



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

HD:hd  
Docket No: 00832-03  
4 June 2003

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

Subj: CWO [REDACTED], III, USN, RE [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 31 Jan 03 w/attachments  
(2) PERS-80 memo dtd 19 Mar 03 w/enclosure  
(3) PERS-822 memo dtd 24 Apr 03  
(4) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show his retirement on 30 June 1990 was in the grade of chief warrant officer 4 (CWO4), vice chief warrant officer 3 (CWO3).

2. The Board, consisting of Messrs. Dunne and Swarens and Ms. Nofziger, reviewed Petitioner's allegations of error and injustice on 30 May 2003, 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 has merit and warrants favorable action.


CONCLUSION:

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

RECOMMENDATION:

- a. That Petitioner's naval record be corrected, where appropriate, to show his retirement on 30 June 1990 was in the grade of CWO4, vice CWO3.
  - b. 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.
  - c. 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



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

5420  
PERS-80  
**19 MAR 2003**

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN CASE OF  
[REDACTED], US [REDACTED]

Encl: (1) BCNR File 00832-03 w/Service Record  
(2) Copy Officer Attrition File

1. Enclosures (1) and (2) are forwarded recommending approval.

2: [REDACTED] request is warranted. In addition, he should be  
entitled to any pay and allowances associated with this change  
following the adjudication of his date [REDACTED]

[REDACTED]

Director, Active and Reserve  
Officer Career Progression  
Division



DEPARTMENT OF THE NAVY

BUREAU OF NAVAL PERSONNEL

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1811

PERS-822

24 Apr 03

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: Assistant for BCNR Matters, PERS-00ZCB

Subj: COMMENTS AND RECOMMENDATION [REDACTED]

Ref: (a) NPC memo 5420 PERS-00ZCB of 21 Mar 03  
(b) SECNAVINST 1811.3M

Encl: (1) BCNR file

1. Reference (a) request comments and recommendation in subject officer's case. Specifically, Petitioner requests correction to his retired pay grade to CWO4 vice CWO3.
2. Per reference (b), member served the required time-in-grade on active duty as CWO4 and was entitled to receive retired pay and allowances as CWO4. We recommend [REDACTED] retired pay grade be changed to CWO4.
3. Enclosure (1) is returned.

[REDACTED]

Asst Branch Head,  
Officer Retirements