



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. 6945-24
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.

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 5 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 Commander, Navy Personnel Command (NPC) memorandum 1430 PERS 8031/338 of 30 July 2024 and your response to the opinion.

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 recalculation of your March 1999 (Cycle 163) Navy Wide Advancement Examination (NWAE). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded Bureau of Naval Personnel Instruction 1430.16D outlined the requirements for establishing time-in-rate (TIR) dates. Specifically, a TIR date was established for each member on initial entry into the Navy, on reentry, on advancement in rate, and on reduction in the rate. The TIR date is the date from which an advancement candidate's total service in paygrade is considered to have commenced for the purpose of computing advancement qualifications for the next higher

paygrade. All members reporting to active duty from Naval Reserve drilling status are assigned a new active duty TIR, with date of recall as new effective date of advancement.

A review of your record reflects that you reenlisted in the Navy Reserve on 1 May 1996 for 4-years and entered active duty from a Navy Reserve drilling status. In March 1999, you participated in the Cycle 163 NWAE and passed not advanced. On 18 June 1999, Personnel Support Activity Detachment, Memphis submitted an examination discrepancies to Naval Education and Training Professional Development and Technology Center (NETPDTC) stating your TIR should read 1 July 1991 vice 1 July 1995. NETPDTC updated your Cycle 163 NWAE final multiple score (FMS) to 205.25, which exceeded the minimum multiple required of 203.58 for advancement to Radioman First Class (RM1)/E-6. However, on 2 September 1999, NPC corrected your TIR date to 1 January 1995 and recomputed your active duty service date (ADSD) to 3 December 1993. As a result of these updates, NETPDTC determined your new FMS for Cycle 163 NWAE changed to 199.08, thereby rendering you ineligible for advancement to RM1/E-6. Therefore, in this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion and determined a change to your record is not warranted.

Regarding your temporary duty with U.S. Southern Command from 30 June 1995 to 9 July 1995, you may contact the MyNavy Career Center at 833-330-6622, or email: askmnc.fct@navy.mil for assistance with updating you reserve/active duty points and or adjustment to ADSD.

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,

11/23/2024

