



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

█  
Docket No. 3853-21  
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.

A three-member panel of the Board, sitting in executive session, considered your application on 4 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 8031/259 of 22 September 2021; a copy of which was previously provided to you for comment.

You requested that your paygrade be adjusted to Radioman Second Class (RM2)/E-5 vice Radioman Third Class (RM3)/E-4 on you DD Form 214, Certificate of Release or Discharge from Active Duty dated 11 July 1999. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that that your advancement to RM2 was in the Reserves and was effective on 4 August 1999, which was after your 11 July 1999 release from active duty. Therefore, correction to your active duty DD Form 214 is not warranted. Furthermore, the Board noted that a DD Form 214 is only issued for active duty service, thus your grade of RM3/E-4 reflects the proper grade at the time your DD Form 214 was issued. 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, \_\_\_\_\_

12/10/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]