



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

█
Docket No. 8697-20
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 15 February 2022. 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. In addition, the Board considered the advisory opinion (AO) by Navy Recruiting Command letter 1133 Ser N35 of 12 January 2022, which was previously provided to you for comment.

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 based on the evidence of record.

On 7 May 2008, Commander, Training Air Wing █ designated you as a Naval Aviator effective 9 May 2008—while in the █ Navy. On 25 February 2009, Commanding Officer (CO), Helicopter Training Squadron █ designated you as an Aviator effective 25 February 2009—while in the █ Navy. On 20 December 2018, you signed NAVCRUIT 1000/4 (Officer Appointment Acceptance and Oath of Office) in the inactive Navy Reserve as an Ensign with a grade date of 18 December 2018 and a designator code of 1315 (An Unrestricted Line Officer—who is qualified for duty involving flying heavier-than-air...). On 20 December 2018 you signed NAVPERS 1200/1 (Ready Reserve Transfer Request Service Agreement) as an Ensign and you were approved for your assignment with Helicopter Mine Countermeasures Squadron █ On 18 December 2020, the CO of Helicopter Mine Countermeasures

Squadron ██████████ issued you a notice of delivery of permanent appointment to Lieutenant Junior Grade with the date of rank and effective date of 18 December 2020. You notified Navy Personnel Command—PERS-806 that you accepted the permanent appointment authorized by Title 10 U.S. Code § 624.

You requested revision of your commissioning rank to LT/O-3 with back pay and allowances and updated awards and decorations. The Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board substantially concurred with the comments contained in the AO.¹

In regards to your awards and decorations, you have not exhausted your administrative remedies by working with your administrative support office to have all valid awards corrected/entered.

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,

3/19/2022

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██████████
Deputy Director
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¹ A review of reference (DD Form 149 of 1 Dec 20) reflect the SNM serve with accolades within the Italian military prior to commissioning into the United States Navy. Per reference (NAVPERS 1000/4 of 18 DEC 18), the SNM commissioned into the United States Navy as an Ensign/O-1 on 18 December 2018.

The Navy Recruiting Command Officer Recruiter properly commissioned the SNM in accordance with commissioning guidelines. Navy Recruiting Command recommend the BCNR disapprove the SNM request for revision of commissioning paygrade as the Navy does not offer an Unrestricted Line Officer Direct Commissioning Program for Officer Commissioning of personnel going from a foreign military into the United States Navy. There is also no governing Program Authorizations or mechanism for constructive credit to be awarded.