

Petitioner's request to change the acceptance date on his Naval Reserve commission 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 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 his commission in the Naval Reserve was accepted on 1 February 1998, rather than 2 February 1998; and that his anniversary date and pay entry base date 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.

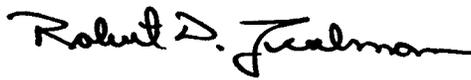
c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for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


For W. DEAN PFEIFFER
Executive Director



2547-99

DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-911
12 Jul 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-OOZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO [REDACTED]
[REDACTED]

Ref: (a) BCNR memo 5420 PERS-OOZCB of 1 Jul 99

Encl: (1) BCNR File No. 02547-99

1. Per reference (a), enclosure (1) is returned with the recommendation that Lieutenant [REDACTED] petition be granted as specified in paragraph 4 below.
2. Lieutenant [REDACTED] is requesting that the effective date of his Naval Reserve appointment be adjusted and a special promotion selection board be convened to consider his record.
3. A review of Lieutenant [REDACTED] record and petition reveals that while on active duty he pursued resignation with reappointment in the Naval Reserve. His intent was to affiliate with the Selected Reserve immediately after release from active duty. However, it appears that his command failed to advise him of the impact of an immediate appointment into the Naval Reserve. Lieutenant [REDACTED] was separated from active duty on Saturday, 31 January 1998. Because of the weekend he was not sworn into the Naval Reserve until Monday, 2 February 1998, which resulted in a one-day break in service. This one-day break in service made Lieutenant [REDACTED] ineligible for consideration for selection for promotion for one year. Consequently, the FY-99 Inactive Duty Line Lieutenant Commander Selection Board, which met in June 1998, did not consider him.
4. To correct this situation, we recommend Lieutenant [REDACTED] petition to change the effective date of appointment in the Naval Reserve from 2 February 1998 to 1 February 1998 be granted. With regard to his request for a special promotion board we recommend waiting for the results of the FY-00 Inactive

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS FOR [REDACTED]
[REDACTED] USNR, [REDACTED]

Duty Line Lieutenant Commander Selection Board. This board met and considered Lieutenant [REDACTED] for promotion. The board results have not been released as of this date. If selected for promotion by the FY-00 selection board, we recommend that his date of rank be adjusted to 1 October 1998. Per discussions with Reserve Officer Promotion Branch, PERS-86, 1 October 1998 would have been Lieutenant [REDACTED] date of rank had he been considered and selected for promotion by the FY-99 Inactive Duty Line Lieutenant Commander Selection Board. If not selected for promotion by the FY-00 board, we support his petition for a special FY-99 Selection Board.

5. My point of contact is [REDACTED] 91B, who may be reached at [REDACTED]

[REDACTED]

Captain, U.S. Naval Reserve
Director, Naval Reserve Personnel
Administration Division