



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

█  
Docket No. 6078-23  
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 1510-030

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 reflect advancement to Electronics Technician Nuclear Third Class (ETN3)/E-4 effective 16 August 2022 and reduction in rate (RIR) to ETFN/E-3 effective 15 December 2022.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 24 October 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. On 12 July 2021, Petitioner enlisted in the Naval Reserve in paygrade E-1 for 8 years of which 4 years is an active duty obligation.

b. On 15 September 2021, Petitioner issued Secret clearance.

c. On 29 November 2021, Petitioner entered active duty in pay grade E-3 and signed NAVPERS 1070/621, Agreement to Extend Enlistment for 24 months to incur obligation for "Training in the Nuclear Field (NF 6YO) Program and advancement to paygrade E-4 per MILPERSMAN Articles 1160-040 and 1510-030."

d. On 8 February 2022, Petitioner was assigned Navy Enlisted Classification code N91T - Nuclear Propulsion Plant Operator Trainee.

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e. On 22 March 2022, Petitioner completed Professional Military Knowledge Eligibility Exam for E-4.

f. On 5 August 2022, Petitioner completed Electronics Technician Nuclear Field “A” school. Petitioner issued Special evaluation for period of report from 29 January 2022 to 5 August 2022 with a Promotable promotion recommendation and recommended for retention.

g. On 15 December 2022, Petitioner found guilty at non-judicial punishment (NJP) for violation of Article 134; Disorderly Conduct. Awarded RIR, restriction and extra duty for 18 days (suspended for 180 days), and oral reprimand. Petitioner issued Special evaluation for period of report from 6 August 2022 to 15 December 2022 with a Significant Problems promotion recommendation and recommended for retention.

h. On 13 September 2023, Naval Nuclear Power Training Unit submitted a letter or reinstatement indicating, “[REDACTED] should have been advanced to the rank of Petty Officer Third Class with time-in-rate (TIR) of 1 January 2023. Due to late processing he was not advanced to E4 prior to his NJP. This resulted in his reduction in rate to E2 vice E3.”

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner was not advanced to ETN3/E-4 in accordance with reference (b),<sup>1</sup> resulting in RIR to ETNFA/E-2. The Board determined Petitioner should have been advanced to ETN3/E-4 effective 16 August 2022, and thereafter RIR to ETFN/E-3 effective 15 December 2022. Therefore, the Board determined under these circumstances, relief is warranted.

## RECOMMENDATION

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

Petitioner advanced to ETN3/E-4 effective 16 August 2022 with TIR date of 1 July 2022.

Petitioner RIR from “E-4 to E-3” vice “E-3 to E-2” effective 15 December 2022.

Note: Defense Finance and Accounting Service will complete an audit of Petitioner’s pay records to determine retroactive pay and allowances entitlement.

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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<sup>1</sup> Reference (b), personnel are authorized guaranteed advancement to E-4 after successfully completing “A” school or advanced training required to attain rating designation and after serving 6 months TIR as an E-3. Additionally, the following must be completed or obtained prior to advancement to E-4: all requirement completed for advancement in rate; performance appraisal review; and Commanding Officer’s recommendation.

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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.

11/1/2023

