



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

HD:hd
Docket No: 00917-03
29 April 2003

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

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

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

Encl: (1) DD Form 149 dtd 28 Jan 03 w/attachments
(2) Pers-911 memo dtd 1 Apr 03
(3) 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 that she accepted her commission as a lieutenant, U. S. Naval Reserve, on 1 October 2002, vice 4 October 2002.
2. The Board, consisting of Messrs. Kim, Pauling and Rothlein, reviewed Petitioner's allegations of error and injustice on 24 April 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 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 that she accepted her commission as a lieutenant, U. S. Naval Reserve, on 1 October 2002, vice 4 October 2002; and that her anniversary date and pay entry base date be adjusted accordingly.

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

917-03



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

5420
Pers-911C
01 Apr 03

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF
[REDACTED] USNR [REDACTED]

Encl: (1) BCNR memo 5420 Pers-00ZCB of 04 Mar 03

1. Enclosure (1) is returned with the following comments and recommendations concerning [REDACTED] request to have the acceptance date on her Naval Reserve Oath of Office back-dated to 1 October 2002 to show continuous service.

2. Based on the information, [REDACTED] petition, we agree that there was an administrative oversight in the processing of her Oath of Office upon separation from the active duty 30 September 2002. Her command should have insured that the acceptance date on the Oath of Office was 1 October 2002 so she maintained continuous service.

3. [REDACTED] Oath of Office is currently on file in her permanent record at Navy Personnel Command. We recommend that the date of acceptance on the Oath of Office be changed from 4 October 2002 to 1 October 2002. [REDACTED] request is approved, we will submit a corrected Oath of Office and a corrected statement of service. We will also adjust her Pay Entry Base Date.

4. If you have further questions concerning this matter, please contact [REDACTED]

[REDACTED]
Deputy Director,
Naval Reserve Personnel
Administration Division