



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. 3370-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 11 August 2025. The names and votes of the panel members 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 the 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, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo).

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 on the evidence of record.

You enlisted in the Navy and began a period of active duty on 27 June 1975. After a period of continuous Honorable service, which involved immediately reenlisting on multiple occasions, you commenced your last period of active duty on 25 March 1988. On 15 October 1990, you were released from active duty, transferred to the Temporary Disability Retired List (TDRL), and issued a Certificate of Release or Discharge from Active Duty (DD Form 214) documenting your final period of active duty. On 21 September 1992, you were removed from the TDRL and discharged from the naval service.

The Board carefully considered all potentially mitigating factors to determine whether the interest of justice warrant relief in your case in accordance with the Wilkie Memo. These

included, but were not limited to, your desire to modify your DD Form 214 to reflect your time on the TDRL. You assert that you were deprived of two years of time in service and, as a result, the retirement benefits and recognition you believe you rightfully earned. Accordingly, you request entitlement to any retirement benefits as well as any awards due based on your complete period of service. For purposes of clemency and equity consideration, the Board considered the totality of your application, which included your DD Form 149 and the service record documents you provided.

After thorough review, the Board concluded that the potentially mitigating factors in your case were insufficient to warrant relief. The Board concluded that your DD Form 214 remains correct based on your record of service. The BUPERSINST 1900.8 Series states service members who are removed from the TDRL as ineligible for issuance of a DD Form 214. Further, since your time on the TDRL does not accrue active duty service credit, the Board determined it does not meet the requirements for the issuance of a new DD Form 214.

Therefore, even in light of the Wilkie Memo 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.

Regarding your request for an awards review, the Board determined you have not yet exhausted your administrative remedies. Information on how to request a records review is available at the following website: <https://www.mynavyhr.navy.mil/Career-Management/Records-Management/Decorations-and-Medals/>.

You are entitled to have the Board reconsider its decision upon the 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 is attached 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,

8/28/2025
