



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

HD:hd
Docket No. 02977-11
19 August 2011

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 21 Feb 11 w/attachments
(2) PERS-831 memo dtd 26 Apr 11
(3) CNRFC ltr dtd 1 Aug 11

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 that after his disenrollment from the Uniformed Services University School of Medicine on 13 July 2010, his reappointment on 14 July 2010 was in the grade of lieutenant in the Regular Navy with a date of rank of 14 July 2010 and designator of 1310, rather than in the grade of ensign in the Navy Reserve with a designator of 1315; and that when he was reappointed in the Navy Reserve on 24 February 2011, after his discharge from the Regular Navy, he was reappointed in the grade of lieutenant, designator 1315, rather than ensign, designator 1315, with a lieutenant date of rank of 14 July 2010, so that he will be eligible for a reaffiliation bonus.

2. The Board, consisting of Messrs. W. Hicks, Spooner and Swarens, reviewed Petitioner's allegations of error and injustice on 18 August 2011, 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 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 enclosures (2) and (3), the Navy Personnel Command and Navy Reserve Forces Command offices with cognizance over the subject matter of this case have commented to the effect 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 enclosures (2) and (3), the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show that his reappointment on 14 July 2010 was in the grade of lieutenant in the Regular Navy with a date of rank of 14 July 2010 and designator of 1310, rather than in the grade of ensign in the Navy Reserve with a designator of 1315.

b. That his record be corrected further to show that his reappointment in the Navy Reserve on 24 February 2011 was in the grade of lieutenant, designator 1315, rather than ensign, designator 1315, with a lieutenant date of rank of 14 July 2010; and that his lineal precedence be adjusted accordingly.

c. That he be granted a reaffiliation bonus on the basis of his corrected record.

d. 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