



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

██████████
Docket No. 2975-24
Ref: Signature Date

██████████
██████████
██████████

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 25 July 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 Headquarters, U.S. Marine Corps ltr 1000 MMPB-21D of 30 May 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 6 April 1978, you enlisted in the U.S. Marine Corps Reserve for 6 years with an expiration of obligated service of 5 April 1984. You were discharged 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 13 April 1978 to 5 June 1980 for immediate reenlistment.

On 6 June 1980, you reenlisted for 4 years with an end of current contract (ECC) of 5 June 1984. You were discharged with an honorable character of service and were issued a DD Form 214 for the period of 6 June 1980 to 4 January 1984 for immediate reenlistment.

On 5 January 1984, you reenlisted for 4 years with an ECC of 4 January 1988.

On 20 May 1985, Commanding General, ██████████ notified Commanding Officer, ██████████ via Commanding Officer, ██████████ (Fourth endorsement, CO, ██████████ 1 letter of 10 April 1985) that, “within ten (10) working days from receipt of the endorsement, effect release of ██████████ from active duty.”

In accordance with DoD 7000.14-R FMR Volume 7A, Chapter 1, the pay of Military Service members is prescribed by law. Current basic pay rates are contained in Tables 1-7, 1-8, 1-9, 1-10, and on the Basic Pay tables on DFAS.MIL. Members are entitled to receive pay according to their pay grades and years of service if they are: on active duty in a pay status; and not prohibited by law from receiving such pay.

You were discharged with an honorable character of service and was issued a DD Form 214 for the period of 5 January 1984 to 7 June 1985 for the Convenience of the Government condition not a physical disability – personality disorder.

On 30 September 1985, Commandant of the Marine Corps notified Commanding Officer, ██████████ that, “[r]eenlistment is not authorized due to professional standards.”

On 26 December 2019, Chairman, Board of Correction of Naval Records notified Commandant of the Marine Corps via Docket No. 206-19 on 10 December 2019 that your Naval record shall be corrected by changing the narrative reason for separation to Secretarial Authority and SPD code to JFF. Furthermore, a new DD Form 214 was issued.

You requested compensation for the balance of your enlistment time that was approved but not allowed to complete. The Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that at the time of your discharge, you were not allowed to dispute any of the circumstances involved and that the action taken by the Board in Docket No. 206-19 to change your narrative reason for separation to Convenience of the Government confirms that there were no valid reasons for continuing your enlistment. However, the Board concluded Docket No. 206-19 states that, “...The Board notes that Petitioner, although diagnosed with a personality disorder, deserves clemency and concludes that the narrative reason for separation and separation code should be changed to best interest of the service...” There is no evidence that the prior Board believed that there were no valid reasons for your discharge. It acknowledged your diagnosis and confirmed the Marine Corps’ decision to discharge you, changing only the narrative reason and the separation code. Furthermore, you were discharged over two years prior to the end of your contract. In accordance with DoD 7000.14-R there is no authority to grant you compensation for active duty that you did not serve. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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

