

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 5876-23 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO

Ref: (a) Title 10 U.S.C. § 1552

(b) COMNAVCRUITCOMINST 1130.8K

Encl: (1) DD Form 149 w/attachments

- (2) Advisory Opinion by NRC, undated
- (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 her naval record be corrected to establish authorization to access in paygrade E-3 under the Advanced Paygrade Program.
- 2. The Board, consisting of reviewed Petitioner's allegations of error and injustice on 21 September 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. In 2012, Petitioner awarded a diploma in the with 51 total credits passed.
- b. On 30 September 2015, Petitioner awarded a Bachelor of Arts Education (Religions Studies) from the
- c. On 23 January 2023, Petitioner signed DD Form 4, Enlistment/Reenlistment Document indicating enlistment in the Navy for a term of 4 years on active duty, and 4 years in the reserve component. The document was also signed by the service representative and enlistment officer on the same date. However, Block 5 (date of enlistment) is blank. Petitioner's NAVCRUIT 1133/52, Enlistment Guarantee reflects "Annex A to DD Form 4 dated Jan 23, 2023" and DD Form 1966, Record of Military Processing, Block 17A (Date of Enlistment-DEP) indicates "20230123." Additionally, Petitioner's Personalized Recruiting for Immediate and Delayed Enlistment Modernization Manage Applicant screen reflects enlistment on 23 January 2023.
- d. On 21 February 2023, Petitioner entered active duty in paygrade E-1 and completed Recruit Basic Military Training on 9 June 2023. On 13 July 2023, Petitioner completed Aviation Boatswain's Mate

(Aircraft Handler) course and reported to his first permanent duty station, on 14 July 2023 for duty.

e. In the advisory opinion, 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 access in paygrade E-3 in accordance with reference (b). Although the proper administrative requirements were not completed, the Board determined that under this circumstance, relief is warranted.

## RECOMMENDATION

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

Petitioner's DD Form 4, Enlistment/Reenlistment Document signed on 23 January 2023 is amended to reflect Block 5 (Date of Enlistment) "20230123" vice "YYYYMMDD"; and accession in pay grade "E-3" vice "E-1."

Petitioner's DD Form 1966, Record of Military Processing dated 23 January 2023 is amended to reflect accession in pay grade "E-3" vice "E-1."

This change will entitle Petitioner to pay and allowances in pay grade E-3 effective 21 February 2023 (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.



<sup>&</sup>lt;sup>1</sup> Reference (b), persons who satisfactorily completed 48 semester hours or 72 quarter hours of college credits may be enlisted in paygrade E-3.