



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

█
Docket No. 4992-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █, USNR,
█

Ref: (a) Title 10 U.S.C. § 1552
(b) DODI 1215.07

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by NPC, 7 Aug 23
(3) 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 her naval record be corrected to adjust anniversary ending date back to 22 September or establish qualifying years of service for anniversary years ending 2 August 2010, 2 August 2012, and 2 August 2016.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 21 September 2023 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, 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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 23 September 1998, Petitioner entered the Navy Reserve Officer Training Corps (NROTC) and completed NROTC on 2 August 2000, and was commissioned in the Navy on 3 August 2000 and entered active duty. On 31 July 2005, Petitioner released from active duty and transferred to Navy Reserve.

b. Petitioner's Annual Retirement Point Record (ARPR) for the anniversary period of 23 September 2018 to 22 September 2019 reflected qualifying years of service for anniversary years ending 22 September 2010, 22 September 2012, and 22 September 2016. Additionally, Petitioner had 18 years, 1 month, and 20 days of total qualifying service. Sometime thereafter, Petitioner's anniversary is corrected to 3 August.

c. Petitioner's ARPR for the anniversary period of 3 August 2021 to 2 August 2022 reflects she did not earn qualifying service for anniversary years ending on 2 August 2010, 2 August 2012, and 2

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August 2016. Moreover, Petitioner's total qualifying service dropped to 18 years, 00 months, and 00 days.

d. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request 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. The Board concluded that adjusting Petitioner's record to reflect previous anniversary start date of 23 September is not authorized. Petitioner's anniversary year was erroneously started on 23 September which aligned with her entry into NROTC. However, in accordance with reference (b), the anniversary year is established by the date the service member entered into active service or active status in a reserve component—time served in NROTC is not creditable. Upon the Navy correcting the anniversary date to 3 August, Petitioner's points were redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a qualifying year for anniversary years ending 2 August 2010, 2 August 2012, and 2 August 2016. Therefore, the Board determined under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner's ARPR is amended to reflect anniversary years ending 2 August 2010, 2 August 2012, and 2 August 2016 have 50 total points per year and qualifying service per year.

This change will add three total qualifying service years to Petitioner's ARPR.

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.

10/6/2023

