



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

[REDACTED]
Docket No. 5479-22
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) COMNAVCRUITCOMINST 1130.8K

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by NRC ltr 1133 Ser N35, 16 Sep 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 entitlement to Advanced Paygrade of E-3.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 September 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. On 15 July 2014, Petitioner awarded the rank of Eagle Scout.
- b. On 7 October 2021, Petitioner enlisted in the U.S. Navy for a term of 8 years beginning in paygrade E-1.
- c. On 31 January 2022, Petitioner entered active duty in paygrade E-2 based on "having completed 24 semester hours or 36 quarter hours of college credits at an accredited educational institution" prior to accession.
- d. 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 to enlist in paygrade E-3 in accordance with reference (b).¹ However, because of administrative oversight, Petitioner's enlistment documents reflect accession onto active duty in paygrade E-2. Although the proper administrative requirements were not completed, the Board felt that under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's enlistment documents (DD Form 4, Enlistment/Reenlistment Document and DD Form 1966, Record of Military Processing) dated 7 October 2021 are amended to reflect enlistment in pay grade "E-3" vice "E-2."

This change will entitle Petitioner to pay and allowance in pay grade "E-3" effective 31 January 2022 (Active Duty Service Date).

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.

10/7/2022

[REDACTED]

Deputy Director

Signed by: [REDACTED]

¹ Reference (b), authorized enlistment in paygrade E-3 for persons who satisfactorily completed Eagle Scout or the Girl Scout Gold Award requirement.