

**DEPARTMENT OF HOMELAND SECURITY  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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Application for Correction of  
the Coast Guard Record of:

**BCMR Docket No. 2015-017**

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██████████ LT

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**FINAL DECISION**

This proceeding was conducted according to the provisions of 10 U.S.C. § 1552 and 14 U.S.C. § 425. After receiving the completed application on January 29, 2015, the Chair docketed the case and prepared the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision, dated November 20, 2015, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

**APPLICANT'S REQUEST AND ALLEGATIONS**

The applicant, a lieutenant (LT) on active duty in the Coast Guard, asked the Board to adjust his LT date of rank from December 15, 2008, the date he was originally promoted to LT, to October 27, 2010, to reflect the fact that he was temporarily separated from the Coast Guard for 1 year, 10 months, and 13 days from December 16, 2009, to October 28, 2011, under the Coast Guard's Temporary Separation Program. The applicant also asked the Board for the following related relief:

- Adjust his position on the active duty promotion list (ADPL) in accordance with his new date of rank;
- Correct his date of rank on the officer evaluation reports (OERs) he has received since returning to active duty on October 29, 2011;
- Remove his non-selections for promotion by the lieutenant commander (LCDR) selection boards that convened in 2014 and 2015 because, he alleged, if his date of rank had been properly adjusted when he returned to active duty on October 29, 2011, he would not have been in the zone for promotion to LCDR in 2014 and 2015; and
- Correct the Continuity OER in his record to reflect his break in service from December 16, 2009, to September 28, 2010—the period that he was not a member of either the Regular or Reserve Coast Guard—instead of the period December 16, 2009, to October 28, 2011—the entire period that he was off active duty.

The applicant explained that in April 2009, after being promoted to LT on December 15, 2008, he submitted a request to resign his commission under the Temporary Separation Program as of December 15, 2009. He stated that all personnel who submit such a request “automatically go in front of a panel to receive a Reserve commission.”

The applicant’s request was approved and on June 15, 2009, the Personnel Command issued his separation orders to leave active duty on December 15, 2009, subject to the Secretary’s acceptance. On November 19, 2009, he was informed that his request for a Reserve commission had been approved by the Secretary, and he was given the following instruction:

If you accept this appointment, please sign and completely fill out both original Acceptance and Oath of Office forms (CG-9556). You have up to two years from your date of discharge under Article 12-F-5 of Title 10 & 1203(a) to initiate your Reserve Acceptance and Oath of Office forms.

The applicant stated that pursuant to his orders and this instruction, he separated from active duty under the Temporary Separation Program on December 15, 2009, and he opted to wait until September 28, 2010, to complete the Reserve Acceptance and Oath of Office form. Because he waited, he had a break in military service during which he held no commission at all from December 16, 2009, through September 27, 2010. However, when he signed the form to enter the Reserve on September 28, 2010, his LT date of rank was not properly adjusted to reflect this break in service and remained December 15, 2008. In addition, although he requested a billet in the Selected Reserve, he was not offered one until shortly before he was scheduled to return to active duty in October 2011.

The applicant stated that in April 2011, he initiated his return to active duty, and he received orders to return to active duty as a commissioned LT on October 29, 2011. Before returning to active duty, he contacted the Officer Personnel Management (OPM) division of the Personnel Service Center and reminded them that his date of rank should be adjusted to account for his break in service, but OPM failed to do so. Therefore, when he returned to active duty on October 29, 2011, his date of rank erroneously remained December 15, 2008.

The applicant stated that following his non-selection for promotion in 2014, he was advised that his date of rank had not and should have been adjusted to account for his break in service. He alleged that under Article 1.E.2. of the Military Separations Manual, COMDTINST M1000.4, an officer accumulates time in service and his date of rank does not change during a temporary separation if the officer immediately affiliates with the Reserve upon separation, but if the officer does not affiliate with the Reserve immediately, there is a break in service and so his date of rank must be adjusted if he returns to military service. Therefore, the applicant claimed, that his date of rank should have been adjusted to October 27, 2010. In support of this claim, the applicant submitted documents from his military record, which are included in the summary below, and the Coast Guard’s Frequently Asked Questions for the Temporary Separation Program, which state the following in pertinent part:

**How does Temporary Separation affect my Date of Rank (DOR)/precedence on the Active Duty Promotion List (ADPL)?**

An officer separated under this policy may lose precedence on the Active Duty Promotion List (ADPL) according to the following:

If affiliated with the Reserves:

- An officer appointed to the same grade last held on Active Duty will maintain the same ADPL Date of Rank when re-commissioned as a regular, permanent officer. These Officers will be given the same precedence as before he/she left. They will be returned to the same relative position on the ADPL list if that list is still in effect. If not, they will be placed based on their DOR. ...

If not affiliated with the Reserves:

- An officer appointed to the same grade last held on Active Duty, who did not affiliate with the Reserve corps, would receive a new Date of Rank based on constructive credit. Computations are based on the methods prescribed in the Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series). ...
- Once the new date of rank is established, an officer returning under this program with an adjusted Date of Rank or appointed to a higher grade will usually be given the highest precedence for that Date of Rank.

**SUMMARY OF THE RECORD**

The applicant enlisted in the Coast Guard on June 25, 2002, and incurred an eight-year military service obligation (MSO) through June 24, 2010.<sup>1</sup> Thereafter, he attended Officer Candidate School and was commissioned an ensign on [REDACTED]. He was timely promoted to lieutenant junior grade eighteen months later on [REDACTED] and promoted to lieutenant on [REDACTED].

On November 16, 2009, PSC sent the applicant a memorandum informing him that his request for a Reserve commission had been approved and that it would become effective on December 16, 2009, because his last day on active duty would be December 15, 2009. The memorandum states that officers separating under the Temporary Separation Program have two years from their date of discharge to execute the Reserve Acceptance and Oath of Office form. The memorandum further states the following:

If you have time remaining on your Initial Military Obligation (IMO) your active duty separation orders from CG PSC-OPM-1F indicated that accepting a Reserve commission is/was a condition for approving your resignation. Under 14 U.S.C. 182 and 10 U.S.C. 651 **you are required to have a Reserve commission**. You SHALL initiate your Reserve Acceptance and Oath of Office forms (CG-9556) as soon as possible.

The applicant's separation orders, issued on June 15, 2009, do not state that approval of his resignation was conditional upon his accepting a Reserve commission. Instead they state,

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<sup>1</sup> 10 U.S.C. § 651(a); DODI 1304.25 (applicable to Coast Guard).

“mbr has completed at least 90% of the initial period of obligated service.” His DD 214 shows that his last day on active duty prior to his temporary separation was December 15, 2009. The block on his DD 214 for his MSO date states “NA” for not applicable.

The applicant’s Reserve Acceptance and Oath of Office shows that he signed it on September 28, 2010, and shows December 15, 2008, as his LT date of rank. (Contrarily, the Coast Guard’s database shows that he was assigned to the Individual Ready Reserve (IRR) on December 16, 2009, his first day off active duty.) According to an email in the record, in November 2010, the applicant requested a billet in the Selected Reserve so that he could drill regularly, but he was not offered a billet in the Selected Reserve until October 2011, by which point he was returning to active duty.

The applicant returned to active duty on October 29, 2011. Based on his LT date of rank of December 15, 2008, his record was reviewed by the LCDR selection boards that convened in August 2014 and 2015, but he was not selected for promotion.

### **VIEWS OF THE COAST GUARD**

On August 14, 2015, the Judge Advocate General of the Coast Guard (JAG) submitted an advisory opinion in which he recommended that the Board grant relief in this case.

The JAG stated that the Coast Guard’s policy is somewhat ambiguous and that it appears the policy was not properly followed in the applicant’s case. The JAG recommended that the applicant’s date of rank be adjusted to take into account the entire period he was not on active duty from December 16, 2009, through October 28, 2011. The JAG stated that while the Coast Guard’s policy is not clear, the applicant reasonably expected to return to active duty with an adjusted date of rank given the policies articulated in Article 12.F. of the Personnel Manual in effect in 2009, when the applicant requested and began his temporary separation.

The JAG stated that pursuant to Article 12.F.3.a.1., the applicant’s record should have been reviewed by a LCDR selection board only when he became eligible for consideration based on an adjusted date of rank. However, PSC did not adjust his date of rank and so he was erroneously considered to be in the zone for selection in 2014. Therefore, the JAG recommended that the Board grant the following relief:

- Adjust the applicant’s LT date of rank to October 27, 2010.
- Adjust his position on the ADPL in accordance with his new date of rank.
- Remove his non-selection for promotion to LCDR in 2014.
- Correct his date of rank on all OERs he has received since his return to active duty to reflect his adjusted date of rank.
- Correct the Continuity OER in his record to reflect his break in service.

### **APPLICANT’S RESPONSE TO THE VIEWS OF THE COAST GUARD**

On September 8, 2015, the applicant responded to the views of the Coast Guard and agreed with them. In addition, the applicant noted that while his BCMR case was pending in August 2015, he was again considered for promotion by the LCDR selection board. As the results of the selection board had not yet been released, he asked to be allowed to retain the promotion if selected for

promotion by this board but to have the non-selection removed from his record if not selected for promotion by this board.

On September 28, 2015, the applicant notified the BCMR staff that he was not selected for promotion in August 2015 and asked for this non-selection to be removed from his record. He alleged that if his date of rank had been properly adjusted to October 27, 2010, he would not have been in the zone for consideration by this selection board.

Upon further inquiry by the BCMR staff, the Coast Guard stated that with an adjusted date of rank of October 27, 2010, the applicant would not have been in zone for selection for promotion in 2014 and 2015 and that his first (“in zone”) LCDR selection board would be in August 2016.

## **APPLICABLE LAW AND POLICY**

### ***Statutes***

Title 14 U.S.C. § 41a states the following about regular officers’ precedence:

- (a) The Secretary shall maintain a single active duty promotion list of officers of the Coast Guard on active duty in the grades of ensign and above. ...
- (b) Officers shall be carried on the active-duty list in the order of seniority of the grades in which they are serving. Officers serving in the same grade shall be carried in the order of their seniority in that grade. The Secretary may correct any erroneous position on the active duty promotion list that was caused by administrative error.
- (c) A person appointed in the grade of ensign or above in the Regular Coast Guard shall be placed on the active duty promotion list in the order of his date of rank and seniority.

Title 14 U.S.C. § 725 states the following about Reserve officers’ precedence:

- (a) Reserve officers rank and take precedence in their respective grades among themselves and with officers of the same grade on the active duty promotion list and the permanent commissioned teaching staff in accordance with their dates of rank. When Reserve officers and officers on the active duty promotion list or the permanent commissioned teaching staff have the same date of rank in a grade, they take precedence as determined by the Secretary.
- (b) Notwithstanding any other law, a Reserve officer shall not lose precedence when transferred to or from the active duty promotion list, nor shall that officer's date of rank be changed due to the transfer.

### ***Temporary Separation Policy***

Article 12.F. of the Personnel Manual in effect in 2009 contained the following rules for the Coast Guard’s Temporary Separation Program:

#### **12.F.1. General**

1. The Temporary Separation policy allows Coast Guard members to temporarily separate and pursue growth or other opportunities outside the service, while providing a mechanism for their return to active duty. The long-term intent of this program is to retain the valuable experience and training our members possess that might otherwise be lost. Under this policy, career oriented

officers and enlisted members are allowed a onetime separation from Active Duty for up to two years

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## 12.F.2. Discussion

1. This policy allows:

- a. A member to separate with a guarantee of reenlistment or a new officer appointment upon return to Active Duty on meeting physical and other qualifying standards.
- b. A member to affiliate with the Reserves while in a temporary separation status.

2. A member separated under this policy will not receive any pay, allowances or Active Duty retirement points ...

3. In respect to advancement or appointment, the following applies:

- a. An officer separated under this policy will lose precedence on the Active Duty Promotion List (ADPL) and the following will apply:
  - (1) Upon return to active duty, an officer not previously considered for promotion to the next higher grade on the ADPL will go before the next selection board for which the officer is eligible for consideration based on the officer's adjusted date of rank.

4. If member affiliates with the Reserve during the up to 2 years separation under temporary separation, the member may receive pay for drills, ADT, ADSW, and SELRES affiliation bonus. Members will accumulate time in service while affiliated with the Reserve. Members will also receive qualifying service time creditable for Reserve retirement provided they meet the minimum points outlined in the Reserve Policy Manual, COMDTINST M1001.28 (series).

5. Temporary separation options. See Figure 12.F.2.1. [Figure 12.F.2.1. shows that an officer who does not affiliate with the Reserve during a temporary separation returns to active duty with adjusted date of rank and that an officer who affiliates with the Reserve during a temporary separation also returns to active duty with an adjusted date of rank.]:

- a. Officer and Enlisted: No Reserve Affiliation. For career members who do not desire to affiliate with Reserve during the temporary separation and desire guaranteed return to Active Duty within two years of discharge.
- b. Officer: From Active Status to Reserve Status.
  - (1) An officer may join the Reserve during the up to 2 years' separation under temporary separation with a guarantee to return to Active Duty as a permanent Regular officer with a modified DOR.
  - (2) Officers who choose to join the Reserve are subject to Reserve mobilization call-ups.
  - (3) While serving in the Reserves, the officer may request extended Active Duty with no loss of numbers based on the needs of the Service; however, this action will terminate the temporary separation agreement.
  - (4) An officer's date of rank would not change for officers who immediately affiliate with the Reserve upon separation from active duty. ...

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## 12.F.3. General Provisions

### 12.F.3.a. Separation

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9. If not included in the original request for temporary separation, the applicant should submit a Notice of Intent in the format provided in Figure 12.F.3.1. at least three months prior to departing under the temporary separation policy if he or she desires to affiliate with the Reserve. Members who do not immediately affiliate with the Reserves upon temporary separation, may request to affiliate anytime during the temporary separation period.

**12.F.3.c. Subsequent Appointment Process for Former Officers Returning to Active Duty After Temporary Separation (For members with no Reserve affiliation)**

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11. The person will be appointed to the same grade last held on Active Duty as follows:
  - a. Such person shall be credited at the time of the subsequent appointment with any Active Duty commissioned service in grade he or she performed in the Coast Guard before subsequent appointment to the same grade.
  - b. Such person who is receiving a subsequent appointment shall receive a new date of rank based on constructive credit for Active Duty commissioned service previously served in that grade in the Coast Guard.
  - c. In determining a member's service time for computing time in grade under this section, each year, month and day is counted. Computations are based on the methods prescribed in the Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).

***Other Policies***

The Personnel and Pay Procedures Manual, HRSICINST, which is cited in Article 12.F. of the Personnel Manual, provides rules for determining the dates of rank of enlisted members, but the rules do not clearly apply to officers. For example, the procedures in Appendix C provide that to determine a date of rank, you subtract periods of creditable service in the Coast Guard and Coast Guard Reserve from "the date of latest advancement or most current date of rank or the list of the date of latest enlistment" but that "[m]embers with broken service (out of service over three months) will have their Date of Rank based on the effective date of their reenlistment." All the examples provided involve enlisted members' dates of rank.

Article 1.H.2.d.1. of the Personnel Manual states that if a former active duty officer applies for a Reserve commission, "[i]f applicant is approved with an appointment to the same grade, the date of rank shall remain the same if the applicant resigned their commission from active duty." This policy does not address whether the officer has had a break in service.

**FINDINGS AND CONCLUSIONS**

The Board makes the following findings and conclusions on the basis of the applicant's military record and submissions, the Coast Guard's submission, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to 10 U.S.C. § 1552. The applicant was timely.

2. The applicant alleged that based on an erroneous LT date of rank, he has been prematurely considered "in zone" for promotion by the LCDR selection boards that convened in 2014 and 2015 and was therefore erroneously considered and ultimately not selected for promotion by those boards. When considering allegations of error and injustice, the Board begins its analysis by presuming that the disputed information in the applicant's military record is correct as it appears in his record, and the applicant bears the burden of proving by a preponderance of the evidence that the disputed information is erroneous or unjust.<sup>2</sup> Absent evidence to

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<sup>2</sup> 33 C.F.R. § 52.24(b).

the contrary, the Board presumes that Coast Guard officials and other Government employees have carried out their duties “correctly, lawfully, and in good faith.”<sup>3</sup>

3. The Coast Guard has stated that its regulations about temporary separations are ambiguous about whether and how the applicant’s LT date of rank should have been adjusted based on the circumstances of his temporary separation, delayed Reserve Oath of Office, and return to active duty. The regulations are not a model of clarity because they appear to address only situations in which an officer either (a) never accepts a Reserve appointment during his temporary separation, in which case his date of rank is adjusted, or (b) immediately accepts a Reserve appointment, in which case his date of rank is not adjusted. The regulations in the Personnel Manual do not clearly state whether or how the date of rank should be adjusted when an officer delays signing the Reserve Oath of Office until part way through his temporary separation, as the applicant did pursuant to the instructions he received in PSC’s memorandum dated November 16, 2009, and Article 12.F.3.a.9. of the Personnel Manual:

- Article 12.F.2.3.a.(1) states that an officer loses precedence on the ADPL during a temporary separation and will go before a selection board for the next grade based on an adjusted date of rank.
- Article 12.F.2.4. states that during a temporary separation, members “will accumulate time in service while affiliated with the Reserve” but does not mention time in grade.
- Figure 12.F.2.1. shows that the date of rank of an officer is adjusted whether or not he affiliates with the Reserve.
- Article 12.F.2.5.b.(4) provides that an officer’s date of rank is not adjusted if he immediately affiliates with the Reserve upon separation from active duty.
- Article 12.F.3.c.11. provides that officers who do not affiliate with the Reserve during temporary separation receive an adjusted date of rank based on their prior period of active duty in the same grade.

These regulations indicate that an officer’s date of rank will only remain the same only if he immediately affiliates with the Reserve upon separation from active duty and that, otherwise, his date of rank will be adjusted. The regulations do not clearly state how to adjust the date of rank of an officer who affiliates with the Reserve part way through a temporary separation. Specifically, the regulations do not state whether to adjust the date of rank for just the break in service or to adjust the date of rank for the entire period the officer is off active duty, including his time as a Reserve officer.

4. When the applicant enlisted on June 25, 2002, he incurred an eight-year initial military service obligation, as all members do.<sup>4</sup> Because this obligation did not end until June 24, 2010, it appears to the Board that the applicant’s temporary separation orders, issued on June 15, 2009, should have stated that his separation on December 15, 2009, was conditional upon accepting a Reserve commission by signing the Acceptance and Oath of Office form, as indicated in the memorandum approving his temporary separation:

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<sup>3</sup> *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

<sup>4</sup> 10 U.S.C. § 651(a); DODI 1304.25 (applicable to Coast Guard).

If you have time remaining on your Initial Military Obligation (IMO) your active duty separation orders from CG PSC-OPM-1F indicated that accepting a Reserve commission is/was a condition for approving your resignation. Under 14 U.S.C. 182 and 10 U.S.C. 651 **you are required to have a Reserve commission**. You SHALL initiate your Reserve Acceptance and Oath of Office forms (CG-9556) as soon as possible.

The applicant's separation orders, however, do not indicate that accepting a Reserve commission was a condition for approving his resignation. Instead, the orders note that he had completed at least 90% of his initial obligation, and so he was discharged on December 15, 2009, without being required to accept the Reserve commission. Moreover, he was advised in writing that he could delay signing the Reserve Acceptance and Oath of Office for up to two years. The Board finds that if the applicant's failure to execute his Reserve Acceptance and Oath of Office immediately on December 16, 2009, constitutes an error, that error is attributable not to the applicant but to the administrators who issued the unconditional separation orders.

6. Because the Coast Guard discharged the applicant on December 15, 2009, he had a break in service from December 16, 2009, to September 27, 2010—a period of 9 months, 12 days. He signed his Reserve Acceptance and Oath of Office on September 28, 2010, and so was a LT in the Reserve from that date through October 28, 2011. On October 29, 2011, he returned to active duty. The relief requested by the applicant and recommended by the Coast Guard—adjusting his date of rank from December 15, 2008, to October 27, 2010—would adjust his date of rank not by the 9 months and 12 days of his break in service, but by the entire 1 year, 10 months, and 13 days he was off active duty, including his 1 year, 1 month, and 1 day as a Reserve LT from September 28, 2010, through October 28, 2011. Although not counting time as a Reserve LT toward the applicant's time in grade as a LT seems anomalous, the Board notes that after he signed the Reserve Acceptance and Oath of Office in September 2010 and asked to affiliate with the Selected Reserve, the applicant was not offered a billet until a couple of weeks before he was scheduled to return to active duty in October 2011. Therefore, he did not have a substantial opportunity to serve and earn a substantive OER as an officer in the Selected Reserve.

7. Title 14 U.S.C. § 41a states that officers in the same grade must be listed on the ADPL “in the order of their seniority in that grade.” Because this statute does not clearly address breaks in service or time in grade on the IDPL, the Coast Guard's recommendation does not appear to violate 14 U.S.C. § 41a.

8. Title 14 U.S.C. § 725(a) states that “Reserve officers rank and take precedence in their respective grades among themselves and with officers of the same grade on the active duty promotion list ... in accordance with their dates of rank,” while § 725(b) states that “[n]otwithstanding any other law, a Reserve officer shall not lose precedence when transferred to or from the active duty promotion list, nor shall that officer's date of rank be changed due to the transfer.” The applicant did not immediately transfer from active duty to the Reserve in December 2009, however; he had a break in service. Moreover, he returned to active duty not as a Reserve officer but as a Regular officer in 2011. Accordingly, the Coast Guard's recommendation does not appear to violate 14 U.S.C. § 725.

9. Besides recommending that the Board adjust the applicant's LT date of rank to October 27, 2010, and his position on the ADPL accordingly, the Coast Guard also recommended correcting his date of rank on the OERs he has received since returning to active duty; correcting his Continuity OER to reflect his break in service; and removing his non-selection for promotion to LCDR in 2014. With regards to these three recommendations, the Board finds the following:

- a) Because the applicant has been serving as a lieutenant since his return to active duty and was evaluated on the OERs as a lieutenant, his LT date of rank should be corrected on the OERs he has received since returning to active duty.
- b) The applicant's current Continuity OER states that he was in the Individual Ready Reserve and the "period of report" covers the entire period he was off active duty from December 16, 2009, through October 28, 2011. However, he was not a Regular or Reserve officer from December 16, 2009, through September 27, 2010, and he entered the Individual Ready Reserve upon signing the Acceptance and Oath of Office on September 28, 2010. Under Article 10.A.3.a.5. of the Personnel Manual, an officer in the Individual Ready Reserve should receive a Continuity OER (one without substantive performance marks), but there is no provision that allows a Continuity OER to cover a period when the person is not an officer at all. Therefore, the applicant's Continuity OER should be corrected so that the period of report is September 28, 2010, through October 28, 2011. The date of rank on this Continuity OER should not be changed, however, in accordance with Article 1.H.2.d.1. of the Personnel Manual.
- c) The Coast Guard stated in the advisory opinion that with a correctly adjusted LT date of rank, the applicant would not have been "in zone" for promotion in 2014 and so his non-selection for promotion in 2014 should be removed from his record. While this case was pending, the applicant was also non-selected for promotion in 2015, and the Coast Guard has stated that he would not have been "in zone" and considered for promotion until August 2016 if his LT date of rank had been properly adjusted. Therefore, the Board finds that the applicant's two non-selections for promotion in 2014 and 2015, by the PY2015 and PY2016 LCDR selection boards, respectively, should be removed from his record.

10. Given the circumstances of this case, the Board finds that the applicant has proven by a preponderance of the evidence that his unadjusted LT date of rank and subsequent non-selections for promotion in 2014 and 2015 are unjust and should be removed and that the start date on his Continuity OER is erroneous. Therefore, the Board should grant the following relief:

- Adjust the applicant's LT date of rank since his return to active duty to October 27, 2010.
- Adjust his position on the ADPL in accordance with his new date of rank.
- Correct his date of rank to October 27, 2010, on all the OERs he has received since his return to active duty on October 29, 2011.
- Correct the reporting period of the Continuity OER in his record to cover just his time in the Individual Ready Reserve from September 28, 2010, through October 28, 2011.
- Remove his non-selections for promotion to LCDR in 2014 and 2015 by the PY2015 and PY2016 LCDR selection boards.

**(ORDER AND SIGNATURES ON NEXT PAGE)**

**ORDER**

The application of LT [REDACTED], USCG, for correction of his military record is granted as follows: The Coast Guard shall correct his record by—

- Adjusting his LT date of rank since his return to active duty to October 27, 2010;
- Adjusting his position on the ADPL in accordance with this new date of rank;
- Correcting his date of rank to October 27, 2010, on all the OERs he has received since his return to active duty on October 29, 2011;
- Correcting the reporting period of the Continuity OER in his record to cover just his time in the Individual Ready Reserve from September 28, 2010, through October 28, 2011; and
- Removing as null and void his non-selections for promotion to LCDR in 2014 and 2015 by the PY2015 and PY2016 LCDR selection boards, respectively.

November 20, 2015

