



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

[REDACTED]
Docket No. 4688-22
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1070 PERS-312/DV, 22 Jul 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 show Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214) executed on 31 December 1995 shows 20 years of active duty service.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] 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, 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 29 October 1975 Petitioner enlisted in the Naval Reserve for 6 years with an expiration of obligated service of 28 October 1981, and entered active duty on 30 December 1975.

c. Petitioner was discharged with an honorable character of service and was issued a DD Form 214 for the period of 30 December 1975 to 28 September 1978 upon separation for immediate reenlistment, and reenlisted for 6 years on 29 September 1978 with an end of active obligated service (EAOS) of 28 September 1984.

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

d. Petitioner was discharged with an honorable character of service and was issued a DD Form 214 for the period of 29 September 1978 to 29 August 1984 upon within 3 months of expiration of enlistment, and reenlisted for 6 years on 30 August 1984 with an EAOS of 29 August 1990.

e. On 30 August 1990 Petitioner reenlisted based on his Enlisted Performance Record and Statement of Service.

f. On 14 February 1995 BUPERS reenlistment Management [REDACTED] notified [REDACTED], [REDACTED] that Petitioner's request for transfer to Fleet Reserve effective 31 December 1995 was authorized—completing 20 years and 1 day of active service.

g. Petitioner was transferred to the Fleet Reserve with an honorable character of service and was issued a DD Form 214 for the period of 30 August 1984 to 31 December 1995 upon having sufficient service for retirement.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of references (b)¹ and (c),² and enclosure (2),³ the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner was on continuous active duty from 30 December 1975 to 31 December 1995 with 20 years and 1 day of active service. Prior to 28 June 1993, a DD Form 214 was issued to service members discharged for the purpose of immediate enlistment or reenlistment. Petitioner's OMPF should contain four DD Form 214s, however, Petitioner was not issued a DD Form 214 upon his reenlistment on 31 May 1990. Furthermore, Petitioner's second DD Form 214 is largely illegible. Finally, Petitioner's final DD Form 214 should have only covered the period of 31 May 1990 to 31 December 1995. Therefore, the Board determined that Petitioner will be reissued the DD Form 214 executed on 29 August 1984, he will be issued a DD Form 214 for the period of 30 August 1984 to 30 May 1990 due to immediate reenlistment, and Petitioner's DD Form 214 executed on 31 December 1995 will be corrected to reflect block 12a (Date entered active duty this period) listed "31 May 1990" vice "30 August 1984".

¹ Reference (b), 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 Reference (c), 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.

³ 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 and issued a Correction to DD Form 214 (DD Form 215).

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

RECOMMENDATION

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

Petitioner was issued a DD Form 214 for the period of "29 September 1978" to "29 August 1984" due to immediate reenlistment.

Petitioner was issued a DD Form 214 for the period of "30 August 1984" to "30 May 1990" due to immediate reenlistment.

Petitioner's DD Form 214 executed on 31 December 1995 block 12a (Date entered active duty this period) listed "31 May 1990" vice "30 August 1984." Note: That any other entries affected by the Board's recommendation be corrected.

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.

[REDACTED] 15/2022

Deputy Director
Signed by: [REDACTED]