



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

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Docket No. 4861-25
Ref: Signature Date

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Dear Petitioner:

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 11 February 2026. 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 as well as the 12 June 2025 advisory opinion (AO) furnished by the Navy Enlisted Career Progression Office (PERS-803). Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to reinstate your E-7 selection during Cycle 250, Fiscal Year (FY) 2022. The Board considered your contentions that: (1) the Final Civil Action Report (FCAR) was completed prior to your advancement limiting date, (2) the detailee informed you about a flag on your record and that the FCAR was not received, (3) you were eligible for advancement when the FCAR was complete, with security clearance, (4) the Commanding Officer indicated that he did not intend on pursuing further administrative action, and (5) your evaluations favor advancement and retention. You claim that your original limiting date was updated to 31 August 2023, and your security clearance was revoked despite your response in May 2022, which was not received due to clerical error. You also claim that your security clearance was reinstated in July 2024 after an appeal.

In its review, the Board noted the following:

- On 20 March 2022 the Department of Defense, Consolidated Adjudications Facility (DoD CAF) notified you of its intent to revoke your eligibility for access to classified information. The notice also informed you that a preliminary decision had been made to revoke your eligibility for access to classified information, assignment to duties designated as national security sensitive, and access to Sensitive Compartmented Information (SCI). This was due to a probable cause report revealing that a domestic assault took place at your residence.
- On 11 July 2022, the Commanding Officer, Navy Medicine Readiness Training Command submitted an FCAR noting that police had responded to a domestic disturbance call on 6 June 2021. The FCAR summarized the details of the domestic violence incident which led to your arrest. The FCAR also noted that you were charged with “Assault 2 – domestic violence and interference with report of domestic violence.” You pleaded guilty to one count of assault in the fourth degree – domestic violence. You were sentenced to 364 days of custody with 363 days suspended for 24 months and were ordered to pay \$700.00 in legal financial obligations. As a condition of your probation, you were required not to commit any new criminal violations or alcohol-related infractions and to continue your ongoing treatment through military services.
- On 8 March 2023, the Defense Counterintelligence and Security Agency (DCSA CAS) notified you of the revocation of your eligibility. The memo noted your acknowledgment of the 20 March 2022 memo, in which you indicated your intent to respond; however, no response was received. The memo advised you of the DCSA CAS final decision, citing your serious criminal conduct as noted in the System of Records. Given the security concerns, the DCSA CAS revoked your eligibility for access to classified information, assignment to national security-sensitive duties, and access to SCI.
- Your advancement limiting date was adjusted to reflect 31 August 2023 instead of 31 August 2022.
- On 31 July 2024, your security clearance eligibility was restored.

The Board concurred with the AO that your advancement to E-7 is not warranted. According to the Advancement Manual for Enlisted Personnel of the Navy, personnel are not eligible for advancement if they are in a rating requiring security clearance and meet any of the following conditions: they are not in receipt of a favorable adjudication, they do not possess temporary access granted by a Commanding Officer, or their clearance was revoked prior to their advancement date.

In its review, the Board noted that you were not in receipt of a favorable adjudication until 31 July 2024, which was after your 31 August 2023 limiting date. Furthermore, an advancement that was not affected by the limiting date due to the selectee’s own misconduct or due to the Commanding Officer withholding the advancement will not be revalidated. Despite the timeframe of the submission and receipt of your FCAR, you are in a rating requiring security

clearance eligibility and you did not have a favorable adjudication. Therefore, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

3/11/2026

