



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

[REDACTED]
Docket No. 6405-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED], USN,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) NAVMILPERSCOMINST 1900.1B of 11 Sep 86
(c) BUPERSINST 1900.8 of 28 Jun 93

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1070 PERS-312/DV of 18 Oct 21
(3) 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 his naval record be corrected show the entry date of his service on his Certificate of Release or Discharge from Active Duty (DD Form 214) effective 29 December 1995 reflect block 12a 6 November 1984 vice 18 January 1994. Petitioner completed 11 years, 1-month, and 23 days of active service.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 1 March 2022 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, 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. On 31 July 1984 Petitioner enlisted for 8 years in the Naval Reserve with an expiration of obligated service of 30 July 1992.

c. On 6 November 1984 Petitioner entered active duty for 3 years with an end of active obligated service (EAOS) of 5 November 1987 and soft end of active obligated service of 5 February 1988.

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED], USN,
XXX-XX-[REDACTED]

d. Petitioner was issued a DD Form 214¹ for the period of 6 November 1984 to 20 January 1988 in order to execute an immediate enlistment/reenlistment.

e. On 21 January 1988 Petitioner reenlisted for 6 years with an EAOS of 20 January 1994.

f. On 18 January 1994 Petitioner reenlisted for 4 years with an EAOS of 17 January 1998.

g. Petitioner was issued a DD Form 214² for the period of 18 January 1994 to 29 December 1995. Petitioner honorably retired due to Temporary Disability.

h. On 27 October 2000 COMNAVPERSCOM notified DFAS that as a result of physical evaluation board proceedings and by action of the Secretary of the Navy, Petitioner was removed from the Temporary Disability Retired List and effect discharge from the Naval Service by reason of physical disability with severance pay.

i. On 21 November 2000 the Commanding Officer, Naval Reserve Personnel Center notified Petitioner that he had been removed from the Temporary Disability Retired List and discharged from the naval service by reason of physical disability with severance pay effective 14 November 2000.

j. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that Petitioner's Official Military Personnel File (OMPF) reflects a period of active duty and DD Form 214 from 6 November 1984 to 20 January 1988. This period of active duty is calculated in block 12d (total prior active service) on the DD Form 214 for the period 18 January 1994 to 29 December 1995.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of references (b) and (c), the Board concluded that the advisory opinion is correct in that Petitioner's DD Form 214 for the period of 18 January 1994 to 29 December 1995 contains the total prior active service. The Board agreed that Petitioner has 11 years, 1 month, and 24 days of active service. Petitioner also has two DD Form 214s in his OMPF. However, the Board does not know if Petitioner was issued a DD Form 214 for the period of 21 January 1988 to 17 January 1994, or if his final DD Form 214 has errors. Therefore, the Board concluded that Petitioner's DD Form 214 for the period of 18 January 1994 to 29 December 1995 should be changed to reflect date entered active duty this period is 21 January 1988 vice 18 January 1994.

¹ In accordance with reference (b) [11 September 1986], the DD Form 214 is prepared to cover periods of service on active duty, temporary active duty, some periods of active duty for training, certain periods terminated by a change of status not concurrent with separation from active service, and release from a status that is legally determined to be void. The DD Form 214 will be prepared and furnished to members while serving on active duty when they have a change of status or component as follows: Discharged for the purpose of immediate enlistment or reenlistment.

² In accordance with reference (c) [28 June 1993], The DD 214 is prepared to cover periods of service on active duty, active duty for training, full-time training duty, active duty for special work, certain periods terminated by a change of status not concurrent with separation from active service, and release from a status that is legally determined to be void. The DD 214 will not be prepared or issued in the case of personnel: Who are discharged for immediate enlistment or reenlistment.

Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED], USN,
XXX-XX-[REDACTED]

RECOMMENDATION

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

Petitioner's DD Form 214 effective 29 December 1995 listed block 12a (Date entered active duty this period) "21 January 1988" vice "18 January 1994", and block 12c (Net active service this period) "7 years, 11 months, and 9 days" vice "1 year, 11 months, and 12 days", and block 12d (Total prior active service) "3 years, 2 months, and 15 days" vice "9 years, 2 months, and 12 days".

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.

3/24/2022

[REDACTED]
Deputy Director

Signed by: [REDACTED]