



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

█
Docket No. 2921-24

Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case Summary
(3) Subject's naval record (excerpts)

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 add a period of continuous Honorable service. Enclosures (2) and (3) apply.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 29 April 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include reference (b).

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. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. On 22 May 1996, Petitioner enlisted in the United States Navy. From 22 May 1996 to 10 April 2006, Petitioner completed a period of Honorable service and immediately reenlisted on 11 April 2006.

d. On 4 February 2009, having enlisted on 11 April 2006, Petitioner agreed to a four month

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

extension, with a new expiration date of 10 August 2009.

e. On 19 February 2009, having enlisted on 11 April 2006, Petitioner agreed to a 23 month extension, with a new expiration date of 10 July 2011.

f. On 8 April 2009, Petitioner was Honorably discharged from the Navy. Although a reenlistment contract is missing from Petitioner's service record, it appears that he immediately reenlisted on 9 April 2009.

g. On 8 December 2009, having enlisted on 9 April 2009, Petitioner agreed to a 23 month extension, with a new expiration date of 8 January 2014.

h. On 1 September 2010, Petitioner was discharged from the Navy due to misconduct with an Other than Honorable (OTH) and assigned an RE-4 reenlistment code. Upon his discharge, he was issued a DD Form 214 (Certificate of Release or Discharge from Active Duty) that did not reflect his periods of continuous Honorable service.

i. On 17 November 2023, Navy Personnel Command issued a DD Form 215 adding "Continuous Honorable Active Service from: 19960522 – 20060410."

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that given the totality of his circumstances, Petitioner's request merits relief.

After review of Petitioner's official military personnel file (OMPF), the Board determined that Petitioner's DD Form 214 contains an administrative error. Specifically, the Board noted Petitioner has a period of continuous Honorable service from 11 April 2006 to 8 April 2009, which is not reflected on his separation document.

Applicable regulations authorize the language "Continuous Honorable Active Service" in Block 18 (Remarks) of the DD Form 214, when a service member has previously reenlisted without being issued a DD Form 214, and was separated with a discharge characterization of "Honorable," as is the case at present. In this regard, the Board determined Petitioner's naval record shall be corrected to reflect his continuous Honorable active service for the above referenced period. While the reenlistment contract is missing from Petitioner's record, the Honorable Discharge Certificate dated 8 April 2008 and Agreement to Extend Enlistment referencing a reenlistment dated 9 April 2009 is sufficient evidence of a valid reenlistment and a preceding period of Honorable service.

RECOMMENDATION:

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action:

That Petitioner's naval record be corrected to show his period of Honorable service from "11 April 2006 to 8 April 2009." Petitioner shall be issued a DD Form 215, for the period ending 1

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

September 2010, with correction to the Remarks Section, Block 18, annotating "Continuous Honorable Active Service: "11 April 2006 to 8 April 2009."

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

That a copy of this report of proceedings 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 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5/17/2024

[REDACTED]

Executive Director

Signed by: [REDACTED]