



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

[REDACTED]
Docket No. 2072-24
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by BUMED ltr 7720 Ser N01C/24UN01C40033 of 15 Apr 24
(3) Advisory Opinion by NPC memo 1402 PERS-806/0370 of 24 Jul 24
(4) 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 his date of rank for Lieutenant Junior Grade (LTJG) is 26 April 2019 vice 4 May 2019 and adjust the date of rank for Lieutenant (LT).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] 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. On 23 July 2002, Petitioner enlisted in the U.S. Naval Reserve for 8 years.

b. Petitioner was released from active duty and transferred to the Naval Reserve 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 July 2003 to 14 May 2009 upon completion of required active service.

c. On 1 March 2010, Navy Personnel Command issued Petitioner an Administrative Remarks (NAVPERS 1070/613) stating, "[d]ischarged effective 26 February 2010 in the rate HM3 by reason of: [...] Selected changes in service obligation. Enlisted in the U.S. Air Force Reserve."

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d. On 23 December 2016, Medical Service Corps, Entry Grade Credit Worksheet Reference: OPNAVINST 1120.7A (NAVCRUIT 1070/3) listed, creditable Item (Maximum Credit Allowed) ...Successful completion of qualifying degree for each MSC specialty authorized by the CNO as identified in NAVPERS 158.391, part E (1 year for each year 2 year max for masters, 4 years max PHD/doctoral) for the period of 1 June 2017 to 4 May 2019. Credit Given: 2 years.

e. On 11 April 2017, Petitioner enlisted in the U.S. Navy for 4 years under the Health Services Collegiate Program (HSCP) Medical Service Corps (MSC) Program, Service Agreement Designator 23007, NA VCRUIT 1131/130 (Rev 9-2014).

f. Petitioner was discharged with an Honorable character of service and was issued a DD Form 214 for the period of 11 April 2017 to 5 June 2019 upon accepting commission or warrant in same branch of service.

g. On 6 June 2019, Petitioner signed a Memorandum of Understanding for Initial Date of Rank (NAVCRUIT 1131/245) listing the following: Date of rank: 19 (years), 4 (months), and 26 (days). Entry Grade Credit Based on Constructive Credit for Professional Education and Experience, and Credit for Prior Commissioned Service: 02 (years). Reconstructed Date of Rank: 17 (years), 04 (months), and 26 (days). Authorized Entry Grade Credit for a Given Grade: 02 (years). Official Date of Rank: 19 (years), 4 (months), and 26 (days).

h. On 6 June 2019, Petitioner signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) in the active U.S. Navy as a LTJG with a date of rank 4 May 2021 with a designator code of 2300 (Staff Corps Officer billet requiring Medical Service (Health Care Administration, Medical Allied Science, Optometry, Pharmacy, or Medical Specialist) specialty).

i. On 1 June 2021, Commanding Officer, [REDACTED] notified Petitioner that, “[y]our permanent appointment to [LT] with the date of rank and effective date of 1 June 2021 promulgated by reference (a) [NAVADMIN 103/21] pursuant to the provisions of reference (b) [10 U.S.C. 5902] and (c) [SECNAVINST 1811.3] is hereby delivered.”

j. In the advisory opinions, attached as enclosures (2) and (3), the office having cognizance over the subject matter addressed in Petitioner’s application has commented to the effect that the 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 the enclosures, the Board finds the existence of an error warranting the following corrective action. The Board concluded that Petitioner’s date of rank on his oath of office should have been 26 April 2019 as detailed on his NAVCRUIT 1131/245. Additionally, his promotion to LT should be corrected to 1 May 2021 based on 24 months’ time in grade for the corrected LTJG grade.

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RECOMMENDATION

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

Petitioner's Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/4) signed on 6 June 2019, block 19 (Permanent grade date) listed 26 April 2019 vice 4 May 2019, and block 21 (Present grade date) listed 26 April 2019 vice 4 May 2019.

Petitioner was permanent appointment to LT with the date of rank and effective date of 1 May 2021 vice 1 June 2021.

Note: That any other entries affected by the Board's recommendation be corrected. Furthermore, the Defense Finance and Accounting Service will complete an audit of Petitioner's records to determine amounts due, if any.

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 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.

8/22/2024

