



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

[REDACTED]
Docket No. 4313-21
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN, [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1430 PERS 8031/206 of 17 Aug 21
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her naval record be corrected to establish retroactive advancement to Cryptologic Technician Collection Third Class (CTR3)/E-4.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 30 September 2021 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), standard score comparison exception to policy (ETP) request must be sent to Director, Military Personnel Plans and Policy (N13) no later than 6 months after the missed exam's limiting date. Request submitted later than 6 months are redirected to the Board. Limiting date for the February advancement cycle is 31 December of the same year and August advancement cycle is 30 June of the next year.

b. Petitioner executed mobilization orders in support of OPERATION INHERENT RESOLVE from 5 October 2018 through 19 October 2019.

c. Petitioner's Award Record reflects being awarded Navy and Marine Corps Achievement Medal for the periods of 1 December 2014 through 22 November 2018.

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d. In February 2020, Petitioner participated in Cycle 106 Navy Wide Advancement Examination (NWAE) and was selected for advancement to CTR3/E-4; advancement effective 16 July 2020 with a time in rate (TIR) date of 1 July 2020.

e. On 17 May 2021, [REDACTED] submitted a standard score comparison ETP regarding Petitioner's inability to participate in Cycles 104 and 105 NWAEs as a result of being mobilized in Afghanistan.

f. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. Petitioner met the criteria for standard score comparison in accordance with reference (b); however, [REDACTED] submitted the ETP after the established prescribed limiting dates, rendering the request invalid. After comparing February 2020 (Cycle 106) to February 2019 (Cycle 104) and August 2019 (Cycle 105), the Board determined Petitioner's final multiple score (FMS) did not meet the minimum multiple required for Cycle 104 but did exceed the minimum for Cycle 105. Therefore, the Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's February 2020 (Cycle 106) NWAE was compared to the missed August 2019 (Cycle 105) CTR3/E-4 NWAE. Petitioner's FMS for Cycle 105 was 123.47; the Minimum Multiple Required was 121.94.

Petitioner advanced to CTR3/E-4 effective "16 January 2020" vice "16 July 2020" with TIR date of "1 January 2020" vice "1 July 2020."

Note: The change to the effective date of advancement to E-4 may also have affected Petitioner's E-5 advancement opportunity. If Petitioner was eligible for, but did not take the E-5 NWAE because the above change had not occurred, the following procedures will apply to remediate that missed opportunity. Petitioner should submit an ETP to the Chief of Naval Operations (OPNAV N132) in accordance with reference (b). If all requirements are met for a missed exam and OPNAV N132 disapproves an ETP, Petitioner may reapply to this Board for consideration of advancement to E-5 retroactive to the date Petitioner would have advanced on the "missed" examination cycle(s). Petitioner must submit a DD Form 149, with at least a copy of worksheet for the missed cycle(s), command endorsement/recommendation, disapproved ETP and a copy of this letter. The Board will then determine whether the request for retroactive advancement will be approved.

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A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

10/22/2021

