



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

██████████
Docket No. 5552-24
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 7 November 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 ██████████, which was previously provided to you for comment.

You requested that your Certificate of Release or Discharge from Active Duty (DD Form 214) be corrected to reflect Block 7 (Last Duty Assignment and Major Command) as ██████████ and Block 4 (Grade, Rate or Rank) to reflect Machinst's Mate Second Class (MM2). On 13 April 2020, NPC issued you a DD Form 215, Correction of DD Form 214 amending Block 7 to reflect ██████████ and Block 12i (Reserve Obligation Term Date) changed to 16 January 1979. If you have additional questions regarding the issuance of the DD Form 215, you may contact the MyNavy Career Center at 833-330-6622 or via email at askmnc.fct@navy.mil.

Further review of your record indicates that you signed a NAVPERS 1070/613, Administrative Remarks on 16 June 1980 indicating, "I understand that the frocked pay grade is an administrative authorization only which authorizes me to wear the uniform and insignia of a higher grade without entitlement or allowances of the frocked pay grade. I further understand

that the frocked pay grade is effected at my option and that no increased pay and allowances accrue to me and that any cost for additional uniforms or insignia incident to may being frocked will be defrayed by me, and that no retroactive pay, allowances, or reimbursement will be authorized. I volunteer to be frocked to the rating of MM2.” Military Personnel Command Instruction 1900.1 directed that the rate and paygrade entered on the DD Form 214, reflect the rate/paygrade in which separated but does not include frocked paygrade. The Board could not find, nor did you provide sufficient evidence specifying your actual advancement date to MM2/E-5 occurred prior to your 10 September 1980 release from active duty, therefore determined that 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,

11/25/2024

