



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No. 02509-10
23 December 2010

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested that your record be corrected to show, in effect, that the period of your service on the Temporary Disability Retired List (TDRL) was active duty service, in order to increase the amount of your entitlement to combat-related special compensation.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 December 2010. 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, your naval record and applicable statutes, regulations and policies.


After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You were released from active duty and transferred to the TDRL on 31 March 1967, having completed 3 years, 5 months and 21 days of active service. You were permanently retired effective 1 August 1971. As you did not serve on active duty at any time between 31 July 1967 and 31 July 1971, there is no basis for correcting your record to show that you are entitled to additional active duty service credit. In addition, the Board noted that periods spent on the TDRL are not creditable as active duty service. Accordingly, your application

has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,


W. DEAN PFEIFFER
Executive Director