



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

██████████  
Docket No. 9145-23  
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 14 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 be advanced to the rank of Builder Second Class (BU2)/E-5. 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 outlines the requirements for advancement. Specifically, the policy indicates that the recommendation of the commanding officer is the most important requirement to be met in the Naval advancement system. The policy further specifies that generally advancement in the petty officer ranks requires participation in and passing of a Navy Wide Advancement Exam (NWAE).

A review of your record reflects you advanced to Builder Third Class (BU3)/E-4 effective 16 May 1974 and that you passed the Military Leadership for E-5 test and completed the Practical Factors for BU2/E-5. However, the Board was unable to find, nor did you provide evidence of receiving your commanding officer's recommendation to participate in the BU2/E-5 NWAE. Moreover, there is no record of you participating in a NWAE for BU2/E-5, passing a NWAE for BU2/E-5 and/or being selected for advancement to BU2/E-5 prior to your release from active duty on 2 October 1975. 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,

11/17/2023

