



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. 6985-23
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.

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 9 November 2023. 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 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 Boatswain's Mate Chief (BMC)/E-7 based on notification from a friend in 1996/1997 that you were selected for advancement. 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 did not meet the criteria for advancement in accordance with Bureau of Naval Personnel Instruction 1430.16D. Specifically, the policy required E-7 candidates to participate in and pass a Navy Wide Advancement Exam and be chosen by a Selection Board for advancement to the rank of E-7.

The Board could not find, nor did you provide evidence of your selection to BMC/E-7. On the contrary, a review of your record reflects that you signed Periodic evaluations in the rate of

BM1 annually from 15 November 1995 through 15 November 2002; all of which recommended you for advancement and retention. On 7 July 2003, you signed a Special evaluation that withdrew your recommendation for advancement and retention due to physical fitness assessment failures. Thereafter, you transferred to the Fleet Reserve as a BM1/E-6 on 31 August 2003. Therefore, the Board determined 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,

11/21/2023

[REDACTED]