



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 00077-01
6 April 2001

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

Subj: LTJG [REDACTED] USNR, [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 4 Jan 00 (sic) w/attachments
(2) PERS-85 memo dtd 2 Mar 01
(3) Subject's naval record

1. Pursuant to reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show 19 vice 20 December 1998 in blocks 14 (permanent grade date) and 16 (present grade date) of his Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) for his commission as an ensign in the Naval Reserve. These blocks reflect his ensign date of rank.
2. The Board, consisting of Messrs. Chapman, Shy and Zs Salman, reviewed Petitioner's allegations of error and injustice on 5 April 2001, 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, naval records, 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. In correspondence attached as enclosure (2), the Navy Personnel Command (NPC) office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request to change his ensign date of rank to 19 December 1998 has merit and warrants favorable action.
 - c. Petitioner has been promoted to lieutenant junior grade with a date of rank and effective date of 20 December 2000. Had his ensign date of rank been established as 19 December 1998, the date of rank and effective date of his promotion would have been 19 December 2000.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2) and their findings at paragraph 3.c above, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show 19 December 1998 vice 20 December 1998 in blocks 14 (permanent grade date) and 16 (present grade date) of his Officer Appointment Acceptance and Oath of Office (NAVCRUIT 1000/20) for his commission as an ensign in the Naval Reserve, thereby establishing his ensign date of rank as 19 December 1998 vice 20 December 1998.

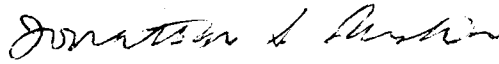
b. That his record be corrected further to show the date of rank and effective date of his promotion to lieutenant junior grade as 19 December 2000 vice 20 December 2000; and that his lineal precedence be adjusted accordingly.

c. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

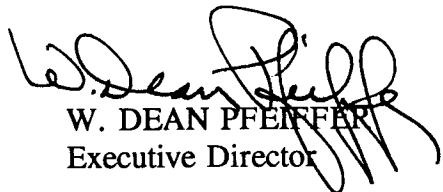
d. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director

00077-01



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
Pers 85
02 Mar 01

MEMORANDUM FOR BCNR

Via: BUPERS/BCNR Coordinator

Subj: LTJG [REDACTED] USNR, [REDACTED]

Ref: (a) DD Form 214 ICO LTJG [REDACTED] of 18 Dec 98
(b) Officer Appointment Acceptance and Oath of Office
ICO [REDACTED] of 19 Dec 98

Encl: (1) BCNR File

1. Enclosure (1) is returned recommending approval of LTJG [REDACTED] CNR request.

2. Per ref (a), [REDACTED] signed DD Form 214 on 18 Dec 98. Per ref (b), the member signed an Officer Appointment Acceptance and Oath of Office on 19 Dec 98. An administrative error in blocks 14 and 16 of ref (b) show a date of 20 Dec 98, causing an error in date of rank as an Ensign and a break in service.

3. Recommend [REDACTED]'s Ensign date of rank be corrected to 19 Dec 98.

[REDACTED]

BCNR Liaison, Officer Promotions
And Enlisted Advancements Division