



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

█
Docket No. 9134-22
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 1 June 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board also considered the advisory opinions by █ of 9 February 2023, and Commander, Navy Personnel Command letter 5730 PERS-91 of 17 March 2023, which were previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

On 17 August 1990, you enlisted in the U.S. Naval Reserve for 8 years at Naval Reserve Officers Training Corps (NROTC) unit, █, █. Furthermore, you signed an acceptance and oath of office having been permanently appointed a Midshipman in the U.S. Naval Reserve.

In accordance with 10 U.S.C. 12732, Entitlement to Retired Pay: Computation of Years of Service. Each one-year period, after July 1, 1949, in which the person has been credited with at least 50 points on the following basis: (A) One point for each day of— (i) active service; or (ii) full-time service under sections 316, 502, 503, 504, and 505 of title 32 while performing annual training duty or while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned; if that service conformed to required standards and qualifications.

One point for each attendance at a drill or period of equivalent instruction that was prescribed for that year by the Secretary concerned and conformed to the requirements prescribed by law, including attendance under section 502 of title 32. Points at the rate of 15 a year for membership in a reserve component of an armed force.

On 7 May 1994, NROTC unit, █, █ issued you an administrative remarks (NAVPERS 1070/613) with the following: "Discharged this date with an Honorable Discharge for Convenience of the Government to accept a Commission in USNR. Authority: MILPERSMAN Article 3620100. Designator upon commissioning: 1105.

Summer training completed while enrolled in the NROTC Program: 31 July - 26 August 1991, summer training completed at █; 30 May - 27 June 1992, Summer training completed at █; 4 August - 24 August 1993, summer training completed at █."

On 27 May 1994, you signed an Officer Appointment Acceptance and Oath of Office (NAVPERS 1000/20) in the inactive U.S. Naval Reserve as an Ensign with a Permanent grade date/Present grade date of 25 May 1994 and a designator code of 1105 (An Unrestricted Line Officer who is not qualified in any warfare specialty or in training for any warfare specialty).

On 4 June 1999, █ Medical School awarded you a Doctor of Medicine degree with a major in Medicine, General MD.

The Medical College of █, awarded you a certificate for satisfactorily completed a term of service as Intern in General Surgery from 1 July 1999 to 30 June 2000.

On 14 November 2003, Navy Personnel Command notified you that per SECNAVINST 1920.6B, Naval Reserve officers who have completed their military service obligations must earn at least 27 retirement points (including membership points) per anniversary year to remain in an active status. Officers who do not earn 27 retirement points in an anniversary year may be transferred to Standby Reserve-Inactive (USNR-S2) status. Those officers must have completed their obligated service and hold a specialty not in short supply.

Records indicate you were no longer participating in an organized unit or pursuing other means of earning minimum retirement point credit as a member of the Individual Ready Reserve (IRR). Accordingly, they requested that you resolve your Naval Reserve status by completing the appropriate section of enclosure (1) and returning it by 31 December 2003 in the envelope provided. If we do not receive your response by 31 December 2003, we will transfer you to Standby Reserve-Inactive (█) status on that date.

On 22 November 2003, you notified Commander, Navy Personnel Command that "I am not an active participant and hereby request to resign my commission. I understand that I will receive an honorable discharge from the Naval Reserve if my resignation is accepted."

On 26 December 2003, Commanding Officer, Naval Reserve Personnel Center notified you via NAVRESPERSCEN, █, █ that per SECNAVINST 1920.6B, the Secretary of the Navy accepted your voluntary request to resign-your commission as an officer in the United States Naval

