



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

██████████
Docket No. 607-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████, USN, XXX-XX-██████████

Ref: (a) Title 10 U.S.C. § 1552
(b) OPNAVINST 1120.9, 20 Dec 05
(c) NAVADMIN 274/16, 15 Dec 16
(d) NAVADMIN 296/17, 18 Dec 17
(e) ALNAV 068/18, 24 Sep 18
(f) NAVADMIN 278/18, 19 Nov 18

Encl: (1) DD Form 149 w/attachments
(2) Officer Plans and Policy Office (OPNAV N131) memo undated
(3) Chaplain Corps Officer Community Manager BUPERS-316D memo undated
(4) NPC memo 1400 PERS-80/0403, 7 Aug 24
(5) 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 received Entry Grade Credit of 3 years vice 2 years, as approved by Assistant Community Manager for the Chaplain Corps on 18 November 2016, on the Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) signed 14 December 2016; correct NAVPERS 1000/4 signed 5 October 2018 to reflect block 19 (Permanent grade date) "1 December 2017" vice "18 November 2016", block 20 (Present grade) "LT" vice "LTJG", and block 21 (Present grade date) "1 December 2017" vice "18 November 2016"; correct precedence number assigned that reflects seniority of permanent grade date; be screened by the May 2017 All Fully Qualified Officer List (AFQOL) and be promoted to Lieutenant effective 1 December 2017; receive back pay; and convene a Special Selection Board (SSB) to the rank of Lieutenant Commander.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 13 August 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. In accordance with reference (b), "[e]ntry grade and date of rank upon appointment in the Chaplain Corps shall be based on the number of years of entry grade credit awarded for prior active commissioned service, advanced education, and professional experience under reference (e) [DOD

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Directive 1312.3 of 21 October 1996]. Credit shall be granted subject to the computation rules in paragraph 6d and as specified in the following table:

Entry Grade Credit Table. Rule 2: Successful completion of graduate professional study validated by a Master of Divinity or equivalent degree under the criteria of paragraph 6a (7): Credit awarded is 3 years.”

b. Petitioner was discharged with an Honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 15 May 1995 to 14 April 2003 upon completion of required active service.

c. In April 2016, [REDACTED] conferred upon Petitioner the degree of Master of Divinity.

d. On 18 November 2016, Assistant Community Manager for the Chaplain Corps notified Chaplain Corps Program Manager (CNRC) that “[p]er reference (a) [COC letter to CNRC of 18 November 2016], [Petitioner] has been recommended by the CARE Advisory Group for a direct commission in the United States Navy as a Chaplain Corps officer, Designator 4105, Reserve Component.

The following applies: 3 years constructive credit calculations. Master’s degree: 3 years. Rank: LTJG (18 November 2016).”

e. On 14 December 2016, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) in the inactive U.S. Naval Reserve as a Lieutenant Junior Grade with a date of rank (DOR) 18 November 2016 with a designator code of 4100 (Staff Corps Officer billet requiring Chaplain specialty).

f. In accordance with reference (c), Notice of Convening FY-18 Navy Reserve Promotion Selection Boards. The Secretary of the Navy has authorized the release of the following list indicating the names, reserve precedence numbers, and dates of rank of the Senior in-zone and Junior in-zone eligible for consideration for promotion in each competitive category as of the date of this NAVADMIN. In addition, those officers on the Reserve Active Status List (RASL) and in the same competitive category who are senior to the Senior in- zone officer listed in their category are considered above-zone and are also eligible for consideration. For promotion to the grade of lieutenant in the Line and Staff Corps, the dates of rank for the Senior in-zone and Junior in-zone are listed.

Line/Staff Senior in-zone: 2 September 2015, Junior in-zone: 1 September 2016.

For promotion to the grade of lieutenant, an All-Fully- Qualified-Officers List (AFQOL) consisting of those officers recommended for promotion on their most recent fitness reports will be sent to the Secretary of the Navy, who will certify the AFQOL and forward the list to the Secretary of Defense.

For promotion to the grade of lieutenant, an All-Fully- Qualified-Officers List (AFQOL) consisting of those officers recommended for promotion on their most recent fitness reports will be sent to the Secretary of the Navy, who will certify the AFQOL and forward the list to the Secretary of Defense. Those officers determined not fully qualified for promotion will be

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omitted from the AFQOL, constituting a Failure of Selection (FOS). The All-Fully Qualified (AFQ) standard applies to all designators. The AFQ standard will also be utilized for any officers administratively missed when the original lists were compiled.

Officers in the grades of lieutenant (junior grade), lieutenant, lieutenant commander, and commander are eligible for consideration for promotion only if they have served continuously on either the RASL or Active Duty List (ADL) (or a combination of both lists) during the one-year period ending on the date of the convening of the promotion board or, in the case of lieutenants (junior grade), the commencement of the AFQOL process. Accordingly, officers returning to an active status from a period of inactive or broken service (USNR-S2, discharge) are eligible for consideration for promotion only after continuously serving in an active status for one full year. Membership in the Individual Ready Reserve (IRR) does not qualify for deferment of eligibility for consideration.

g. In accordance with reference (d), Notice of Convening FY19 Navy Reserve Promotion Selection Boards. “The Secretary of the Navy has authorized the release of the following list indicating the names, reserve precedence numbers, and dates of rank of the Senior in-zone and Junior in-zone eligible for consideration for promotion in each competitive category as of the date of this NAVADMIN. In addition, those officers on the RASL and in the same competitive category who are senior to the Senior in-zone officer listed in their category are considered above-zone and are also eligible for consideration. For promotion to the grade of lieutenant in the Line and Staff Corps, the dates of rank for the Senior in-zone and Junior in-zone are listed.”

Lieutenant Line/Staff Senior in-zone: 2 September 2016, Junior in-zone: 1 September 2017.

“Officers in the grades of lieutenant (junior grade), lieutenant, lieutenant commander, and commander are eligible for consideration for promotion only if they have served continuously on either the RASL or [ADL] (or a combination of both lists) during the one-year period ending on the date of the convening of the promotion board or, in the case of lieutenants (junior grade), the commencement of the AFQOL process.”

h. On 19 June 2018, Petitioner signed a Request for Conditional Release (DD Form 368) from the U.S. Naval Reserve acknowledging the following: “I hereby tender my resignation from the USNR (current component); request that it be accepted contingent upon actual appointment or enlistment in the USN (requesting component), and be effective the day preceding the date of my acceptance of appointment or enlistment.” The release was valid until 28 February 2019. Furthermore, it was approved by cognizant authority on 5 July 2018.

i. On 2 July 2018, Commander, Navy Personnel Command (PERS-91) notified Petitioner that “[y]our request contained in reference (a) [DD Form 368 of 2 July 2018] for a conditional release from the United States Navy Reserve is approved, per references (b) [SECNAVINST 1000.7F of 5 January 2006] and (c) [DOD Directive 1300.4 of 15 November 1996]. If accepted in the Active Component of the United States Navy, you will be discharged from the Navy Reserve the day prior to your appointment.”

j. In accordance with reference (e), FY-19 Navy Reserve Lieutenant Selections. “I am pleased to announce the following Line and Staff Corps Officers on the Reserve Active-Status list for permanent promotion to the grade of Lieutenant. This message is not authority to deliver

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appointments. Authority to effect promotion will normally be issued by future NAVADMINS requiring NAVPERS 1421/7 preparation and forwarding of document to PERS-806.”

“For proper alphabetical order read from left to right on each line. The numbers following each name to the right indicate the relative seniority among selectees within each competitive category. Members are directed to verify their select status via BUPERS Online.”

Chaplain Corps: [Petitioner] # 0002.

k. On 5 October 2018, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) in the active U.S. Navy as a Lieutenant Junior Grade with a date of rank 18 November 2018 with a designator code of 4100 (Staff Corps Officer billet requiring Chaplain specialty).

l. In accordance with reference (f), Navy Reserve Promotions to the Permanent Grades of Captain, Commander, Lieutenant Commander, Lieutenant and Chief Warrant Officers in the Line and Staff Corps. “Congratulations to the following officers on their promotions to the ranks indicated in this message. This NAVADMIN is the authority for effecting permanent officer promotions on the dates indicated. Columns read name and designator.”

DOR/Effective Date 1 December 2018: [Petitioner] 4105.

m. On 3 December 2018, Commanding Officer, [REDACTED], Joint Reserve Base notified Petitioner that “[y]our temporary/permanent appointment to Lieutenant with the date of rank and effective date of 1 December 2018 promulgated by reference (a) [NAVADMIN 278/18] pursuant to the provisions of references (b) [14308 of title 10, U.S. Code] and (c) OPNAVINST 1811.3 is hereby delivered.”

n. On 8 March 2019, Commander, Navy Personnel Command (PERS-91) notified Petitioner that “[y]ou have been honorably discharged from the Navy Reserve, effective 4 October 2018, due to your transfer to the Active Component of the United States Navy.”

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) through (4), the Board finds the existence of an injustice warranting the following partial corrective action. The Board agreed that on 18 November 2016, Assistant Community Manager for the Chaplain Corps notified Chaplain Corps Program Manager that Petitioner was to be awarded 3 years constructive credit for his master’s degree with a rank of LTJG and DOR of 18 November 2016, however it should have listed 18 November 2015. This error was repeated on NAVPERS 1000/4 signed on 14 December 2016 and on NAVPERS 1000/4 signed 5 October 2018. The Board determined that Petitioner was not eligible to be promoted to lieutenant effective 1 December 2017. In accordance with reference (c), officers in the grades of lieutenant (junior grade), lieutenant, lieutenant commander, and commander are eligible for consideration for promotion only if they have served continuously on either the RASL or ADL (or a combination of both lists) during the one-year period ending on the date of the convening of the promotion board or, in the case of lieutenants (junior grade), the commencement of the AFQOL process. Petitioner signed his NAVPERS 1000/4 in the inactive U.S. Naval Reserve on 14 December 2016. Although his corrected date of rank of 18 November 2015 would have fallen within the range eligible for consideration,

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Petitioner had only signed his Oath of Office the day before reference (c) was published and would not have had the required continuous to be considered for promotion. However, reference (e) listed Petitioner as a selectee for promotion to Lieutenant with a seniority number of 0002. Therefore, the Board believed it was likely he would have been promoted earlier in FY 19 than 1 December 2018 if his DOR had been correct.

RECOMMENDATION

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

Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) on 14 December 2016 in the inactive U.S. Naval Reserve as a Lieutenant Junior Grade listing block 14 (Permanent grade date) "18 November 2015" vice "18 November 2016" and block 16 (Present grade date) "18 November 2015" vice "18 November 2016."

Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) on 5 October 2018 in the active U.S. Navy as a Lieutenant Junior Grade listing block 19 (Permanent grade date) "18 November 2015" vice "18 November 2016" and block 21 (Present grade date) "18 November 2015" vice "18 November 2016."

Note: That any other entries affected by the Board's recommendation be corrected, and Navy Personnel Command will update Petitioner's lineal number and determine if the effective date of promotion to Lieutenant should reflect either 1 October 2018 or 1 November 2018 vice 1 December 2018.

A copy of this report of proceedings will be filed in Petitioner's naval record.

That no further changes be made to Petitioner's naval record.

4. 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 titled 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.

9/20/2024

[REDACTED]

Deputy Director

Signed by: [REDACTED]