



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. 210-24
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 2 July 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 memorandum 1900 PERS-312/SA of 8 February 2024, and your response to the opinion.

You requested your DD Form 214, Certificate of Release or Discharge from Active Duty reflect advancement to Aviation Electronic Technician Third Class (AT3)/E-4. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, upon review of your record, the Board concluded that you advanced to Airman (AN)/E-3 effective 16 August 1980. Thereafter, you were subject to two Commanding Officer non-judicial punishments on 12 December 1980 and 21 August 1981. On 24 April 1982, you were issued NAVPERS 1070/613, Administrative Remarks indicating your recommendation for advancement was withdrawn as documented in your evaluation dated 8 February 1982; you declined to sign the NAVPERS 1070/613 but the aforementioned was explained to you on 26 April 1982. Additionally, an entry was made to your NAVPERS 1070/609, Enlisted Performance Record on 10 July 1982 indicating you were not recommended for advancement. On 22 July 1982, you were released from active duty and transferred to the Navy Reserve in rate/grade of AN/E-3 to complete your military service obligation (MSO); you refused to sign your DD Form 214. After completing your MSO, you were honorably discharged from the Navy Reserve effective 11 June 1985 in the rate of AN.

After a break in service of 4 years, 10 months, and 19 days, you enlisted in the Naval Reserve on 29 April 1990 under the Navy Veteran program in paygrade E-3. You were issued NAVPERS 1070/613 specifying that you enlisted in the permanent rate of ATAN/E-3 and temporarily advanced to AT3/E-4. The NAVPERS 1070/613, further outlined the requirements to make your temporary advancement permanent within 36 months after your enlistment. On 8 July 1994 you transferred to the Individual Ready Reserve due to unsatisfactory participation and subsequently, honorably discharged from the Navy Reserve at your expiration of obligated service on 28 April 1993. The Board could not find, nor did you provide evidence of completing the requirement to make your advancement to AT3/E-4 permanent while in the Navy Reserve. Moreover, in accordance with Navy Military Personnel Command Instruction 1900.1, the Board noted that a DD Form 214 is only issued for active duty service, thus your rank/paygrade of AN/E-3 reflects the proper rank/paygrade at the time your DD Form 214 was issued. In this connection, the Board concurred with the comments contained in the advisory opinion, and 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,

7/12/2024

