



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

██████████
Docket No. 12128-24
Ref: Signature Date

████████████████████
████████████████████
████████████████████

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.

A three-member panel of the Board, sitting in executive session, considered your application on 6 February 2025. 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.

A review of your record shows you enlisted in the Navy and commenced active duty on 5 November 2013. On 29 June 2016, you were released from active duty due to enrollment at the U.S. Naval Academy. After referral to the Disability Evaluation System by a Medical Evaluation Board, on 6 May 2022, a Physical Evaluation Board (PEB) found you unfit for continued naval service due to Post-Traumatic Stress Disorder (PTSD), Unspecified, (Unstable), Diagnostic Code (DC) 9434-9411 with a 70% disability rating and recommended placement on the Temporary Disability Retired List (TDRL). On 30 September 2022, you were transferred to the TDRL. On 3 October 2023, the PEB determined you were unfit for continued naval service with a 70% disability rating and directed your transfer to the Permanent Disability Retired List (PDRL). In a letter¹ dated 12 October 2023, Commander, Navy Personnel Command (PERS 954) notified you of the Secretary of the Navy's (SECNAV's) determination that your disability, for which you were placed on the TDRL, had stabilized, making your disability permanent and rated at 70%. Effective 11 October 2023, SECNAV directed your placement on the PDRL by reason of a permanent physical disability.

¹ The Board noted your submission did not include a copy of the PERS-954 letter placing you on the PDRL and directed a copy of the letter be provided as an enclosure to this decision document.

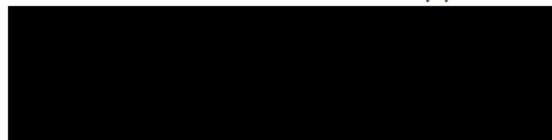
In your petition, you contend a change to your Certificate of Release or Discharge from Active Duty (DD Form 214) is required in order to reflect your "permanent disability." You further contend the word "temporary" on your current DD Form 214 has "posed a lot of injustice, but most importantly in regards to [your] VA Post-9/11 GI Bill benefits." In support of your contentions that a corrected DD Form 214 is required, you submitted correspondence from the Department of Veterans Affairs explaining "[y]our current DD-214 that you have submitted says it is temporary. You must apply to the Navy board of appeals in order to have your DD-214 updated to show permanent disability in order for us to give you a 100%."

The Board carefully reviewed your petition and disagreed with your rationale for relief. The Board noted, per Navy policy, DD Form 214s are not issued upon transfer from the TDRL to the PDRL. Specifically, a DD Form 214 is provided upon "release or discharge from active duty." You were discharged from active duty when you were placed on the TDRL. Per BUPERSINST 1900.8, personnel being removed from the TDRL are ineligible for a DD Form 214 because one is not in an active duty status when on the TDRL. The Board concluded that the letter provided by PERS-954, in conjunction with your issued DD Form 214, sufficiently documents that your disability is permanent and appropriately places you on the PDRL. 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,

3/3/2025

A large black rectangular redaction box covering the signature area.

Executive Director

Signed by: 

Enclosure