



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

HD:hd  
Docket No: 04088-03  
29 July 2003

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

**Subj:** LCDR [REDACTED], USNR, [REDACTED]  
**REVIEW OF NAVAL RECORD**

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

**Encl:** (1) DD Form 149 dtd 1 Feb 03 w/attachments  
(2) PERS-911 memo dtd 12 Jun 03  
(3) PERS-80 memo dtd 27 Jun 03  
(4) Subject's naval record

1. Pursuant to reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show he accepted his commission as a lieutenant commander, Dental Corps (DC), U. S. Naval Reserve on 1 September 2002, rather than 28 October 2002; that his name be added to the list of eligibles for the Fiscal Year (FY) 04 Naval Reserve DC Commander Selection Board; and that he be promoted to commander accordingly. The Board did not consider Petitioner's request for promotion to commander, as he has not been selected to that grade by a duly constituted officer promotion selection board.

2. The Board, consisting of Messrs. Pauling, Pfeiffer and Zsalman, reviewed Petitioner's allegations of error and injustice on 24 July 2003, 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.

b. In correspondence at enclosure (2), the Navy Personnel Command (NPC) office with cognizance over Naval Reserve personnel administration has commented to the effect that Petitioner's request to change the acceptance date of his commission has merit and warrants approval. They state that if this request is approved, they will afford Petitioner consideration by a special selection board for the FY 04 Naval Reserve DC Commander Selection Board.

c. In correspondence attached as enclosure (3), the NPC office with cognizance over active and reserve officer career progression has commented to the effect that they concur with enclosure (2).

**CONCLUSION:**

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), 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 he accepted his commission as a lieutenant commander, Dental Corps, U. S. Naval Reserve on 1 September 2002, rather than 28 October 2002; and that his pay entry base date and anniversary date be adjusted accordingly.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. 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  
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  
Executive Director



DEPARTMENT OF THE NAVY  
NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

IN REPLY REFER TO  
5420  
Pers-911  
12 Jun 03

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

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

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS, ICD  
[REDACTED], USN, [REDACTED]

Encl: (1) BCNR memo 5420 Pers-00ZCB of 09 June 03

1. Enclosure (1) is forwarded with the following comments and recommendations concerning [REDACTED] request to adjust the date of acceptance of his Oath of Office.

2. Based on the information in [REDACTED] petition, we agree that there was an administrative oversight in the processing of his Oath of Office. L [REDACTED] letter, dated 23 August 2002, specifically states that his desire to receive a Naval Reserve commission.

3. Accordingly, we recommend that the date of acceptance on LCDR [REDACTED] h of Office be changed from 28 October 2002 to 1 September 2002. If approved, this will allow his record be considered by a special FY-04 Reserve O-5 Staff Corps Promotion Board. Records show he was deferred from the FY 04 Board because of the recorded break in service.

4. Point of contact in this matter is [REDACTED] DSN [REDACTED]

[REDACTED]  
Deputy Director, Naval Reserve  
Personnel Administration Division

4048-03



DEPARTMENT OF THE NAVY  
NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

5420  
PERS-80

27 JUN 2003

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  
LCDR [REDACTED]

Encl: (1) BCNR File 004088-03

1. Forwarded, recommending approval.
2. Concur with the recommendations of PERS-911.

[REDACTED]

Deputy Director, Active and  
Reserve Officer Career  
Progression Division