



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 04063-00
1 September 2000

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

Subj: ENS [REDACTED], USN [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 13 Apr 00 w/attachments
(2) PERS-86 memo dtd 1 Aug 00
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show she was commissioned on 19 December 1998, rather than 24 March 1999. She also requested correction of her BAH (basic allowance for housing) while she was an OCP02. The Board did not consider this request, as it does not require their action.
2. The Board, consisting of Messrs. Ensley, Schultz and Swarens, reviewed Petitioner's allegations of error and injustice on 24 August 2000, 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, naval records, 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, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy concerning her request to change her commissioning date.
 - b. In correspondence attached as enclosure (2), the Navy Personnel Command office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request to change her commissioning date 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.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show she was commissioned on 19 December 1998, rather than 24 March 1999.

b. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN
Recorder

Jonathan S. Ruskin
JONATHAN S. RUSKIN
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

W. Dean Pfeiffer
W. DEAN PFEIFFER
Executive Director



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PERS-86
AUG - 1 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN CASE OF
[REDACTED] GARDNER, USNR, [REDACTED]

Encl: (1) BCNR File 04063-00 w/Service Record

1. We are returning enclosure (1) with the following observations and recommendation that [REDACTED]'s petition be granted.

2. [REDACTED] requests that her date of commission be corrected to match her graduation date of 19 Dec 98.

3. A review of [REDACTED] record and her Oath of Office reflected a correct date of rank, 19 Dec 98, based upon her graduation. Additionally, from the information provided in [REDACTED] letter and BCNR package, it was clear that NRD Detroit did not properly prepare or process her commissioning package. An error was made in establishing her commissioning date. We support adjusting her date of rank to 19 Dec 98 in order to reflect her proper commissioning date.

[REDACTED]

Director, Reserve Officer
Promotions, Appointments, and
Enlisted Advancement Division