



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

HD
Docket No. NR337
29 March 2013

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 12 Jan 12 (sic) w/attachments
(2) PERS-91 ltr dtd 28 Feb 13 w/attachments
(3) PERS-80 memo dtd 13 Mar 13

1. Pursuant to reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show he accepted his commission as a lieutenant commander in the Medical Corps of the Navy Reserve on 1 September 2012, rather than 10 January 2013. He further requested that if he missed the Fiscal Year 14 Staff Commander Selection Board convened on 20 February 2013, he be granted consideration by a special selection board (SSB) for promotion to commander.

2. The Board, consisting of Messrs. Bey, Chapman and Ivins, reviewed Petitioner's allegations of error and injustice on 28 March 2013, 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 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 enclosure (2), PERS-91, the Navy Personnel Command (NPC) office with cognizance over the subject matter of

Petitioner's case, has commented to the effect the request has merit and warrants favorable action.

c. In enclosure (3), PERS-80, the NPC office with cognizance over officer promotions, has commented to the effect that once the Board has acted on Petitioner's request to change the acceptance date of his commission, his SSB request should be submitted via the NPC website under special promotions.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosure (2), the Board finds an error and injustice warranting the following corrective action:

RECOMMENDATION:

a. That Petitioner naval record be corrected to show he accepted his commission in the Navy Reserve on 1 September 2012, rather than 10 January 2013.

b. That his anniversary date and pay entry base date be adjusted accordingly.

c. That any material or entries inconsistent with or relating to 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.

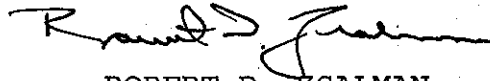
d. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from petitioner's record, for retention in a confidential file maintained for 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
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.



ROBERT D. ZSALMAN
Acting Executive Director