



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

■  
Docket No. 3131-21  
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.

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 23 November 2021. 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 contained in Navy Personnel Command memorandum 1430 PERS 8031/269 of 28 September 2021; a copy of which was previously provided to you for comment.

You requested advancement to Dental Technician (General) Chief (DTGC)/E-7 while on active duty. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you were not eligible for advancement in accordance with Bureau of Naval Personnel Instruction 1430.16A. Specifically, the policy indicated "personnel in a retired status including Disability retirements" were ineligible for advancement. A review of your record reflects that you passed the January 1982 DTGC/E-7 examination but was transferred to the Temporary Disability Retired List effective 9 February 1982; thereby rendering you ineligible for advancement. Additionally, although you were selection board eligible, the Board could not find, nor did you provide evidence of actually being selected for advancement to DTGC/E-7. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

12/22/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]