



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

HD:hd
Docket No. 05545-12
12 October 2012

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 25 Apr 12 w/attachments
(2) BUMED ltr dtd 25 Jul 12
(3) PERS-831 memo dtd 11 Sep 12

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 reflect at least three years of entry grade credit (EGC) for his Doctor of Philosophy degree. He also requested that his pay entry base date (PEBD) be adjusted accordingly.
2. The Board, consisting of Ms. Aldrich and Messrs. Chapman and Genteman, reviewed Petitioner's allegations of error and injustice on 12 October 2012, 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 Bureau of Medicine and Surgery and Navy Personnel Command offices with cognizance over the subject matter of Petitioner's case have commented to the effect the request has merit and warrants favorable action, specifically, awarding him three additional years of EGC, and adjusting his lieutenant date of rank accordingly from 17 May 2009 to 17 May 2006.

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 an error and injustice warranting partial relief, specifically, awarding Petitioner three additional years of EGC, and adjusting his lieutenant date of rank accordingly from 17 May 2009 to 17 May 2006. The Board finds that this correction will not affect Petitioner's PEBD, as it does not change the acceptance date of his commission as a lieutenant in the Medical Corps of the United States Navy. In view of the above, the Board directs the following limited corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show he was awarded three additional years of EGC.

b. That his naval record be corrected further to show the date of rank on his commission as a lieutenant in the Medical Corps of the United States Navy as 17 May 2006, rather than 17 May 2009; and that his lineal precedence be adjusted accordingly.

c. 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.

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.

e. That the remainder of Petitioner's request be denied.

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.

A handwritten signature in cursive script, appearing to read "W. Dean Pfeiffer".

For W. DEAN PFEIFFER
Executive Director