



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

█
Docket No. 4557-22
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1430 PERS 8031/232, 30 Jun 22
(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 his naval record be corrected to establish retroactive advancement to Hospital Corpsman First Class (HM1)/E-6 from the September 2019 (Cycle 244) Navy Wide Advancement Exam (NWAE).

2. The Board, consisting of █ and █, reviewed Petitioner's allegations of error and injustice on 11 August 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 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, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner enlisted on 15 December 2009 in the Navy Full Time Support (FTS) program; Active Duty Service Date is 21 January 2010.

b. On 4 August 2014, Petitioner reenlist in USNR for a term of 6-years; Reserve Active Duty Obligation (RADO) Months/Days: 072/000.

c. In March 2019, Petitioner participate in Cycle 243 NWAE for HM1 in "USNRT" Branch/Class and passed not advanced.

d. On 24 July 2019, Petitioner reenlisted for a term of 6 years; Branch/Class initially indicated as USN; Status: Active; and RADO Months/Days: 000/000.

e. Petitioner participated in September 2019 (Cycle 244), March 2020 (Cycle 247), and September 2020 (Cycle 248) NWAE(s) for HM1 in "USN" Branch/Class. Petitioner passed not advanced each cycle.

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f. In March 2021, Petitioner participated in Cycle 251 NWAE for HM1 in "USNRT" Branch/Class and advanced to HM1/E-6 effective 16 August 2021.

g. On 22 October 2021, Petitioner's reenlistment contract effective 24 July 2019 was modified to reflect Branch/Class "USNR" vice "USN" and RADO Months/Days: "072/000" vice "000/000."

h. 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.

i. On 8 August 2022, Navy Education and Training Professional Development Center corrected data and results for Cycles 244, 247 and 248 utilizing USNRT examination scores. Petitioner's final multiple score (FMS) for Cycle 244 was 120.29; the minimum multiple required (MMR) was 126.78. However, Petitioner's FMS for Cycle 247 was 127.78, exceeding the MMR of 119.68.

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 is an FTS (Branch/Class 32) Sailor that erroneously executed NAVPERS 1070/601, Immediate Reenlistment Contract for a 6-year term on 24 July 2019 in an active component (AC) (Branch/Class 11) status. This error resulted in Petitioner's NWAE for Cycles 244, and 248 to be scored against the AC MMR. Subsequently, Petitioner's Branch/Class was updated to reflect his FTS status. The Board felt, under these circumstances, the aforementioned exams should be scored against the FTS MMR and as a result, partial relief is warranted.

RECOMMENDATION

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

Petitioner's Examination Profile Information and Exam Status sheet from the September 2019 (Cycle 244) NWAE is amended to reflect Branch/Class: "USNRT" vice "USN" and MMR: "126.78" vice "155.76."

Petitioner's Examination Profile Information and Exam Status sheet from the March 2020 (Cycle 247) NWAE is amended to reflect Branch/Class: "USNRT" vice "USN"; MMR: "119.68" vice "149.89"; and Final Status: "Selected" vice "PNA-PTS 0.0/1.5." Note: Petitioner's FMS for Cycle 247 was 127.78.

Petitioner advanced to HM1/E-6 effective "16 December 2020" vice "16 August 2021" with a time-in-rate date of "1 July 2020" vice "1 July 2021."

The part of Petitioner's request for corrective action that exceeds the foregoing is denied. Petitioner's FMS for Cycle 244 did not meet the MMR for advancement.

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.

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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.

9/9/2022

[REDACTED]

Deputy Director

[REDACTED]