



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. 1105-24
Ref: Signature Date

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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 you did not file your application in a timely manner, the statute of limitation was waived in accordance with the 25 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo). A three-member panel of the Board, sitting in executive session, considered your application on 23 May 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, to include the Kurta Memo.

A review of your record shows that you enlisted in the Marine Corps and commenced active duty on 24 October 1983. On 1 October 1987, you completed your required active service and were honorably discharged with an RE-1A reentry code. Post-discharge, you served with the Army National Guard.

In your application, you request proof that your Department of Veterans Affairs rating for Post-Traumatic Stress Disorder is related to an airline hijacking that occurred in 1985.

The Board carefully reviewed your petition and the material that you provided in support of your petition, and found no evidence to support your request. In keeping with the letter and spirit of the Kurta Memo, the Board gave liberal and special consideration to your record of service, and your contentions about any traumatic or stressful events you experienced, and their possible adverse impact on your service, to include whether they qualified you for the military disability benefits you seek. In reviewing your record, the Board found no evidence you were the victim of an airline hijacking during your military service or that your post-discharge diagnosed PTSD

resulted from a highjacking. The Board noted that, at the time of your discharge from the Marine Corps, you were physically qualified for reenlistment. Further, you medically qualified for enlistment in the Army National Guard and reported you were in "good health" on 21 September 1996. As a result, the Board determined insufficient evidence of error or injustice exists to warrant a correction to your record. Accordingly, given the totality of the circumstances, the Board determined that 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,

6/28/2024

