



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

HD:hd
Docket No: 00948-01
30 March 2001

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

Subj: LT [REDACTED] NC, USN, [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 31 Jan 01 w/attachments
(2) BUMED ltr dtd 8 Mar 01
(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 by changing his lieutenant date of rank from 4 January 2000 to 27 June 1998.
2. The Board, consisting of Messrs. Taylor and Zsalman and Ms Hare, reviewed Petitioner's allegations of error and injustice on 29 March 2001, 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 Chief, Bureau of Medicine and Surgery 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. They recommend changing his lieutenant date of rank to 21 April 1998, a date more favorable to Petitioner than the one he requested.

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:

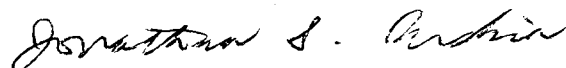
a. That Petitioner's naval record be corrected, where appropriate, to show the date of rank on his commission as a lieutenant, Nurse Corps, U. S. Naval Reserve as 21 April 1998, vice 4 January 2000; and that his lineal precedence be adjusted accordingly.

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

948-01



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

IN REPLY REFER TO

1120
Ser 522/01-7826
08 Mar 01

From: Chief, Bureau of Medicine and Surgery
To: Board for Correction of Naval Records

Subj: ADVISORY OPINION ICO [REDACTED] NC, USNR,
[REDACTED]

Ref: (a) SECNAVINST 1120.6B

Encl: (1) BCNR Application IC [REDACTED]

1. Enclosure (1) is forwarded recommending the Date of Rank (DOR) for lieutenant be changed to 21 April 1998.
2. Per reference (a), Lieutenant [REDACTED] did not receive the calculated Entry Grade Credit (EGC) of five years, eight months and seven days. The Entry Grade Worksheet in reference (a) shows the correct amount of entry grade credit. However, the oath of office reflects only four years of entry grade credit.
3. The correct Date of Rank using the original Entry Grade Worksheet is 21 April 1998.
4. Your point of contact is [REDACTED] NC, USN, who may be reached at [REDACTED]

[REDACTED]

By direction