



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. 3647-24
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 20 August 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.

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.

You requested to correct your Armed Forces of the United States Report of Transfer or Discharge (DD Form 214N) to reflect your advancement to E-5 and entitlement to other medals. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors to include your assertions. However, the Board concluded that your advancement to the rank of E-5 was in the Reserves and was effective on 16 August 1971 which was after your 15 January 1971 release from active duty. Therefore, correction to your active duty DD Form 214N is not warranted. The Board noted that a DD Form 214 is only issued for active duty service, thus your grade of E-4 reflects the proper grade at the time your DD Form 214N was issued.

Regarding entitlement to other medals, you did not specify which awards you believed you were entitled to. Nevertheless, the Board may only correct service records based on errors or injustices and may do so only after other avenues of administrative relief have been exhausted in accordance with Title 10 U.S.C. § 1552. Therefore, you may submit a request to Navy Personnel Command (PERS-313) to have awards added to your DD Form 214 if entitled. PERS-313 can be contacted via the My Navy Career Center at (833)330-6622 or email at askmncc.fct@navy.mil.

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,

8/29/2024

