



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

██████████
Docket No. 1482-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN, ██████████

Ref: (a) 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G
(c) NAVADMIN 318/18
(d) MILPERSMAN 1510-030
(e) MILPERSMAN 1220-030

Encl: (1) DD Form 149 w/attachments
(2) DD Form 4 of 20 Oct 16
(3) Member Data Summary
(4) Awards Record
(5) History of Assignments
(6) Detachment Eval Ending 3 Aug 18
(7) Periodic Eval Ending 15 Jun 19
(8) Profile Sheet (Cycle 244)
(9) NPC memo 1430 PERS 8031/092 of 9 Mar 19
(10) BCNR email of 23 Mar 22
(11) NETPDC email of 5 May 22
(12) PERS-8031 email of 9 May 22

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 his naval record be corrected to establish retroactive advancement to Special Warfare Operator Second Class (SO2)/E-5 from the March 2019 (Cycle 243) Navy Wide Advancement Examination (NWAE).
2. The Board, reviewed Petitioner's allegations of error and injustice on 12 May 2022, 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 enclosures (1) through (12), relevant portions of Petitioner's naval records, 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, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:
 - a. On 20 October 2016, Petitioner enlisted in the Naval Reserve in paygrade E-3 for a term of 8 years of which 4 years was considered an active duty obligation. NAVCRUIT 1133/52, Enlistment

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Guarantees – Annex “A” listed Advanced Technical Field Special Warfare Operator (ATF/SO 6YO) Challenge Program. See enclosure (2).

- b. Petitioner’s Active Duty Service Date is 25 January 2017. See enclosure (3).
- c. Petitioner awarded Flag Letter of Commendation for the period of 1 January 2017 through 1 March 2017. See enclosure (4).
- d. On 3 August 2018, Petitioner completed SEAL Qualification Training and earned NEC 026A effective 1 August 2018. Petitioner transferred to Advanced Training Command (ATC) Detachment (DET) Stennis for duty under instruction. Petitioner received an evaluation for period of report from 16 July 2018 to 3 August 2018 in rate SOSN/E-3. See enclosures (3), (5) and (6).
- e. On 16 August 2018, Petitioner advanced to SO3/E-4 in accordance with reference (d); while assigned in accession pipeline training status. Thereafter, Petitioner reported to [REDACTED] on 20 August 2018; official military personnel file (OMPF) does not reflect a Special evaluation being completed to establish Performance Mark Average (PMA) for Cycle 243 NWAE. See enclosures (3) and (5).
- f. On 18 April 2019, Petitioner detached [REDACTED]; OMPF does not reflect a Detachment of Individual evaluation report being completed upon transfer. See enclosure (5).
- g. On 6 May 2019, Petitioner reported to [REDACTED] for duty and received his first evaluation in rate SO3/E-4 for the period of 3 April 2019 to 15 June 2019; the report was not observed as Petitioner was onboard less than 90-days. See enclosures (5) and (7).
- h. In September 2019, Petitioner participated in Cycle 244 NWAE and was selected for advancement using the 3.60 PMA; Petitioner advanced to SO2/E-5 effective 16 February 2020. See enclosures (3) and (8).
- i. On 9 March 2022, Navy Personnel Command (PERS-8031) provided an unfavorable advisory opinion to enclosure (1). PERS-8031 recommended disapproval of relief based on Petitioner “did not have an evaluation to participate in March (Cycle 243) NWAE.” See enclosure (9).
- j. On 23 March 2022, Petitioner was provided a copy of PERS-8031 advisory opinion for an opportunity to provide additional documentation or statement; a rebuttal was not received. See enclosure (10).
- k. On 5 May 2022, Navy Education and Training Professional Development Command completed standard score comparison of September 2019 (Cycle 244) NWAE to March 2019 (Cycle 243) NWAE with a 3.60 PMA as authorized by reference (b). Petitioner’s Final Multiple Score (FMS) for Cycle 243 would be 104.03 and the Minimum Multiple Required (MMR) for advancement to SO2/E-5 was 70.03. See enclosure (11).
- l. On 9 May 2022, PERS-8031 acknowledged Petitioner was in accession pipeline when advanced to SO3/E-4 and did not receive a Detachment of Individual evaluation report upon transferring to his first permanent duty station. However, PERS-8031 opted not to change the unfavorable recommendation outlined in enclosure (8) because it was the ESO’s responsibility to

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ensure the PMA computation was completed prior to the first day of the month of the NWAE cycle as outlined in reference (b). See enclosure (12).

CONCLUSION

Upon review and consideration of all the evidence of record, and despite the contents of enclosures (9) and (12), the Board finds the existence of error and injustice warranting the following corrective action. In this regard, the Board unanimously concluded Petitioner met the requirements to receive 3.60 PMA to participate in the March 2019 (Cycle 243) NWAE. However, due to not having an evaluation in paygrade SO3/E-4 and not being assigned a 3.60 PMA, Petitioner did not participate in Cycle 243 NWAE. Therefore, the Board felt, under these circumstances relief is warranted. Note: References (b) through (e)¹.

RECOMMENDATION

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

Petitioner assigned 3.60 PMA on worksheet/answer sheet for the March 2019 (Cycle 243) NWAE.

After comparison of September 2019 (Cycle 244) NWAE to the March 2019 (Cycle 243) NWAE, Petitioner received the following scores: Standard Score 70.83; Performance Mark Average (PMA) 3.60/32.00; Service in Pay Grade (SIPG) (0100)/.20; Awards 1.00; Education 0.00; and Final Multiple Score (FMS) = 104.03. The MMR for advancement to SO2/E-5 for Cycle 243 NWAE was 99.83.

Petitioner advanced to SO2/E-5 effective "16 July 2019" vice "16 February 2020" with TIR date of "1 July 2019" vice "1 January 2020."

Note: The change to the effective date of advancement to E-5 may also have affected Petitioner's E-6 advancement opportunity. If Petitioner was eligible for, but did not take the E-6 NWAE because the above change had not occurred, the following procedures will apply to remediate that missed opportunity. Petitioner should take the next available E-6 NWAE. Upon passing the examination, Petitioner should reapply to this Board for consideration of advancement to E-6 retroactive to the

¹ Reference (b), an evaluation must be completed within the computation period for the appropriate advancement cycle. The policy provides guidance on action that can be taken when a regular evaluation is not available for computing PMA. Specifically, the policy provides guidance on preparing a Special evaluation or the authorization to assign 3.60 PMA to worksheet/answer sheets for new accessions that have graduated from "A" school and are eligible for the upcoming NWAE and do not have a current evaluation in paygrade. The 3.60 PMA "will be used solely for the current NWAE and will not be utilized in future PMA computations..." Additionally, "It is the ESOs [Education Service Officers] responsibility to ensure PMA computations are completed PRIOR to the first day of the month of the NWAE cycle. If PMA is not established prior to this date, the member is not eligible to participate in the NWAE. No waivers are authorized for this requirement."

Reference (c), PMA was computed for E-5 candidates using all evaluations in the current paygrade with an ending date that fell within 1 December 2017 to 28 February 2019.

Reference (d) indicates "Personnel are authorized guaranteed advancement to E-4 after successfully completing "A" school or advanced training (when applicable) after serving 6 months TIR [time-in-rate] as an E-3..."

Reference (e) specifies "Upon completion of the SO "A" school training pipeline [consisting of seven courses] enlisted personnel are awarded NEC [Navy Enlisted Classification] 026A and designated as an SO. Recruit and fleet conversions are authorized accelerated advancement to E-4 (SO3) per MILPERSMAN 1510-030 [reference (d)]."

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date, Petitioner would have been 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, and a copy of this letter. The Board will then determine whether the request will be approved.

That no further changes be made to Petitioner's naval record.

That a copy of this report of proceedings 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. The foregoing action of the Board is submitted for your review and action.

6/10/2022

[REDACTED]

From: Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Board Recommendation (Grant Relief)

Reviewed and Approved Advisory Opinion Recommendation (Deny Relief)

7/20/2022

[REDACTED]