



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

[REDACTED]
Docket No. 7909-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN RET,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by PERS-312, 12 Oct 23
(3) Advisory Opinion by PERS-8031, 4 Dec 23
(4) Advisory Opinion by NPPSC, 7 Feb 24
(5) 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 to the rank of Hospital Corpsman Second Class (HM2)/E-5 and add two Navy and Marine Corps Achievement Medals (N&MCAM) to the Certificate of Release or Discharge from Active Duty (DD Form 214) ending 28 July 2023.

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 7 May 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. On 16 February 2022, Petitioner advanced to HM3/E-4.

b. In March 2023, Petitioner participated in the Cycle 259 Navy Wide Advancement Examination and selected for advancement to HM2/E-5 with an effective date of 16 December 2023. Petitioner's Exam Profile Data for Cycle 259 reflects two awards points.

c. On 28 July 2023, Petitioner transferred to the Permanent Disability Retired List (PDRL) in the rank of HM3/E-4.

d. On 31 July 2023, Petitioner awarded a N&MCAM in lieu of second award for the time period of June 2021 to July 2023. Petitioner's Awards Record indicates one N&MCAM (second award) for the period of 1 June 2021 to 21 July 2023.

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CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) through (4), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner met the criteria for advancement to HM2/E-5 effective date of transfer to PDRL in accordance with reference (b).¹ However, Petitioner's record only reflects one N&MCAM and Navy Pay and Personnel Support Center has issued a correction to the DD Form 214 for the one award. Therefore, the Board agreed that under these circumstances, partial relief is warranted.

RECOMMENDATION

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

Petitioner advanced to HM2/E-5 effective 28 July 2023.

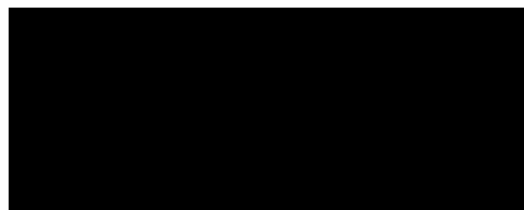
Petitioner's DD Form 214 is amended to reflect: Block 4a (Grade, Rate or Rank) "HM2" vice "HM3;" Block 4b (Pay Grade) "E5" vice "E4;" and Block 12i (Effective Date of Pay Grade) "2023 07 28" vice "2022 02 16." Note: Navy Personnel Command will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied because Petitioner's record reflects evidence of only being awarded one N&MCAM despite the certificate reflecting in lieu of second award.

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.

5/30/2024



¹ Reference (b), personnel who are selected for advancement by transferred to the Temporary Disability Retired List (TDRL)/PDRL will be advanced effective date of transfer to the TDRL/PDRL per U.S.C. Advancements should be affected locally via appropriate Navy Standard Integrated Personnel System entry.