



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

[REDACTED]  
Docket No. 6609-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USNR,  
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) BUPERSINST 1900.8E, 27 Aug 18

Encl: (1) DD Form 149 w/attachments  
(2) Advisory Opinion by U.S. Navy Pay And Personnel Support Center (NPPSC)  
Memorandum 7220 N1, 6 Feb 24  
(3) 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 separated from active service on 31 August 2022 vice 1 August 2022.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 May 2024 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. On 26 August 2021, Commanding Officer, [REDACTED] notified Commander, Navy Personnel Command (PERS-451) via First Endorsement on Petitioner's letter of 26 July 2021 that "Forwarded, recommending approval for 1 July 2022 separation from Active Duty. I certify that all information provided by [REDACTED] is correct and meets all requirements. Member's billet cannot be gapped, and a qualified relief is required. Member has been counseled on Navy Reserve opportunities and benefits."

b. On 21 January 2022, Petitioner signed a Service Member Pre-Separation/Transition Counseling and Career Readiness Standards EFORM For Service Members Separating, Retiring,

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Released from Active Duty (REFRAD) with an anticipated date of separation of 1 July 2022 and certified by a transition counselor on 8 February 2022.

c. On 7 February 2022, Separations Questionnaire (NPPSC 1900/1) was created with a separation date of 1 August 2022 and certified by both Medical and Dental Officers.

d. On 15 February 2022, Petitioner was issued official separation orders (BUPERS order: 0462) while stationed in [REDACTED] A with an effective date of departure of August 2022. Furthermore, the following was listed: "By direction of the president, the Secretary of the Navy has accepted your resignation of your present commission in the U.S. Naval service submitted on 21 June 2021, to take effect at 2400 on date of detachment from activity at which separated. Present Commanding Officer directed to detach member in time to permit separation processing not later than 31 August 2022 in accordance with MILPERSMAN 1050-300 series."

e. On 16 February 2022, in accordance with Navy Standard Integrated Personnel System (NSIPS), Retirements and Separations-Request, under Separation Program Designator, SPD: FBK Completion of Required Active Service was listed. Under Final Approval Determination/Comment, Determination: Approved, Requested Date: 1 July 2022, and Approved Effective Date: 31 August 2022 was listed.

f. On 5 May 2022, Petitioner submitted a Leave Request/Authorization (NAVCOMPT Form 3065) requesting separation/retirement leave for the period of 5 July 2022 to 1 August 2022. Petitioner's requested was approved on 5 May 2022.

g. Petitioner was issued a [REDACTED] Military Check-Out Sheet with a Check Out Date of 1 July 2022 and Separation Date of 1 August 2022.

h. On 11 August 2022, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPER 1000/4) in the active U.S. Naval Reserve as a Lieutenant Commander with a day of rank 1 September 2018 with a designator code of 2105 (Staff Corps Officer billet requiring Medical Service (Staff Corps Officer billet Code 2 - Operational Flying, requiring medical specialty of a qualified Flight Surgeon).

i. Petitioner resigned with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) on 6 December 2022 for the period of 19 May 2012 to 1 August 2022 upon completion of required active service.

j. On 19 December 2022, Master Military Pay Account listed Petitioner's base pay stopped effective 1 August 2022. Furthermore, Petitioner was charged terminal leave for the period of 5 July 2022 to 1 August 2022 (28 days) and sold 3.5 days.

k. Petitioner resigned with an honorable character of service and was issued a DD Form 214 on 20 January 2023 for the period of 19 May 2012 to 31 August 2022 upon completion of required active service.

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1. The advisory opinion, attached as enclosure (2), commented to the effect that, the board “review the case and consider the valid orders and requested separation date from the member be honored. The member was aware of the overpayments through December 2022 and is presently making payments on the debt. Recommend the member submit a waiver of debt to DFAS for consideration. The point of contact in this matter is [REDACTED] and [REDACTED]. They can be reached at [REDACTED] and [REDACTED].”

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that on 7 February 2022, NPPSC 1900/1 was created with a separation date of 1 August 2022. On 15 February 2022, Petitioner’s official separation orders were issued stating, “Present Commanding Officer directed to detach member in time to permit separation processing not later than 31 August 2022.” On 16 February 2022, NSIPS lists his separation request had an approved effective date of 31 August 2022. Petitioner was issued a DD Form 214 on 6 December 2022 for the period of 19 May 2012 to 1 August 2022. Petitioner was also issued a DD Form 214 on 20 January 2023 for the period of 19 May 2012 to 31 August 2022.<sup>1</sup> Based on the official separation orders and NSIPS showing Petitioner’s separation request had an approved effective date of 31 August 2022, the Board concluded that Petitioner’s separation date should be changed to reflect that he separated on 31 August 2022 vice 1 August 2022.

## RECOMMENDATION

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

Petitioner’s DD Form 214 signed by authorized official on 6 December 2022, block 12b (Separation date this period) listed 31 August 2022 vice 1 August 2022. Note: That any other entries affected by the Board’s recommendation be corrected, and that Petitioner settle travel claim.

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

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<sup>1</sup> Reference (b), the DD Form 214 is prepared to cover periods of service on active duty, active duty for training, full-time support, 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 form 214 will be issued to members in conjunction with their release from active duty (RELACDU) and prior to departure from their command or separation activity on permissive temporary duty, terminal leave, and associated travel.

Block 12b. SEPARATION DATE THIS PERIOD. Enter the date the release, discharge, or change of status is effective. A member may be released 1 to 3 days early because the expiration of service falls on a weekend or holiday. In such cases, show the actual date of release. Such release is not considered as being “prior to expiration of obligated service.” For reservists entitled to travel time incident to separation, enter the effective date of RELACDU. Enter the actual date the member was detached from the duty station effecting separation and the number of days travel time in block 18. For Service members being transferred to the Individual Ready Reserve, enter in block 18: “SUBJECT TO ACTIVE-DUTY RECALL/ANNUAL SCREENING.”

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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.

5/20/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]