



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

[REDACTED]
Docket No. 8050-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICC [REDACTED]
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) 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 reflect Navy Reserve gain of 25 February 2022.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 November 2022 [REDACTED] 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. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 21 July 2021, U.S. Army Reserve Command approved Petitioner's DD Form 368, Request for Conditional Release to U.S. Navy with an expiration of 1 July 2022; Naval Air [REDACTED] approved Petitioner's appointment in the U.S. Navy Reserve (USNR) on 25 February 2022.

b. On 10 February 2022, Petitioner was scrolled for a Reserve appointment and Petitioner signed Oath of Office, Ready Reserve Transfer Request Service Agreement and Navy Reserve Officer – Chaplain (4105) Individual Ready Reserve (IRR) Service Agreement on 25 February 2022.

c. On 4 April 2022, Navy Personnel Command (PERS-911) approved Petitioner's NAVPERS 1200/1, Ready Reserve Transfer Request Service Agreement with an effective date

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[REDACTED]

of 25 February 2022. Statement of Service generated the same day reflecting 25 February 2022 as Petitioner's start date in the USNR with 4105 designator.

d. On 1 June 2022, the gain transaction is completed assigning Petitioner to Naval Reserve Cargo Afloat Rig Team, [REDACTED] unit in an inactive duty training status effective 1 June 2022; Defense Enrollment Eligibility Reporting System (DEERS) reflects 1 June 2022 effective date as well.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner was approved for an effective gain date of 25 February 2022, however, the gain transaction was completed on 1 June 2022, without backdating the effective date of affiliation, resulting in a lapse of TRICARE benefits. Therefore, the Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner was gained to [REDACTED] effective "25 February 2022" vice "1 June 2022." Note: Commander, Navy Reserve Forces Command (N1) shall ensure Petitioner's DEERS and TRICARE records are updated accordingly.

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-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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/23/2022

[REDACTED]

Deputy Director

[REDACTED]