



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

[REDACTED]
Docket No. 3810-22
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MILPERSMAN 1000-030, 14 Mar 17

Encl: (1) DD Form 149 w/attachments
(2) 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 to show Petitioner's Active Duty Service Date (ADSD) as 7 December 2002 vice 29 May 2004.
2. The Board, consisting of [REDACTED] [REDACTED] [REDACTED] and [REDACTED] [REDACTED] reviewed Petitioner's allegations of error and injustice on 14 July 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 22 August 2001, Petitioner enlisted for 8 years in the U.S. Naval Reserve with an Expiration of Obligated Service of 21 August 2009.
 - c. On 3 October 2001, Petitioner entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 2 October 2005 and Soft End of Active Obligated Service (SEAOS) of 2 October 2006.
 - d. On 29 March 2006, Petitioner signed an agreement to extend enlistment for 36 months with an SEAOS of 2 October 2008 in order to match Petitioner's Projected Rotation Date with his EAOS.

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e. Petitioner was released from active duty and transferred to the Naval Reserve with a Honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 3 October 2001 to 2 October 2008 upon completion of required active service.

f. On 26 October 2008, Petitioner reenlisted for 6 years in the U.S. Naval Reserve with an Expiration of Reserve Enlistment of 25 October 2014.

g. Petitioner earned 15 and 16 points of Annual Training/Active Duty for Training (ADT) for anniversary years ending 21 August 2009 and 21 August 2010 respectively.

h. Petitioner was released from active duty and transferred to the Naval Reserve with a Honorable character of service and was issued a DD Form 214 for the period of 8 January 2010 to 29 June 2011 upon completion of required active service.

i. In accordance with contract information in Navy Standard Integrated Personnel System/Electronic Service Record, Petitioner reenlisted on 30 June 2011, 2 November 2012, and 25 May 2018 in the active component.

j. In accordance with reference (b), the ADSD is the actual or adjusted date from which the amount of active military service performed is calculated. The ADSD reflects all periods of active federal military service in commissioned officer, warrant officer, or enlisted status.

Members who have performed prior active military service: Subtract the total of the prior periods of active service from the date of entry on current tour of active duty. If there is lost time (see MILPERSMAN 1600-100 for definition of lost time), advance date by number of days of lost time

k. On 28 October 2021, Transaction Online Processing System states the sum of all prior active duty service including ADT training (15 and 16 days respectively) is 07 years 00 months, and 31 days, subtracting this sum from current ADSD of 30 June 2011, Petitioner's new re-established ADSD is June 2004.

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. The Board concluded that Petitioner was mobilized and was issued a DD Form 214 for the period of 8 January 2010 to 29 June 2011 upon completion of required active service. Petitioner's ADSD was not calculated to include this period of active duty.

RECOMMENDATION

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

Petitioner's ADSD is 7 December 2002 vice 29 May 2004.

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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.

7/30/2022

[REDACTED]

Deputy Director

[REDACTED]