



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

██████████  
Docket No. 3888-22  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN RET,  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) Title 10 U.S.C. § 6323

Encl: (1) DD Form 149 w/attachments  
(2) NPC ltr 5420 PERS-8 of 24 Aug 22  
(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 to reflect transferring to the Retired List effective 1 October 1992.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 6 September 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. Petitioner's Active Duty Service Date was 16 December 1965.

b. On 10 February 1992, Petitioner issued BUPERS Order 0412 (Official Retirement Order) with an effective date of 31 July 1992.

c. On 28 September 1992, Detaching Endorsement to Orders ██████████ (██████████ ██████████) was completed indicating Petitioner was retiring and detachment date was 30 September 1992.

d. On 30 September 1992, the Officer in Charge, ██████████, ██████████ issued a first endorsement on BUPERS order Nr 0412(01) of 21 July 1992.

e. Petitioner issued DD Form 214, Certificate of Release or Discharge from Active Duty reflecting Block 12b (Separation Date this Period) 30 September 1992; Block 12c (Net Active Service this Period) 26-years, 9-months and 14-days; Block 18 (Remarks) "Effective Date of

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[REDACTED]

Permanent Retirement: 01 OCT 1992”; and Block 25 (Separation Authority) “BUPERS Order NR 0412 (01) DTD 92JUL21.”

f. On 18 July 2022, Defense Finance and Accounting Service (DFAS) confirmed Petitioner’s “retirement date being used is 8/1/1992.”

g. 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 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 enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board determined Petitioner initially received retirement orders to transfer to the Retired List effective 1 August 1992 but days prior to retirement was issued a modification that extended his active duty service through 30 September 1992. Additionally, Petitioner’s record reflects continued active duty service through 30 September 1992, therefore, in accordance with reference (b), the Board concluded, relief is warranted.

#### RECOMMENDATION

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

Petitioner issued Modification to BUPERS Order: 0412 (Official Retirement Order) on 21 July 1992 transferring to the Retired List on “30 September 1992” vice “31 July 1992.”

Petitioner’s Current Retirement Date is “1 October 1992” vice “1 August 1992.”

Note: DFAS will complete an audit of Petitioner’s records to determine if due retroactive pay and allowances.

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.

9/16/2022

