



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. 7859-23
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 28 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.

You requested to correct your rate/rank to Aviation Structural Mechanic Second Class (AMH2)/E-5 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. The Board concluded that Bureau of Naval Personnel Instruction 1430.16 specified the minimum length of service requirements for advancement in rate for E-4 to E-5 was 12 months in pay grade E-4.

A review of your record indicates you enlisted in the Naval Reserve on 27 August 1974 and entered active duty on 31 October 1974. You advanced to AMH3/E-4 effective 16 November 1976 and recommended for advancement to AMH2/E-5 on 31 January 1977. However, the Board could not find, nor did you provided evidence that you participated in a Navy Wide Advancement Exam for AMH2/E-5, or that you were selected for advancement to AMH2/E-5 prior to your release from active duty on 27 February 1977. Although the profile sheet dated 24 February 1978 that you provided to the Board indicates you advanced to AHM2/E-5, this advancement would have occurred while participating in a Navy Reserve status after completing your 12 months in pay grade. The Board noted that a DD Form 214 is only issued for active

duty service, thus your rate/rank of AMH3/E-4 reflects the proper rate/rank at the time your DD Form 214 was issued. 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,

12/5/2023

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