



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

[REDACTED]  
Docket No. 7987-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) MILPERSMAN 1160-120<sup>1</sup>

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by NPPSC, 28 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 his naval record be corrected to establish retroactive advancement to Aviation Electronics Technician Third Class (AT3)/E-4 effective 20 April 2023.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 5 March 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, 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 13 August 2019, Petitioner entered active duty in paygrade E-3.

b. On 13 December 2019, Petitioner reported to the [REDACTED] for duty.

c. On 6 March 2023, Bureau of Personnel (BUPERS-3) authorized Petitioner's advancement to AT3/E-4 via Professional Apprenticeship Career Track Program with the Commanding Officer or Officer-in-Charge endorsement no earlier than 16 April 2023. The effective date of advancement will be the same date Petitioner incurs the required obligated service via extension of enlistment or reenlistment; required obligated service to August 2025. If required, Command must send Designation/Advancement Letter to remove high year tenure (HYT) gate.

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<sup>1</sup> Reference (b), high year tenure for E-3 is 6 years length of service calculated from the active duty service date.

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d. On 5 April 2023, Petitioner issued BUPERS Order: [REDACTED] (Official Change Duty Orders) with a requirement to obligated service to August 2025.

e. On 6 April 2023, Petitioner submitted NPPSC 1160/1, Command Career Request to reenlist on 20 April 2023 for 3 years; approved by the Commanding Officer on 18 April 2023.

f. On 18 April 2023, Petitioner issued Honorable Discharge Certificate signed by the Reenlistment Officer, [REDACTED]

g. On 19 April 2023, Petitioner issued Certificate of Reenlistment signed by the Reenlistment Officer, [REDACTED]

h. On 20 April 2023, Petitioner was frocked to AT3/E-4.

i. On 28 April 2023, Petitioner detached the [REDACTED] and reported to HSC-3 for duty on 31 July 2023.

j. On 7 August 2023, Petitioner issued Honorable Discharge Certificate signed by the Reenlistment Officer, [REDACTED]

k. On 8 August 2023, Petitioner signed NAVPERS 1070/601, Immediate Reenlistment Contract for 3 years, advanced to AT3/E-4, and issued Certificate of Reenlistment signed by the Reenlistment Officer, [REDACTED].

l. 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 of what occurred with no recommendation.

## 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 would not have reached his HYT gate for E-3 until August 2025. Additionally, the Board determined it was Commanding Officer, [REDACTED] intent to reenlist Petitioner on 20 April 2023, however Petitioner's record was erroneously flagged as HYT, thereby rendering him ineligible to reenlist and advance to AT3/E-4 until his record was updated. Therefore, 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 NAVPERS 1070/601, Immediate Reenlistment Contact is amended to reflect reenlisting on "20 April 2023" vice "8 August 2023" for 3 years.

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Petitioner advanced to AT3/E-4 effective "20 April 2023" vice "8 August 2023" with a time-in-rate date of "1 January 2023" vice "1 July 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.

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.

3/20/2024

