



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

██████████
Docket No. 3466-25
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.

A three-member panel of the Board, sitting in executive session, considered your application on 29 July 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.

The Board carefully considered your request to be reinstated on active duty at your present rank of Major "pursuant to Executive Order (EO) 14184 and the related Department of Defense memorandum dated 7 February 2025." You contend "[i]t is possible that [your] separation from the Marine Corps in the summer of 2022 was negatively affected by [your] refusal of the COVID-19 vaccination mandate and request for a religious exemption." Specifically, you state you were considered for promotion by the Fiscal Year (FY) 2023 Marine Corps Major Promotion Selection Board (PSB) that convened in fall 2021 but failed selection. Prior to release of the PSB results, you contend you "formally refused" the COVID-19 vaccination and requested religious accommodation. You further explain that your request was denied but your appeal of that decision did not occur prior to your involuntary separation due to "non-selection, permanent promotion" on 1 June 2022. Upon separation, you affiliated with the reserves where you subsequently promoted to Major after the reversal of the COVID-19 vaccination policy. You contend the EO allows for your reinstatement on active duty.

The Board, however, determined you were properly discharged from active duty, in accordance with MCO 1900.16 section 5006, as a result of your second failure of selection for promotion to Major. Further, the Board noted you had previously failed selection to Major, prior to FY 2023 Major PSB, before the 24 August 2021 COVID-19 vaccination was mandated by the Secretary of Defense. Additionally, the Board noted you did not provide evidence to support your contention it was “possible that [your] separation from the Marine Corps in the summer of 2022 was negatively affected by [your] formal refusal of the COVID-19 vaccination mandate and request for religious exemption.” Having determined the evidence does not support your contention that your separation from active duty was related to your COVID-19 vaccination status or religious accommodation request, the Board determined the current reinstatement guidance does not apply. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting a correction to your record. 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,

8/11/2025

