



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

██████████
Docket No. 7586-21
Ref: Signature Date

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Dear Petitioner:

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 19 May 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. The Board also considered the 7 January 2022 Advisory Opinion (AO) furnished by the Navy Personnel Command (PERS 80) and your rebuttal response of 18 January 2022.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request for promotion consideration to Chief Warrant Officer 3 (CWO3). The Board considered your contention that ample time has passed since you received the Letter of Instruction (LOI) which was issued to you as a "learning tool." The Board further considered your contention that promotion to CWO3 is "All Fully Qualified" and your record, as evidenced by the fitness reports you submitted for the Board's review, reflects you are "All Fully Qualified."

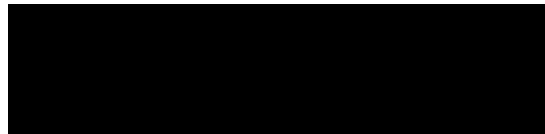
The Board, however, substantially concurred with the AO that your request for an Active-Duty Navy Chief Warrant Officer (W-3) Special Selection Board (SSB) lacks merit. Specifically, the Board noted you did not specify what desired fiscal year (FY) you are requesting a SSB. The Board further noted you were properly considered and selected by the FY 2018 CWO3 Selection Board but your promotion recommendation was removed by the Secretary of the Navy

(SECNAV) on 10 September 2020. The Board also noted you were not eligible for consideration by the FY 2019 through FY 2021 CWO3 promotion selection boards because you were still in a “select status” awaiting determination by the SECNAV. You were, however properly considered by the FY 2022 CWO3 promotion selection board but not selected. Lastly, the Board determined you did not provide a cohesive argument or any substantial evidence to indicate the grounds for convening a SSB established in SECNAV Instruction 1402.1 had been met. The Board thus concluded there was insufficient evidence of an error or injustice in your record warranting your requested relief.

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,

6/15/2022

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Deputy Director

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