



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

█
Docket No. 4921-22
Ref: Signature Date

█
█
█

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 19 July 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.

You requested to correct your rank to Aviation Boatswains Mate Third Class (ABE3)/E-4 on your Certificate of Release or Discharge from Active Duty (DD Form 214). 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 your effective date of advancement to ABE3/E-4 as an active duty candidate was 16 May 1993, which was after your 7 May 1993 release from active duty. Therefore, correction to your active duty DD Form 214 is not warranted. Additionally, the Board noted that a DD Form 214 is only issued for active duty service, thus your grade of E-3 reflects the proper grade at the time your DD Form 214 was issued. Furthermore, the Board found that you affiliated with the drilling Navy Reserve on 28 June 1993 and surmised that upon drilling, a grade determination was requested on your behalf in accordance with Bureau of Naval Personnel Instruction 1430.16D that was approved with an effective date of advancement on 16 September 1993.

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,

8/4/2022

[REDACTED]

Deputy Director

[REDACTED]