



you were so discharged from the Navy on 28 April 1997. You were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) noting in block 18 (Remarks) of the DD Form 214 your continuous period of Honorable service.

Post-discharge, you applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied your request for an upgrade, on 17 January 2008, based on their determination that your discharge was proper as issued.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire for a new DD Form 214 to document your period of continuous Honorable service and your contention you require the new DD Form 214 in your pursuit of Department of Veterans Affairs (VA) eligibility. For purposes of clemency and equity consideration, the Board considered the totality of your application, which consisted solely of your DD Form 149 without any other additional documentation.

After a detailed review of your record, the Board determined that your DD Form 214 appropriately reflects your previous period of Honorable service and, therefore, no further action is required. In making this finding, the Board considered that service regulations direct the annotation of a period of continuous Honorable service in lieu of issuing separate DD Form 214s for previous enlistment periods that are continuous with subsequent immediate enlistments and follow-on periods of active duty.

Therefore, even in light of the Wilkie Memos and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

Finally, the Board believes you may be eligible for veterans' benefits based on your period of continuous Honorable service. Whether or not you are eligible for benefits is a matter under the cognizance of the VA and you should contact the nearest office of the VA concerning your right to apply for benefits.

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,

8/6/2025

