



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

█
Docket No. 1376-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █
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Ref: (a) 10 U.S.C. § 1552
(b) BUPERSINST 1430.16F

Encl: (1) DD Form 149 w/enclosures
(2) NAVPERS 1000/4, Officer Appointment Acceptance and Oath of Office
(3) NPC ltr 1430 PERS-80/0230 of 1 Jun 23

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 reflect advancement to E7 at the time of temporary officer appointment.

2. The Board, consisting of █ reviewed Petitioner's allegations of error and injustice on 13 June 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 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 as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Petitioner was appointed an Ensign on 1 June 2015. See Enclosure (2).

c. Petitioner contends that he should have been advanced to the grade of E7 at the time of his temporary appointment as an officer pursuant to reference (b) because he met the 3 years' Time in Rate (TIR) and 11 years Total Active Federal Military Service (TAFMS).

d. The Advisory Opinion (AO) at enclosure (3), furnished by Navy Personnel Command (PERS-80) recommends approval of Petitioner's request. The AO noted, in part, that pursuant to paragraph 723a of reference (b), members whose permanent enlisted grade is E6 on the date of appointment as a temporary officer be advanced to E7 provided the member meets the requirements. The AO notes that at the time of his appointment, Petitioner's electronic records

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indicate that Petitioner was an E6 with a TIR of 1 January 2008 and an Active Duty Service Date of 12 May 2000. Based upon these records, the AO further noted that Petitioner had 7 years TIR and more than 15 years TAFMS. Accordingly, the AO determined that pursuant to paragraph 723e of reference (b) Petitioner's command should have made a NAVPERS 1070/604 entry in the enlisted field service record and mailed a NAVPERS 1070/613 for inclusion in the Petitioner's officer record advancing the Petitioner to E7 citing BUPERSINST 1430.16F as authority for advancement.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the AO, the Board finds the existence of an error warranting corrective action. The Board noted that Petitioner furnished sufficient evidence that he should have been advanced to E7 at the time of his appointment. Thus, the Board substantially concurred with the AO that Petitioner's request for advancement determination warrants the requested relief.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected to indicate advancement to E7 effective 1 June 2015 when Petitioner was appointed as a temporary officer.

No other relief be granted.

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

6/25/2023

