



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

■  
Docket No. 8250-22  
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 of 28 Jun 93

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 was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) when he reenlisted on 3 September 1991.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 November 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. Petitioner was discharged with an Honorable character of service and was issued a DD Form 214 for the period of 1 September 1978 to 24 February 1982 upon immediate reenlistment.

c. Petitioner was discharged with an Honorable character of service and was issued a DD Form 214 for the period of 25 February 1982 to 26 December 1985 upon immediate reenlistment.

d. In accordance with 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

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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.

e. Petitioner was discharged with an Honorable character of service and was issued a DD Form 214 for the period of 27 December 1985 to 14 December 1989 upon immediate reenlistment.

f. On 15 December 1989, Petitioner reenlisted for 2 years with an End of Active Obligated Service (EAOS) of 14 December 1991.

g. On 3 September 1991, Petitioner reenlisted for 4 years with an EAOS of 2 September 1995.

h. In accordance with 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.

i. On 28 March 1994, Petitioner signed an agreement to extend enlistment for 21 months with an Soft End of Active Obligated Service (SEAOS) of 2 June 1997 in order to have sufficient obligated service to accept BUPERS order: [REDACTED].

j. Petitioner was transferred to the Fleet Reserve with an Honorable character of service and was issued a DD Form 214 for the period of 3 October 1994 to 31 October 1998 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) and (c) and enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner served on active duty continuously from 1 September 1978 to 31 October 1998. In accordance with reference (b), Petitioner should have been issued a DD Form 214 for the period of 15 December 1989 to 2 September 1991 due to immediate reenlistment. A DD Form 214 was not required upon Petitioner's reenlistment of 3 October 1994, however, Petitioner's DD Form 214 executed on 31 October 1998 should have covered the period from 3 September 1991 through 31 October 1998 vice 3 October 1991 to 31 October 1998.

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## RECOMMENDATION

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

Petitioner was issued a DD Form 214 for the period of 15 December 1989 to 2 September 1991 due to immediate reenlistment.

Petitioner's DD Form 214 executed on 31 October 1998 block 12a (Date entered active duty this period) listed "3 September 1991" vice "3 October 1994". 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.

11/21/2022

