



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

[REDACTED]  
Docket No. 1057-23  
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) NAVADMIN 085/18  
(c) BUPERSINST 1430.16G  
(d) NAVADMIN 318/18

Encl: (1) DD Form 149 w/attachments  
(2) 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 compare the September 2019 (Cycle 244) Navy Wide Advancement Examination (NWAE) to the missed March 2019 (Cycle 243) NWAE.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 23 February 2023 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. Reference (b) announced the requirement for Sailors in paygrades E4/5/6/7 to complete Professional Military Knowledge Eligibility Exam (PMK-EE) prior to participating in a NWAE starting with the September 2019, Cycle 244 NWAE.

b. In accordance with reference (c) "For new accessions that have graduated from "A" School and are eligible for upcoming NWAE and do not have a current evaluation in paygrade, a PMA [Performance Mark Average] of 3.60 will be assigned to their worksheet/answer sheet. This PMA will be used solely for the current NWAE and will not be utilized in future PMA computations." Additionally, the policy specifies the limiting date for the March advancement cycle is 31 December of the same year. However, the policy indicates that Commanding Officer

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[REDACTED]

and Officer's in Charge may submit an exception to policy (ETP) within 6-months after the exam limiting date. Furthermore, the policy required a leadership development course upon selection and prior to frocking or advancement.

c. Reference (d) required candidates taking the E-5 Cycle 243 NWAE to have their PMA computed using all E-4 evaluations that fell within the 1 December 2017 to 28 February 2019 period. The minimum time-in-rate (TIR) date must be on or before 1 July 2018 for E-5.

d. On 3 August 2018, Petitioner completed "A" School (SEAL Qualification Training) and issued Detachment of Individual evaluation in paygrade E-3 for the period of 16 July 2018 through 3 August 2018 with a Promotion Recommendation of Promotable; 3.6 PMA.

e. On 16 August 2018, Petitioner advanced to Special Warfare Operator Third Class (SO3)/E-4 with TIR date of 1 July 2018 while in accession pipeline training; student at the [REDACTED].

f. On 18 April 2019, Petitioner transferred from [REDACTED] and reported to SEAL TEAM [REDACTED] on 6 May 2019.

g. On 15 June 2019, Petitioner issued Periodic/Not Observed evaluation in paygrade E-4 for the period of 19 April 2019 to 15 June 2019 with no promotion or retention recommendation given.

h. On 26 July 2019, Petitioner completed PMK-EE for E-5.

i. In September 2019, Petitioner participated in Cycle 244 NWAE with a 3.60 PMA and selected for advancement to Special Warfare Operator Second Class (SO2)/E-5 effective 16 June 2020.

j. On 21 February 2023, Navy Education and Training Professional Development Center completed a manual standard score comparison of Petitioner's September 2019 (Cycle 244) NWAE to the missed March 2019 (Cycle 243) NWAE and determined his final multiple score (FMS) exceeded the minimum multiple required (MMR) for advancement to [REDACTED].

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Petitioner met the eligibility criteria for a one-time issuance of a 3.60 PMA for the March 2019 (Cycle 243) NWAE in accordance with reference (c). Therefore, the Board concluded, under these circumstances a standard score comparison of Cycle 244 to Cycle 243 with 3.60 PMA is warranted.

## RECOMMENDATION

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

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[REDACTED]

After comparison of September 2019 (Cycle 244) NWAE to the March 2019 (Cycle 243) NWAE, Petitioner received the following scores: Standard Score 58.83; PMA 3.60/32.00; Service in Pay Grade (SIPG) (0100)/00.20; Awards 00.00; Education 0.00; passed not advanced (PNA) 00.00; and FMS = 91.03. The MMR for advancement to [REDACTED] for Cycle 243 NWAE was 70.03.

Petitioner advanced to [REDACTED] effective "16 September 2019" vice "16 June 2020" with a 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 submit an exception to policy (ETP) to the Chief of Naval Operations (OPNAV N132) in accordance with BUPERSINST 1430.16G. 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-6 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.

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.

3/20/2023

[REDACTED]

Deputy Director  
[REDACTED]