



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

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Docket No. 6067-23
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 2024. 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 (NPC) memorandum 1430 PERS 8031/295 of 15 August 2023 and NPC memorandum 1430 PERS 8031/518 of 27 December 2023 and your response to the opinions.

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.

You requested advancement to Yeoman First Class (YN1)/E-6 from the March 2021 (Cycle 251) Navy-Wide Advancement Examination (NWAE) due to erroneous processing of security clearance by Navy Talent Acquisition Group (NTAG). 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 Chief of Naval Operations Instruction 1330.2C, provides procedures and guidance for the Navy Career Intermission Program (CIP). The scope of the program allows the Navy to adjust the time in rate (TIR) and effective date of paygrade for enlisted personnel who return to active duty after serving in the Individual Ready Reserve (IRR). All enlisted participants are ineligible for consideration for advancement while in the IRR. TIR will be adjusted in the same manner prescribed for Navy veterans with a break in service. Time

spent in the IRR will not count toward eligibility for consideration for advancement. Upon return to active duty, enlisted Service members' TIR will be adjusted 1 day forward for every day spent in the IRR and will be eligible for consideration for advancement based upon their adjusted TIR and other requirements of their rate. Additionally, when participants return to active duty, the gaining command is responsible to complete specific requirements including verifying the member is eligible for a security clearance, and if applicable, process security clearance. Navy Administration message 326/20 announced the guidance for the administration of Cycle 251 NWAE. Specifically, the message indicated that the minimum TIR date must be on or before 1 July 2018 for E-6 candidates and candidates in a rating requiring a security clearance must have a favorable investigation adjudication by the Department of Defense Central Adjudication Facility reflected properly in the Joint Personnel Adjudication System (JPAS) prior to 1 March 2021. If the Commanding Officer of the candidate grant an interim clearance, it must be entered in JPAS prior to 1 March 2021.

A review of your record indicates that you were approved to participate in the CIP and released from active duty and transferred to the IRR effective 1 January 2018. You returned to active duty on 28 December 2020 and reported to █ for temporary duty; your TIR was adjusted to 1 July 2020. On 20 January 2021, you detached █ and reported to Fleet Readiness Center Reserve █ for duty. Thereafter, you were issued a secret clearance on 20 January 2022. The Board considered your Commanding Officer's letter to the Board regarding being unable to initiate an investigation due to not having access to the new Unit Identification Code 4828A and the inability to grant an interim secret clearance. However, the Board determined you did not meet the criteria for advancement during Cycle 251 NWAE due to the adjustment of your TIR to 1 July 2020 upon returning to active duty from the CIP, therefore a change to your record is not warranted.

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,

2/28/2024

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