



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

[REDACTED]
Docket No. 7626-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED], USNR,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1900.2C

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 reflect promotion to Lieutenant (LT)/O-3 on DD Form 214N, Armed Forces of the United States Report of Transfer or Discharged ending on 28 November 1969.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 March 2023 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. On 28 November 1969, Petitioner released from active military service in the rank of Lieutenant Junior Grade (LTJG)/O-2 and issued DD Form 214N for the period of 23 September 1966 to 28 November 1969.

b. On 12 November 1970, Secretary of the Navy issued Petitioner temporary appointment to "Lieutenant in the Reserve of the U. S. Navy to rank from 1 October 1969 effective 1 October 1969."¹

¹ Reference (b), provided instruction for the preparation and distribution of the DD Form 214. The policy directed the abbreviation for grade or rate, and in parentheses, the pay grade in which separated was entered in the Grade, Rate, or Rank block. The Date of Rank block for officers, reflected the date of rank as distinguished from date of appointment.

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c. On 18 December 1970, Petitioner accepted temporary appointment to LT/O-2 in U.S. Naval Reserve (USNR).

d. On 3 May 1978, Chief of Naval Personnel issued Petitioner permanent appointment to the rank of "Lieutenant, U.S. Naval Reserve to rank from 1 October 1969; Petitioner accepted appointment on 31 August 1978.

e. On 1 February 1979, Secretary of the Navy accepted Petitioner's resignation from USNR.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded the DD Form 214N issued on 28 November 1969 was administratively correct. However, Petitioner was appointed to the rank of LT/O-2 after being released from active duty with a retroactive effective date during his active duty service period. Therefore, the Board felt, under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner will be issued a DD Form 215, correction to DD Form 214N ending on 28 November 1969 with Block 5a (Grade, Rate or Rank) "LT" vice "LTJG"; Block 5b (Pay Grade) "O-3" vice "O-2"; and Block 6 (Date of Rank) "1 OCT 69" vice "23 MAR 68."

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.

3/24/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]