

DEPARTMENT OF THE NAVY

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

> Docket No. 334-25 Ref: Signature Date

Dear Petitioner:

This is in reference to your application for correction of your father's naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of his 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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 17 June 2025. The names and votes of the panel members 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 the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of his naval record, and applicable statutes, regulations, and policies.

Your father, hereinafter referred to as Petitioner, enlisted in the Navy Reserves (USNR). On 26 March 1957, Petitioner began a period of active-duty service. On 25 March 1959, at the completion of his required active-duty service, he was released from active duty and assigned to his naval reserve command. Petitioner was issued an Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) that annotated his characterization of service as Honorable.

On 11 May 1979, Petitioner reenlisted in the USNR and was temporarily advanced to the rate of CE1 (Construction Electrician First Class Petty Officer). After completion of all requirements, he was permanently advanced to the rate/rank of CE1/E6 on 11 May 1980. Petitioner's enlisted performance record documents that remained in that paygrade until his retirement date. On 10 May 1993, Petitioner was transferred to the Naval Reserve Retired List. On 29 October 1993, in a letter from the Commanding Officer, Naval Reserve Personnel Center addressed Petitioner as CE1 and notified him that the Secretary of the Navy approved his application for retired pay for non-regular service.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief. These included, but were not limited to, your desire for the Petitioner's record to reflect that he retired at the rank of Master Chief Petty Officer (MCPO). The Board considered your contention that Petitioner retired from the service at the rank of MCPO and that Department of Veterans Affairs (VA) could not confirm this rank.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your father's rank of CE1 (Construction Electrician First Class Petty Officer) is correct. As previously discussed, your father was permanently advanced to the rate/rank of CE1/E6 on 11 May 1980 and his record documents that he was never promoted above that rank. While the Board noted the letter you provided from the Navy SeaBee Foundation, that letter does not provide the basis for referring to your father as a Master Chief Petty Officer. Unfortunately, without additional evidence that refutes the documentation in your father's record that he retired in the rank of Petty Officer First Class, the Board is unable to substantiate a higher rank. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

Despite its finding that relief was not warranted in your case, this Board sympathizes with your loss and thanks you for your father's faithful and Honorable service to this country.

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.

