



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. 6106-24
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 December 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 (NPC) memorandum █ of █, which was previously provided to you for comment.

On 23 July 1976, you enlisted in the U.S. Naval Reserve for 6 years. 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 7 September 1976 to 15 September 1982 within three months of expiration of enlistment; issued a second DD Form 214 with an honorable character of service for the period of 16 September 1982 to 21 November 1985 for immediate enlistment/reenlistment; issued a third DD Form 214 with an honorable character of service for the period of 22 November 1985 to 17 August 1988 for immediate reenlistment; and issued a fourth DD Form 214 with an honorable character of service for the period of 18 August 1988 to 26 June 1992 due to voluntary discharge for early release program – SSB [Special Separation Benefit]. Block 6 (Reserve Obligation End Date) listed 26 June 1995.

On 26 June 1992, Transfer to the United States Navy Reserve (USNR) and release to inactive duty of United States Navy personnel (NAVPERS 1910/29) was issued listing block 9 (Required to serve in USNR until) 26 June 1995.

On 17 January 2002, NPC, Retired Records Section (NPC 313E) notified you that, “[t]his letter is in response to your inquiry concerning entitlement to the Southwest Asia Service Medal. A review of your military records show that you did not serve with a vessel that was awarded the Southwest Asia Service Medal while you were assigned.”

On 19 March 2002, NPC, Retired Records section (NPC 313E) notified the Honorable █, MBR, US HSE of Representatives that, “...the Department of Defense has not authorized a Cold War Medal for the Cold War Certificate.

Veteran did not serve with a unit or vessel that was authorized the Southwest Asia Service Medal (Desert Storm/Shield) while he was assigned.”

You requested your time in service be corrected and inclusion of Gulf War Medal, Cold War Medal and Shellback certification on DD Form 214s, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You stated that you do not your total years of service and would like to know if you are entitled to concurrent receipt of retirement pay. However, the Board concluded that you were issued four DD Form 214s during your career. Together, they list all periods of active service and show that you served continuously from 7 September 1976 to 26 June 1992. There is no evidence of additional service. In total, you served 15 years, 9 months, and 20 days of active service, well below the required 20 years of active service to qualify for retirement and retired pay. The Board noted that even if your reserve obligation end date of 26 June 1995 could be considered for retirement eligibility, you would still not have been credited with 20 years of service because you would not have reached 20 years until 6 September 1996. Additionally, in January and March of 2022, you and your representative were notified that the Department of Defense has not authorized a Cold War Medal for the Cold War Certificate and that you did not serve with a unit or vessel that was authorized the Southwest Asia Service Medal (Desert Storm/Shield). Therefore, the Board determined that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the aforementioned 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 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,

12/17/2024

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