S. Naval Reserve for 4 years. You were transferred to the Temporary Disability Retired List (TDRL) with an honorable character of service and was issued a DD Form 214 for the period of 11 August 1996 to 28 October 2013 due to Disability, Temporary.

On 29 December 2014, Commander, Navy Personnel Command notified you that “[i]n accordance with the provisions of Title 10, U.S. Code, Section 1210, the Secretary of the Navy has determined

that the disability for which you were placed on the [TDRL] has stabilized and that your disability is now PERMANENT and rated at FIFTY (50) percent disabling. Accordingly, you will be placed on the retired list by reason of a permanent physical disability effective 1 November 2014 in the grade of CHIEF INFORMATION SYSTEMS TECHNICIAN.”

As of 12 July 2024, your Statement of Service – Draft listed the following: Total Active Service: 17 years, 8 months, and 21 days; Total Inactive Service: 8 years, 7 months, and 27 days; Total Reserve Service: 5 months and 26 days; and Total Retirement Creditable: 18 years, 2 months, and 17 days.

You requested retirement pay based on 20 years of service, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that your DD Form 214 shows that you have 20 years of active service. However, the Board concluded that the DD Form 214 issued upon your transfer to the TDRL lists 11 August 1996 in block 12a (Date Entered Active Duty This Period) in error. During the period of 11 August 1996 and 10 August 1999 you were in the U.S. Navy Reserve in an inactive duty status (Drilling Reserve) and did not enter a continuous active-duty status until 11 August 19[99]. Therefore, block 12a should list 11 August 1999 and block 12c (Net Active Service) should list 14 years, 2 months, and 18 days. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. If you desire correction to the DD Form 214 issued on 6 September 2013, you may submit a request to █  
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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,

9/19/2024

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