



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

WJR
Docket No: 11773-14
13 May 2014

[REDACTED]

Dear [REDACTED]

The Secretary of the Navy has asked that I respond on his behalf to your letter dated April 20, 2015. Within your letter you have alleged that the Board has failed to fulfill its statutory responsibilities by conducting a "preliminary review" of your application. I have reviewed your case and again find that there is no action to take in correcting your naval record. Your original application asserts that your error or injustice stems from inaccuracies within your Certificate of Discharge or Release from Active Duty (DD 214).

The Board for Correction of Naval Records is not an investigative agency and operates on the presumption of regularity. Given these governing principles, the Board found that you enlisted in the Navy on 2 August 1974; after 29 days of service you were administratively discharged due to a medical disqualification. Prior to your enlistment you were counseled, and signed a statement (dated 16 August 1974), acknowledging that you:

Understand that if, during the screening process at recruit training, I am found disqualified for the program for which I enlisted, I will have the following options:

- (1) Retention in the naval service in a program or rate/rating for which I am qualified, or
- (2) Discharge from the naval service by reason of Convenience of the Government under Honorable conditions.

On 28 August 1974 you underwent a medical review board where you were diagnosed with "vascular cluster headaches, EPTE, #7910". You were presented with, and signed, the NAVMED 6100/2 acknowledging the medical board's finding and determination that you were unfit for further service. On 30 August 1974 you were

honorably discharged by reason of convenience of the government due to a medical condition which existed prior to entry into the military service.

Your naval record, to include your discharge, is without error or injustice based on all available evidence.

As indicated in our 14 April 2015 response, if you believe that you have a factual error on your DD 214 you may wish to submit a request, in writing, to the Department of the Navy, Navy Personnel command, 5720 Integrity Drive, Millington TN 38055, attention PERS-312, for administration action.

As there is no action for the Board to take in regards to your application your action is hereby administratively closed. 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 within one year from the date of the Board's original decision. 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,



ROBERT J. O'NEILL
Executive Director