



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 7367-25
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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 16 March 2026. 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, and 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.

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

1. You enlisted in the Navy Reserve on 23 June 1999 and commenced service in the Delayed Entry Program (DEP).
2. On 31 January 2000, you were discharged with an uncharacterized entry-level separation (ELS) by reason of pursuit of higher education. The separation authority was MILPERSMAN Article 3620100.

In your application to this Board, you express a desire for your discharge character of service be upgraded and your reason for separation be changed. You contend that:

1. You were discharged due to a medical condition that prevented you from continuing in the Delayed Entry Program.
2. Contrary to documentation from the National Personnel Records Center indicating separation due to pursuit of higher education, you were diagnosed with stage III cervical cancer and required a medical procedure and recovery period that precluded continued participation.
3. You were not afforded the opportunity to review or sign separation paperwork and were not advised of your certificate of discharge (COD).
4. You performed 206 days of active duty for training during your DEP period and request that your case be overturned in light of the medical condition that prevented completion of your eight-year service obligation.
5. Your inability to access Department of Veterans Affairs (VA) benefits has been a significant burden.
6. You informed your recruiter of your diagnosis, but he kept you out of the discharge process.

After careful review, the Board reached the following conclusions and denied your application for relief.

The Board initially concluded you were appropriately assigned an uncharacterized ELS based on your lack of any active duty service. While the Board considered your contention that you performed 206 days of active duty, the Board found no evidence in your record to support your contention. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your record.

The Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, your desire for an upgrade to your characterization of service, your contentions, your need for veterans' benefits, and the passage of time since your discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board determined that your assigned uncharacterized entry-level separation (ELS) remains proper and equitable. The Board noted that service regulations direct the assignment of an uncharacterized ELS for service members processed for separation, as you were, while still in the DEP. In reviewing the circumstances of your case, the Board was unable to discern any facts that were extraordinary or uniquely different from countless of other former service members who were discharged while in an entry level status. While the Board acknowledged your need for veterans' benefits and desire for a discharge upgrade, it determined

the Navy's interest in maintaining consistency in its personnel system outweigh those mitigation factors. In making this finding, the Board considered that ELS discharges effected under MILPERSMAN Article 3620100 are administrative in nature and not adverse. Therefore, the Board did not find an upgrade of your discharge to General (Under Honorable Conditions) or Honorable to be warranted in the interests of justice.

With respect to your request to change your narrative reason for separation, the Board determined that your assigned narrative reason, "Pursuit of Higher Education," remains proper and supported by the record. The Board considered your contention that your separation was due to a medical condition, however, the record does not contain evidence demonstrating that your separation was processed on that basis. In the absence of such evidence, the Board relies on the presumption of regularity and concludes that the assigned narrative reason accurately reflects the circumstances of your separation under MILPERSMAN Article 3620100. Accordingly, the Board found no error or injustice warranting a change to your narrative reason for separation.

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 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,

3/31/2026

