

Docket No. 7821-23 Ref: Signature Date

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

Subj: <u>REVIEW OF NAVAL RECORD ICO</u>

- Ref: (a) Title 10 U.S.C. § 1552 (b) COMNAVCRUITCOM 1130.8K (c) COMNAVCRUITCOM msg 041435Z Apr 23
- Encl: (1) DD Form 149 w/attachments (2) Advisory Opinion by NRC, 19 Jan 24 (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 be promoted on the premise of previously obtained college credits.

2. The Board, consisting of a second second second reviewed Petitioner's allegations of error and injustice on 30 January 2024 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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), persons who satisfactorily completed 48 semester hours or 72 quarter hours of college credits may be enlisted in paygrade E-3.

b. Reference (b) was applicable for recruits classified or reclassified on or after 1 April 2023. Active component (AC) recruits that enlisted in any rate/program with college credit from a postsecondary accredited institution can receive Enlistment Bonus for College Credit (EBCC). The intent of this EBCC was to fill shipping gaps in April 2023 through July 2023. AC recruits that had a Bachelor degree or greater were eligible to receive \$8,000 EBCC upon graduation from Recruit Training Command (RTC) and may not be recouped due to reclassification or separation.

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c. On 11 February 2019, Petitioner issued transcript from University University of indicating completion of Bachelor's degree in Psychology.

d. On 5 May 2023, Petitioner enlisted in the Navy for 8-years in paygrade E-1. NAVCRUIT 1133/52, Enlistment Guarantees listed Class "A" School Guarantee (T+X); and Enlistment Bonus for Shipping - \$10,000 Bonus. Active Duty Service Date (ADSD): 1 June 2023.

e. On 1 June 2023, Petitioner entered active duty in paygrade E-1.

f. On 11 August 2023, Petitioner completed Recruit Basic Military Training and reported to as a student on temporary duty.

g. 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. The Board concluded Petitioner earned a Bachelor's degree in Psychology prior to enlistment, thereby meeting the criteria to enlist in paygrade E-3 in accordance with reference (b). Additionally, per reference (c), Petitioner is entitled to \$8,000 EBCC. Although the proper administrative requirements were not completed, the Board determined 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) are amended to reflect enlistment and accession in paygrade "E-3" vice "E-1." Note: This change will entitle Petitioner to pay and allowance in pay grade "E-3" effective 1 June 2023 (ADSD).

Petitioner's NAVCRUIT 1133/52, Enlistment Guarantee – Annex "A" dated 5 May 2023 is modified to reflect Option 3: "Enlisted Bonus for College Credit (EBCC) - \$8,000 Bonus" vice blank. Note: This change will entitle Petitioner to payment of \$8,000 EBCC upon graduation from RTC on 11 August 2023.

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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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.

