

seeking corrective action by the Army Review Boards Agency, the Air Force Review Boards Agency, or the Board for Correction of Naval Records, as the case may be, is provided a copy of all correspondence and communications (including summaries of verbal communications) to or from the agency or board, or a member of the staff of the agency or board, with an entity or person outside the agency or board that pertain directly to the applicant's case or have a material effect on the applicant's case.

(b) EXCEPTIONS.—Subsection (a) does not apply to the following:

- (1) Classified information.
- (2) Information the release of which is otherwise prohibited by law or regulation.
- (3) Any record previously provided to the applicant or known to be possessed by the applicant.
- (4) Any correspondence that is purely administrative in nature.
- (5) Any military record that is (or may be) provided to the applicant by the Secretary of the military department or other source.

(Added Pub. L. 105-261, div. A, title V, §543(a)(1), Oct. 17, 1998, 112 Stat. 2020.)

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Pub. L. 105-261, div. A, title V, §543(b), Oct. 17, 1998, 112 Stat. 2021, provided that: "Section 1556 of title 10, United States Code, as added by subsection (a), shall apply with respect to correspondence and communications made 60 days or more after the date of the enactment of this Act [Oct. 17, 1998]."

**§ 1557. Timeliness standards for disposition of applications before Corrections Boards**

(a) TEN-MONTH CLEARANCE PERCENTAGE.—Of the applications received by a Corrections Board during a period specified in the following table, the percentage on which final action by the Corrections Board must be completed within 10 months of receipt (other than for those applications considered suitable for administrative correction) is as follows:

<b>For applications received during—</b>	<b>The percentage on which final Correction Board action must be completed within 10 months of receipt is—</b>
the period of fiscal years 2001 and 2002 .....	50
the period of fiscal years 2003 and 2004 .....	60
the period of fiscal years 2005, 2006, and 2007 .....	70
the period of fiscal years 2008, 2009, and 2010 .....	80
the period of any fiscal year after fiscal year 2010 .....	90.

(b) CLEARANCE DEADLINE FOR ALL APPLICATIONS.—Final action by a Corrections Board on all applications received by the Corrections Board (other than those applications considered suitable for administrative correction) shall be completed within 18 months of receipt.

(c) WAIVER AUTHORITY.—The Secretary of the military department concerned may exclude an

individual application from the timeliness standards prescribed in subsections (a) and (b) if the Secretary determines that the application warrants a longer period of consideration. The authority of the Secretary of a military department under this subsection may not be delegated.

(d) FAILURE TO MEET TIMELINESS STANDARDS NOT TO AFFECT ANY INDIVIDUAL APPLICATION.—Failure of a Corrections Board to meet the applicable timeliness standard for any period of time under subsection (a) or (b) does not confer any presumption or advantage with respect to consideration by the board of any application.

(e) REPORTS ON FAILURE TO MEET TIMELINESS STANDARDS.—The Secretary of the military department concerned shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report not later than June 1 following any fiscal year during which the Corrections Board of that Secretary's military department was unable to meet the applicable timeliness standard for that fiscal year under subsections (a) and (b). The report shall specify the reasons why the standard could not be met and the corrective actions initiated to ensure compliance in the future. The report shall also specify the number of waivers granted under subsection (c) during that fiscal year.

(f) CORRECTIONS BOARD DEFINED.—In this section, the term "Corrections Board" means—

- (1) with respect to the Department of the Army, the Army Board for Correction of Military Records;
- (2) with respect to the Department of the Navy, the Board for Correction of Naval Records; and
- (3) with respect to the Department of the Air Force, the Air Force Board for Correction of Military Records.

(Added Pub. L. 105-261, div. A, title V, §544(a), Oct. 17, 1998, 112 Stat. 2021; amended Pub. L. 106-65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 108-375, div. A, title X, §1084(d)(12), Oct. 28, 2004, 118 Stat. 2062.)

**Editorial Notes**

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-375 substituted "Final" for "Effective October 1, 2002, final".

1999—Subsec. (e). Pub. L. 106-65 substituted "and the Committee on Armed Services" for "and the Committee on National Security".

**Statutory Notes and Related Subsidiaries**

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (e) of this section requiring submittal of report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

**§ 1558. Review of actions of selection boards: correction of military records by special boards; judicial review**

(a) CORRECTION OF MILITARY RECORDS.—The Secretary of a military department may correct a person's military records in accordance with a recommendation made by a special board. Any